
REPORT OF CABINET

MEETING HELD ON 8 NOVEMBER 2007

Chairman: * Councillor Chris Mote

Councillors: * David Ashton * Janet Mote
 * Marilyn Ashton * Paul Osborn
 * Mrs Camilla Bath * Mrs Anjana Patel
 * Miss Christine Bednell * Eric Silver
 * Susan Hall

* Denotes Member present

[Note: Councillors Tony Ferrari, B E Gate, Jerry Miles and Paul Scott also attended this meeting to speak on the item indicated at Minute 311 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

305. **Councillor Janet Cowan:**

A minute of silence was observed in memory of Councillor Janet Cowan.

306. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

(i) Agenda item 10 – Whitmore School – Development of Community Sports and Leisure Facilities

Councillor Christine Bednell declared a prejudicial interest in the above item arising from the fact that she was a governor at Whitmore High School and the report involved financial matters. Accordingly, she would leave the room and take no part in the discussion or decision-making on the item. Furthermore, Councillor Bednell wished it to be noted that she had not been involved in the preparation of the report and her name appeared on the frontsheet of the report in error.

(ii) Agenda item 11 – Land at Vaughan Road

Councillor Paul Osborn declared a prejudicial interest in the above item arising from the fact that he lived on Vaughan Road. Accordingly, he would leave the room and take no part in the discussion or decision-making on the item.

307. **Minutes:**

RESOLVED: That the minutes of the meeting held on 11 October 2007, be taken as read and signed as a correct record.

308. **Arrangement of Agenda:**

RESOLVED: 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>
17. Development of Leisure and Cultural Services Facilities (Appendices 4, 5, 6 and 7 to agenda item 9)	These appendices were considered to be 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.
18. Procurement of Replacement Library Management System (Appendix to agenda item 14)	This appendix was considered to be exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 in that it contained information relating to the financial or business affairs of any particular person.

19. Grimsdyke Farm
- This report was considered to be exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 in that it contained information relating to the financial or business affairs of any particular person.

309. **Public Questions:**

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

1.

Questioner: Brian Stoker

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

Question: Written question in relation to Key Decision taken at Cabinet Meeting on 9 November 2006 relating to emergency accommodation in Harrow at which it was resolved that the disposal of Cedars Hall, Chicheley Road, Harrow Weald to Pathmeads Housing Association be approved.

Given that the Harrow Observer (1st November) reports that this action is not to be pursued by Harrow Council, when and how will Cabinet's decision to formally cancel this disposal be taken and the action subsequently recorded?

A written as well as an oral answer to this question is requested, and for this answer to be published as part of the Report of this Cabinet meeting.

Answer: Genesis Housing Group has withdrawn the planning application to provide emergency temporary accommodation on the site at Cedar's Hall. A report will be provided to Cabinet in the new year on the future of the site.

Supplemental question: For what other purposes might the land be used?

Answer: Officers will produce a report on options and it would not be appropriate to pre-judge what those options might be.

2.

Questioner: Frances Pickersgill

Asked of: Councillor Camilla Bath, Portfolio Holder for Housing

Question: Written question in relation to Key Decision taken at Cabinet Meeting on 9 November 2006 relating to emergency accommodation in Harrow at which it was resolved to dispose of Cedars Hall, Chicheley Road, Harrow Weald and provide a 68 bed emergency accommodation facility.

Given that the Harrow Observer (1st November) reports that this action is not to be pursued by Harrow Council, when and how will the Council's commission for the building at the Cedars Hall site be cancelled, and the related planning application (P1702/07/CFU) submitted by Genesis Housing on behalf of the Council for 68 bed emergency accommodation be formally withdrawn and those actions recorded?

A written as well as an oral answer to this question is requested, and for this answer to be published as part of the Report of this Cabinet meeting.

Answer: Genesis Housing Group has withdrawn the planning application to provide emergency temporary accommodation on the site at Cedar's Hall. A report will be provided to Cabinet in the new year on the future of the site.

Supplemental questions: How will the decision by the Housing Department to commission the development be rescinded and where will it be recorded?

Answer: There will be a full officer report on the whole issue to a future meeting of Cabinet.

3.

Questioner: Pamela Fitzpatrick

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

Question: The LA has previously stated its commitment to the extended schools programme as part of the Council's Corporate Priorities for strengthening communities. Can Councillor Mote confirm on behalf of the LA that this is still the case?

