

2006 - 2007

**HARROW COUNCIL
COUNCIL SUMMONS**

**MEETING
Thursday 19 October 2006**



COUNCIL SUMMONS

Chief Executive's Directorate

Civic Centre

Harrow

11 October 2006

Dear Member

I hereby request and summon you to attend a **MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HARROW** to be held in the **COUNCIL CHAMBER** at the **CIVIC CENTRE, STATION ROAD, HARROW, on Thursday, 19th day of October 2006 at 7.30 pm** to take into consideration the following numbered matters and to pass such resolutions and to make such orders thereon as may then be determined.

PRAYERS

The Mayor's Chaplain, Rabbi Andrew Shaw, will open the meeting with Prayers.

1. DECLARATIONS OF INTEREST:

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from all Members present [in any part of the Chamber].

2. COUNCIL MINUTES:

That the minutes of the Ordinary Meeting held on 13 July 2006 be taken as read and signed as a correct record.

[Note: The 13 July Council minutes are published on the Council's Intranet].

3. BY-ELECTION: HARROW WEALD WARD (AND MATTERS ARISING):

The Director of Corporate Governance formally reports the result of the By-Election held for the Harrow Weald Ward on 24 August 2006 to fill a casual vacancy.

Mr Paul Scott was duly elected as a Borough Councillor, representing the Liberal Democrat Party, to hold office until May 2010.

It is confirmed that Councillor Scott has duly signed the Declaration of Acceptance of Office.

Notice was then given under Regulation 8 (Local Government (Committees and Political Groups) Regulations 1990) of Councillors Noyce and Scott having formed a Liberal Democrat Group on the Council, of which Councillor Noyce is the Leader.

Under the Regulations the service of a Regulation 8 Notice required that a Determination be undertaken as to the proportional entitlement of the (three) political Groups on the Council to seats on the Committees. The Determination confirmed the entitlement of the Liberal Democrat Group to one seat, which was no change on the Committee memberships currently established by the Council. All Members of Council were advised of this outcome by letter dated 1 September 2006.

FOR INFORMATION

4. MAYOR'S ANNOUNCEMENTS:

To receive any announcements from the Mayor.

[Note: Information as to recent Mayoral engagements will be tabled].

5. PROCEDURAL MOTIONS:

To receive and consider any procedural motions by Members of the Council, under relevant Council Procedure Rules, in relation to the conduct of the business for this Council Meeting.

[Note: Notice of such procedural motions, received after the issuing of this Summons, will be tabled].

6. PETITIONS:

To receive petitions (if any) submitted in accordance with Council Procedure Rule 11 and presented:-

- (i) by a representative of the petitioners;
- (ii) by a Councillor, on behalf of petitioners; or
- (III) by the Director of Corporate Governance, on behalf of petitioners.

7. PUBLIC QUESTIONS:

A period of up to 15 minutes is allowed under Council Procedure Rule 12 for members of the public to ask questions of members of the Executive, Portfolio Holders and Chairmen of Committees, of which notice has been received no later than 5.00 pm two clear working days prior to the day of this Meeting.

[Note: Confirmation of any such questions will be tabled].

8. RECONFIGURATION OF SCRUTINY SUB COMMITTEES: (Pages 1 - 14)

RECOMMENDATION I: OVERVIEW AND SCRUTINY COMMITTEE
(18 JULY 2006)

Council is additionally requested to endorse the revised Scrutiny Sub Committee Terms of Reference arising from the main Recommendation purposes, as now attached.

9. OVERVIEW AND SCRUTINY COMMITTEE RECOMMENDATIONS - 10 OCTOBER 2007:

To receive the following Recommendation arising from the Overview and Scrutiny Committee Meeting of 10 October 2006:-

RECOMMENDATION I: Scrutiny Discussion Forum

[Note: This Recommendation will be circulated in a Supplemental Summons].

10. FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES: (Pages 15 - 100)

RECOMMENDATION I: CABINET (3 AUGUST 2006)

11. PROTOCOL FOR CO-OPTEES AND ADVISERS: (Pages 101 - 108)

RECOMMENDATION I: STANDARDS COMMITTEE
(19 SEPTEMBER 2006)

12. REPORT OF THE CONSTITUTIONAL REVIEW WORKING GROUP: RECOMMENDED CONSTITUTIONAL CHANGES: (Pages 109 - 114)

A report arising from the informal Constitution Review Working Group is attached.

