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**REPORT OF CABINET**

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**MEETING HELD ON 19 JULY 2007**

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Chairman: † Councillor Chris Mote

Councillors: \* David Ashton (Vice-Chairman) \* Susan Hall  
(in the Chair) \* Janet Mote  
† Marilyn Ashton \* Paul Osborn  
\* Mrs Camilla Bath \* Mrs Anjana Patel  
\* Miss Christine Bednell \* Eric Silver

\* Denotes Member present  
† Denotes apologies received

[Note: Councillors Ms Nana Asante and Mitzi Green also attended this meeting to speak on the item indicated at Minute 272 below. Councillor Bill Stephenson also attended this meeting to speak on the item indicated at Minute 270 below].

**PART I - RECOMMENDATIONS****RECOMMENDATION I - Key Decision - Comprehensive Equalities Scheme**

The Portfolio Holder for Strategy and Business Support introduced the report, which contained the draft Comprehensive Equalities Scheme and the results of public consultation on the scheme. The report recognised the importance of equalities issues and of ensuring that they were taken into consideration in the Borough.

Cabinet noted that, at present, the Constitution did not require Council approval for Equality Schemes. The delay that would be occasioned by delaying consideration of the Comprehensive Equalities Scheme until the next Council meeting in October 2007 would not be conducive to promoting equality. However, an amendment to the Constitution to include Equality Schemes within the list of issues reserved to Council would recognise the importance and the impact of equalities issues for the future.

Having approved the Comprehensive Equalities Scheme, including the changes made to the consultation draft in response to the comments received, Cabinet

**Resolved to RECOMMEND:**

That Article 4.01 of the Constitution, which specifies issues reserved to Council to determine, be amended to include Equality Schemes.

(See also Minute 277).

**PART II - MINUTES**265. **Declarations of Interest:**

**RESOLVED:** To note that the following interest was declared:

Agenda item 12 – Site at Andrews Close

Councillor Mrs Margaret Davine, who was not a member of Cabinet, declared a personal interest in the above item arising from the fact that Andrews Close was next to the Harrow Women's Centre. Accordingly, she would remain in the room during the discussion and decision-making on the item.

266. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 21 June 2007 be taken as read and signed as a correct record.

267. **Arrangement of Agenda:**

**RESOLVED:** (1) That all business be considered with the press and public present with the exception of the following items for the reasons set out below:-

<u>Item</u>	<u>Reason</u>
19. Big Lottery Fund Family Learning Bid	) These reports were considered exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, in that they contained information relating to the financial or business affairs of any particular person (including the authority holding that information).
20. Stanmore and Pinner Hill Golf Courses	
21. Home Care Contracts	

(2) to note that agenda items 9 – Outcome of Spring 2007 Statutory Consultations on Community Care Services – Eligibility Criteria (Fair Access to Care Services) and 10 – Outcome of Spring 2007 Statutory Consultations on Community Care Services – Day Centre Charges had been withdrawn and would be considered at a special meeting of Cabinet on 25 July 2007;

(3) to note that agenda item 13 – 69 West End Lane had been withdrawn for consultation and would be considered by Cabinet in October 2007.

268. **Petitions:**

(1) On behalf of the Harrow User Group, a petition was presented containing 145 signatures, in the following terms:

“The Harrow User Group oppose the review of FACS eligibility criteria as currently proposed by Harrow Council. The review means less services available for vulnerable people with a mental health problem and as a consequence less chance for full recovery and integration within society”.

**RESOLVED:** That the petition be received and referred to the Portfolio Holder for Adult Services for consideration.

(2) On behalf of the Harrow User Group, a petition was presented containing 197 signatures, in the following terms:

“The Harrow User Group oppose the introduction of charges to access day care services as currently proposed by Harrow Council. These charges would penalize vulnerable and deprived mental health service users from accessing services identified in their own care plan”.

**RESOLVED:** That the petition be received and referred to the Portfolio Holder for Adult Services for consideration.

(3) Councillor David Ashton presented a petition containing 402 signatures. He read the terms of the petition to the meeting, which were as follows:

“We, the undersigned, are alarmed at the decision of the London Borough of Harrow to sell 69 West End Lane (formerly part of the dairy site).

