

CALL-IN SUB COMMITTEE

17 OCTOBER 2006

Chairman: * Councillor Anthony Seymour

Councillors: * Mrs Lurline Champagnie (3) * Graham Henson (2)
* Mitzi Green * Jeremy Zeid (1)

* Denotes Member present
(1), (2) and (3) Denote category of Reserve Members

[Note: Councillors Margaret Davine, B E Gate, Mrs Kinnear, Navin Shah and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 14 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**9. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

Ordinary Member

Councillor B E Gate
Councillor Jean Lammiman
Councillor Mark Versallion

Reserve Member

Councillor Graham Henson
Councillor Mrs Lurline Champagnie
Councillor Jeremy Zeid

10. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Agenda Item

6. Call-in of the Decision of the Property, Housing, Planning (Development) and Planning (Strategic) Portfolio Holder: Vaughan Centre

Nature of Interest

Councillor B E Gate declared a personal interest arising from his involvement as a Ward Councillor and also that the premises was nearby his residence. Accordingly he remained in the room and took part in the discussion on this item.

Councillor Navin Shah declared a personal interest in that he a Member of the Harrow Heritage Trust appointed by the Authority. Accordingly he remained in the room and took part in the discussion on this item.

Councillor Bill Stephenson declared a personal interest in that he was a Member of the Harrow Heritage Trust appointed by the Authority. Accordingly he remained in the room and took part in the discussion on this item.

11. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the meeting be called with less than 5 clear working days' notice by virtue of the special circumstances and grounds for urgency stated below:-

Special Circumstances/Grounds for Urgency

Under Overview and Scrutiny Procedure Rule 22, a meeting of the Call-in Sub-Committee must be held within 7 clear working days of the receipt of a request for call-in. This meeting therefore had to be arranged at short notice and it was not possible for the agenda to be published 5 clear working days prior to the meeting

(2) in accordance with the Local Government (Access to Information) Act 1985, the following papers be admitted to the meeting by virtue of the special circumstances and grounds for urgency stated below:-

<u>Item</u>	<u>Special Circumstances/ Grounds for Urgency</u>
6. Call-in of the Decision of the Property, Housing, Planning (Development) and Planning (Strategic) Portfolio Holder: Vaughan Centre – Tabled Documents: <ul style="list-style-type: none"> • Council Motion from meeting held on 20 January 2005 entitled Locally Listed Buildings • Section D12 of Harrow’s Unitary Development Policy regarding Locally Listed Buildings 	The lead signatory to the Call-in tabled these papers to support the Call-in request. The papers were admitted onto the agenda in order to enable Members to consider all information relevant to the item before them for decision.

(3) it be noted that agenda item 5 “Protocol for the Operation of the Call-in Sub-Committee” had been admitted erroneously onto the agenda and was therefore removed;

(4) all items be considered with the press and public present.

(See also Minute 13).

12. **Minutes:**

RESOLVED: That the minutes of the meeting held on 22 August 2006 be deferred until printed in the Council Bound Minute Volume.

13. **Protocol for the Operation of the Call-In Sub-Committee:**

RESOLVED: That (1) the Protocol, which had not been formally approved by the Call-In Sub-Committee, and was admitted erroneously onto the agenda, therefore be withdrawn; and

(2) the Protocol be informally discussed and agreed between the Chairman and Vice-Chairman and submitted to a future meeting of the Call-In Sub-Committee for approval.

14. **Call-in of the Decision of the Property, Housing, Planning (Development) and Planning (Strategic) Portfolio Holder: Vaughan Centre:**

The Sub-Committee considered a decision of the Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) dated 29 September 2006, which had determined that the former Vaughan School should be de-listed.

At its meeting on 12 September 2006, the Strategic Planning Advisory Panel had received a report of the Director of Strategic Planning, advising of the need to de-list the Vaughan Centre as the building was no longer fit for purpose. A recommendation from the Strategic Planning Advisory Panel was referred to the Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) for decision. The Portfolio Holder had agreed to the recommendation to de-list the Vaughan Centre. A call-in notice was subsequently received, calling in the decision relating to the de-listing of the Vaughan Centre. This decision had therefore been referred to the Call-In Sub-Committee for consideration under the call-in procedure.