FOR CONSIDERATION

13. QUESTIONS WITH NOTICE (Council Procedure Rule 13):

A period of up to 15 minutes is allowed (Council Procedure Rule 13.2) for the asking of written questions by Members of Council of a member of the Executive or the Chairman of any Committee:-

- (i) of which notice has been received at least two clear working days prior to the day of this Meeting;
- (ii) or which relate to urgent matters, the consent of the Executive member or Committee Chairman to whom the question is to be put has been obtained and the content has been advised to the (Acting) Chief Executive by 12.00 noon on the day of the Council Meeting.

(Confirmation of any such questions will be tabled).

14. MOTIONS: (Pages 115 - 140)

The following Motions have been notified in accordance with the requirements of Council Procedure Rule 15, to be moved and seconded by the Members indicated:-

(1) Proposed Enhanced Powers for the Mayor of London

To be moved by Councillor Chris Mote and seconded by Councillor Marilyn Ashton:-

“This Council believes that the Government’s proposals to grant the Mayor of London greater powers will undermine the authority of London’s boroughs and damage local democracy in London by taking decision-making away from local communities and their locally-elected representatives.

This Council further believes that the Government’s proposals giving the Mayor greater powers over planning and housing will erode the role of boroughs’ planning and development control committees in making decisions about what is built locally, will reduce the extent to which local people can influence what is built in their own neighbourhoods, and will see planning decisions imposed on communities by the Mayor of London.

This Council resolves to:

- (a) make representations about its concerns and opposition to the Government’s proposal to grant further powers to the Mayor in the formal consultation process;
- (b) write to the local MPs and GLA member to ask them to

raise these concerns in Parliament and at the London Assembly; and

- (c) work with the other London Boroughs through the ALG in lobbying against these proposals.”

(2) Protection of Locally Listed Buildings

To be moved by Councillor Brian Gate and seconded by Councillor Navin Shah:-

“Consistent with the resolution passed unanimously by Council on 20th January 2005 on the protection of Locally Listed Buildings, Council resolves to reinstate the status of Vaughan Centre as a Locally Listed Building and, in so doing, reaffirms the Council’s genuine commitment to the preservation of buildings of an architectural or historic nature.

Emphasizing their importance, Council further resolves not to remove any buildings from the current list of Locally Listed Buildings.”

(3) Cuts in Social Care Services

To be moved by Councillor Margaret Davine and seconded by Councillor Bill Stephenson:-

“The current administration’s declared wish “to become a borough loved by its residents”, who will be supported by a “caring and effective Council” begins to sound very hollow when set against their proposals for major cuts to all services, particularly, to social care. We unreservedly condemn the distressing proposals for enormous increases in home-care charges and the ill-conceived proposals for the “meals on wheels” service. We urge the administration to listen carefully to the many protests coming forward from service users and their carers and withdraw these totally unacceptable proposals.”

(4) Accountable Scrutiny

To be moved by Councillor Brian Gate and seconded by Councillor Navin Shah:-

“The executive function of the Council is entirely performed by the majority party. In order to enable a strong scrutiny function the Council agrees that the O&S Committee should be chaired by a member of opposition party.”

(5) Overview and Scrutiny

To be moved by Councillor Mitzi Green and seconded by Councillor Brian Gate:-

“The new administration has reiterated the commitment made by the previous administration to an open, transparent Council.

In the light of this, Council believes that the role of scrutiny should be strengthened and, as a first step towards this, agrees that the number of meetings of the Overview and Scrutiny Committee should be increased from 8 to 10 in the next municipal year with an extra meeting to be held on 20th February 2007.”

(6) Revisions of the Committee Structure and Executive Arrangements

To be moved by Councillor Chris Mote and seconded by Councillor David Ashton:-

“That the Council

- (1) Delete the Development Control Committee and establish a Strategic Planning Committee and a Development Management Committee and approve their terms of reference, in an appendix;
- (2) Determine the size of the two new Committees at a membership of eight;
- (3) Note the proportional entitlement of the political groups to seats on those Committees (Conservative 5: Labour 3) (as notified in advance to all the political groups);
- (4) Appoint the memberships of the two new Committees and make such changes to other Committees of the Council as have now arisen (including two previously pending changes on the Overview and Scrutiny Committee) (completed membership lists from the political groups to be available for agreement at the Council);
- (5) Appoint Councillor Marilyn Ashton as Chairman of the Strategic Planning Committee and of the Development Management Committee;
- (6) Agree a variation of the relevant Committee Rules in the Constitution to provide for a start time of 6.30 pm and to restrict the “guillotine” provisions to a latest finish time of 11.00 pm for both the Strategic Planning Committee and the Development Management Committee (the revised form of the relevant Rules is attached for adoption);
- (7) Agree to increase the size of the Cabinet by one to ten (inclusive of the Leader and Deputy Leader);
- (8) Agree to appoint Councillor Mrs Bath to the additional Cabinet seat;
- (9) Agree revised Portfolio Holder roles, in an appendix.”