We understand that the Friends of West Lodge Schools was set up to raise funds to enable the London Borough of Harrow to purchase the dairy site. We believe that West Lodge First and Middle Schools have a beneficial interest in 69 West End Lane by virtue of having funded improvement work at the property. We understood that after being let on a temporary purposes, the house would revert back to the school. We, the parents and pupils, at the school are disappointed that the Council has not honoured that promise.

West Lodge First and Middle School are very successful schools and this is reflected in the fact that both schools are oversubscribed. At a time when the Government is promoting its 'Every Child Matters' agenda and in light of the London Borough of Harrow's objectives in its Children and Young People's Plan, we believe that it is extremely short-sighted for the Council to dispose of the property and land which should be used to enhance the facilities (to provide a nursery, for example, and a breakfast and after school club) for all the pupils at these successful schools".

**RESOLVED:** That the petition be received and referred to the Portfolio Holder for Strategic Overview, HSP and External Affairs for consideration.

269. **Public Questions:**

**RESOLVED:** To note that the following public questions had been received:

1.

**Questioner:** Mrs. Kay Craig

**Asked of:** Councillor Eric Silver, Adult Services Portfolio Holder

**Question:** What are your plans for meeting the needs of those deemed substantial to prevent their needs from becoming critical?

2.

**Questioner:** Alex Manek

**Asked of:** Councillor Eric Silver, Adult Services Portfolio Holder

**Question:** Why have I had a FACS assessment already, and my support been cut?

3.

**Questioner:** Harrow Mencap

**Asked of:** Councillor Eric Silver, Adult Services Portfolio Holder

**Question:** Harrow Mencap accepts you have financial difficulties, but why do you have to target the most vulnerable in our community?

4.

**Questioner:** Mrs H. Thakerar

**Asked of:** Councillor Eric Silver, Adult Services Portfolio Holder

**Question:** How much money will be saved - and has the impact on carers' and families' lives been considered?

5.

**Questioner:** John Williams / Narabda Shah

**Asked of:** Councillor Eric Silver, Adult Services Portfolio Holder

**Question:** Why have I had a FACS assessment already, and my support been cut?

6.

**Questioner:** Pamela Fitzpatrick

**Asked of:** Councillor Chris Mote, Leader and Strategic Overview, HSP, External Affairs and Property Portfolio Holder

**Question:** The Local Authority has in the past accepted that they are under a duty to consult with West Lodge Schools. This has been expressly stated in a letter to us dated 17th June 1999.

West Lodge Schools have not been consulted on the proposed sale of this property. The schools were notified in June of the sale but consultation is a legal term of art and informing does not constitute consulting.

I understand that the parents of West Lodge have paid for some restoration to this property and have previously used the property as a nursery.

The report to Cabinet implies that the schools have not had contact with the Local Authority in respect of establishing a nursery, this is inaccurate as the Head teachers of both schools have been in discussion with officers of the LA on the possibility of establishing a nursery or other educational provision under the extended schools policy.

In the light of the schools interest in this property and of the failure to consult I ask that the decision to sell the property be deferred until a proper consultation has been carried out with the Schools.

[Notes: (i) An oral answer was provided to each of the above questions;

(ii) under the provisions of Executive Procedure Rule 16.4, questioners 1 to 4 each asked a supplementary question which was additionally answered;

(iii) in addition, the Portfolio Holder for Adult Services undertook to provide a written answer to the supplementary question asked by questioner 2].

270. **Councillor Question Time:**

**RESOLVED:** To note that the following Councillor Question had been received:

1.

**Questioner:** Councillor Bill Stephenson

**Asked of:** Councillor Chris Mote, Leader and Strategic Overview, HSP, External Affairs and Property

**Question:** The Cabinet Forward Plan indicates seven items which are due to be decided by this Cabinet but which do not appear on the Cabinet agenda (Monday July 16) including, in particular, the disposal of 7 Kenton Road and the Year Ahead Statement.

Could Cllr Mote explain why the Forward Plan seems to be so out of step with actuality?

[Note: An oral answer was provided to the question. Under the provisions of Rule 17.4, the questioner asked a supplementary question which was also answered].