Answer: The local authority is committed to the extended schools agenda and see this development as part of its corporate priority "Provide high achieving schools at the centre of community services". This is supported by central government who have announced an additional 3 years funding for the extended schools agenda.

Harrow is making good progress with extended schools and is on schedule to meet the government target of over 50% of schools in Harrow meeting the core offer by 2008 and all meeting the offer by 2010.

The extended school offer is delivered in Harrow through the Extended School's Clusters recognizing that each school will have different needs and a range of different facilities and opportunities. The commitment is for every child in Harrow to have access, within their clusters, to the full core offer.

Within our wider plan to change the age of transfer we will consider the needs of the extended schools provision as part of the plan to use surplus accommodation within the primary sector.

Supplemental question: Why has the Local Authority reneged on the decision to allow Nower Hill to use 69 West End Lane as part of the cluster bid? Are budget considerations taking precedence?

Answer: It is not a budgetary requirement. It does not meet the requirements for extended schools.

4.

Questioner: Ann Freeman

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

Question: Who has been involved in writing the Strategy for Wiseworks, as noted in the Forward Plan for approval at 13th December Cabinet meeting, please?

Answer: The new Corporate Director for Adults and Housing has recently come into post. He has had an introductory meeting with Wiseworks, which included staff. He will now commence the review of Wiseworks, which was agreed at Cabinet earlier this year. This review is now scheduled to report back to Cabinet in February 2008. All stakeholders will be fully involved in the review.

Supplemental question: The previous Corporate Director (Adults and Housing) was involved in setting up a sub-group of the Mental Health Board to provide a link. Will this be continued?

Answer: The Interim Corporate Director (Adults and Housing) will take it into consideration.

[Notes: (i) The Leader of the Council nominated the Portfolio Holder for Adult Services to answer question 4;

(ii) An oral answer was provided to each of these questions;

(iii) in addition, the Leader and the Portfolio Holder for Housing undertook to supply written answers to questions 1, 2 and 3].

310. **Councillor Question Time:**

RESOLVED: To note the following questions had been received:

1.

Questioner: Councillor Brian Gate

Asked of: Councillor Paul Osborn, Portfolio Holder for Strategy and Business Support

Question: Bearing in mind in the responsibilities Cabinet members have in managing a budget of millions and overseeing the delivery of vital services to the people of Harrow with all the attendant the legal responsibilities, what would he consider to be 'unnecessary demands' on them by Scrutiny members who in turn have the legal responsibility to act as a check and balance on the executive?

Answer: It's not up to me or Cabinet to decide what demands are 'unnecessary'. Scrutiny must decide whether to call a Portfolio Holder to account. All we are asking is that they consider other demands on the Portfolio Holders' time. I enjoy going to Scrutiny. I welcome the Protocol and look forward to it coming back to Cabinet for agreement once it has been discussed further.

Supplemental question: Should better care be taken in the terminology of reports to encourage constructive relations between Scrutiny and the Executive?

Answer: It is unfortunate if there have been any misunderstandings and I apologise for this. Cabinet will suggest additions to the Protocol just as the Overview and Scrutiny Committee did and hope these can be agreed and that the strong relationship between Scrutiny and the Executive continues.

2.

Questioner: Councillor Brian Gate

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

Question: Do you accept that the protocol between the Executive and Scrutiny has been overturned by the reversal of the recommendations made unanimously with cross-party support by Overview and Scrutiny as to the members to be sent to the JOSOC on the Darzi report?

Answer: Meetings will be taking place between Overview and Scrutiny leads and the Chief Executive and it is hoped that any problems can be identified in advance. Scrutiny should develop policy for the Council and all-party action will achieve the best results.

Supplemental question: Do you agree that decisions and recommendations of the Overview and Scrutiny Committee should not be subject to political proportionality and be made by Harrow Members only?

Answer: The decision was made as political proportionality applies. It was not known in advance that this would happen. I will look again at how this is dealt with in future.

3.

Questioner: Councillor Jerry Miles

Asked of: Councillor Anjana Patel, Portfolio Holder for Community and Cultural Services

Question: Tonight the Cabinet will be discussing major proposals affecting the Town Centre and the development of leisure facilities for the whole of the Borough. Without in any way underestimating their importance, as a councillor representing a ward in the very south of the Borough I have noted that Paragraph 2.4 of the Development of Leisure & Cultural Service Facilities report to tonight's Cabinet (Item 9) states "additional provision for dry and wet sports and leisure is required in South Harrow to better serve the needs of the local population." Furthermore there is also a public commitment, which was published in the local press that states, "The Council is also investigating building another leisure centre in South Harrow."