[Note: The attachments referred to in the Motion are enclosures with this Summons or will otherwise be available at the meeting].

FOR DECISION

15. MEMBERS' ALLOWANCES SCHEME - VARIATIONS:

By Resolution 38 of the Extraordinary Council Meeting on 31 May 2006 a Revised Schedule 1 of the Members' Allowances Scheme was adopted for the remainder of the financial year 2006/07.

(1) Further to Item 3 on this Summons and the formation of a Liberal Democrat Group, there is a requirement to vary Schedule 1 of the Members' Allowances Scheme by the inclusion of a Special Responsibility Allowance in respect of the office of Leader of the Liberal Democrat Group, with effect from 25 August 2006.

The proposal is that this additional SRA be at the Band 3 level (£1,023), the same as for the Deputy Leader of the Labour Group.

(2) Further to Item 14 (6) on this Summons there is a proposal to increase the Cabinet membership (in addition to the Leader and the Deputy Leader) from seven to eight Members.

If this proposal has been agreed an appropriate change would need to be made to the Members' Allowances Scheme to add another Member at SRA Band 9 (£12,000) level.

Council is requested to approve the above amendments to Schedule 1.

FOR DECISION

16. OUTSIDE BODY APPOINTMENTS:

To receive the following proposals from the Leader of the Council as to changes in the representation on outside bodies for the balance of the Municipal Year 2006/07;-

Name of Body	Deleted Appointee	New Nominee
LBH (b) Rail Liaison Meeting	Councillor Raj Ray	Councillor Jerry Miles
Harrow Weald Common Board of Conservators	Councillor Anthony Seymour	Councillor Paul Scott

FOR DECISION

17. DECISIONS TAKEN UNDER URGENCY PROCEDURE BY PORTFOLIO HOLDERS/LEADER AND CABINET AND USE OF SPECIAL URGENCY PROCEDURE: (Pages 141 - 148)

In accordance with the relevant Overview and Scrutiny Procedure Rules and Rule 17.3 of the Access to Information Rules, as set out in Part 4 of the Constitution, it is a requirement to report those urgent decisions and special urgency decisions taken on behalf of the Executive (that is, as individually authorised by the Portfolio Holders), since the previous Council Meeting.

Those requirements are met in the attached paper from the Director of Corporate Governance.

18. URGENT DECISIONS TAKEN ON MATTERS RESERVED TO COUNCIL:

In accordance with the delegations to Chief Officers, the Leaders of each of the political Groups on the Council were consulted on and agreed the following urgent decisions on behalf of the Council, being matters reserved to the Council.

Absence Cover

To appoint Jill Rothwell, Executive Director Business Development, further as Acting Chief Executive (i) pending the return to work from illness of the Chief Executive; or (ii) the end of December 2006, whichever is the sooner.

Re-Establishment of the Education Appeals Panel for the 2006/07 Academic Year.

To appoint Lay Members and Other Members (as named in the urgent decision) to Harrow's Education Appeals Panel for the 2006/07 Academic Year, to serve on both Harrow's Education Appeals Panel and on Appeals Panels set up by Voluntary Aided Schools.

FOR CONFIRMATION

19. EXTRAORDINARY COUNCIL - DECEMBER 2006:

Further to the decision at Resolution 53 (13 July 2006) to hold a Council Meeting in December 2006 to receive and agree the Authority's Gambling Policy, no date was then set.

A prospective date of 11 December was identified in the revised Calendar of Meetings 2006/07, as circulated to all Members in August 2006.

Council is requested now to confirm that the date for the Extraordinary Meeting be **MONDAY 11 DECEMBER 2006**, commencing at **7.00 pm**).

FOR CONFIRMATION

Yours sincerely



Acting Chief Executive

To: The Worshipful the Mayor and all Members of the Council of the London Borough of Harrow