The decision had been called-in on two grounds: inadequate consultation with stakeholders prior to the decision and that the decision was contrary to the policy framework of the Council

The Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) and the Leader were both unable to attend the meeting. In accordance with the Appendix to the Executive Procedure Rules 4C, (Delegated Powers of Portfolio Holders (Temporary Arrangements)) the Leader of the Council had temporarily transferred responsibilities and power to the Portfolio Holder for Urban Living – Public Realm, who attended the meeting. A letter had been circulated to all Members notifying them of this temporary transfer. Four of the six signatories and the Ward Councillor also attended the meeting.

Members considered the notice invoking the call-in procedure, the record of the Portfolio Holder’s decision and the documentation sent to the Portfolio Holder to inform her decision. In addition, an extract from the Unitary Development Policy (UDP), Section D12; Locally Listed Buildings and a motion regarding Locally Listed Buildings, which was passed at Council on 20 January 2005, was tabled by the signatories.

The Members of the Sub-Committee considered the call-in notice and an officer was invited to explain the reasoning behind the recommendations to his report and to respond to the grounds for call-in, and a Member representing the signatories to the call-in notice was invited to explain the reasons for the call-in.

The Director of Strategic Planning reported that the Vaughan Centre, a locally listed building, was no longer fit for its operational purpose by People First and a way forward to utilise the site was sought. The proposed option was to de-list the site but to maintain it for one of three Neighbourhood Resource Centres. This was possible through submitting an application to the Development Control Committee with a case to de-list and demolish (if necessary) the site. The officer explained that not only were the cost implications significant, but that the planning application could take six to nine months to progress. There was no certainty the application would succeed and the Neighbourhood Resource Centre project would therefore be delayed. A report to the Strategic Planning Advisory Panel would expedite matters, save time, expense and uncertainty for the project. He advised out that consultation was not necessary for the de-listing of the site, and was never carried out.

A Member representing the signatories to the call-in stated that the call-in of this decision should be upheld on the grounds of inadequate consultation with stakeholders prior to the decision, and as the decision was contrary to the policy framework of the Council. He referred Members to Section D12 of Harrow's UDP and stated that although there was no need to consult, it was good practice to consult with stakeholders including the Harrow Heritage Trust. He indicated that community groups using the centre were concerned in terms of security and loss of facilities. He added that it would have also been helpful to consult with the Ward Councillors. The Member stated that the site was of architectural interest and was fundamental to Harrow's heritage and sought to preserve the status. He further explained that the locally listed site had townscape value and that there would be a significant loss to the community. He requested that the decision to de-list the site be referred to Cabinet for re-consideration.

The Portfolio Holder for Urban Living – Public Realm, responded that as there was no requirement for consultation it was not carried out. The Portfolio Holder advised that this issue had been discussed in depth at the Strategic Planning Advisory Panel and that it was permissible for the Portfolio Holder to agree the proposal under such circumstances. The Portfolio Holder also advised Members that the UDP was only guidance and therefore the decision to de-list the Vaughan Centre was not contrary to the policy framework of the Council.

Some Members of the Sub-Committee had mixed views concerning the lack of consultation and expressed concern, although acknowledging that was not statutory. It was felt that stakeholders, residents, Ward Councillors and the community groups using the premises should have been consulted as a matter of good practice. Other Members queried why no representatives of stakeholders, residents or Ward Councillors had attended the Strategic Planning Advisory Panel to present their case. The Strategic Planning Advisory Panel was an open public meeting and the agenda had been published on the internet, so attending that meeting would have been an appropriate forum to lobby the Members. The general view by Members was that the decision was not contrary to the policy framework of the Council.

RESOLVED: That the grounds for the call-in be rejected and the decision of the Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) to de-list the Vaughan Centre be implemented.

(Note: The meeting having commenced at 7.30 pm, closed at 9.19 pm)

(Signed) COUNCILLOR ANTHONY SEYMOUR
Chairman