Bearing this in mind, would the Portfolio Holder like to comment why apart from the above there is no mention of South Harrow whatsoever in any of the recommendations for development, consultation, or feasibility studies?"

Answer: The current proposal before Cabinet is the first of a series of development projects underway to tackle sports and leisure improvements around the borough and provide residents with a range of activity and cultural opportunities. While this leisure and recreation project does focus on the central Harrow main leisure facility and adjacent park as our priority project, I can confirm that future projects will look at additional facilities, parks and community locations in the South Harrow area.

Resident's views have helped the Council prioritise the locations and investment needs for leisure and further resident consultation will commence in the coming months about this project and the specific South Harrow area plans. Clearly, Harrow residents have told us that there is insufficient access to quality and affordable provision, which, as you know, we have referenced in this report today.

Future planning will consider all opportunities to improve access to a range of sports and leisure facilities, which may include new leisure buildings, improved leisure and sport in community centres, and better community access to school sports facilities.

It is recognized that there is a huge demand for swimming facilities and it is hoped to include these in South Harrow.

Supplemental question: What is the timeframe?

Answer: Will be consulting and have identified the need for facilities in the south of the Borough.

4.

Questioner: Councillor Tony Ferrari

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

Question: Could the Leader of the Council as Portfolio Holder for Property please clarify the position of Cedars Hall?

Answer: Genesis Housing Group has withdrawn the planning application to provide emergency temporary accommodation on the site at Cedar's Hall. A report will be provided to Cabinet in the new year on the future of the site.

Supplemental question: Can you clarify the position on the associated parkland?

Answer: Cedars is fenced off from the parkland. There is a firm commitment to protect the parkland.

5.

Questioner: Councillor Paul Scott

Asked of: Councillor Anjana Patel, Portfolio Holder for Community and Cultural Services

Question: Given the recommendation in item 9, that the previous plans for the redevelopment of Gayton Road to provide a new library and performing arts space should be abandoned, does the mention of a new lending and reference library in the town centre in the "longer term" refer to specific plans and commitments or is it merely an aspiration?

Answer: There are no specific plans, or sites, at present. It remains the Council's intention to provide a new library and reference library in the town centre.

Supplemental question: Have doubts over the viability of a performing arts centre caused the abandonment of the library?

Answer: That was not the reason. The town centre would be a better location for a library as it has more passing visitors.

6.

Questioner: Councillor Paul Scott

Asked of: Councillor Susan Hall, Portfolio Holder for Environment Services

Question: Considering the success of Harrow's doorstep recycling scheme, initiated during Liberal Democrat minority control in the 1990s, improved and expanded by Labour, and now further improved and further expanded by the current Conservative administration, would you agree with me that the Council has no interest in pursuing the government's "pay as you throw" scheme at the present time?

Answer: The Council has made significant progress in the recycling of household waste – particularly over the last year. We are now recycling and composting approx. 38% of our household waste – one of the best performances in London. There remains much to do if we are to continue to make progress to meet our target of recycling 40% of municipal waste by 2010.

In order to achieve this higher target, we will need to expand recycling to serve all flats and to provide facilities for our schools and our trade customers.

There are currently no plans to introduce 'pay as you throw'.

Supplemental question: Do you agree that extending the recycling scheme to the Borough's flats would help meet target and prevent the need for introduction of 'pay as you throw'?

Answer: Agree that the scheme should be expanded to flats.

[Note: Following consultation with questioners, and the withdrawal of a question notified by Councillor Paul Scott, the order of questions was varied and the order in which they were asked is recorded above].

311. **Forward Plan 1 November 2007 - 29 February 2008:**

RESOLVED: To note the contents of the Forward Plan for the period 1 November 2007 – 29 February 2008.

312. **Reference from the Overview and Scrutiny Committee Meeting held on 25 September 2007 on Scrutiny/Executive Protocol:**

The Portfolio Holder for Strategy and Business Support introduced the report, which accompanied the reference to Cabinet from the Overview and Scrutiny Committee regarding the protocol between the executive and scrutiny 'Delivering Effective Scrutiny – A Framework of Responsibilities'.