271. **Forward Plan 1 July 2007 - 31 October 2007:**

**RESOLVED:** To note the contents of the Forward Plan for the period 1 July – 31 October 2007.

272. **Scrutiny Review of Cultural Services:**

The Chairman of the Cultural Services Review Group introduced the report, which detailed a review of cultural services that had been carried out over the period December 2006 to June 2007. The Review Group had focused on arts provision, with some sport and heritage elements, using three case studies of Bernays Gardens, The Beacon Centre and Gayton Library.

Members of Cabinet thanked the Review Group and officers for the report and

**RESOLVED:** That (1) the content and recommendations of the report be noted;

(2) the report be referred to the Portfolio Holder for Community and Cultural Services to inform future cultural services provision.

**Reason for Decision:** In accordance with Overview and Scrutiny rules, Cabinet must consider reports produced by the Committee or one of its Sub-Committees.

273. **Key Decision - Housing Strategy 2007-2012 and Housing Revenue Account Business Plan:**

The Head of Housing introduced the report, which set out the main principles contained within the Housing Strategy and Housing Revenue Account (HRA) Business Plan. She reported that positive feedback had been received from the Government Office for London (GOL), which had been sent draft versions of the Strategy and Business Plan.

Members of Cabinet commended officers on an outstanding report which focused on Harrow's corporate priorities and provided a Fit for Purpose Housing Strategy.

**RESOLVED:** That (1) the Housing Strategy and HRA Business Plan be approved for submission to the Government Office for London by the 23 July 2007;

(2) any minor changes, following submission to GOL, be approved by the Portfolio Holder for Housing.

**Reason for Decision:** All Councils are required to have a Fit for Purpose (FFP) Housing Strategy and HRA Business Plan. The deadline for FFP approval by GOL is the end of August 2007.

274. **Key Decision - Site at Andrews Close:**

The Corporate Director (Community and Environment) introduced the report, which set out the proposal for the disposal of land at Andrews Close.

**RESOLVED:** That (1) the site edged in red shown at Appendix 1 to the report of the Corporate Director (Community and Environment) was surplus to Council requirements and its disposal be approved;

(2) the Corporate Director (Community and Environment) be authorised to negotiate and conclude the disposal on the most favourable terms.

**Reason for Decision:** To generate a capital receipt for the Council, giving value for money in line with the Council's Corporate Objectives.

275. **Integrated Planning 2008-09 to 2010-11:**

The Corporate Director (Finance) introduced the report, which set out the framework for the development of the new Corporate Plan and the Medium Term Financial Strategy for 2008-09 to 2010-11. She advised that the proposed framework and timetable would enable consultation on priorities in advance of publishing budget proposals.

The Portfolio Holder for Finance and Portfolio Coordination welcomed the 'joined up thinking' which would ensure that by February 2008 the Council would have a budget that was contemporaneous with the Corporate Plan.

An amendment to the recommendation was moved and it was

**RESOLVED:** That (1) the integrated planning framework shown at Appendix 1 to the report of the Corporate Director (Finance) be approved;

(2) the timetable shown at Appendix 2 to the report of the Corporate Director (Finance) be noted;

(3) the vision and priorities and work planned over the summer to develop the Year Ahead Statement be noted;

(4) the financial context be noted;

(5) the approach to developing a strategy for closing the funding gaps be approved;

(6) authority be delegated to the Leader or Deputy Leader of the Council to sign off the Year Ahead Statement and approve the plans for consultation on the vision and corporate priorities for 2008-09 to 2010-11;

(7) authority be delegated to the Leader or Deputy Leader of the Council, in consultation with the relevant Portfolio Holder(s), to initiate any service specific or statutory consultation that may be required.

**Reason for Decision:** To promote effective medium term planning.

[Note: The above decision was not a Key Decision as indicated on the front of the report].

276. **Improvement Programme:**

The Portfolio Holder for Strategy and Business Support introduced the report on the development and implementation of the Council's Improvement Programme. The Portfolio Holder reported that the Improvement Programme was a supporting document for the Corporate Plan, containing more detail on the Council's programme of work and targets. It would enable Portfolio Holders and Corporate Directors to monitor projects on a monthly basis and provide regular progress reports to Cabinet.

The Portfolio Holder for Finance and Portfolio Coordination commented that the report was a substantial piece of work that would be pivotal to the role of the Portfolio Holders.

**RESOLVED:** That (1) the Council's Improvement Programme be agreed;

(2) it be agreed that the programme be monitored through the quarterly Strategic Performance Report at Cabinet;

(3) it be agreed that the programme be reviewed regularly to ensure that it delivers in accordance with the Council's vision, priorities and Medium Term Financial Strategy (MTFS);

(4) authority be delegated to the Portfolio Holder for Finance and Portfolio Coordination and the Portfolio Holder for Strategy and Business Support to update the Council Improvement Programme (CIP) during 2007-08 as required.

**Reason for Decision:** To enable the Council to focus resource and effort into key priorities.

277. **Key Decision - Comprehensive Equalities Scheme:**

Further to Recommendation I, it was

**RESOLVED:** That the Comprehensive Equalities Scheme be approved, including the changes made to the consultation draft in response to the comments received.

**Reason for Decision:** To comply with the Council's obligations under Equalities legislation.

278. **Improving the Council's Communication:**

The Portfolio Holder for Strategy and Business Support introduced the report, which provided a response to the communications review presented to Cabinet in May 2007 and contained proposals for the future of the communications function within the Council.

**RESOLVED:** That (1) the service specification for the communications function shown at Appendix 1 to the report of the Director of People, Performance and Policy be agreed;

(2) it be agreed to vire the value of budgets identified in paragraph 2.8 of the report of the Director of People, Performance and Policy into the corporate communications service;

(3) the Corporate Director (Strategy and Business Support) award a one year contract for communications, in consultation with the Portfolio Holder for Strategy and Business Support, within the identified budget;

(4) the Portfolio Holder for Strategy and Business Support make any appropriate changes to the specification before the contract is let;

(5) the Publications Panel be disbanded with immediate effect;

(6) an informal Communications Working Group be set up with the same membership as the Publications Panel

**Reason for Decision:** To take urgent action to improve service capacity and performance.

279. **Key Decision - Bid to Big Lottery Fund for Family Learning Funding:**  
Cabinet received a confidential report of the Director of Community and Cultural Services in this regard.

**RESOLVED:** That the submission of a bid to the Big Lottery Fund for Family Learning funding be approved.

**Reason for Decision:** To enable the Council to proceed to Stage 2 of the application for funding.

280. **Key Decision - Stanmore and Pinner Hill Golf Courses:**  
The Corporate Director (Community and Environment) introduced a confidential report in this matter.

An amendment to the recommendation was moved and it was

**RESOLVED:** That the Corporate Director (Community and Environment) be authorised, in consultation with the Leader of the Council, to negotiate the disposal on either a freehold or leasehold basis of one or both golf courses upon financially beneficial terms to the Council over the long term and refer back to Cabinet.

**Reason for Decision:** To generate a capital receipt or long term revenue stream for the Council, giving value for money in line with the Corporate Objectives.

281. **Key Decision - Home Care Contracts:**  
Cabinet received a report of the Corporate Director (Adults and Housing) in this regard.

**RESOLVED:** That (1) Cost and Volume Contracts be awarded to Care UK and Supporta Care with effect from 1 December 2007 for a term of 5 years;

(2) it be noted that further negotiations would take place with the two contractors to identify and agree the additional costs of TUPE (Transfer of Undertakings [Protection of Employment] Regulations 2006), which would be carried out on an open book basis;

(3) officers be authorised to agree the final negotiated prices;

(4) officers be authorised to deal with the transitional arrangements between these two contractors and the existing block and spot contractors to ensure a seamless transition at the most advantageous price.

(5) officers be authorised to progress appropriate pension arrangements with the two contractors for the former Harrow staff who were transferred to Harrow Care at Home in 2003.

**Reason for Decision:** The Council currently has 4 block contracts for the provision of home care services. These contracts would come to an end in February 2008. However, because the volumes of service in these blocks were likely to reduce during 2007 coupled with the need to market-test the services they were terminated early and would end on 30 November 2007.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.15 pm).

(Signed) COUNCILLOR DAVID ASHTON  
Vice-Chairman (in the Chair)