RESOLVED: That (1) Cabinet engage with Overview and Scrutiny Committee to strengthen the proposed protocol;

(2) the Leader and Portfolio holder for Strategy and Business be nominated to support and work with the Chairman and Vice Chairman of Overview and Scrutiny to agree the proposed changes and report back to Cabinet on the outcome of these discussions.

Reason for Decision: To continue the development of constructive working relationships between the executive and Overview and Scrutiny.

313. **Development of Leisure and Cultural Services Facilities:**

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the proposed strategy for achieving an extensive development of Harrow's Leisure and Cultural Services whilst realising a significant and positive revenue budget impact. The Portfolio Holder stated that the proposals represented an opportunity to develop twenty-first century community facilities for Harrow which would contribute to the Borough's overarching culture strategy.

A presentation by the scheme's architect outlined the main features of the illustrative masterplan including improvements to local infrastructure, new housing, improved safety due to increased surveillance and usage, and the fronting of facilities onto the park to create a focus for the local community. Further consultation would be undertaken to engage stakeholders and identify which facilities should be included in the scheme, and regular updates on proposals would be brought to Cabinet for feedback.

RESOLVED: To (1) agree that the development of 'Byron Leisure Park' should be based on Option 4 (Section 2.5.1) of the officer report, ie. to provide a new principal leisure centre; the development of a new 'Byron Hall' facility, at another location, in partnership and subsequent to a commercial review; a new skateboard park; the relocation of 'The Bridge' within the Byron site; associated Public Realm improvements; together with the disposal of land for residential development. The new leisure centre to open by 1 February 2010;

(2) approve the relocation of Gayton Library to Garden House

(3) give approval for a procurement exercise to be conducted to enter into a long-term strategic partnership for the provision of sports, leisure and related services, eg. at Byron Park, Hatch End and potential other locations in the Borough;

(4) approve the start of feasibility studies and consultation work for the development of the Hatch End site, together with other community, leisure and cultural services in the area, as referenced in the report;

(5) note that, in any time lag, which will be kept to a minimum, between the closure of the existing facility and the development of a replacement 'Byron Hall', the Council will identify and facilitate access to interim alternative venues for community use and ensure information about such facilities is widely disseminated;

(6) note that there will be extensive consultation with stakeholders, regarding the development of the detail of the proposals put forward in this report;

(7) approve release of land for disposal at Gayton Road and Byron Park (land as identified on red line plans shown at appendices 2 and 3 to the officer report);

(8) approve disposal of land at Gayton Road and Byron Park at best consideration for the Council (land as identified on red line plans at appendices 2 and 3 to the officer report);

(9) delegate authority to the Corporate Director (Community and Environment), in consultation with the Portfolio Holder for External Affairs and Property, to make minor amendments to the red line plans;

(10) delegate authority to the Corporate Director (Community and Environment), in consultation with the Portfolio Holder for External Affairs and Property, to dispose of land as agreed by Cabinet at best consideration, to deal with any representations in relation to obtaining necessary consents and to agree the terms of any leases;

(11) agree the sale of land to Fairview Homes Ltd., as previously agreed by Cabinet on 14 December 2006;

(12) approve the Council entering into a lease of Garden House for the accommodation of the Gayton Library;

(13) agree not to proceed with the Cabinet decision to develop a combined library/arts centre at Gayton Road taken on 14 December 2006, minuted as item 152;

(14) approve the use of the Kier Partnership for the development of Council facilities on the Byron Park site.

Reason for Decision: To enable the Council to improve its leisure and cultural facilities by maximising Council property assets.

314. **Whitmore School - Development of Community Sports and Leisure Facilities:**

The Director of Schools and Children's Development introduced the report which set out the proposed strategy for enabling the development of community sports and leisure facilities at the new Whitmore High School.

In response to a question from a Member, the officer advised that consultation with stakeholders had identified that the school's current facilities were used extensively but required improvement to increase accessibility. The Portfolio Holder for Finance and Portfolio Coordination emphasised that the proposals would be subject to evidence of a clear business case and service benefits.

It was noted that the Portfolio Holder for Schools and Children's Development had not been involved in the preparation of the report. An amendment to the officer's recommendation was moved and it was:

RESOLVED: That (1) capital funding of £3m should be provided to the Future Whitmore project for community sports and leisure facilities, subject to evidence of a clear business case and service benefits;

(2) authority be delegated to the Corporate Director, Community and Environment Services, in consultation with the Portfolio Holders for External Affairs and Property, Finance and Portfolio Coordination and Community and Culture to undertake negotiations with the School to reach an appropriate service-based agreement for community use.

Reason for Decision: To enable the Council to improve and enhance its community sports and leisure facilities and maximise the impact of Government funding from the Building Schools for the Future One-School Pathfinder programme at Whitmore High School.

(See also Minute 306).

315. **Land at Vaughan Road:**

The Director of Planning, Development and Enterprise introduced the report, which set out the reasons for the site at Vaughan Road being surplus to the Council's requirements and the rationale for disposal.

RESOLVED: That (1) the land at Vaughan Road to be declared surplus to the Council's requirements;

(2) the Corporate Director of Community and Environment Services 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 Priorities (P11) and the Vision for delivering Value for Money.

(See also Minute 306).

316. **69 West End Lane:**

The Corporate Director (Community and Environment) introduced the report which set out the reasons for 69 West End Lane being surplus to the Council's requirements and the rationale for disposal.

RESOLVED: That (1) 69 West End Lane to be declared surplus to the Council's requirements;

(2) the Corporate Director of Community and Environment Services 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 Priorities (P11) and the Vision for delivering Value for Money.

317. **Community Development Strategy:**

The Portfolio Holder for Community and Cultural Services introduced the report, which gave the background to the development of the Community Development Strategy (2007-2010) and outlines the reasons for approving it at this time.

The Director of Community and Cultural Services advised that the Strategy had been developed via extensive consultation and would strengthen the Council's partnership working and links with the voluntary sector.

RESOLVED: That (1) the Community Development Strategy be approved;

(2) authority be delegated to the Director of Community and Cultural Services, in consultation with the relevant Portfolio Holder to amend the implementation plan based on available funding opportunities and linking with the delivery plans of the Harrow Strategic Partnership (HSP) and partners;

(3) the HSP be commended to adopt the Community Development Strategy.

Reason for Decision: The strategy provides a framework to ensure that the Council is delivering a fit for purpose service that reflects and meets the needs of Harrow's diverse community. It supports the delivery of objectives in the Sustainable Community Plan for Harrow, as agreed by the Harrow Strategic Partnership, and enables the Council to be better placed to meet the new performance and local government agenda as set out in the White Paper - 'Stronger and Prosperous Communities'.

318. **Procurement of Replacement Library Management System:**

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the rationale for selecting SirsiDynix Unicorn as the replacement for the Library Service's existing Dynix library management system.

RESOLVED: That the sealing of a contract with SirsiDynix to purchase the Unicorn library management system and to agree the purchase of associated hardware and software from other third party suppliers, be agreed.

Reason for Decision: The current Libraries Service Review has reaffirmed the need for an improved Library Management System to deliver greater electronic access, improved management information and a reduction in manual processing and cataloguing, which will lead to service efficiencies and improved user satisfaction.

319. **Year Ahead Statement 2008/09:**

The Portfolio Holder for Finance and Portfolio Coordination introduced the report, which set out proposed Vision Statements and Corporate Priorities for the Council for the financial year 2008/09.

The Portfolio Holder reported that the early timing of the refresh of the Corporate Priorities represented a major change for the Council which would enable the Corporate Plan to align with the budget. Directorate and service plans would provide detailed information on how the Council would work towards its vision and priorities.

The Portfolio Holder reported an amendment to page 116 of the report, to explicitly reference the crucial involvement of the Harrow Strategic Partnership to the delivery of the Council's vision, which was noted by Cabinet.

RESOLVED: That the proposed vision statements and corporate priorities for the purpose of developing the Council's draft corporate plan and Directorate service plans, be adopted.

Reason for Decision: To provide guidance about priorities to officers developing corporate and service plans for next year.

320. **Grimsdyke Farm:**

The Director of Planning, Development and Enterprise introduced a confidential report.

RESOLVED: That (1) the site edged red in Appendix 1 to the officer report is surplus to Council requirements and approval of its disposal confirmed;

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

Reason for Decision: To generate a capital receipt for the Council.

321. **Treasury Management Activity:**

The Corporate Director (Finance) introduced a confidential information report.

RESOLVED: That the item be noted.

Reason for Decision: To keep Cabinet Members informed of Treasury Management activity and performance.

322. **Any Other Urgent Business:**

(i) Appointment of Cabinet Assistants

RESOLVED: That Councillor Julia Merison replace Councillor Salim Miah.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.10 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman