



CABINET
THURSDAY 19 JUNE 2008
7.30 PM

COMMITTEE ROOMS 1 & 2
HARROW CIVIC CENTRE

Chairman: Councillor DAVID ASHTON (Leader of the Council)

Councillors:

1. Marilyn Ashton
2. Miss Christine Bednell
3. Tony Ferrari
4. Susan Hall
5. Barry Macleod-Cullinane
6. Chris Mote
7. Paul Osborn
8. Mrs Anjana Patel

(Quorum 3, including the Leader or Deputy Leader)

**Issued by the Democratic Services Section,
Legal and Governance Services Department**

Contact:

Alison Atherton, Senior Professional Democratic Services (Corporate)
Tel: 020 8424 1266 alison.atherton@harrow.gov.uk

HARROW COUNCIL
CABINET
THURSDAY 19 JUNE 2008

AGENDA - PART I

1. Declarations of Interest
To receive declarations of personal or prejudicial interests arising from business to be transacted at this meeting from:
 - (a) all Members of the Cabinet; and
 - (b) all other Members present.

2. Minutes (Pages 1 - 44)
Of the Cabinet meeting held on 15 May 2008 and the special meeting held on 21 May 2008 be taken as read and signed as correct records.

3. Arrangement of Agenda
To consider whether any of the items on the agenda should be considered with the press and public excluded.

4. Petitions
To receive any petitions submitted by members of the public or Councillors.

5. Public Questions *
To receive any public questions received in accordance with paragraph 16 of the Executive Procedure Rules.

Questions will be asked in the order notice of them was received and there be a time limit of 15 minutes.

6. Councillor Questions *
To receive any Councillor questions received in accordance with paragraph 17 of the Executive Procedure Rules.

Questions will be asked in the order notice of them was received and there be a time limit of 15 minutes.

7. Forward Plan 1 June - 30 September 2008 (Pages 45 - 54)

8. Reports from the Overview and Scrutiny Committee or Sub-Committees (if any).

FINANCE

9. Revenue and Capital Outturn 2007-2008 (Pages 55 - 78)
Report of the Corporate Director of Finance

STRATEGY AND BUSINESS SUPPORT

- KEY**
10. Best Value Performance Plan 2008/09 (Pages 79 - 94)
Report of the Deputy Chief Executive and Corporate Director of Strategy and

Business Support

11. Council Improvement Programme (Pages 95 - 128)
Report of the Interim Divisional Director of Strategy and Improvement

CHILDREN'S SERVICES

- KEY** 12. Strategic Approach to School Re-organisation (Pages 129 - 146)
Report of the Director of Schools and Children's Development

COMMUNITY AND ENVIRONMENT

- KEY** 13. Relocation of Belmont Synagogue (Pages 147 - 156)
Report of the Corporate Director of Community and Environment

- KEY** 14. Environmental Crime Enforcement Policy (Pages 157 - 186)
Report of the Corporate Director of Community and Environment

- KEY** 15. Extension of Vehicle Contract - Hire and Maintenance Contract (Pages 187 - 190)
Report of the Corporate Director of Community and Environment

16. Any Other Urgent Business
Which cannot otherwise be dealt with.

AGENDA - PART II

COMMUNITY AND ENVIRONMENT

17. Extension of Vehicle Contract - Hire Contract (Pages 191 - 196)
Appendix A to the report of the Corporate Director of Community and Environment

- KEY** 18. Leisure Connection Ltd/Leisure in the Community Ltd, Novation and Variation of Management Agreement at Harrow Leisure Centre, Bannister Sports Centre and Hatch End Pool and Lease at Harrow Leisure Centre (Pages 197 - 242)
Report of the Corporate Director of Community and Environment and the Director of Community and Cultural Services

CHILDREN'S SERVICES

- KEY** 19. Commissioning of Information, Advice and Guidance Contract (Pages 243 - 254)
Report of the Corporate Director of Children's Services

*** DATA PROTECTION ACT NOTICE**

The Council will record items 5 and 6 (Public and Councillor Questions) to help ensure the accuracy of the published minutes, which will be produced after the meeting.

The recording will be retained for one month after the date of publication of the minutes, after which it will be destroyed.

This page is intentionally left blank

REPORT OF CABINET

MEETING HELD ON 15 MAY 2008

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Barry Macleod-Cullinane
* Miss Christine Bednell † Chris Mote
* Tony Ferrari * Paul Osborn
* Susan Hall * Mrs Anjana Patel

* Denotes Member present

† Denotes apologies received

[Note: Councillor Margaret Davine also attended this meeting to speak on the item indicated at Minute 408 below. Councillor Eric Silver also attended this meeting to speak on the items indicated at Minutes 411 and 412 below].

PART I - RECOMMENDATIONS

RECOMMENDATION I - Key Decision - Harrow Core Strategy Preferred Options - Draft for Public Consultation

The Portfolio Holder for Planning, Development and Enterprise introduced the report which provided options for how growth would be managed in Harrow up to 2025 in the draft Harrow Core Strategy Preferred Options. She advised that this work was a completely different process to that of the Unitary Development Plan as it was more of a vision statement for the Borough.

The Portfolio Holder advised Cabinet that Harrow's preferred options for consultation required Council approval. Following that approval, there would be a six week consultation period prior to inspection by the Secretary of State.

The Portfolio Holder outlined option A, Harrow Central Growth Corridor, and option B, Public Transport Growth Focus. She advised that either option was acceptable, as it would mean that Members would be able to justify their refusal of planning applications contrary to the Local Development Framework.

Resolved to RECOMMEND: (to Council)

That the draft Harrow Core Strategy Preferred Options be approved for the purposes of consultation.

Reason for Recommendation: To comply with the legal requirements for making such a document and to meet the agreed timescales with the Government Office for London for the development of the Council's Local Development Framework (LDF) documents.

PART II - MINUTES403. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
10. Adults and Housing Transformation Programme	Councillor Margaret Davine	The Member, who was not a member of Cabinet, declared a personal interest in that she had a relative who used Adult Services in the Borough. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Tony Ferrari	The Member declared a personal interest in that he had a relative in sheltered accommodation in the Borough. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Yogesh Teli	The Member, who was not a member of Cabinet, declared a personal interest in that he had a relative who used Adult Services in the Borough. The Member remained in the room whilst the matter was considered and voted upon.
15. Harrow Biodiversity Action Plan	Councillor Tony Ferrari	The Member declared a personal interest in that he was Chairman of the Harrow Weald Common Conservators. This was a Council appointment and the Member remained in the room whilst the matter was considered and voted upon.
16. Association of London Government TEC 101 Agreement Variation	Councillor Barry Macleod-Cullinane	The Member declared a personal interest in that he was an employee of London Councils. The Member, during the course of the meeting, decided that as the report was concerned with variations to the Freedom Pass, he would remain in the room whilst the matter was considered and voted upon.

404. **Minutes:**

RESOLVED: That the minutes of the meeting held on 10 April 2008, be taken as read and signed as a correct record.

405. **Arrangement of Agenda:**

RESOLVED: That all business be considered with the press and public present.

406. **Petitions:**

A representative of the Sangat BMER Carers Project presented a petition containing 42 signatures. He read the terms of the petition to the meeting, which were as follows:-

"Re: Sangat BMER Carers Project

We, the undersigned carers, totally disagree with Harrow Council's decision to close down BMER Carers Project.

As many of us have insufficient English, the project has been a lifeline for us and having fully participated in the Project, have felt very secure and welcome.

We urge the Leadership, for fairness and justice, to allow this project to continue instead of closing it down."

In response, the Leader of the Council gave an undertaking to respond, in consultation with the Portfolio Holder for Adults and Housing, directly to the petitioner.

RESOLVED: That the petition be received and noted.

407. **Public Questions:**

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

1.

Questioner: Yvonne Lee

Asked of: Councillor Barry Macleod Cullinane, Portfolio Holder for Adults and Housing.

Question: As an organisation, Harrow Mencap welcome and fully support the principles of the total transformation plan. However will the benefits of control and choice that Self Directed support be available to people with Learning Disabilities who are currently in residential care within the three years of the programme?

Answer: Yes is the short answer.

People with learning disabilities who are currently living in residential care are already included in the pilot phase of the project and as the pilot phase extends, this group of individuals will continue to be fully included and encouraged to take up the opportunities that a self-directed model of care could offer.

In addition, as an integral part of the Self Directed Support project we will be working with provider organisations to develop the market in order to offer more choice to individuals which is likely to include different models of accommodation based provision such as shared ownership.

Supplemental Question: Given the past and current contractual situation, will the Council be renegotiating the contract?

Supplemental Answer: We will endeavour to provide you with a written response but it is too early to say.

2.

Questioner: John Feldman

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: The Cabinet is to consider the report from Corporate Director, Community and Environment, regarding the development of Cedars Hall, which recommends disposal for residential development if a Community Hall is not viable.

Why are you considering such a disposal despite fundamental flaws:

- The land forms part of the Cedars Open Space, and the Council is committed to maintaining such spaces.
- Residential building will be contrary to your UDP, and

- A covenant on the land preventing residential building will need to be broken by the Council?

Answer: The Cedars Hall site does not form part of the “Cedars Open Space”, as shown on the Harrow UDP Proposals Map. It is located adjacent to land designated as Green Belt, which runs along the western and southern boundary of the site. Cedars Hall has no specific land use designation

The Council is committed to provide all new homes on previously developed land and as a brown field site, the redevelopment of Cedars Hall for residential use is acceptable in principle

Harrow Council is the successor of London County Council who is the beneficiary of the Covenant. As such Harrow Council can consent to alternative uses of the site. Any statutory trust arising under the Open Spaces Act 1906 has been discharged through compliance with the advertisement procedure set out in Section 123 (2A) of the Local Government Act 1972.

Necessary advertisements were published in December 2006.

Supplementary Question: Could the Leader confirm the status of the land that Cedars Hall is built on?

Supplemental Answer: As far as I am concerned, what I described just now in answer to your first question is the correct status. If there is an error in that, which I do not believe to be the case, I am happy to discuss the matter with you.

3.

Questioner: Frances Pickersgill

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: The report on Cedars Hall from the Corporate Director Community and Environment to be presented to the Cabinet is clearly not a paper of options as originally promised.

It is being presented on a yes / no decision basis with no scope for the Cabinet to discuss options for investigation or, according to the Council leader, ‘to decide which options they would like to see developed further’.

The paper only proposes a community hall scheme put forward by the local community with severe time and achievement criteria. Your fall back position is the sale of the land for residential development. According to your officer, no additions or amendments to the paper are to be contemplated.

Answer: The Officers report clearly sets out a broad range of options which were discussed at the residents meeting on 27 February 2008 and were then subject to careful consideration by officers, leading to the recommendations which will be considered at Cabinet on Wednesday 21 May.

I understand that the residents clearly indicated a preference for open space to be created through the demolition of the existing Cedars Hall structure.

I further understand that residents’ second preference, as expressed at the meeting, was for a community use Hall.

The recommendation that will be considered before Cabinet on 21 May is clearly responding most positively to the views expressed by residents.

Given the work that the TRA, representing the local community,

have already undertaken; and this is evident at appendix 4 of the Cedars Hall report; I believe that adequate time, and importantly Council support, is being provided to enable the residents proposal to be properly developed.

I confirm that Cabinet on 21 May will consider Council officers' alternative recommendation, ie to dispose of the land for housing development, should the community hall scheme fail.

Supplemental Question: Can we ask for an extension to the deadline for the submission of public questions?

Supplemental Answer: I would hope that it would not be necessary since the paper develops many of the thoughts already existing.

4.

Questioner: Dr Alan Bender

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: If the Council breaks the Restrictive Covenant on the Cedars Hall land to build residential properties, why should we believe that it won't break the promise, given by Councillor Ferrari at the local public meeting on 7 May, to keep Cedars Open Space free from building, as building would then not be restricted on the whole site?

Answer: The Council will not, as I mentioned before, the Council will not be breaking the Covenant. Harrow Council is – I'm repeating what was said before – Harrow Council is the successor of London County Council, who is the beneficiary of the Covenant. As such, Harrow Council can consent to alternative uses of the site. Any statutory trust arising under the Open Spaces Act 1906 has been discharged through compliance with the advertisement procedure set out in section 123 (2A) of the Local Government Act 1972.

This administration will not – will not – be bringing forward plans to build houses or other structures, in parks, including the Cedars Open Space, which do not wholly support the development of the parks facility. And I make that as clear as I can.

Supplemental Question: Why does the Council believe it can break the trust of ownership given to it by the LCC?

Supplemental Answer: Firstly we are not breaking the trust of ownership. Secondly, we are not the supposed owner, we are the owner. And thirdly, as I mentioned in answer to your first question, we are not breaking the Covenant. We do not intend to, we are simply taking advantage of the rules.

As a Council we clearly want to do the right thing for local residents. At the same time we have a responsibility to look financially at the assets concerned. If we can find a way, working with you, of having a satisfactory local facility, we will do so. We will. Thank you.

5.

Questioner: Julie Browne, Kids Can Achieve

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: In the report that they (Cabinet) will get from Andrew Trehern there are two options:

- a. Harrow Weald Residents' Association to submit proposals and plans etc. within a time-scale that we feel as regular funding applicants is more or less un-achievable.

- b. If these deadlines are not met then the site will be sold for development.

I was able to put forward a third proposal (copy of which sent to all cabinet members today [12 May 2008])

The attendees (of the public meeting on 7 May 2008) are asking that this and any additional options proposed by others should be considered?

Answer: It is understood that the contact was made with Andrew Trehern, the officer concerned, who put you in contact with Lee Choules, who is Vice Chair of the Weald TRA, who the Council is currently recognising to develop the community facilities option for this site and we would encourage you and frankly work with you, with them to see if we can mould that into the option on site.

Supplemental Question: Can any Council justify letting this community facility be taken away when our community groups and Harrow residents, desperately need space and resources, particularly when you are consulting on provision of public services, leisure and cultural facilities and protection of open space for future generations?

Supplemental Answer: We are entirely happy to find a way forward which is viable on that site for use of the local residents and wider public for Harrow. The difficulty is that we want to come to a conclusion. That site is deteriorating and it is necessary for all concerned to come to a sensible view.

[Note: In order to meet the requirements of the Constitution for the publication of the minutes, the supplemental questions and answers have been summarised. A full transcript of the supplemental questions and answers will appear on the Council's website as soon as possible.]

408. **Councillor Questions:**

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

1.

Questioner: Councillor Margaret Davine

Asked of: Councillor Barry Macleod Cullinane, Portfolio Holder for Adults and Housing

Question: The Adult and Housing Transformation Programme being considered at the Cabinet tonight lists one of the Adult Social Care performance targets at 2.12.1 – 'increase all service users with PCPs by 50% by March 2010'. Would the portfolio holder please tell us both the total number of service users and how many service users currently have person-centred plans?

Answer: Thank you for not being too brutal tonight on me. The total number of services users is approximately 4000 persons and that's spread across all client groups and all ages.

Currently person-centred planning is only being implemented within learning disability services as per the Valuing People Policy, although we do adopt person-centred approaches in other client groups such as the Care Programme Approach in Mental Health Services.

The total number of learning disability service users currently stands at 389, which is broken down into 226 community-based, 156 private residential, seven in nursing care. And the source of that is the RAP P1 Form 2007/08. And the number of those with person-centred Plans is approximately 70, representing 18% in total.

Supplemental Question: Do you not think, in the light of the large number of all users and the small number of currently person-centred plans held by them, the target of 50% for them over three years is quite small, if we're really going to implement this transformation plan and turn the service around. I notice for learning disabilities you have got 100%, but that would probably take you further than that anyway. So I just really wanted you to acknowledge that's quite a small amount – 50% of 70, and hope you would like to have a more stretching target.

Supplemental Answer: I think it represents a real step-change from where we are at the moment, a real improvement going forward. In terms of looking at the individuals with learning disabilities having person-centred planning, that's really important to pick up on, because everybody has very different needs and clearly learning disabilities, that's very much more apparent and marked and we have to respond in that way. In terms of actually increasing the larger number which are in terms of going up towards about a 50% target and hopefully beyond, we are not trying to push people into this and we want to get people to actually choose to take this as a real option, to improve and make sure that the services being offered are the correct and appropriate services for them and making sure that they're helped to make that transition. So it needs a target that we think is achievable, but it's one that we're not simply going to push onto people without thinking is it appropriate for the people involved in the person-centred planning process.

409. **Forward Plan 1 May - 31 August 2008:**

RESOLVED: To note the contents of the Forward Plan for the period 1 May – 31 August 2008.

410. **Reports from the Overview and Scrutiny Committee or Sub-Committees:**

RESOLVED: To note that there were no reports from the Overview and Scrutiny Committee or Sub-Committees.

411. **Inspection by CSCI - Independence, Wellbeing and Choice:**

The Leader of the Council welcomed Jean Hanson and Sue Bestjan from the Commission of Social Care Inspection (CSCI), John Ota from Harrow Primary Care Trust (PCT) and colleagues from the voluntary sector to the meeting. He advised that he would be inviting Councillor Eric Silver, the former Portfolio Holder, to comment on the presentation from CSCI and the Adults and Housing Transformation programme which appeared elsewhere on the agenda.

Jean Hanson, the Lead Inspector, presented CSCI's findings from their inspection carried out in January 2008. She drew attention to the easy to access version of the inspector's findings which had been made available at the meeting.

Jean Hanson outlined the strengths of the service and the areas for development. She reported the judgements of the inspectors as follows:-

- safeguarding of vulnerable adults was adequate;
- delivery of personalised services for people with learning disabilities was poor;
- Leadership, commissioning and capacity to further improve was uncertain.

Jean Hanson advised that CSCI's recommendations to address these judgements were set out as pages 5 and 6 of the report and that Sue Bestjan would be monitoring the action plan.

The Corporate Director of Adults and Housing, in thanking the inspectors, stated that the inspection was a good health check for the department and that he was particularly pleased at the findings in relation to safeguarding in that it had a good grounding.

Portfolio Holders made comments on the inspector's findings as follows:-

- the Council was committed to improving life for adults;
- the importance of keeping vulnerable people safe;

- there was concern in relation to the transition of vulnerable children reaching adulthood and being lost in the system between service areas;
- the relationship between the Council and the PCT was improving.

In response to the comments made by Members, Jean Hanson advised that:-

- services beyond Adult Services that required focus included areas such as Leisure Services and Transport;
- at the time of the inspection it had been felt that governance had been weak and she was unclear whether this issue had been addressed. This was an area that could be considered by scrutiny;
- she would forward any examples of good practice to the Corporate Director;
- the action plan addressed CSCI's recommendations;
- had the review been done a few months later, safeguarding of vulnerable adults might have been assessed as good.

John Ota welcomed the inspector's report and emphasised that the PCT were keen to look at all options to improve services.

Cabinet thanked the inspectors and accepted the recommendations.

412. **Key Decision - Adults and Housing Transformation Programme:**

Councillor Eric Silver, former Portfolio Holder for Adult Services, introduced the report which presented the Adult and Housing Services 3-year Transformation Programme Plan (TPP). This was a comprehensive strategy to renew, realign and enhance services to ensure that they met the future needs and aspirations of the people of Harrow.

Cabinet viewed a film on Adult Services in Harrow.

The Corporate Director of Adults and Housing detailed the key headlines of the programme including the concept of self directed support and the balance between choice and safety.

The Portfolio Holder for Adults and Housing commended the programme to Cabinet.

RESOLVED: That (1) the Adults and Housing Transformation programme be endorsed;

(2) authority be delegated to the Corporate Director of Adults and Housing, to initiate the implementation of the TPP.

- **Reason for Decision:** The TPP set out the framework which will enable Harrow's Adult and Housing Directorate to achieve a radical improvement in its national performance assessment rating and meet its aspiration to be assessed as providing an excellent service.

(See also Minute 403).

413. **Establishment of Committees, Advisory Panels and Consultative Forums:**

The Leader of the Council reported that the nominations for Chairman and membership of Cabinet's Committees, Advisory Panels and Consultative Forums were before Members for consideration and approval. He advised that, in accordance with Education (Admission Forum) (England) Regulations 2002, Regulation 7, the appointment of Chairman and Vice-Chairman of the Harrow Admissions Forum was a decision for that body.

RESOLVED: That appointments for the Municipal Year 2008/09 detailed in Appendix 1 to these minutes be approved.

414. **Timetable for the preparation and consideration of Statutory Plans and Strategies 2008/09:**
The Leader of the Council introduced the report, which set out the requirements of the Council's Constitution in terms of the development of the policy framework and sought approval to the timetable for statutory plans and strategies.
- RESOLVED:** That the timetable for the preparation and consideration of the statutory plans and strategies for 2008/09 set out at Appendix 2 to these minutes be approved.
- Reason for Decision:** To comply with the requirements of paragraph 3 of the Budget and Policy Framework Procedure Rules set out in Section 4C of the Council's Constitution.
415. **Annual Audit and Inspection Plan 2008-09:**
The Corporate Director of Finance introduced the report which provided Cabinet with an opportunity to comment on the Annual Audit and Inspection Plan. She drew Cabinet's attention to the increase in the Audit Commission fee of £38,000 (7%) to £608,000.
- RESOLVED:** That the Annual Audit and Inspection Plan be noted.
- Reason for Decision:** To ensure that Cabinet is aware of the planned audit and inspection activity for 2008-09.
416. **Key Decision - Harrow Core Strategy 'Preferred Options' Draft for Public Consultation:**
(See Recommendation I).
417. **Key Decision - Harrow Biodiversity Action Plan:**
The Portfolio Holder for Planning, Development and Enterprise introduced the Harrow Biodiversity Action Plan (BAP) which was to be implemented over the next 5 years, via the delivery of action plans specific to habitats and species of importance within Harrow, plus a generic action plan covering wider issues.
- The Corporate Director of Community and Environment reported that there were no financial implications arising from the Plan and that the Plan was a critical component of the Corporate Assessment rating. The action plan had been developed with a broad range of organisations. Harrow's BAP was the Borough's contribution to the nationwide BAP.
- RESOLVED:** That the Harrow BAP be adopted.
- Reasons for Decision:** (1) To enable the Harrow BAP to be formally implemented;
- (2) To enable the Harrow BAP to be formally recognised within the planning process, and to have greater weight when the BAP is used as a material consideration in determining planning applications;
- (3) To enable the Harrow BAP to formally influence the development of the Harrow Local Development Framework.
- (See also Minute 403).
418. **Association of London Government (ALG) TEC 101 Agreement Variation:**
The Corporate Director of Community and Environment introduced the report which sought to delegate further functions to the Association of London Government Transport and Environment Committee and to confirm that certain functions already undertaken by the Committee were delegated to it. He highlighted the reasons for the variation to the Agreement as detailed in his report.
- RESOLVED:** That the further variation of the Association of London Government Transport and Environment Committee Governing Agreement be approved.
- Reason for Decision:** The Council will join the other 32 London local authorities in empowering the Committee to discharge certain functions on behalf of those signatory authorities.
- (See also Minute 403).

419. **Key Decision - Efficiency Reviews:**
The Portfolio Holder for Performance, Communication and Corporate Services introduced the report which provided the overarching context for the next round of efficiency reviews, a progress update on service reviews carried out in 2007/08 and presented lessons learnt and proposals for a refreshed programme of efficiency reviews for 2008-2011. The Reviews were required to address future funding gaps.

RESOLVED: That (1) the overarching context be noted;

(2) the findings of service reviews for 2007/08 be noted;

(3) the proposals for a new programme of efficiency reviews 2008-2011 be agreed;

(4) finalisation of the programme of review activity beyond the first 2 reviews be delegated to the Chief Executive/Deputy Chief Executive and Portfolio Holder Performance, Communications and Corporate Services.

Reasons for Decision: (1) To progress the delivery of efficiency savings and improvement through a strategic programme of reviews across the Council;

(2) to address the future funding gaps of £5.4m for 2009/10 and £6.9m for 2010/11.

420. **Key Decision - Local Involvement Networks:**
The Deputy Chief Executive introduced the report which outlined the local arrangements proposed for providing LINKs.

The Local Government and Public Involvement in Health Act had become law in October 2007 and requires the establishment of a Local Involvement Network (LINK) in each local area, including one in Harrow.

The Leader of the Council requested that a briefing note be circulated to all Members of the Council to explain LINKs and the relationship to the Adults and Housing Transformation Programme.

RESOLVED: That (1) the proposals for LINKs nationally be noted;

(2) the local progress made to set up LINKs in Harrow be noted;

(3) a contract be awarded for a three year period to commence on 2 June 2008 at a cost within the funding for LINKs provided by the Department of Health. To authorise the Deputy Chief Executive to award the contract;

(4) 10% of the Department of Health Grant be retained to fund the additional Council responsibilities associated with LINKs.

Reason for Decision: To ensure the Council meets its duty to tender for a contract with a 'host organisation' which will be commissioned to set up and support the LINK.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.20 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman

APPENDIX 1CABINET ADVISORY PANELS 2008/2009

(Membership in order of political group nominations)

ConservativeLabourLiberal Democrat**(1) BUSINESS TRANSFORMATION PARTNERSHIP PANEL (5)****(3)****(2)****I.**
Members**David Ashton
Narinder Singh Mudhar
Paul Osborn (CH)****Navin Shah
Bill Stephenson *****II.**
Reserve
Members1. Tony Ferrari
2. Robert Benson
3. Tom Weiss1. Thaya Idaikkadar
2. Keith Ferry
3. -

[Note: The Councillor representatives on the Partnership Board should be the same as the full-voting Members of the Business Transformation Partnership Panel.]

(2) CORPORATE PARENTING PANEL (6)**(4)****(2)****I**
Members**Husain Akhtar
Miss Christine Bednell
Janet Mote (CH)
Eric Silver****Mrs Margaret Davine
Mitzi Green****II.**
Reserve
Members1. Mrs Myra Michael
2. Mrs Vina Mithani
3. Julia Merison
4. Mark Versallion1. B E Gate
2. Raj Ray**(3) EDUCATION ADMISSIONS AND AWARDS PANEL (3)****(2)****(1)****I**
Members**Husain Akhtar
Anjana Patel (CH)****Mrinal Choudhury *****II.**
Reserve
Members1. G Chowdhury
2. Julia Merison
3. Narinder Singh Mudhar1. Asad Omar
2. -
3. -

(4) GRANTS PANEL (10)**(6)****(4)****I.**
Members

Don Billson
G Chowdhury
Ashok Kulkarni
Mrs Myra Michael
Chris Mote (CH)
Joyce Nickolay

Ms Nana Asante
Asad Omar
Mrs Rekha Shah *
Mrs Sasi Suresh

II.
Reserve
Members

1. Manji Kara
 2. Yogesh Teli
 3. Narinder Singh Mudhar
 4. Jeremy Zeid
 5. Susan Hall
 6. Julia Merison

1. Nizam Ismail
 2. David Gawn
 3. Thaya Idaikkadar
 4. Krishna James

(5) HARROW BUSINESS CONSULTATIVE PANEL (4)**(2)****(2)****I.**
Members

Susan Hall
Manji Kara (CH)

Mrinal Choudhury *
Keith Ferry

II.
Reserve
Members

1. Yogesh Teli
 2. Mrs Vina Mithani
 3. Mrs Myra Michael

1. Thaya Idaikkadar
 2. Mrs Sasi Suresh
 3. -

(6) LOCAL DEVELOPMENT FRAMEWORK PANEL (7)**(4)****(3)****I**
Members

Marilyn Ashton (CH)
Robert Benson
Manji Kara
Joyce Nickolay

Keith Ferry
Thaya Idaikkadar
Navin Shah *

II.
Reserve
Members

1. G Chowdhury
 2. Don Billson
 3. Dinesh Solanki
 4. Julia Merison

1. Mano Dharmarajah
 2. Jerry Miles
 3. Raj Ray

(7) SUPPORTING PEOPLE PANEL (5)**(3)****(2)****I.**
Members**Jean Lammiman
Barry Macleod-Cullinane
Eric Silver (CH)****Mrs Margaret Davine *
David Gawn****II.**
Reserve
Members1. Mrs Myra Michael
2. Jeremy Zeid
3. Mrs Vina Mithani1. Krishna James
2. Nizam Ismail
3. -**(8) TRAFFIC PANEL (10)****(6)****(4)****I.**
Members**Robert Benson
Susan Hall (CH)
Manji Kara
Mrs Kinnear
Yogesh Teli
Jeremy Zeid****Mrinal Choudhury
Nizam Ismail
Jerry Miles *
David Perry****II.**
Reserve
Members1. G Chowdhury
2. Ashok Kulkarni
3. Salim Miah
4. Mrs Vina Mithani
5. Husain Akhtar1. Bob Currie
2. Graham Henson
3. Raj Ray
4. Keith Ferry**(CH)**
(VC)

= Chair

= Vice-Chair

* Denotes Group Members on Panels for consultation on administrative matters.

To note the membership of the following informal body.

BUDGET REVIEW WORKING GROUP (6)**(4)****(2)****I.**
Members**David Ashton (CH)
John Cowan
Richard Romain
Tom Weiss****Archie Foulds *
Bill Stephenson****II.**
Reserve
Members1. Salim Miah
2. Ashok Kulkarni
3. Yogesh Teli
4. Jeremy Zeid1. Thaya Idaikkadar
2. Mrinal Choudhury
3. -

CONSULTATIVE FORUMS**“ADVISORY” COMMITTEES ESTABLISHED UNDER SECTION 102(4) OF THE LOCAL GOVERNMENT ACT 1972, APPOINTED BY CABINET**

(Membership in order of political group nominations)

Conservative**Labour****(1) EDUCATION CONSULTATIVE FORUM (7)****(4)****(3)****I.**
Members**Mrs Camilla Bath
Miss Christine Bednell
Janet Mote
Anjana Patel (CH)****B E Gate
Raj Ray
Bill Stephenson *****II.**
Reserve
Members1. Husain Akhtar
2. Julia Merison
3. Mrs Vina Mithani
4. Jean Lammiman1. Keeki Thammaiah
2. Nizam Ismail
3. David Perry(Representatives of the Teachers', Governors', Elected Parent Governor Representatives', Denominational Representatives' and Arts Culture Representatives' Constituencies)
(Mrs C Millard (Governor Representative) (VC))**(2) EMPLOYEES' CONSULTATIVE FORUM (7)****Council Representatives****(4)****(3)****I.**
Members**David Ashton
Mrs Camilla Bath
Susan Hall
Paul Osborn*****Bob Currie
Graham Henson
Navin Shah *****II.**
Reserve
Members1. Joyce Nickolay
2. Don Billson
3. Julia Merison
4. Tony Ferrari1. B E Gate
2. Keith Ferry
3. Mrs Sasi Suresh

[Note: In accordance with the Forum's Terms of Reference, the Council membership should include the Leader and/or Deputy Leader, Portfolio Holder with responsibility for human resources].

Employee Representatives

Six UNISON Representatives

Lynne Ahmad, Kerry Bubenzer, Mary Cawley, Steve Compton, G Martin, (Vacancy)

One GMB Representative:

Sanjay Karia

Three HTCC Representatives

(To be advised)

(Note: The Chairman of the Employees' Committee shall be a Council side representative in 2007/2008, and the Vice-Chairman is to be appointed by the Employees' side. These appointments shall thereafter alternate in succeeding years) (? (Employee Representative) appointed VC 2007/08).

(3) TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM (4)**(2)****I.**
Members**Barry Macleod-Cullinane (CH)**
Yogesh Teli**(2)****Bob Currie ***
Phillip O'Dell**II.**
Reserve
Members

1. G Chowdhury
2. Robert Benson
3. Mrs Kinnear

1. David Gawn
2. B E Gate
3. -

“ADVISORY” COMMITTEE ESTABLISHED UNDER SECTION 85A OF THE SCHOOLS STANDARDS FRAMEWORK ACT 1998

HARROW ADMISSIONS FORUM (3)

Conservative

(2)

**Anjana Patel
Dinesh Solanki**

Labour

(1)

Bill Stephenson *

Other Representatives

Community Schools (Governor)	-	Vacancy
Community Schools (Primary)	-	Sue Jones
Community Schools (Secondary)	-	Allan Jones
Jewish School	-	Mrs D Palman
Roman Catholic School	-	Mike Murphy
Church of England School	-	Mrs S Hinton
Church of England Diocese	-	Rev Paul Reece
Catholic Schools Diocese	-	Mr Billiet
Primary Elected Parent Governor Representative	-	Mrs D Speel
Secondary Elected Parent Governor Representative	-	Mr R Chauhan
Harrow Council for Racial Equality	-	Prem Pawar
Early Years Development Partnership	-	Helena Tucker
Children’s Services Representative	-	(Vacancy)

NB: Each school in the Borough is also entitled to appoint their own representative on this Forum.

(CH)
(VC)
*

= Chair

= Vice-Chair

Denotes Group Members on Panels for consultation on administrative matters.

**APPOINTMENT OF CHAIRS TO ADVISORY PANELS AND CONSULTATIVE FORUMS
FOR THE MUNICIPAL YEAR 2008-09**

Advisory Panel

Nominee

Budget Review Working Group
 Business Transformation Partnership Panel
 Corporate Parenting Panel
 Education Admissions and Awards Advisory
 Panel
 Grants Advisory Panel
 Harrow Business Consultative Panel
 Local Development Framework Advisory Panel
 Supporting People Advisory Panel
 Traffic Advisory Panel

Councillor David Ashton
 Councillor Paul Osborn
 Councillor Janet Mote
 Councillor Anjana Patel

Councillor Chris Mote
 Councillor Manji Kara
 Councillor Marilyn Ashton
 Councillor Eric Silver
 Councillor Susan Hall

Consultative Forum

Education Consultative
 Employees' Consultative *
 Tenants' and Leaseholders' Consultative

Councillor Anjana Patel
 To be appointed from employee side
 representation
 Councillor Barry Macleod-Cullinane

Other Forum

Harrow Admissions

To be decided by the Forum

[* Note: The appointment of the Chairman for 2008-09 will be an Employee side representative and the Vice Chair is to be appointed by the Employer's side].

REPRESENTATION ON OTHER SOCIAL SERVICES EXECUTIVE BODIES FOR THE MUNICIPAL YEAR 2008/09

<u>BODY</u>	<u>Nominee</u>
Adoption Panel	Councillor Miss Christine Bednell
Fostering Panel	Councillor Miss Christine Bednell

[Note: In relation to the Adoption Panel, the statutory guidance states that 'where possible, the Local Authority should appoint an elected member from the corporate parenting group or a member with responsibility for children's services.']

REPRESENTATION ON HOMES LIMITED (FORMERLY WARDEN HOUSING COMMITTEE AND RAYNERS LANE ESTATE COMMITTEE) FOR THE MUNICIPAL YEAR 2008/09

<u>BODY</u>	<u>Nominees</u>
Homes Limited (formerly Warden Housing Committee and Rayners Lane Estate Committee)	Councillor Bob Currie Councillor Graham Henson

[Note: The nominees are local Roxbourne Ward Councillors]

REPRESENTATION RE – PRIMARY CARE TRUST JOINT WORKING BODIES FOR THE MUNICIPAL YEAR 2008/09

<u>BODY</u>	<u>Appointment</u>
Health and Social Integration Board	Councillor Barry Macleod-Cullinane Councillor Mrs Margaret Davine
Adult Health and Social Care Partnership	Councillor Barry Macleod-Cullinane Councillor Mrs Margaret Davine
Children and Young People's Partnership	Councillor Miss Christine Bednell Councillor Bill Stephenson

[Note: There are two appointments for each body]

APPOINTMENT OF CABINET SUPPORT MEMBERS 2008/09

Cabinet Member	Assistant (Support Member)
<u>Cllr David Ashton</u> Leader (Strategy, Partnership and Finance)	(1) Cllr John Cowan (2) Cllr Tom Weiss
<u>Cllr Susan Hall</u> Deputy Leader, Environment Services & Community Safety	Cllr Julia Merison
<u>Cllr Marilyn Ashton</u> Planning, Development & Enterprise	Cllr Joyce Nickolay
<u>Cllr Christine Bednell</u> Children's Services	Cllr Husain Akhtar
<u>Councillor Tony Ferrari</u> Major Contracts & Property	(1) Cllr Richard Romain (2) Cllr Jeremy Zeid
<u>Cllr Barry McLeod-Cullinane</u> Adults & Housing	(1) Cllr Jean Lammiman (2) Cllr Yogesh Teli
<u>Cllr Chris Mote</u> Community & Cultural Services	(1) Cllr Manji Kara (2) Cllr Golam Chodhury
<u>Cllr Paul Osborn</u> Performance, Communication & Corporate Services	Cllr Narinder Mudhar Singh
<u>Cllr Anjana Patel</u> Schools & Children's Development	Cllr Husain Akhtar

APPOINTMENTS TO THE BTP PARTNERSHIP BOARD 2008/09

**I.
Members**

**David Ashton
Narinder Singh Mudhar
Paul Osborn (CH)**

**Navin Shah
Bill Stephenson**

**II.
Reserve
Members**

1. Tony Ferrari
2. Robert Benson
3. Tom Weiss

1. Thaya Idaikkadar
2. Keith Ferry

APPENDIX 2

STATUTORY PLAN/ STRATEGY 2008/9 (AND DEADLINE DATE)	OVERVIEW AND SCRUTINY COMMITTEE	CABINET MEETING	COUNCIL MEETING
1. BEST VALUE PERFORMANCE PLAN (30 JUNE 2008)	21 July 2008 (Finance and Performance Scrutiny Sub-Committee)	19 June 2008	10 July 2008
2. DEVELOPMENT PLAN a) Core Strategy	7 January 2009	15 January 2009	Tbc – January 2009
3. LOCAL IMPLEMENTATION PLAN	Approved in 2006 to 2008/2009 →		
4. CORPORATE PLAN	10 February 2009	12 February 2009	19 February 2009
5. COMMUNITY SAFETY PLAN (FORMERLY CRIME AND DRUGS REDUCTION STRATEGY)	29 July 2008	18 September 2008	30 October 2008
6. SUSTAINABLE COMMUNITY STRATEGY	4 November 2008	13 November 2008	19 February 2009
7. YOUTH JUSTICE PLAN	The Youth Justice Board have advised that a Youth Justice Plan will not be required this year (08/09)		
8. CHILDREN AND YOUNG PEOPLE STRATEGIC PLAN	Approved in 2006 for a 3 year period – Review 2009 →		
9. GAMBLING POLICY	Approved in 2006 for a 3 year period – Review 2009 →		
10. LICENSING POLICY	Approved in 2007 for a 3 year period – Review 2010 →		

This page is intentionally left blank

REPORT OF CABINET

(SPECIAL) MEETING HELD ON 21 MAY 2008

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Barry Macleod-Cullinane
 * Miss Christine Bednell * Chris Mote
 * Tony Ferrari * Paul Osborn
 * Susan Hall * Mrs Anjana Patel

* Denotes Member present

[Note: Councillors Paul Scott and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 426 below. Councillors Husain Akhtar and Mitzi Green also attended this meeting to speak on the item indicated at Minute 427 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

421. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Agenda items 9/10 – Future Organisation of West Lodge First School and West Lodge Middle School/Harrow's Vision for Education and the Primary Capital Programme

- (i) Councillor Husain Akhtar, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Bentley Wood School.
- (ii) Councillor Miss Christine Bednell declared personal interests arising from the fact that she was a governor of Vaughan First and Middle School, a governor of Whitmore High School and a non-LEA representative of Stanmore College.
- (iii) Councillor Robert Benson, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Cedars Manor School.
- (iv) Councillor Mitzi Green, who was not a Member of Cabinet, declared a personal interest in that she was a governor of Kenmore Park First and Middle School.
- (v) Councillor Susan Hall declared a personal interest in that she was a governor of Priestmead First School.
- (vi) Councillor Barry Macleod-Cullinane declared personal interests in that he was a governor of Canons High School and that his sister was a teacher at Hatch End High School.
- (vii) Councillor Julia Merison, who was not a Member of Cabinet, declared a personal interest in that she was a governor of Newton Farm First and Middle School.
- (viii) Councillor Janet Mote, who was not a Member of Cabinet, declared a personal interest in that he she was a governor of St. John Fisher First & Middle School.
- (ix) Councillor Chris Mote declared a personal interest in that he had friends at West Lodge School.
- (x) Councillor Mrs Anjana Patel declared a personal interest in that she was a governor of St Dominic's College.
- (xi) Councillor Bill Stephenson, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Hatch End High School and Marlborough First and Middle School.

Accordingly, they would all remain in the room to listen to the debate, take part in the discussion and decision-making, as appropriate, on these items.

422. **Minutes:**

RESOLVED: That the minutes of the meeting held on 15 May 2008 be deferred until the next ordinary Cabinet meeting.

423. **Arrangement of Agenda:**

The Leader of the Council stated that in light of the public attendance at the meeting, he would re-order the agenda and take item 9 - Future Organisation of West Lodge First and Middle School and West Lodge Middle School and item 11 - Development of Cedars Hall Site, Uxbridge Road, Harrow, after item 6 - Councillor Questions. For clarity business is recorded in the order set out on the agenda.

The Leader added that due to the large number of questions received, supplemental questions would not be answered at the meeting but that the questioners would be sent written responses.

It was noted that there was no exempt report at item 13 - Development of Cedars Hall, Uxbridge Road, Harrow.

The Leader explained the reasons behind the need to suspend Executive Procedure Rule 8.2.2 and it was

RESOLVED: That (1) all items be considered with the press and public present with the exception of the following item for the reason set out below:

<u>Item</u>	<u>Reason</u>
14. Street Lighting Private Finance Initiative	This report was exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

(2) Executive Procedure Rule 8.2.2 be suspended to allow the submission of petitions and the asking and answering of public and Councillor questions;

(3) that supplemental questions be answered in writing rather than at the meeting.

424. **Petitions:**

RESOLVED: To note that the following petitions had been received and were considered alongside the relevant reports on the agenda.

1. Mr Brian Stoker presented a petition, signed by two people, concerning the Cedars Hall site proposed development. He read out the terms of the petition to the meeting, which were as follows:-

"We request that the paper on the proposed development be deferred and revised on the grounds that:

- This paper requires a yes/no decision; you are not being given the promised choice to explore options, as declared in Cabinet and residents' meetings.
- The residential development is contrary to your UDP; the previous residential planning application for the site was withdrawn before it could be rejected for this reason.
- The land forms part of Cedars Open Space which the Council is committed to protect.
- A residential development will require the Council to break the trust vested in it by the LCC covenant to maintain use for community purposes.
- Breaking the covenant opens the whole green open space of 9 acres to residential development. The covenant is actually for the benefit of the community, not the Council.

- Residential housing at Cedars is not to the benefit of the community.
- The option from residents' meeting, to return to open space, is not put forward.
- Other credible alternative options available (eg children's charity) are not addressed at all.
- The report has been 6 months in production, missed the Cabinet deadlines for this meeting (9th May final report, 13th May for Agenda) and was published Friday 16th May, only hours before the public questions deadline for this meeting.
- The unilaterally imposed deadlines for a WTRA proposed are unrealistic and will result in bringing residential build foremost as the only option.
- Correspondence from the public to your Democratic Services and Mr Trehern was promised to be presented to you: it is not seen.
- You are being asked to approve a legalistic document which has factual errors.

We request that the contents of this petition be recorded in the Minutes of this Cabinet meeting”.

2. Councillor Miss Christine Bednell presented a petition from teaching and non-teaching staff of West Lodge Middle School. The petition contained 24 signatures. She read out the terms of the petition, which were as follows:-

“We, the undersigned, of West Lodge Middle School, once again write to you to express our support of the Middle School Governing Body decision not to amalgamate with West Lodge First School”.

425. **Public Questions:**

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

1.

Questioner: Mr Lee Choules, Weald Tenants' and Residents' Association

Asked of: Councillor Chris Mote, Portfolio Holder for Community and Cultural Services

Question: Weald TRA warmly and unreservedly welcomes the decision of Cabinet to support our wish to submit a formal proposal for the development and management of the Cedars Hall site, as a “community hall” and we understand that our draft proposals must clearly demonstrate that there is reasonable prospect of the necessary capital funding of between £500,000 and £750,000 being secured no later than 30 November 2008.

Towards this objective, will the Council undertake the following, as its partnership commitment in helping to develop what will remain a Council owned asset, to draft, manage and develop in consultation with Weald TRA the proposed legal documentation, including an Options Agreement that gives us the legal right to seek the necessary capital and revenue funding, noting that the Options Agreement is needed immediately, the architectural plans, building control, planning environmental applications, an application or partner in an application, to the European Social Fund and/or to allocate any existing funds under its management from the ESF to the maximum value of £400,000, that may be needed as part of any formal applications that may be submitted?

Pending a positive answer to the above issues, Weald TRA on behalf of the local community are confident that by 30 November 2008, we would be able to confirm to the Council that we have secured all necessary capital and revenue resources to enable comprehensive refurbishment of cedars hall site (internal and external) to enable it to be brought into use as a "community hall".

Answer:

Mr Choules, I would firstly like to thank you and the members of Weald TRA, for the work you have undertaken to date, to take forward your vision and plans for Cedars Hall, as a centre for the Harrow Weald community.

The Officer recommendation which Cabinet will consider this evening, actually requires Weald TRA to 'clearly demonstrate that there is reasonable prospect of the necessary capital funding of between £500,000 and £750,000 being secured', by 30 June 2008.

As you note in the final part of your question, the November date requires Weald TRA, to confirm to the Council that you have actually secured the necessary money - the funding.

What the Council is looking for in June, is simply confirmation of the funding sources that you intend to approach, together with an indication from these sources that the relevant funding scheme is available, and that the Cedars Community Hall project, meets the criteria for any application for a grant to be considered.

The Council's intention in respect of the development of a community hall option, is for Cedars Hall to remain in Council ownership. Once necessary funds and planning permission have been secured by Weald TRA, and the legal process completed, Weald TRA would be required to enter into a lease with the Council, to take over the development and management of the Cedars Community Centre.

The Terms of the Agreement (legal documentation) between Weald TRA and the Council have yet to be negotiated and it would not be appropriate to give a specific undertaking in respect of this in my reply to your question.

However, you have my absolute assurance that Council Officers, will work with you, to ensure that Weald TRA's bids to grant funding organisations or other financial institutions, include all necessary Council support in respect of the property agreement to be completed between us. This is one of the reasons why the Officers have targeted agreement of the legal terms, including the lease, by 31 July 2008.

The Council will provide you with copies of existing plans of the site, but cannot undertake any design of the new facility. We will of course be able to offer advice for example in respect of environmental and sustainability matters, access for all, health and safety, secured by design, and all other things that go with that.

The Council has already offered to provide planning advice, to ensure that your planning application can be compliant with all relevant policies.

You or your architect will be required to submit plans to the Council's Planning Department, including the Building Control Service, and to ensure that all design and building work is undertaken in accordance with relevant regulations.

Assuming that the Council officers are able to advise you that your long term business plan is viable and sustainable, and that your approach to funding organisations is compliant with the relevant Council policies, the Council will, following this evening's Cabinet decision on the matter, wholeheartedly support Weald TRA's application for funding from appropriate funding organisations.

However, the Council cannot commit any resources directly to this project.

I confirm that I am personally very keen to see what you put forward and that the Weald TRA's innovative plans for this site coming to fruition.

Supplemental Question:

I'd like to ask that seeing as there are going to be no resources available, we are a voluntary organisation. I know in the report pack it says we have £4,000 in our account, we don't have £400. I'm just wondering where the Council expects us to find in the region of about £40,000 prior to receiving grants to engage an architect to actually draw up the plans which will enable proper costings of the refurbishment of Cedars Hall.

Answer:

A written response would be provided.

2.

Questioner:

Dr Alan Bender

Asked of:

Councillor Chris Mote, Portfolio Holder for Community and Cultural Services

Question:

Andrew Trehern's paper for Cabinet on 21 May titled "Development of the Cedars Hall site, Uxbridge Road, Harrow" is based very heavily on one assumption that the Weald Tenants' and Residents' Association acts as the lead group for all current interest in the Cedars Hall site.

This is a false assumption and the Council and the Association have not properly assessed the views of residents that live much closer to the site than most of the Association members. In addition, Andrew Trehern has repeatedly failed to communicate with all such residents within timescales that give adequate time for consideration, reasoned response and preparation of constructive submissions to Cabinet.

As a result, his paper is an inadequate analysis of the possible approaches to a solution that will be acceptable to the Council and the local residents.

Therefore, in order to produce a better balanced and reasoned paper, would Cabinet agree to a three month period for further and proper consultation and consideration of options?

Answer:

The future of the Cedars Hall site, has effectively been subject to public debate, since 9 November 2006, when Cabinet first considered its future use, following the closure of the Wembley Rugby Club.

Following a public meeting at Kingsley High School on 3 October 2007, the proposal for an emergency accommodation hostel, was not taken forward.

Residents' views were being clearly heard by this administration.

On 20 February 2008, that is 12 weeks ago, officers presented various options for the development of the Cedars Hall site, at a meeting with local residents.

Clearly the preferred course of action indicated by residents at this meeting, was to return the site to open space.

Council Officers advise that there is no requirement to do this, given the sufficiency of open space in the surrounding area.

I understand that the community hall option was discussed in some detail at the meeting on 20 February, and was the only other option supported by residents at that meeting.

Following the meeting on 20 February, the Weald TRA began work to develop their vision and plans for Cedars Hall.

This approach could have been adopted by any other resident or group of residents in the area but was not. There has been an approach from a charitable enterprise, to develop a nursery on the site, and this enterprise has been referred to the Weald TRA.

The options to be considered by Cabinet this evening are substantially the same as those presented on 20 February.

Approximately 80 residents attended the second meeting on Wednesday 7 May, where a copy of the report as presented this evening, save for the inclusion of the Weald TRA proposal at appendix 4, and the notes of the meeting at appendix 3, was available to residents.

The views of the residents have clearly been heard, this administration listened to the views of residents last year, we have listened over the past 12 weeks and we will make a reasonable decision tonight.

Supplemental Question:

There have been many delays, all on the Council's part, and lack of an appropriate wide distribution of consultation requests. Cabinet of 13 December 2007 was petitioned that the promised consultation be started. The first public meeting was only two months' later on 20 February, with just 4 days' notice and with limited publicity. The next meeting on 2 April was changed 3 days' later to 7 May with the Council reason being given information not available and the report delayed from 2 April, to 7 May and then to 14 May, so why is the time allowed for consideration of the issues all one sided towards the Council with the public being given short shrift and why are things not being done in a more equitable and democratic fashion?

Answer:

A written response would be provided.

3.

Questioner:

Brian Stoker

Asked of:

Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question:

In the matter of Cedars Hall future, I refer to my question to the previous Council Leader at the Cabinet meeting of 10 April regarding lack of opportunity for the public to comment to the Cabinet on the officers' report, we were assured there was sufficient time. However, as of the 16 May the report is not in the published Cabinet papers placed on the Council website in the statutory notice period for the 21 May meeting, and your deadline for questions on it is today, Friday 16 May! So we must assume it is not being considered at Cabinet.

A paper copy was given to a few individuals who happened to be present at the last Cabinet meeting, and a few individuals were e-mailed a version, but we await its formal publication. Factual errors in it, including the notes of the 7 May public meeting, need correcting.

This paper was referred to by the Leader in the minutes of the 8 November 2007 Cabinet meeting, some 6 months ago, so why 6 months to produce, and no days for comments by the public?

Answer:

I am sorry that the Cedars Hall report was not published on the Council website by the scheduled date.

Council Officers are expected to meet reporting deadlines and on this occasion failed to meet the scheduled date of Tuesday 13 May, which is not acceptable to this administration. However I am advised that the report was published on the Council website

last Thursday 15 May at 5.00 pm.

The report author, was in fact responsible for leading the Council's response to the very serious and most tragic incident which occurred in Stanley Road, South Harrow, following the Harrow Weald residents' meeting on Wednesday 7 May.

100 copies of the Cedars Hall report were taken to the residents meeting on 7 May. At the end of the meeting only 19 copies of the papers were left. I suggest therefore that there was good attendance at the meeting by local residents.

The report contained within this evening's Cabinet papers is virtually identical to the papers presented at the resident meeting, the exceptions being appendix 3, the notes of the meeting, and Appendix 4 The Weald TRA draft proposal.

The notes of the 7 May residents meeting have been published as drafted 'independently' by our Committee Services staff. Any comments in respect of factual accuracies can be addressed to Hugh Peart, Director of Legal & Governance Services who will ensure that any necessary amendments are made as appropriate.

The timing of the consideration of this matter by Cabinet has in part been determined to ensure sufficient time for local residents to advise the Council of their views.

Cabinet will be considering the Officers' report this evening and will make a decision regarding the future development and use of this important site.

Supplemental Question:

Why are you actually considering this paper now when it was not available to the public in time when it contravenes your own Constitution Access to Information Procedure Rules, Rule 5.1, as it was on the published agenda, not added later, but the paper was not on the Council website until Friday 16 May? It also contains factual errors which will need to be corrected before you can approve a legalistic document.

Answer:

A written response would be provided.

4.

Questioner:

Frances Pickersgill

Asked of:

Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question:

In his response to a public question at the Cabinet meeting on 15 May, Mr Ashton said that the Council would be discussing the future of Cedars Hall with the Weald Tenants' and Residents' Association. This, he said is the recognized organization representing the local community. Since when has the WTRA been 'recognised' in this way when there are other organisations eager to use the hall but are not included in the proposal?

Answer:

The Council is recognising Weald TRA in respect of the development of the Cedars Community Hall option for two reasons:

1. The Weald TRA have proactively embraced the opportunity formally to submit high-level proposals for the development of the Harrow Weald site as a community hall.
2. And secondly the Council is willing to recognise the Weald TRA as it is a properly constituted local community group.

Supplemental Question: Why has the Council not explored whether other not for profit, voluntary and charitable organisations with which it has links or even contracts, would be interested in bidding to use the Cedars facilities?

Answer: A written response would be provided.

5.

Questioner: Catherine Kittredge MBE

Asked of: Councillor Christine Bednell, Portfolio Holder for Children's Services

Question: The recent ballot of stakeholders can be said to have upheld the original decision of West Lodge Middle School Governors because that result indicates that the majority of West Lodge Middle School Parents, Staff and Governors are in favour of remaining as a separate school.

We therefore ask for an explanation as to why the Local Authority is doing its best to prevent the appointment of a Headteacher, when all members of the recent interview panel attempting to make such an appointment, Local Authority members included, considered the candidate to be experienced and very well qualified for the position.

Answer: The local authority has advised the governing body of their responsibilities to manage the school budget in accordance with Financial Regulations. Making an appointment to a post that may be deleted would potentially incur redundancy costs and be contrary to good management of public funds.

The local authority, with the Governing Body has made further interim arrangements for an acting headteacher to be in post until December 2008.

Through the appointment process an appropriate candidate was interviewed and the Governing Body has offered the post to the candidate, subject to the outcome of the Cabinet Decision.

Supplemental Question: It is our opinion that the local authority appears to be acting on two different levels here. It would appear that within the same timeframe as the West Lodge Schools' consultation period, another school in the Borough voted against amalgamation. That was accepted by the local authority on the proviso that the headteacher be appointed by a given date. Why then is the local authority applying a different standard to West Lodge Middle School, where but for the interventions of the local authority an experienced headteacher could have been appointed for the start of the academic year 2008/2009 and still could be for the start of January 2009?

Answer: A written response would be provided.

6.

Questioner: Pamela Fitzpatrick

Asked of: Councillor Christine Bednell, Portfolio Holder for Children's Services

Question: Cabinet has stated that it intended to conduct a fair and transparent consultation which would be in the hands of the stakeholders. Why is it then that the Local Authority appointed Steering Group charged with the responsibility of conducting a stage one consultation under the statutory guidance made no new investigations into how an amalgamation would affect two very successful schools.

Answer: The Steering Group agreed a consultation process to gather views

of the stakeholders of the two schools. The Steering Group were satisfied that they had sufficient information necessary to undertake the consultation. The information was included in a suite of papers sent to Stakeholders which included the consultation paper, an Executive Summary of the Feasibility Study and the Feasibility Study.

Supplemental Question: Why did the local authority allow an officer of the Council to write the feasibility report and send it to parents before it was seen, or even signed off, by members of the steering committee?

Answer: A written response would be provided.

7.

Questioner: Julie Browne

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question: How can Cabinet believe that they are getting best benefit for the community by not considering all of the available options? (relating to Cedars Hall).

Answer: I am aware of your Kids Can Achieve enterprise interest in the Cedars Hall site.

I understand that you have discussed your interest with Andrew Trehern and that he provided you with contact details for the Weald TRA.

The Cedars Hall site is a substantial property and the Council believes that the success of the community enterprise may be best achieved by more than one organisation working together, so that in particular the costs associated with development, management and operation of this substantial site can be shared, thereby increasing opportunities for the financial and operational sustainability.

I would therefore encourage you to consider how you may be able to work with the Weald TRA.

Supplemental Question: There are other organisations, and not just mine, who desperately need this facility and we feel we are being denied the opportunity to express an interest or bid for the use of this facility. Could we be considered?

Answer: A written response would be provided.

[Notes: (1) In accordance with Executive procedure Rule 34.1, Cabinet suspended Committee Procedure Rule 16.2 – Time limit for Questions – to allow all questions to be put to the meeting. Answers to supplemental questions would be provided in writing;

(2) The Leader of the Council stated that questions received from members of the public after the deadline for receipt of questions would be responded in writing;

(3) The Leader of the Council explained that in order to meet the requirements of the Constitution for the publication of the minutes, it was not possible to transcribe supplemental questions and answers. A full transcript of the supplemental questions and answers would appear on the Council's website as soon as possible].

426. **Councillor Questions:**

RESOLVED: To note the following Councillor Questions had been received:

1.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: At the Cabinet meeting on February 14, I asked your predecessor Councillor Camilla Bath to state how many of Harrow's major housing estates (and out of what total) have been fully externally decorated in the last (i) seven years, (ii) nine years, and (iii) eleven years. In a supplementary question I made it clear I was interested in the major blocks of flats and, asked when the major blocks of flats in the Kingsfield Estate in my ward, would be externally re-decorated as the last time was eleven years ago. In her reply Councillor Bath said this information was 'necessary' and 'would take 14 days to collate' and Councillor Chris Mote said that 'as soon it was we would have chat about it and look at all areas that do need doing.' Since then I have heard absolutely nothing.

Can you provide me with the response promised by your predecessor and confirm the promise made to one of my constituents in writing that the Kingsfield estate will be externally re-decorated in this financial year?

Answer: At 31 March 2008 the Council owned 5068 tenanted homes and managed 1106 leaseholds.

In the seven year period to March 2008 records indicate that 3184 properties were included on the external decoration programme. Records are not available for earlier periods.

Allerford Court, Apsley Close and Holsworth Close on the Kingsfield Estate are programmed to be externally redecorated this year and instructions for that work to take place have been issued.

Supplemental Question: I welcome that. Could I ask Councillor Macleod-Cullinane to make sure leaseholders are contacted well in advance about costs of what their share will be.

Answer: Yes.
(A written response would be provided).

2.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: When external re-decoration or major repairs are carried out on Council tenanted homes and managed leases only Kiers can quote for the work with no competitive tendering and the price which they quote has to be paid by leaseholders pro rata irrespective. Several leaseholders have stated to me that despite what the Council says that they have never agreed to such a one-sided system and that the prices quoted are excessive. Would you provide me with the documentation to show that all the leaseholders were fully and thoroughly consulted about this matter and agreed to the current system which replaced the previous system of competitive tendering? In addition can you tell us how leaseholders can be sure that they are not being overcharged and having to pay excessive prices.

Answer: When the Council re-tendered the contract for minor and major works to Council Homes in 2006, a public notice was published in the Official Journal of the European Union inviting such tenders. A Section 20 Consultation Notice was sent to all leaseholders informing them of this on 17 July 2006 and inviting their comments. Competitive tenders were received by Harrow Council. Leaseholder representatives were part of the panel that selected Kier Building Maintenance. On 14 March 2007, a Section 20 Consultation Notice was sent to all Leaseholders informing them that Harrow would now enter into a contract with Kier Building Maintenance for all maintenance works. The minor works contract is effective for five years and the major works contract for four

years with effect from 1 July 2007. The process for that the Council applied provided opportunity for necessary competition and met the requirements of the Commonhold and Leasehold Reform Act 2004.

When the Council wishes to appoint Kier, as the major works contract partner, to undertake specified work, a Section 20 Notice is always issued. That notice provides a description of the work, an explanation about why the work is necessary, an estimate of the likely cost and an invitation to all leaseholders to make comments within 30 days.

Further with the service charge demand all leaseholders are advised that they have the right to ask a Leasehold Valuation Tribunal (LVT) to determine whether any costs that Harrow Council intend charging are reasonable. Leaseholders are advised that they may ask the LVT to make the determination before or after the cost has become payable.

Supplemental Question: Thank you for his comment in saying precisely what happened but having talked to leaseholders, none of them seem to understand the system. Would the Council begin to learn how to communicate and communicate more clearly to leaseholders who clearly misunderstand this and still feel that they're being charged excessive prices which is very difficult for them to overturn other than going through a Leasehold Variation Tribunal.

Answer: A written response would be provided.

3.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: When external re-decoration or major repairs are carried out on leases managed by the Council, the leaseholders have to pay a 20% administrative charge to the Housing Department. This was recently raised from 10% and according to the minutes of the Council supported Leaseholders' Support Group will possibly rise to 37%. Could you justify in detail this extremely high charge to leaseholders and can you assure them that there are absolutely no proposals to further increase this charge?

Answer: A review of the cost of providing leasehold services in 2006 indicated that the cost of providing these services significantly exceeded the annual charge to leaseholders. The financial information to confirm this was submitted to the Leaseholder Support Group and discussed at the Forum. The administration charge was increased from 10% to 20% of the actual costs. At the time of the review the Leaseholder Support Group was provided with information that confirmed that the administration charge would need to increase to 37% of costs in order to ensure that the Housing Revenue Account recovered from leaseholders the cost of providing the services those leaseholders. This administration charge is reviewed annually and at the present time there are no proposals to increase that charge.

Supplemental Question: I welcome that assurance. Can I just give an example of a case in my own ward where the roofing is being replaced at Atherton Place, a cost of £160,000. 20% of that is £32,000. Wouldn't Councillor Macleod-Cullinane say for that you could employ a lower level member of staff with on-costs for perhaps the whole year, a higher level member of staff for half a year. What is the justification for such a high charge for just putting the roof on one building and would he look at this again as to how we do charge leaseholders to make sure we're doing it fairly.

Answer: A written response would be provided.

4.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: As there is no mention of this in the Cabinet's Forward Plan could you give an outline of the timetable for the determination of the future of Wiseworks including the proposals to fully and thoroughly consult all stakeholders.

Answer: Members will recall that the Council entered into a Section 75 Agreement with Central and North West London Foundation NHS Trust to deliver an integrated Mental Health Service. At the point of transfer the decision was taken to exclude Wiseworks from this, pending clarity about the future of that service. CNWL have now requested that Wiseworks be included in the Section 75 Agreement. Proposals (including a timetable for implementation) are currently being developed prior to consultation with service users, carers, stakeholders and staff. It is anticipated that a report on this matter will be submitted to Cabinet in October later this year.

This will be linked with the work being currently undertaken through the Mental Health Partnership Board to develop vocational strategy for people with mental health illnesses and health issues. This work is being led by users and carers supported by the Council, PCT and CNWL, and staff from Wise Works have contributed to this process. The development of a vocational strategy is a work stream within your future, our future, and the adult and housing training programme plan was approved by Cabinet last week.

5.

Questioner: Councillor Paul Scott

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question: In answer to a question put to you by John Feldman last Thursday, you gave assurances that your administration will not build on any park, including Cedars Open Space. Can you inform us of the status of Cedars Youth Centre as regards this question? Is it, like Cedars Hall, considered separate from Cedars Open Space and therefore a potential site for future development?

Answer: Cedars Youth Centre does not form part of Cedars open space. However the Council has no current plans for development on this site.

6.

Questioner: Councillor Paul Scott

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question: Why, when both the Weald TRA (the Council's supposed partner), and an established local charity that is interested in the Cedars Hall site, have stated publicly that the timescale set out in the officer report cannot be met, is Cabinet still considering a recommendation which seems to require much more work than has yet been done and in its present form seems likely to lead to a residential development on the site – the one option that all local residents are united against?

Answer: Firstly there is no assumption on the part of myself or this administration which is based on a housing development on the Cedars Hall site being our preferred option.

Our position in respect of this matter will become clear once we have considered and decided upon the Officers report in respect of this matter.

The Officers report sets down a clear timescale for the development option based on a community use hall. The timescale is challenging, and rightly so, but Officer advice is that the timescale remains realistic, particularly given the progress that has already been made by the Weald TRA.

This view now seems to be supported by Mr Choules given the wording of the question.

Supplemental Question: Why have Cabinet spent 18 months considering, proposing, withdrawing, reconsidering and reproposing plans for this site? Are you now apparently unwilling to grant further time, particularly in response to Kids Can Achieve, in order to reach a result that will enhance facilities for the area?

Answer: A written response would be provided.

[Notes: (1) In accordance with Executive procedure Rule 34.1, Cabinet suspended paragraph 2 of Committee Procedure Rule 17.1 – Questions with Notice – to allow all questions to be put to the meeting. Answers to supplemental questions would be provided in writing;

(2) Questioners 4 and 5 did not ask supplemental questions;

(3) The Leader of the Council explained that in order to meet the requirements of the Constitution for the publication of the minutes, it was not possible to transcribe supplemental questions and answers. A full transcript of the supplemental questions and answers would appear on the Council's website as soon as possible].

427. **Review of Cultural Services - Beacon Centre Case Study:**

Cabinet considered a report of the Director of Community and Cultural Services, responding to the findings and recommendations of the Scrutiny Review Group that had investigated the operation of the Beacon Centre in Rayners Lane.

The Chairman of the Review Group stated that the case study on the Beacon Centre was the final element of the review of cultural services undertaken during 2007. She stated that the Cultural Strategy Review Group had visited the Beacon Centre in 2007 and, as the Centre had just opened at that time, it had been agreed that the study would be carried out in six months' time in order to allow a 'true' assessment of its impact.

The Chairman of the Review Group stated that the development of the Beacon Centre was very welcome and the facilities provided were of a very high standard. She stated that some of the evidence presented to the Group during the review had shown tensions between Home Group and the local community over access to the Centre and participation in its activities. Amongst the recommendations set out in the report of the Review Group, she drew particular attention to recommendation 6, which requested that the Council convene a 'Summit' to set out a new strategic vision for the Beacon Centre. She thanked those involved, in particular Home Group and Harrow College, for their contributions, and the scrutiny officer for his work on the report.

Another Member of the Review Group also addressed Cabinet and explained that the remit of the Review Group was specific to the operation of the Beacon Centre. The wider relationships with the Rayners Lane Estate, including housing and regeneration issues, had not been part of its remit. He added that the Beacon Centre was an excellent and valuable resource for Harrow and that the Review Group had looked to ascertain whether the provision was compatible with the needs of residents. The focus had been on the users and therefore the evidence base had been limited to that area only. Whilst there might not have been anything wrong with the provisions at the Beacon Centre, evidence had shown that so far it did not fully meet with the aspirations of local residents.

The Portfolio Holder for Schools and Children's Development speaking in her capacity as the former Portfolio Holder for Community and Cultural Services during which the Review Group had met, stated that whilst the Council had a role to play in this matter, the Beacon Centre was actually owned and run by Home Group. She added that the

£330k had been a one-off capital investment at the Beacon Centre with no commitments to any ongoing capital or revenue support. She acknowledged that there had been teething problems but that the residents, Home Group and the Council needed to move forward on this matter with the Council acting as a mediator.

The Director of Community and Cultural Services outlined the actions that had been taken since the report of the Review Group. He was working together with colleagues in housing services on the recommendations of the Review Group, which had helped to improve co-ordination. A closer liaison with the Arts Centre had also evolved helping the Beacon Centre learn from best practice. It was intended to hold a 'Summit' for Home Group and Council departments in the first instance, and to develop a cultural strategy for Rayners Lane by late 2008. It was noted that the Beacon Centre Management Committee would also be considering the report of the Review Group in detail at its meeting on 29 May 2008.

The Leader of the Council stated that this was an excellent example of scrutiny working as a 'critical' friend in challenging areas. He stated that the Administration intended to ensure a positive relationship with scrutiny. He thanked the Chairman and the Member of the Review Group for their contributions at the meeting.

RESOLVED: That (1) the content and recommendations of the Scrutiny Review Group's report be noted and it be referred to the Portfolio Holder for Community and Cultural Services to inform future cultural services provision;

(2) the Council work to support the Home Group and partners to help develop appropriate services at the Beacon Centre, which reflected local needs.

Reasons for Decision: (1) In accordance with Overview and Scrutiny Procedure Rules, Cabinet shall consider reports produced by the Committee;

(2) to address the recommendations of the Scrutiny Review Group.

428. **Key Decision - Revenue Income Optimisation:**

The Corporate Director of Finance introduced the report, which set out progress on the Revenue Income Optimisation (RIO) project and recommended changes to fees and charges in 2008-09. She added that a framework for charging had been approved by Cabinet in February 2008, and that the RIO was a major piece of work, which would generate income for the Council. Future such reports would be submitted to Cabinet in due course, and Business Cases for some short to medium term projects would also be developed.

The Corporate Director referred to the 'top down' analysis that would be conducted to compare charges with other boroughs and identify why Harrow's income was lower than those of its neighbours. It would help identify discrepancies.

The Leader of the Council stated that the RIO was a long term programme and would entail the consideration of 'rolling' reports by Cabinet.

RESOLVED: That the proposals in relation to fees and charges, set out in Appendix 1 to the officer report, be agreed.

Reason for Decision: To maximise income opportunities.

429. **Key Decision - Future Organisation of West Lodge First School and West Lodge Middle School:**

Cabinet received a report of the Director of Schools and Children's Development, which set out the outcome of the statutory consultation about the future organisation of West Lodge First School and West Lodge Middle School, and the recommendations of the Future Organisation of West Lodge Schools' Steering Group.

Prior to the consideration of the report, the Leader of the Council asked if an outstanding complaint under stage 2 of the Corporate Complaints procedure, which had alleged procedural improprieties and had requested the Council to stop any amalgamation process, impacted on any decision to be taken by Cabinet that evening.

The Portfolio Holder for Children's Services who had dealt with this matter under her previous portfolio remit of Schools and Children's Development during 2007/08, responded to the Leader's question as follows:-

- Council was currently investigating a complaint under Stage 2 of the Corporate Complaints procedure which alleged procedural improprieties and requested the Council to stop any amalgamation process.
- The investigation had not been concluded in time to report to this Cabinet. The complaint was confidential to the complainant and disclosure of this would lead to a possibility of identification.
- The decision for Cabinet that evening regarding the future of two successful schools in Harrow was very important, and the Cabinet had considered this whole situation in detail prior to this Cabinet meeting. The Cabinet had concluded that it should not delay making a decision about whether to publish statutory notices because further uncertainty was not in the best interests of the children or the schools.
- The statutory notices, if published, would return to Cabinet for a decision in September 2008. Any relevant recommendations arising from the complaint could be looked at then.

The Portfolio Holder made the following statement in relation to the report submitted to Cabinet:-

"In January 2008, Cabinet decided:-

- o *to consult to gather views of stakeholders; and*
- o *that these views would be reported back to Cabinet.*

The decision that the local authority would conduct a consultation was made only after all avenues had been explored with the governing bodies of the two schools to find a way forward, on which they were unable to agree. The report today was about the outcome of the consultation, and Cabinet now needed to decide on the future organisation it proposed for the two schools.

I would like to start by saying that I am most impressed by the response to the consultation from stakeholders, and by the extensive range of comments received. Over half of the consultation response forms that were returned contained comments for us to consider. This was most helpful, and reflected the strong level of interest and commitment among all associated with the schools.

I am also most grateful for the work of the Steering Group that was established to conduct the consultation, and for the recommendations that it had made, and I will say more about this work in a moment.

Cabinet considered the organisational and educational reasons for amalgamation in October 2007 when it decided its Strategic Approach to School Organisation and agreed its new Amalgamation Policy. The consideration of amalgamation in this instance was in the context of two successful schools. The educational reasons for and against amalgamation have been covered by the Steering Group in the consultation papers, and are contained in the responses to the consultation.

The educational reasons for amalgamation include:

- *Organisational structure was aligned with the National Curriculum Key Stages, and enables planning as a coherent whole for the primary phase and provides greater flexibility across and between Key Stages.*
- *Reducing the number of changes for children in a school system strengthens continuity and progression for children and families in the primary phase, both in terms of the curriculum and pastoral experience.*
- *For younger children the presence of older children would provide aspirational role models and also mentoring support.*
- *Teachers and classroom staff would have access to the whole primary curriculum. This would support and inform whole school planning, assessment, pastoral systems, etc., and provide opportunities for wider staff development and experience across the full primary phase.*

The educational reasons against amalgamation include:

- *It would be hard to sustain a primary ethos and there would be a danger of the school becoming impersonal.*
- *The larger size of a combined school would raise issues about the changed role of the headteacher who would become more remote.*
- *The larger size of a combined school would create challenges for the younger children and potential scope for bullying by older children.*
- *Educational benefits could be achieved by effective communication and working together of staff and governing bodies in separate schools.*

I am very mindful of the difference of views among stakeholders that is very clear from the consultation responses, and has been apparent for some time prior to this consultation.

The range and difference of views expressed during the consultation was captured in full in the background papers for Cabinet to see.

I have also met with West Lodge Middle School staff and governors at their invitation to hear their views first hand, and I have been able to inform Cabinet colleagues about these views.

When reading the responses to the consultation, I have been struck by the many comments made about the need to resolve the issue one way or the other and without further delay. The second recommendation of the Steering Group reflected this, and it emphasised the need for support to the schools in moving forward. This support would be needed whatever decision Cabinet made in order to help the schools to put behind them all that has happened and to be able to move forward.

It was very clear to me that the decision Cabinet makes must be in the best interests of the children.

Following the decision made by Cabinet in January 2008, the local authority set up a fair, open and transparent process for the consultation.

A Steering Group was established to undertake the consultation, which had equal numbers of representatives from each school and from the local authority.

The Steering Group met five times, and maintained a clear focus only on the best interests of the children at both schools. It had:-

- o *conducted a consultation of the school communities and of all interested parties.*
- o *kept the school communities informed about their work.*
- o *worked hard on the feasibility study and on the other documents that were distributed.*
- o *It conducted three consultation meetings for parents and staff from the two schools.*
- o *analysed the responses from parents, staff and governors to the consultation response forms.*
- o *made recommendations for Cabinet to consider today.*

Cabinet needed to consider the recommendations of the Steering Group, which is that West Lodge First School and West Lodge Middle School become a combined First and Middle School.

Cabinet then needed to decide:

- o *whether to publish statutory notices that was the next step towards combining the two schools*
- o *or whether to leave the schools as separate First and Middle schools.*

I said at the Overview and Scrutiny Call-in Sub-Committee (Education) meeting on 30 January 2008 that the local authority would accept the view of the majority of those

consulted, and, before I give my recommendation to Cabinet, I would like to highlight some key points from the consultation responses.

I am aware that the Middle School Governing Body engaged Electoral Reform Services to conduct a ballot about the future organisation of West Lodge Middle School. This was the initiative of the Middle School Governing Body alone, and did not form part of the local authority's consultation.

The local authority did not conduct a ballot, but rather it invited the key stakeholders of both schools to state their views and to make comments they would wish to have considered. This afforded us the benefit of a wider range of information on which to make a decision.

All the views and comments received are available to Cabinet.

Annexe A of the Cabinet report and the Appendices give information about the analysis of the consultation response forms, and give a helpful overview of all the responses.

579 consultation response forms were distributed.

291 completed consultation response forms were received, which is an overall response rate of just over 50%.

A key point for me is that 75% of families who expressed a view are in support of combining the two schools. Also, almost 60% of staff and governors who expressed a view were in support of combining the two schools. I recognise that there were differences contained with the responses, and I have given much thought to the views expressed by Middle School staff and governors, the majority of whom are not in support of the proposals. I am also mindful that many responses asked that a decision be made quickly one way or the other, and be upheld by all whatever the outcome so things can move on.

The Steering Group has recommended that the two schools should amalgamate. The next step towards a decision on amalgamation is the publication of statutory notices. This will lead to a further period of formal representations and those outcomes will be reported to Cabinet in September 2008 for decision.

I propose that Cabinet decide to publish statutory notices for these reasons:

- This listens to the views of stakeholders as expressed during the consultation, and is the clear view of the majority of families of children attending the schools.
- I made it clear when it was decided to conduct a consultation that the local authority would give great weight to the view of the majority of those consulted.
- There are strong educational reasons for combining the schools and I consider important points have been made about the benefits to children of a combined school in relation to transition issues and the benefits of curriculum continuity.
- The schools need to move forward, and to be supported in doing so.
- It is in the best interests of the children that a decision is made as quickly as possible so that the uncertainty is removed."

The Leader of the Council stated that the Steering Group had planned and conducted the consultation from 17 March 2008 until 4 April 2008.

The Portfolio Holder having moved a recommendation, which was duly seconded, it was

RESOLVED: That having considered the consultation responses and outcomes, and the recommendations of the Steering Group, and based on the reasons provided by the Portfolio Holder for Children's Services, statutory notices proposing (1) to close West Lodge Middle School with effect from 31 December 2008 (2) to extend the age range of West Lodge First School with effect from January 2009 be published.

Reason for Decision: (1) To consider the outcome of the consultation undertaken by the Future Organisation of West Lodge Schools' Steering Group;

(2) to exercise the local authority's statutory responsibility in relation to school organisation and consider whether to publish statutory notices to effect the change.

(See also Minute 421 and 424(2))

430. **Key Decision - Harrow's Vision for Education and the Primary Capital Programme:**

Cabinet considered the report of the Director of Schools and Children's Development, which presented Harrow's Vision for Education. The report also provided an outline of the Department of Children, Schools and Families (DCSF) Primary Capital Programme and proposed principles to identify schools to receive capital funding.

The Portfolio Holder for Children's Services stated that the report was seeking approval of two important issues for Children's Services and Schools in Harrow – the vision for education in Harrow and the primary strategy for change. It was recognised that Harrow's schools were a success, and that the views of all stakeholders had been gathered to influence and inform Harrow's vision.

The Portfolio Holder made the following statement:

"Vision for Education

- *The Harrow Vision for Education was an important statement about how the community of schools and partners see education in Harrow and where our aspirations are. It brought together all the key elements that contributed to making schools successful in Harrow.*
- *It was relevant to all phases of education in Harrow, including Early Years and pre-school provision, special schools, community and voluntary aided schools and partners.*
- *The vision recognised the wide ranging partnerships and their contributions. The view of stakeholders, including headteachers, governors and young people, had been gathered to influence and inform the vision.*
- *Realising the vision was central to guiding and influencing all strategies and developments within schools. In particular, this vision would be central to submissions made to the Department for Children, Schools and Families for strategic funding including primary Capital Programme and Building Schools for the Future.*

Primary Capital Programme

- *The government's Primary Capital programme was a long term investment strategy. It was about transforming primary schools and achieving the government's target for the programme of 50% of all primary schools and in particular schools in the worst condition serving areas of deprivation. The local authority was required to prepare a Primary Strategy for Change and submission to the DCSF to secure Primary Capital Programme funding.*
- *Funding was available from April 2009 and Harrow had been allocated approximately £9m in the first two years of this programme. Harrow was expected to receive approximately £45m over the fourteen years of the programme.*
- *The Strategy for Change would be based on the Vision for Education and would include the identification of schools to receive funding in the first four years. Guiding principles had been proposed, and set criteria to identify schools once these had been agreed by Cabinet would be applied to Harrow's schools to identify those which would receive funding in the first wave."*

The Portfolio Holder added that the report brought together the vision for education as the driver to inform investment and would enable the completion of the Primary Capital Programme submission, as well as future submissions to the DCSF. It was noted that the submission had to be made by 16 June 2008. In addition, the recent meeting with the headteachers and governors of schools to discuss this report had been productive.

The Leader of the Council stated that the figures quoted by the Portfolio Holder above were small in terms of the requirements for Harrow schools.

RESOLVED: That (1) Harrow's Vision for Education, set out at Annexe 1 to the officer report, be agreed;

(2) the general principles for identifying schools to receive capital funding through the DCSF Primary Capital Programme, set out in Part B of the officer report, be agreed;

(3) authority be delegated to the Portfolio Holder for Schools and Children's Development to agree the final submission to the DCSF for Primary Capital Programme and the Primary Strategy for Change.

Reasons for Decision: (1) To realise the Vision for Education. Realising this vision was central to guiding and influencing all strategies and developments within schools. In particular, this vision would be central to submissions made to the DCSF for strategic funding, including Primary Capital Programme and Building Schools for the Future;

(2) the Local Authority was required to prepare a Primary Strategy for Change submission to the DCSF to secure Primary Capital Programme funding. The Strategy for Change would be based on the vision and would include the identification of schools, using the proposed criteria, to receive Primary Capital Programme funding. Funding was available from April 2009 and was subject to DCSF approval. The report/decision would enable the completion of the submission.

(See also Minute 421)

431. **Key Decision - Development of the Cedars Hall Site, Uxbridge Road, Harrow:**
Cabinet considered the report of the Corporate Director of Community and Environment, which set out the options available to the Council in respect of the development of the Cedars Hall site.

The Portfolio Holder for Community and Cultural Services stated that the report was comprehensive and explained the reasons why the Council had gone out to consultation in regard to this site. The Portfolio Holder added that Cedars Hall site had remained vacant since 2006 and that the building was in disrepair and an eyesore. He outlined matters that the Council was responsible for as a 'guardian' and spoke in support of Recommendation 3. He added that officer support would be provided to the Weald Tenants' and Residents' Association (TRA) in this regard. However, should the Weald TRA not be able to realise the requirements set out under option 3, then option 2, subject to Cabinet's agreement that evening, would be pursued.

The Portfolio Holder suggested that the representative from 'Kids Can Achieve' who was present at the meeting and had expressed an interest in bidding for this site should liaise with the TRA with a view to working jointly on option 3.

RESOLVED: (1) That the action below be agreed:-

Option 3 – Community Use hall –

- a) The Weald Tenants and Residents' Association (Weald TRA), acting as the lead group for all current "Community Use" interest in the Cedars Hall site, submit a formal proposal for the development and management of the Cedars Hall site, as a "Community Hall". The proposal document must clearly demonstrate that there was reasonable prospect of the necessary capital funding of between £500,00 and £750,000, being secured.

The Weald TRA proposal to be submitted to the Council (Corporate Director, Community and Environment Services) no later than 30 June 2008.

- b) The Weald TRA to agree, with the Council's Estates Manager and Legal Department, the terms and form of the proposed legal documentation, including lease agreement – noting that the Council would require a commercial rent to be realised from the property.

The terms and form of the proposed legal documentation, including lease agreement, to be agreed with the Council no later than 31 July 2008.

- c) The Weald TRA to submit to the Council (Corporate Director, Community and Environment) for independent audit and validation, a comprehensive and long-

term business plan (10 years), which clearly demonstrated that the "Community Hall" enterprise, could be financially viable and commercially successful over the long term, without any reliance on support, financial or otherwise, from the Council.

The Weald TRA business plan to be submitted to the Council no later than 31 July 2008.

- d) The Weald TRA to confirm, to the Council, no later than 30 November 2008, that they have secured all necessary capital resources, to enable the comprehensive refurbishment of the Cedars Hall site (internal and external), to enable it to be brought into use as a "Community Hall".
- e) The Weald TRA to submit a full planning application to the Council for the development of the Cedars Hall site no later than 30 November 2008.

(2) That, if any of the above requirements were not realised, it be agreed that the Community Use hall option be abandoned; this decision being taken by the Corporate Director, Community and Environment, in consultation with the Portfolio Holder, Community and Cultural Services.

(3) That, in event of resolution (2) above, the following be agreed:

Option 2 – Build houses – private housing

- (a) Authorise the Corporate Director, Community and Environment, to conclude disposal of the Cedars Hall site for residential development at best consideration, including placing all necessary advertisements; and
- (b) authorise the Corporate Director, Community and Environment, in consultation with the Portfolio Holder, Community and Cultural Services to invest up to £100,000 from the sale proceeds, to improve local community facilities.

Reason for Decision: To enable the development of the derelict Cedars Hall site.

(See also Minute 424(1))

432. **Key Decision - Harrow on the Hill Conservation Areas Supplementary Planning Document and Harrow on the Hill Conservation Areas Sustainability Appraisal:**

Cabinet received a report of the Corporate Director of Community and Environment, which related to the final drafts of the Harrow on the Hill Conservation Areas Supplementary Planning Document and the Harrow on the Hill Conservation Areas Sustainability Appraisal.

The Portfolio Holder for Planning, Development and Enterprise drew Members' attention to the recommendation in the report, and commended the extensive piece of work in relation to the Harrow on the Hill Conservation Area. It was recognised that conducting such pieces of work on a geographical basis was a positive change in policy, and that the Supplementary Planning Document (SPD), once adopted, would assist the Council's case at any future planning appeals. She added that the next piece of work would be for Pinner.

The Portfolio Holder for Performance, Communication and Corporate Services congratulated all for this piece of work and, as Ward Councillor, looked forward to the SPD for Pinner.

RESOLVED: That the Harrow on the Hill Conservation Areas Supplementary Planning Document and the Harrow on the Hill Conservation Areas Sustainability Appraisal be adopted following the recommendation of the Local Development Framework Panel of 9 April 2008.

Reasons for Decision: (1) To enable the Supplementary Planning Document, together with its supporting documents, to have greater weight as a material consideration in determining planning applications both at planning committees and at appeals.

(2) To provide useful guidance to applicants, planning consultants and relevant Council departments when dealing with issues relating to Harrow on the Hill conservation areas.

433. **Key Decision - Street Light Private Finance Initiative:**

The Portfolio Holder for Major Contracts and Property introduced the revised confidential report of the Corporate Director of Community and Environment, which sought various approvals in this regard. The revised report had been circulated with the supplemental agenda.

The Leader of the Council stated that this area would involve a great deal of work which the Council would need to carry out.

RESOLVED: That (1) an increased bid to Department of Transport for PFI credits for the sum set out in the officer report, subject to confirmation, be approved;

(2) an additional procurement budget for the sum set out in the officer report be approved:

(3) the funding of the revised base case affordability gap for the sum per annum (2010/11 prices), set out in the officer report, be approved for the duration of the contract term and as set out within the Council's Outline Business Case.

Reason for Decision: Following a request by PRG for Harrow to resubmit its PFI proposal, the Council had been advised by DfT of their willingness to consider an increased bid to cover likely increases in lighting column connection charges. As a result, the base case affordability gap had been amended due to the increased bid, and PRG had recommended a review of the procurement budget.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.03 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman

This page is intentionally left blank

London Borough of Harrow

CABINET FORWARD PLAN (1 June 2008 - 30 September 2008)

MONTH:- June

This Plan sets out matters which are likely to be the subject of a key decision over the next 4 months.

A Key Decision is a decision by the Executive which is likely to:

result in the council incurring expenditure which is, or the savings of which are, significant having regard to its budget for the service or function to which the decision relates; or

be significant in terms of its effects on communities living or working in an area of 2 or more wards of the Borough.

Please note that decision dates are indicative and may change. Please consult Democratic Services if you wish to check the decision date of a particular item.

45

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
JUNE						
Strategic Approach to School Organisation	Whether to consult on the proposal to change the age of transfer to secondary schools across Harrow in September 2010	Cabinet	19 June 2008	Councillor Anjana Patel Heather Clements, Director of Schools and Children's Development johanna.morgan@harrow.gov.uk (report author) tel: 0208 736 6841	Stakeholder consultation occurring during February to June 2008	Cabinet Report 11 October 2007

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
Commissioning of Information, Advice and Guidance Contract (for provision in schools, colleges and Connexions Centre)	To approve the award of the contract to the successful bidder.	Cabinet	19 June 2008	Councillor Christine Bednell Paul Clark, Corporate Director, Children's Services claire.kentish@harro w.gov.uk tel:020 8424 7535	Young people, parents and schools have been engaged in consultation to inform the specification of the contract. Tendering Steering group has guided the decision making processes.	service specification, invitations to tender, terms and conditions
Community Safety Services and Public Realm Environmental Crime - Enforcement Policy	To adopt a formal policy for Community Safety and Public Realm Services Environmental Crime Enforcement.	Cabinet	19 June 2008	Councillor Susan Hall Gareth Llywelyn-Roberts, Interim Head of Community Safety Services Gareth.Llywelyn-Roberts@harrow.go v.uk tel: 0208 736 6230	Full ongoing public consultation will be undertaken with annual review and amendment.	DEFRA Code of Practice - Guidance on the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005 and related legislation. Home Office Enforcement Concordat

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
Extension of Vehicle Contract - Hire Contract	Give authority to sign the Deed of Extension and Variation.	Cabinet	19 June 2008	Councillor Susan Hall Andrew Trehern, Corporate Director, Community and Environment andrew.trehern@har row.gov.uk tel: 0208 424 1590	None.	Public Realm Review.
Relocation of Belmont Synagogue	Authority to dispose of land at Wemborough Road and garages at Honister Place.	Cabinet	19 June 2008	Councillor Anthony Ferrari Andrew Trehern, Corporate Director, Community and Environment phillip.loveland- cooper@harrow.gov. uk tel: 0208 424 1877	Consultation with ward members.	Background information on files available from author.
Development of the Civic Centre Site	Authority to commence a project, which will ultimately lead to the marketing of the Civic Centre site for development, to include the construction of a new Corporate HQ and Civic Centre.	Cabinet	19 June 2008	Councillor Anthony Ferrari Corporate Director, Community and Environment andrew.trehern@har row.gov.uk tel: 020 424 1590	Extensive consultation will be required with all stakeholders.	None at this stage.

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
Best Value Performance Plan	Approve and adopt.	Cabinet Council	19 June 2008 10 July 2008	Councillor Paul Osborn Martin Randall, Best Value Manager martin.randall@harrow.gov.uk tel: 0208 424 1815	None.	None.
JULY						
Year Ahead Statement	To approve the framework for the development of the new corporate plan and medium term financial strategy for 2009-10 to 2011-12.	Cabinet	17 July 2008	Councillor David Ashton Myfanwy Barrett, Corporate Director, Finance myfanwy.barrett@harrow.gov.uk tel: 0208 420 9269	Consultation on priorities to be carried out in the autumn.	None
Risk Management Strategy and Position Statement	Approve risk management strategy; Approve arrangements for emergency planning, business continuity, insurance and health and safety.	Cabinet	17 July 2008	Councillor David Ashton Myfanwy Barrett, Corporate Director, Finance myfanwy.barrett@harrow.gov.uk tel: 0208 420 9269	None.	None

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
Homelessness Strategy 2008-2013	Approve the new Harrow Homelessness Strategy 2008-2013	Cabinet	17 July 2008	Councillor Barry Macleod Cullinane Gwyneth Allen, Divisional Director, Housing Rebecca.caprara@harrow.gov.uk (report author) tel: 0208 420 9638	Consultation plan developed to consult with a wide range of groups using a variety of methods. Groups include Harrow Homeless Forum, single homeless people, Lesbian, Gay and Bisexual (LGB) community groups, Domestic Violence (DV) Forum, Supporting People (SP) Core Strategy Group and SP Commissioning Body, Registered Social Landlords (RSLs) and Harrow voluntary and community organisations including HAVS. Consultation methods will include postal consultation, attendance at meetings, specifically organised	Harrow Homelessness Strategy 2003 Housing Needs Assessment 2006 Housing Strategy 2007-2012

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
					meetings, focus groups and stakeholder events and the website. Individuals may make representations either directly to Rebecca Caprara on Rebecca.caprara@harrow.gov.uk tel: 0208 420 9638 or through the Harrow website to info@harrow.gov.uk by 31 March 2008.	
Temporary to Permanent Housing Initiative	To report on the negotiations of the final scheme and obtain final approval further to the principle approval granted by Cabinet 14 February 2008.	Cabinet	17 July 2008	Councillor Barry Macleod - Cullinane Gwyneth Allen, Divisional Director, Housing alison.pegg@harrow.gov.uk tel: 0208 424 1933	Not applicable.	Cabinet Report - 14 February 2008

Subject	Nature of decision	Decision making body	Decision date	Cabinet Member/Lead officer	Consultation required	Background Documents
Community Safety Services - Adoption of Gating Policy and Procedures	To adopt a formal policy for Community Safety Services for the assessment and provision of Alley Gates to reduce Anti Social Behaviour, Environmental Damage and Crime.	Cabinet	17 July 2008	Councillor Susan Hall Gareth Llywelyn-Roberts, Interim Head of Community Safety Services jackie.mccormack@harrow.gov.uk tel: 0208 736 6277	Consultation with statutory partner agencies will be undertaken with annual review and amendment.	Clean Neighbourhoods and Environment Act 2005 and related legislation
AUGUST						
SEPTEMBER						

If you have comments on any of the issues raised in the Forward Plan please contact the lead officer whose details are indicated. Alternatively contact Vishal Seegoolam, Democratic Services Officer on telephone no. 020 8424 1883 or by email: vishal.seegoolam@harrow.gov.uk

CONTACT DETAILS OF PORTFOLIO HOLDERS

Portfolio	Councillor	Address	Telephone no.	Email
Strategy, Partnership and Finance	David Ashton	Chestnut Cottage Tanglewood Close Stanmore HA7 3JA	020 8950 7977	djashton@hotmail.com
Environment Services	Susan Hall	40 Sequoia Park Hatch End PINNER HA5 4DG	07860 742093	susan.hall@harrow.gov.uk
Planning, Development and Enterprise	Marilyn Ashton	Chestnut Cottage Tanglewood Close Stanmore HA7 3JA	020 8950 7977	marilynashton@hotmail.com
Children's Services	Christine Bednell	56 St. Edmunds Drive Stanmore HA7 2AU	020 8427 5047	Cbednell@aol.com
Major Contracts and Property	Tony Ferrari	The Eagles West Drive Harrow Weald HARROW HA3 6TU	07914 961035	tony.ferrari@harrow.gov.uk
Adults and Housing	Barry Macleod-Cullinane	The Group Office Room 102 PO Box 2 Civic Centre HARROW HA1 2UH	07791 600930	barry@belmont.bz

Portfolio	Councillor	Address	Telephone no.	Email
Community and Cultural Services	Chris Mote	Riverside Cottage 15 Eastcote Road Pinner HA5 1EA	020 8868 8996	Chris.Mote@harrow.gov.uk
Performance, Communication and Corporate Services	Paul Osborn	2 Vaughan Road Harrow HA1 4EE	Mob – 07786 968657 Bus – 020 7463 6422	Paul.Osborn@harrow.gov.uk
Schools and Children's Services	Anjana Patel	187 The Ridgeway North Harrow HA2 7DE	07946 586017	Anjana.Patel@harrow.gov.uk

This page is intentionally left blank



Meeting:	Cabinet
Date:	19 June 2008
Subject:	Revenue and Capital Outturn 2007-2008
Key Decision:	No
Responsible Officer:	Corporate Director of Finance, Myfanwy Barrett
Portfolio Holder:	Leader and Portfolio Holder for Strategy, Partnership and Finance, Councillor David Ashton
Exempt:	No
Enclosures:	Appendix 1 - Revenue commentary Appendix 2 - Capital Monitoring Appendix 3 - Housing Revenue Account

Section 1: Summary and Recommendations

This report sets out the Council's provisional revenue and capital outturn position for 2007-2008.

Recommendations:

- (a) Note the provisional revenue and capital outturn position for 2007-2008
- (b) Approve the revenue carry forwards requests
- (c) Note the liabilities and approve the contributions to various provisions
- (d) Note the forecast position for general balances
- (e) Note the position on debt outstanding and approve the settlements reached with partner organisations
- (f) Note the areas that are still being finalised and agree the strategy for dealing with any further capacity that may emerge
- (g) Note the implications of the outturn for 2008-09 and beyond
- (h) Note the timetable for audit committee meetings and external audit review
- (i) Approve the carry forward on Capital Projects as set out in appendix 2.
- (j) Delegate to the Leader any further decisions required in relation to the outturn for 2007-08, particularly carry forward requests and contributions to provisions and reserves.

Reason

To confirm the financial position as at 31 March 2008

Section 2: Report

Introduction

1. The provisional forecast outturn for the Council is £150.4m against a budget of £155.1m, which represents an under spend of £4.7m. The total under spend represents 3.0% of the net budget.
2. It must be stressed that this is the provisional position and the areas that are subject to further work are outlined later in the report. A prudent view has been taken in all key areas, however the position may change as the accounts are finalised.
3. The under spend is a significant achievement given all the financial pressures the council has faced in the last few years, and the issues with systems and the restructure. The under spend provides the capacity to deal effectively with risks and liabilities and strengthen the Council's balance sheet.
4. The position is significantly better than that reported at quarter 3, but there are some specific reasons for the movement. The net underspend across Directorates is £1.6m and includes:
 - An underspend in Community and Environment of £0.7m, approximately half of which is due to a windfall on parking enforcement income
 - An underspend in Adult services of £0.5m – whilst there was an overspend on care purchasing budgets as forecast, this was offset by savings elsewhere
 - Overachievement of BTP savings (£0.4m) which was not confirmed at quarter 3
 - Unspent training grant (£0.2m) which can be carried forward.
5. It should be noted that Directorates had to absorb extra savings throughout the year to manage pressures which emerged in the first two quarters. In addition some very late adjustments were made to Directorate budgets in relation to the corporate print and agency staff contracts. Prior to these late adjustments, Children's services had a forecast underspend of £73k.
6. In addition to the Directorate outturn, there is a net underspend of £3.1m for the following reasons:
 - The council was awarded a capitalisation direction for redundancy costs in February (after the Q3 report was published) of £2.7m producing net revenue saving of £1.7m.
 - A saving of £0.8m was achieved in the capital financing budget due to borrowing being lower than anticipated – this was not certain at Quarter 3 as it was dependent on the capital outturn and capital receipts.
 - A surplus on the 2007/08 pay inflation and other technical items budget totalled £0.6m. This was held as a contingency in case a Capitalisation direction was not secured or other pressures emerged late in the year.

Revenue Monitoring

7. During the financial year 2007-2008, pressures totalling £3.2m were identified in the first and second quarters. A strategy was put in place to manage these pressures which included: reminding all managers of the need to contain spending; requiring directorates to find additional savings of £2.3m in year; and effecting virements of £0.7m from the provision of the pay award and capital financing costs, leaving £0.2m still to be found. The implementation of the strategy was successful. Monitoring was enhanced via the improvement boards. This approach resulted in all directorates managing their budgets more effectively and holding back on non urgent spending.
8. The provisional outturn is summarised below:

	Forecast Variation as at QTR 3	Budget 2007/08	Provisional outturn 2007/08	Provisional Variation as at 31.03.2008	Variation from budget
	£m	£m	£m	£m	%
Corporate	0.1	6.7	6.5	-0.2	-3.0
Corporate Strategy/ Corporate Finance	-0.1	29.4	29.1	-0.3	-1.0
Adults and Housing	0.1	55.4	54.9	-0.5	-0.9
Children's Services	0.1	30.0	30.1	0.1	0.1
Community & Environment	0.0	59.1	58.4	-0.7	-1.2
Directorate Total	0.2	180.6	179.0	-1.6	-0.9
Capitalisation direction	0.0	1.7	0.0	-1.7	
Capital Financing and Investment Income	0.0	-28.8	-29.6	-0.8	2.8
Surplus on 2007-2008 pay inflation	0.0	0.6	0.0	-0.6	-100.0
Planned contribution to balances	0.0	1.0	1.0	0.0	0.0
Total Net Expenditure	0.2	155.1	150.4	-4.7	-3.0
Less Carry Forwards				0.3	
Balance available				-4.4	
Proposed Contributions to Provisions				3.7	
Additional contribution to General reserves	0.2			-0.7	

9. To comply with the SORP, various technical adjustments in respect of capital charges, capitalisation direction and FRS17 are made to the directorate budgets to reflect the actual charges. These adjustments do not change the overall total net budget which was approved by the Council in February 2007.

Carry Forward

10. The financial regulations state:

In general a revenue budget is available for the year in question and overspends or unspent balances will not be carried forward. However, in exceptional circumstances the Cabinet may agree to carry forward an overspend or unspent balances from one year to the next. Unspent balances will only be carried forward where:

- The Council's revenue budget is not overspent in total
- The item in question is a high priority
- There is a good reason for delay in carrying out the activity/project
- The cost cannot be accommodated within the new year budget
- If the activity/project is grant funded, the terms and conditions allow the unspent/unclaimed grant to be carried forward

11. In accordance with the above policy a total of £1,284k made up of £984k as detailed below, which is already accounted for in the respective directorates' outturn position, and a further £300k for special projects and contingency is recommended to be carried forward :

Description	Amount £000
Training Grant	223
Capital Financing	300
Community and Environment	86
Community and Culture projects	75
Adults transformation agenda (subject to business case)	200
Finance transformation agenda (subject to business case)	100
Special Projects and contingency	300
Total	1,284

12. The business cases from Adults and Finance will be reviewed by the leader. If the carry forward requests are agreed, the balance available will be £4.4 m.

Liabilities and Contributions to Provisions

13. During the year the Council identified a number of risk areas including:

- Collection fund
- Redundancy and single status costs
- Insurance (council's self insurance fund and the relationship with the London Authorities Mutual Ltd)
- Bad debts including PCT
- Employee related liabilities
- Litigation

14. These areas were discussed with the External Auditor and, as a result, recognised as risks in the External Auditor's Opinion Plan for the 2007-08 accounts.
15. As part of the closure of account process the objective is to adequately address these risk areas.
- The estimated deficit on the Collection Fund of £1,736k was reported to the Cabinet in January 2008 and this was dealt with in full as part of the 2008-09 budget setting process. The outturn deficit on the Collection Fund at year end is £1,801k resulting in a variance of £65k of which £51k is Harrow's share.
 - The redundancy costs incurred in 2007-08 have been fully covered by the capitalisation direction mentioned above.
 - Full provision is being made for the final phase of implementing the Council's single status agreement (and payments were made via the payroll in April and May).
 - A significant additional contribution is being made to the Council's self insurance fund in line with actuarial advice
 - Full provision is being made for bad debts (as explained more fully below)
 - Provision is being made for known employee related liabilities and litigation
16. As a necessary part of good accounting practice all provisions are reviewed on a regular basis and the appropriate contributions to or from provisions are made at year end. As detailed below a total contribution to provisions of £3.7 m is recommended.

Description	Amount
	£000
Insurance Provision	2,300
Various Bad Debt Provisions	567
Various Litigation cases	650
Various Employees related matters	240
Total	3,757

If these contributions are agreed, the balance available after the deduction of £3.7m is £0.7m. It is proposed that the £0.7m is added to general balances to increase the total at 31.03.2008 to £3m.

Reserves

17. The approved reserves policy is as follows:

“The Council intends to add £1m to reserves and provisions each year until such time as general balances exceed £5m.”

18. The Council fully complied with this policy in 2007-08.

19. The forecast position for reserves at the end of the year is set out below:

Reserves

Opening balance as at 1 April 2007	£m
Planned contribution to reserves	1.3
Provisional Outturn variance	1.0
	0.7
Provisional forecast balance at 31 March 2008	3.0

Debt Outstanding and Write Offs

20. The Council has a number of categories of debt including:

- Council Tax
- Business Rates
- Housing Rents and Service Charges
- Housing Benefit Overpayments
- Sundry Debtors

21. For each of these categories there is an agreed recovery policy and rate card for determining the appropriate bad debt provision. As part of the closure of accounts process, the position for each category is reviewed (as it is each quarter).

22. The Council Tax Collection rates continue to perform well and have met its target of 97.1%.

23. The total debt outstanding is £7.8m and the Bad Debt provision is £3.8m. The net increase of £481k on the provision has been made within the Collection Fund accounts.

24. The debt outstanding for business rates is £2.3m and a bad debt provision of £2.3m is provided for the outstanding debt.

25. The total debt outstanding in respect of Housing Rents and Service charges is £1.6m and provision of £0.8m has been made within the housing revenue accounts.

26. The total debt outstanding in relation to Housing benefit Overpayment is £4.1m and the provisional outturn includes a contribution to the bad debt provision of £0.2m, which will bring the balance to £1.2m as at 31.03.2008

Sundry Debtors

27. The outturn position includes a recommended contribution of £361k to the provision for bad debt in relation to sundry debtors.

28. As at March 2008 the PCT owed the Council approximately £9.9m and the Council owed the PCT approximately £3m. This debt covered a four year period from 2004-05 to 2007-08. Following a long series of meetings and

correspondence, senior staff from the Council and the PCT (including the Chief Executives, Finance Directors and lead officers for Adults and Children) met in April to resolve the situation. An agreement was reached and payment has now been made.

29. The PCT agreed to pay the Council £6.4m for Adults and £1.3m for Children, and the Council agreed to cancel invoices or raise credit notes to the value of £1.4m. Generally, this was because the Council agreed that the individual clients in question were not the PCT's responsibility. The sum of £0.8m remains in dispute, to be settled in 2008-09. The situation has been resolved within the provision that the Council made in 2005-06 of £370k and the Adult services budget for 2007-08. A new provision has been made in respect of the remaining disputed debt.
30. The Council paid the PCT £2.2m for Adults and £0.4m for Children and the PCT agreed to cancel (where the invoice was raised in error or already paid) the balance of £0.4m.
31. In addition some new parameters have been agreed for 2008-09 and beyond to ensure that the Council's financial relationship with the PCT runs smoothly in future.
32. The PCT position was a major area of concern for the External Auditor, given the high value of debt relative to the provision, and the settlement that has been reached is a major step forward.
33. A long standing dispute with the Consortium of North West London (CNWL) relating to unspent LPSA grant of £458k was resolved during 2007-08. Following a series of letters and meetings, led by the Corporate Director of Finance, CNWL agreed to repay £200k and the Council agreed to allow CNWL to retain £258k for other projects. The Council had already assumed that £200k would not be recoverable in 2006-07 and the remaining £58k has been addressed in the 2007-08 accounts.
34. Cabinet is asked to formally agree the settlement reached with both the PCT and CNWL.

Areas that are still being finalised and strategy for dealing with any further capacity that may emerge

35. Further work is required in relation to:

- Local Authority Business Growth Incentive (LABGI) funding of £249k to be confirmed (and not included in the figures). There is a request to utilise some of this money for one off economic development projects. If we allow £100k to be carried forward, there would be a net improvement in the position of £150k.
- Single status backdating costs (from April and May payroll) to be confirmed. It is possible that the costs will be lower than anticipated, which would improve the position.

36. As these matters are resolved further capacity may emerge, in which case the recommended strategy is as follows:

- If possible, make a new provision of £0.5m for special projects and contingencies
- Any further sums to be added to the insurance provision.
- If the capitalisation direction is secured for single status, transfer the entire single status provision to the insurance provision.

Implications of the outturn for 2008-09 and beyond

37. The outturn position has a number of implications for 2008-09 and beyond:

- Ongoing capacity
- Need to enhance budget monitoring
- Contributions to provisions and reserves

38. Further work is required to establish the extent to which the underspend in 2007-08 suggests there is ongoing capacity in 2008-09 and beyond. This will be captured as part of the first quarter monitoring to the Cabinet in September.

39. There is clearly a need to improve budget monitoring and the accuracy of forecasting in particular. The Council has just carried out a Financial Effectiveness Review (funded by Capital Ambition) and this includes a detailed analysis of the process, benchmarking, best practice and recommendations for the way forward.

40. The implementation of the recommendations will take place during 2008-09 and is a critical part of the Council's wider improvement programme. The carry forward request outlined above will help to make the necessary changes.

41. It is critical that the Council establishes or increases regular contributions to provisions for insurance, bad debts and litigation. The medium term financial strategy includes an additional annual contribution to the insurance provision of £100k in 2008-09 rising to £300k in 2010-11, and a new contribution for bad debts and litigation of £125k in 2008-09 rising to £250k in 2009-10.

Timetable for audit committee meetings and external audit review

42. The draft accounts will be ready by 13 June and Audit Committee will consider them on 24 June. The audit will commence in early July. The final accounts will be considered by the Audit Committee on 22 September and must be signed off by the Council and the Auditor by the end of September.

43. A summary of the draft accounts will be included in the Council's annual report, as part of the July edition of Harrow People.

44. Cabinet members will be aware that the work to produce the accounts is critical to achieving a good outcome on the Use of Resources.

Capital Monitoring

45. Appendix 2 shows the capital monitoring position.
46. Actual capital spend in the year was £53.5m, compared with a budget of £73.1m. This is represented by an under spend of £3.5m and carry forward totalling £16.1m.
47. The underspend is mainly in respect of Transport for London schemes, which are grant funded and schemes funded by Transport Supplementary Grant. The TFL under spend mainly relates to Petts Hill project (£1.5m) rephasing which was formally agreed with TFL late in the year and (£0.287m) London Cycle Network schemes which was due to the priority of delivery of the schemes being given to other projects. The grant funding for both of these schemes is in addition to the TFL allocation for 2008/09. Ongoing improvements in the TFL programme in particular are intended to minimise a reoccurrence of this type of situation. £0.432m of the underspend relates to a Transport Supplementary Grant which is being held in the capital accounts for a number of areas. It is intended at this stage, that the budget will be utilised towards the Town Centre development, once the necessary criteria for the grant has been met.
48. The carry forward of £16.1m to 2008-2009 mainly relates to £7m of projects which are grant funded, £6.3m in respect of commitments and £1.5m for IT projects.
49. As agreed by the Cabinet in February the capital programme was increased by £1.3m, of which £1m was for grant funded services. £300k was allocated to Garden House and project management as part of the leisure site proposals approved by Cabinet in November 2007
50. A further increase of £5.8m is proposed in Quarter 4 as detailed in appendix 2. The proposed increases are funded by grants (£2.3m), the capitalisation direction outlined in Para. 6 (£1.7m) and advance funding from the 2008-2009 capital programme (£1.8m).
51. Expenditure during the year was funded from grants (19%), usable capital receipts (23%), borrowing (49%) and revenue contributions (9%).
52. The average borrowing cost was lower than anticipated generating a favourable variance of £0.8m. The main reasons are detailed below:
- Major debt restructuring was carried out in respect of the Council's Long-term borrowing. This resulted in an early repayment of debt of £38m and restructuring of a total debt of £80.8m.
 - Approximately £3.3m extra capital receipts were received during the year from future capital sales.
 - A total of £6m grant was received in advance from the Learning and Skills Council in relation to Whitmore High School.

The above resulted in lower borrowing by approximately £17m than anticipated.

Housing Revenue Accounts

53. Appendix 3 shows the Housing Revenue Account forecast surplus for the year of £518k.

Financial Implications

54. Financial matters are integral to the report.

Performance Issues

55. There are no direct implications for individual performance indicators. The budget represents the financial resources approved to implement the Council's corporate priorities. Budget monitoring of the Council's revenue and capital budgets for 2007-2008 and future years is ongoing, particularly given the current low level of revenue reserves, and is essential for good financial management. If the budget monitoring process is not maintained the implementation of budget and corporate priorities will be less transparent and less robust, and may impact on performance indicators across directorates.

56. The outturn position has implications for the Use of Resources. Our current score on one of the themes of the Use of Resources, Financial Standing is 1 which is 'below minimum requirements – inadequate performance'

57. The proposed contributions to various provisions and increased contribution to the general reserve should substantially improve our score on Financial Standing.

Risk Management Implications

58. The outturn position for 2007/08 has an impact on the deliverability of the 2008/09 budget and the Medium Term Financial Plan. The risk is minimised on account of the budget being well managed in year resulting in the outturn position for 2007/08 as reported.

Section 3: Statutory Officer Clearance

Name: Myfanwy Barrett	<input checked="" type="checkbox"/>	Chief Finance Officer
Date: 30 May 2008		
Name: Helen White	<input checked="" type="checkbox"/>	On behalf of Monitoring Officer
Date: 28 May 2008		

Section 4: Performance Officer Clearance

Name: Tom Whiting



Divisional Director (Strategy & Improvement)

Date: 28 May 2008

Section 5: Contact details and background papers

Contact: Jennifer Hydari (Divisional Director of Finance and Procurement tel: 020-8424-1393)

Background Papers:

- (a) Report to February 2007 Council: Approval to 2007-2008 Revenue budget and Capital Programme.
- (b) Report to February 2008 Cabinet: Quarter 3 budget monitoring report for 2007-2008

Revenue Budget Monitoring 2007-2008: Commentary

CORPORATE

The Corporate budgets and issues are of a strategic nature, the impact of which falls across all of Harrow's directorates.

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Corporate & Democratic	3,576	3,678	102
Corporate Savings – parking & essential car user	-100	0	100
Pension Augmentation	2,896	2,962	66
Corporate Single Status	340	40	-300
Rates rebate	0	-118	-118
Total	6,712	6,562	-150

- **Corporate & Democratic (£102k)** - The variation is as a result of reduction in charges to the HRA.
- **Corporate Savings (£100k)** – The £100k saving in relation to parking remained unachieved as this plan of action was discontinued.
- **Pension Augmentation (£66k)** – This reflects insufficient budget, which will be addressed as part of the next budget review cycle.
- **Rates Rebates (-£118k)** – This is a one off receipt from rebates on rates in respect of council properties.

CORPORATE STRATEGY AND CORPORATE FINANCE

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Chief Executive's Office	789	846	57
Strategy/Finance Directorate services	462	455	-7
Legal and Governance Services	856	892	36
Customer Services	18,098	18,130	32
People Performance and Policy	3,429	3,303	-349
Corporate Strategy & Business Unit	2,257	1,938	-319
Corporate Finance	3,571	3,539	-32
Total	29,462	29,103	-359

- **People Performance and Policy** – The savings are mainly made up of savings of £119k as a result of vacancy management in Strategy and

Performance in anticipation of MTFs 2008/09 savings and there is an underspend of £196k in respect of training grant.

- **Corporate Strategy & Business Unit** - The underspend is mainly attributable to overachievement of the BTP savings target (£-390k). In addition to the Organisation Review savings gap of £58k there were other minor over spends.
- **Corporate Finance** – There is an under spend on HITS staff (£170K) offset by carry forward and various other over and under spends.

ADULTS AND HOUSING

The budget has been managed well in year as demonstrated by the number of variations across Adults and Housing that have been managed within the directorate, including the allocation of a number of corporate reductions, including the organisation review savings which total approximately £810k.

It has been difficult to predict the placement budgets, given the difficulty in extracting data in relation to the committed costs in this respect, and until very recently, the unknown outturn position in relation to the outstanding debts with the PCT. This has been carefully managed to ensure budget difficulties did not arise.

Summary

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Adults	51,657	51,257	-400
Housing GF	3,769	3,666	-103
Total	55,426	54,923	-503

Adult Services

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Commissioning & Partnerships	8,251	8,202	-49
Community Care	33,647	33,481	-166
Modernisation & Integration	6,026	5,857	-169
Other Services	3,733	3,717	-16
Total	51,657	51,257	-400

Commissioning & Partnerships

- The outturn reflects a number of variations across the division in relation to vacant posts and other variations
- An underspend of £88k in relation to catering services, reflecting the costs of transport, meals and salaries.
- With regard to Mental Health services, a minor underspend of £15k is in relation to the pooled budget arrangement with Central North West London. This is offset by an overspend of £34k on Wiseworks, which reflects the MTFs reduction of £50k which was not achieved given lower than anticipated levels

of income. A further overspend of £197k on costs associated with S117 expenditure with the PCT reflecting the recently negotiated settlement.

- Carers Grant of £188k and SP Grant of £1,154k are carried forward into 2008/09 in accordance with grant conditions

Community Care

- This reflects expenditure across each of the client groups. Grant funding of £1.226m and growth of £415k were held to ensure that the outturn would be contained within the existing budget provision. The amounts held have been reduced by contributions to Corporate Reductions
- The care management budget of £4.5m was underspent by £290k reflecting the delay in recruiting to vacant posts and other variations across a wide number of budget heads
- The budget for expenditure associated with the management of the in-house establishments of £3.3m was overspent by £135k representing salary costs not funded by the PCT, and the shortfall in income as a result of the delay in the introduction of charges for day care services
- The purchasing budget of £25.6m was overspent by £1.045m. This resulted in the main from the pressures on LD services, the settlement of the historic disputed debts with the PCT and an increase in the contribution to the bad debt provision in relation to domiciliary care services

Modernisation & Integration –

- A number of variations exist within this service area, the majority of which are offsetting in relation to salary variations.
- An overspend in relation to the ICES for both pooled and non-pooled activities following the failed transfer to Medequip of £288k
- An underspend of £229k on the residual budget in relation to 79 Bessborough Rd, reflecting the delay in opening the new 12 bed facility.
- An underspend on Helpline of £66k, representing underspends on salaries offset by lower levels of income
- An underspend on Support for Living of £43k, representing overspends on salaries following late notification of costs offset by additional income not anticipated in relation to a placement occupied by a non Harrow resident
- Telecare grant of £133k carried forward into 2008/09 in accordance with grant conditions

Other Services – this line reflects historic People First budgets in relation to Cross Service, Senior Management and Strategy budgets.

Housing GF Services

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Housing Need	2,450	2,399	-51
Housing Partnership	558	516	-42
Other GF Services	175	167	-8
Travellers Site	31	34	3
Complaints	245	236	-9
Resident Services - Watkins	310	314	4
Total	3,769	3,666	-103

Housing Need

- An overspend of £101k reflecting the increase in the number of families requiring emergency bed and breakfast accommodation and the limited availability of rented accommodation from private landlords. There were 71 families in bed and breakfast at 31st March 2007, compared to the budgeted figure of 32 families
- An increase in the cost of legal services of £41k and a provision made of £50k for the anticipated future costs in relation to a case which will progress to the European Courts in 2010.
- Underspends across a number of budget heads including salaries, void penalty payments and nomination fees totaling approximately £250k

Housing Partnership

- A net under spend of £26k arising from underspends in relation to salary costs, offsetting an overspend in consultancy costs.
- An underspend of £19k in relation to resident surveys

Travelers' Site

- Minor variations. The earmarked provision of £20k in relation to future anticipated maintenance costs remains.

CHILDREN'S SERVICES

Children Services are reporting an overall overspend of £100k.

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Management and Placements	8,062	8,088	27
Young People's Services	4,481	4,119	-362
Safeguarding & Family Sup	3,929	3,919	-10
Schools	-8,152	-8,087	65
Special Needs Service	14,254	14,730	477
Early Years	3,951	3,860	-91
Schools Development	3,506	3,501	-5
Children Services Total	30,031	30,130	101

Strategy and Placements – Adoption, placements and fostering budgets are overspent by about £100k but other areas are underspent resulting in a net overspend of £27k.

Young People’s Services – Overall, the service is underspent by approximately £362k, Asylum Seekers has reported an underspend of £544k mainly arising from lower spend on accommodation compared to budget. Youth Services shows an overspend of £183k out of which about £105k arises from Cays Central Unit and remainder being under and overspends across the board.

Safeguarding & Family Support - This service is almost breaking even and the overspends in administration section is mitigated by underspends on the operational budgets

Special Needs Service: This can be analysed between

- Operational Transport: Overall £45k overspent. Adults operational is overspent by £125k whilst the children’s section is £80k underspent.
- Special Needs Service: £437k overspent mainly on educational services and children with disabilities services

Early Years – There are small underspends across the board.

COMMUNITY AND ENVIRONMENT SERVICES

Service	Approved Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000
Director & Performance	1,238	1,238	0
Planning Service	2,881	2,871	-10
Community & Culture	25,139	25,295	156
Environmental Services	29,868	29,065	-803
Total	59,126	58,469	-657

Planning Service - various minor over and underspends

Community and Culture - late allocation of corporate savings to strategic management could not be achieved, and other minor over and underspends

Environmental Services – the main reason for the underspends which have occurred are:

Community Safety- The under spend is predominantly due to a significant over achievement of Parking Enforcement income (£346k) which is not sustainable year on year. There has also been over achievement of income in Licensing Services, Pest Control and Highways Enforcement, which coupled with significant vacancies within the Environmental Health services has served to achieve the stated under spend and offset areas of minor overspend in operational services;

Property & Infrastructure - The variation is attributable mainly to additional income on carriage crossings (£70k), Traffic Management (£62k) and Utilities (£85k). In

addition, there was an under spend on emergency services and responsive maintenance (£168k) as a result of lower demand compared to previous year.

Capital Outturn 2007-2008

Total expenditure in 2007-2008 was £53.5m against a revised budget of £73.1m, which represents a variation of £19.6m. This is represented by carry forward requests for the last quarter amounting to £16.1m and spending variation of £3.5m as detailed below.

	A	B	C	D	E	F
	Approved Budget as at qtr 3	New Schemes/ Transfers	Revised Budget as at 31.03.08	Outturn	Carry Forward Requests	Variation
			A+B			
	£000	£000	£000	£000	£000	£000
Corporate Finance and Corporate Strategy	8,998	3,421	12,419	10,764	-1,560	-95
Adults and Housing	21,067	493	21,560	16,841	-4,543	-176
Children's Services	14,634	1,664	16,298	10,522	-5,776	
Community and Environment	21,585	211	21,796	14,844	-4,234	-2,718
Capitalisation	1,100		1,100	550		-550
Total	67,384	5,789	73,173	53,521	-16,113	-3,539

New Schemes and Transfers

Corporate Finance and Corporate Strategy	
BTP-Advance funding required from 2008-9	1,582
Lift Subordinated Project	139
Redundancy Costs – capitalisation direction	1,700
	3,421
Adults and Housing	
Adult Learning Skill Centre-Virement from Education Modernisation	100
Empty Properties Grant (Funded by GLA)	393
	493
Children's Services	
Centenary Park (Grant Funded)	35
Shaftesbury Special School (Grant Funded)	100
Supporting Young People (Grant Funded)	15
Education Modernisation- Virement to Adult Learning Skills Centre	-100
High School No1- Advance funding required from 2008-9 (Grant Funded)	1,614
	1,664

Community and Environment	
Planning Development Grant	83
Land Acquisition (Wiseworks)	25
Big Lottery Fund projects	1
Wealdstone High Street-Advance Funding from 2008-9	102
	211
Total New Schemes and Transfers	5,789

Carry Forward Requests

Corporate Finance and Corporate Strategy	
Carry Forwards on several projects as already committed	-392
Air Con./UPS Upgrade	-65
Civic Centre Network	-116
Desktop Refresh	-13
Disaster Recovery	-116
ERP Misc. Projects	-67
ERP/MI/CRM Improvements	-19
Internet Protocol	-437
Library Management	-272
Server Refresh	-57
Web Refresh	-6
	-1,560
Adults and Housing	
Carry Forwards on several projects as already committed	-2,773
HRA Schemes	-6
Empty Properties (Grant Funded)	-123
Harrow Adult Learning Centre (50% funded from LSC and 50% from Harrow's Capital)	-181
HOST Programme (Grant Funded)	-140
Bessborough House Replacement	-22
Supported Housing (Grant Funded)	-1,157
Occupational Therapy	-141
	-4,543
Children's Services	
Carry Forwards on several projects as already committed	-2,163
Children's Centre (Grant Funded)	-1,036
Post 16 (Grant Funded)	-2,352
Shaftesbury Special (Grant Funded)	-2
Supporting Young People (Grant Funded)	-2
Education Modernisation Schemes	-83
Grange F&M Schools:	-6
Rooks Heath High 14/16	-28
School Amalgamation	-95
Shaftesbury Kitchen	-2
Weald First and Middle	-7
	-5,776

Community and Environment	
Carry Forwards on several projects as already committed	-1,435
Big Lottery Fund Projects (Grant Funded)	-6
Planning Development Grant	-128
TFL (Grant Funded)	-1,233
Prince Edward Playing Field (Section 106 monies)	-708
Breakspear Crematorium	-22
Heritage Projects	-257
Leisure Schemes	-200
Pay & Display Machines	-8
Petts Hill	-30
Prosperity Action Team	-167
Transport Schemes-Misc Schemes	-17
Vehicle Road Incursion	-23
	-4,234
Total Carry Forward Requests	-16,113

Financing Capital Expenditure 2007-2008

The table below sets out how expenditure was financed in 2007-2008

	£000
Capital Expenditure	53,521
Less : Accruals	139
Total Expenditure to be financed	53,382
Funded by	
Borrowings:	
Supported	5,390
Unsupported	20,711
Total Borrowing	26,101
Capital Receipts	12,374
HRA Major Repairs Allowance	3,597
Contribution from Housing Revenue	1,000
Grants:	
Canons park Lottery Fund	110
DEFRA	79
Disabilities Facilities Grant	684
Education Standard Fund	576
Learning Skills Centre	299

LPSA Reward Grant	759
Others	351
LAA Grant	315
HIV Capital Grant	693
Social Services Information Tech	124
Sure Start Grant	611
Transport for London	2,306
Empty Properties Grant	270
Targeted Capital Fund (High School Build 1)	2,075
Misc. Capital Grants - Schools	1,058
Total Grants	10,310
Total	53,382

HOUSING REVENUE ACCOUNT (HRA): PROVISIONAL OUTTURN 2007-2008

	Approved Budget	Forecast Outturn	Variance		Comments
	£000	£000	£000	%	
Expenditure					
Employee Costs	2,934	3,023	89	3	Various Salary overspends compensated for by under spends in other areas
Supplies & Services	1,705	1,935	229	13	Higher cost mainly attributable to large price increases in gas and electricity supplies
Central Recharges	1,215	1,220	5	0	Revised internal service support charges
Employee Costs - Needs / Strategy	354	405	51	14	Revision and update of salary allocation
Recharge to other services	-503	-503	0	0	Supporting People Grant.
Home Ownership Service	274	64	-210	-77	Income includes recovery of more than one years leasehold service charges in year
Baseline expenditure	5,980	6,144	164	3	
Contingency -general	200	145	-55	-28	On cost on DLO back pay £144k not provided for in prior years.
Operating Expenditure	6,180	6,288	109	2	
Charges for Capital	5,338	5,410	72	1	Reflects higher borrowing cost coupled with lower levels of useable capital receipts from right to buy sales.
Contribution to Repairs Account	4,842	5,343	500	10	Increased cost of £500k includes £172k one off non recurring cost relating to contract termination, £80k provision for disrepair claims and £250k additional spend on the in year repairs service
RCCO	1,000	1,000	0	0	Contribution to Decent Homes expenditure.
Bad or Doubtful Debts	100	164	64	65	Increase in provision for tenant rent and service charge arrears
Total Expenditure	17,460	18,206	746	4	

	Approved Budget £000	Forecast Outturn £000	Variance		Comments
			£000	%	
Income					
Rent Income – Dwellings	-19,980	-20,578	-600	3	Higher rental income resulting from lower right to buy sales and improved efficiency in voids
Rent Income – Non Dwellings	-912	-872	39	-4	
Service Charges Tenants	-1,119	-1,062	56	-5	Variance compensated by dwelling income above
Service Charges	-255	-203	53	-21	Leaseholders service charge income
Facility Charges	-336	-355	-18	6	Income from heating & water charges
Interest	-17	-15	2	-14	Mortgage Interest receivable.
Other Income	-8	-23	-15	198	Represents recovery of court cost from tenant rent arrears court cases
Transfer from General Fund	-83	-88	-5	6	
HRA Subsidy	5,030	4,472	-558	-11	Negative subsidy payable to Government less defective dwelling grant
Total Income	-17,679	-18,724	-1,046	6	
In Year Deficit / (Surplus)	-219	-518	-299	-137	
BALANCE	-5,946	-6,245			

This page is intentionally left blank



Meeting:	Cabinet
Date:	19 June 2008
Subject:	Best Value Performance Plan 2008/09
Key Decision:	Yes
Responsible Officer:	Deputy Chief Executive and Corporate Director, Strategy & Business Support, Jill Rothwell
Portfolio Holder:	Performance, Communication and Corporate Services: Councillor Paul Osborn
Exempt:	No
Enclosures:	Appendix 1 – draft Best Value Performance Plan

Section 1 – Summary and Recommendations

This report submits the draft Best Value Performance Plan for approval prior to publication.

Recommendations:

Cabinet is requested to approve the Best Value Performance Plan and recommend its adoption by the full Council.

Reason: (For recommendation)

To ensure that a compliant Plan is published by the statutory date.

Section 2 – Report

Introduction

Publication of a Best Value Performance Plan (BVPP) has been a requirement on all relevant authorities since the Local Government Act 1999 came into force in 2000.

This duty is to be abolished by the Local Government and Public Involvement in Health Act 2007. However, in March 2008, the Department for Communities and Local Government announced that commencement of the Act had been adjusted so that authorities were required to publish a final BVPP by 30 June 2008.

Required content has, however, been reduced to simply the outturn performance data against Best Value Performance Indicators (BVPIs) and a standard “statement on contracts”. There is no requirement for forward targets against BVPIs, which ceased to have statutory force at 31 March 2008. Appendix 1 contains a draft accordingly.

Options considered

There is no option other than to publish a BVPP as required. Method of publication has been left entirely to authorities’ discretion. On this occasion, use of the web alone has been indicated as acceptable and is therefore proposed.

Financial Implications

There are no financial implications from the report’s recommendation.

Performance Issues

This report deals with historic data against BVPIs, as required to be published. It has no effect on future performance against these or other indicators.

Risk Management Implications

The BVPP does not have a separate risk register, nor does it feature in the Directorate Risk Register. Key risks are:

1. The Plan is not published by the statutory deadline. Members are receiving a draft with this report, so the level of this risk is minimal.
2. The Plan contains inaccurate data. As part of the external auditors' annual review of data quality they may choose to examine some of the indicators contained in the BVPP. If significant errors are found, an adverse report may be issued with consequences for the council's reputation and Use of Resources judgement. Since such an occurrence in 2002, processes have been in place to ensure data quality.

Section 3 - Statutory Officer Clearance

Name: ...Sheela Thakrar.....	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: ... 9 June 2008		
Name: ...Helen White	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: ... 21 May 2008		

Section 4 – Performance Officer Clearance

Name: ...Tom Whiting	<input checked="" type="checkbox"/>	Divisional Director (Strategy and Improvement)
Date: ... 6 June 2008.....		

Section 5 - Contact Details and Background Papers




Contact: Martin Randall, Senior Performance Officer, 020 8424 1815

Background Papers: Returns to BVPIs.








This page is intentionally left blank











Best Value Performance Indicators








Polarity: Indicates whether a high or a low figure is 'good' for this indicator, or pos[itive] or neg[ative] where change is being measured.

Status: illustrates performance against target as:  (on target or better)  (within 15% of target)  (significantly short of target)

For social care indicators, an equivalent to the banding for each indicator is used.

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
Adults' & Housing Services							
63	Energy Efficiency - average SAP rating of local authority owned dwellings	64	65	64	high		
184a	Percentage of local authority homes which were non-decent at 1 April	51	72	72	low		This indicator shows the position at the start of the financial year. 184b shows change during the year.
184b	Percentage change in % of non-decent homes in financial year	6.3	38	36.9	high		1199 homes were made Decent in 2007/8, compared with just 25 in the previous year, reflecting on the council's new repair and maintenance partnership and better programme management.
212	Average time taken to relet local authority housing	33	29	23	low		A range of improvements including pre-inspection, pre-allocation and faster turnaround by the repairs contractor have greatly reduced relet times.
64	The number of private sector vacant dwellings that were returned into occupation or demolished during 2006/07 as a direct result of action by the local authority.	252	250	189	high		A decrease in number of private rented properties being let through the council's direct letting scheme has had a direct impact on performance of this indicator.
66a	Rent collected as a percentage of rents owed on Housing Revenue Account dwellings	96.62	98.2	97.41	high		
66b	Percentage of housing tenants with more than 7 weeks of rent arrears	6.67	6	7.15	low		Technical issues around the collection of Direct Debits caused arrears to increase in year. This problem has since been overcome and improved monitoring and support to tenants instituted.

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
66c	Percentage of housing tenants served with Notices Seeking Possession for rent arrears	23.98	21.93	30.60	low		See 66b. Following a restructure of the service and the formation of a dedicated rent team, early intervention and referral to money advice service should help improve this indicator.
66d	Percentage of housing tenants evicted as a result of rent arrears	0.04	0.18	0.26	low		Year on year variance is high owing to an unexpectedly low rate in 2006/07. Owing to high levels of debt and vigorous recovery, 13 tenants were evicted in 2007/08 instead of the expected 9.
202	The number of people sleeping rough on a single night within the borough	1	5	0	low		The continued good work of the council and its partners has resulted in no rough sleepers being present on the census night.
183b	Average length of stay in hostels for households which include dependant children or a pregnant woman and which are unintentionally homeless and in priority need (weeks)	12	11.5	11.60	low		
213	Number of households who considered themselves as homeless who approached the council's housing advice service and housing advice casework intervention resolved their situation (per 1,000 households)	11	10	8	high		Direct lettings and Housing Advice Centre interventions have both fallen in 2007/8. Priority to statutorily homeless in pursuance of Government targets meant few lettings to other families.
195	Percentage of new older clients for whom the waiting time for assessment was acceptable (PAF D55)	85	90	88.1	high		
196	Percentage of clients receiving all services in care packages within four weeks of completion of assessment (PAF D56)	83.3	85	92.0	high		
201	Number of adults and older people receiving Direct Payments, per 100,000 population aged 18 or over (PAF C51)	70	100	124	high		Performance has dramatically improved in 2007/8 for four main reasons: the establishment of the Self-Directed Care Team, an increase in the rates of Direct Payments, early information to potential users, and targeted promotion.
53	Number of households receiving intensive home care per 1,000 population aged 65 or over (PAF C28)	13.4	12	7.53	high		The level of intensive home care provision was expected to fall in 2007-08 due to robust interpretation of the FACS eligibility criteria. A larger number than expected fell below the 10 hours/6 visits a week threshold.
54	Number of older people helped to live at home per 1,000 population aged 65 or over (PAF C32)	69.2	80.5	73.12	high		











BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
56	Percentage of items of equipment delivered within 7 working days (PAF D54)	84.4	90	82	high		Performance below target owing to inability to complete an outsourcing exercise August-October 2007. Since February performance has improved and is consistently close to target. Further improvement is planned in 2008/9.
Community & Environment							
156	The percentage of local authority owned buildings open to the public in which all public areas are suitable for and accessible to disabled persons.	62	78	80.00	high		The improvement in percentage reflects not only works carried out but changes in numbers of buildings, especially as more services are provided from Access Harrow, the purpose-built contact centre.
126	Domestic Burglaries recorded per 1,000 households	15.8	15.4	18.2	low		The latter part of 2007/8 saw a significant 'spike' in burglary, which is now the subject of targeted intervention by Police in order to achieve the LAA target.
127a	Violent Offences committed per 1,000 population	17.9	-	15.2	low	-	The Police have not set a Violent Offences target that can be aligned with the definition in BV127a
127b	Robberies recorded per 1,000 population	3.6	3.2	2.5	low		This has been the top Police priority and significant resource has been devoted to reducing robbery in line with central Met Police direction. The outturn position for Robbery is the highest reduction in the Met Police area and will continue to be a priority area in 2008-9.
128	Vehicle Crime recorded per 1,000 population	12.4	9.3	10.8	low		There has been a recent spike in vehicle crime predominantly comprising theft from vehicles and significant increases in number plate theft. This is a national and London wide problem area, driven by high petrol prices and the congestion charge. This will continue as a priority area in 2008-9 and is the subject of a partnership approach and joint working through the JTAG process.
225	Actions against domestic violence – percentage complete against checklist	91	100	90.9	high		
166a	Best practice checklist score - Environmental Health	100	100	100	high		










BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
166b	Best practice checklist score - Trading Standards	100	100	100	high	👍	
199a	Percentage of streets & land below standard - litter & detritus	34	25	30.7	low	👎	Most London Boroughs find this a challenging indicator. Notwithstanding budgetary constraints, our performance improved in 2007/8 and will continue to do so with additional resource allocated from April 2008.
199b	Percentage of streets & land below standard - graffiti	8	15	8	low	👍	Graffiti control has been maintained at high levels.
199c	Percentage of streets & land below standard – flyposting	1	1	1	low	👍	
199d	Effectiveness of action against flytipping	Good	Very effective		high		Data for Actual 2007/08 awaited from DEFRA
215a	Average time to repair street lighting which is under the control of the local authority (days)	2.52	5	3.57	low	👍	The target represents the contract timescale for repair of faults but the contractor has performed better than this.
215b	Average time to repair street lighting where response time is under the control of a Distribution Network Operator (days)	13.73	14	11.84	low	👍	
216a	Contaminated land – number of sites of potential concern	542	540	503	none	-	
216b	Percentage of sites of potential concern with sufficient detailed information to decide whether remediation of the land is necessary	3.8	1	7	high	👍	Changes in internal organisation and an upturn in redevelopment of brownfield sites both contributed to the improvement in 2007/8.
217	Percentage of pollution control improvements to existing installations completed on time	100	100	100	high	👍	
218a	Percentage of new reports of abandoned vehicles investigated within 24 hours	94.06	87.5	97.26	high	👍	
218b	Percentage of abandoned vehicles removed within 24 hours from the point at which the authority is legally entitled to do so	100	90	100	high	👍	
106	Percentage of new homes built on previously developed land	100	100	100	high	👍	












BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
109a	Percentage of major planning applications determined within 13 weeks	63.93	60	87.97	high	👍	Significantly better turnaround times across all categories resulted from additional resources in each team and focused case management.
109b	Percentage of minor planning applications determined within 8 weeks	71.4	65	86.03	high	👍	
109c	Percentage of other planning applications determined within 8 weeks	85.6	80	95.19	high	👍	
204	Percentage of appeals allowed against the authority's decision to refuse planning permission	41	33	45.96	low	👎	A continuing high level of successful appeals against the authority's decisions can be attributed in part to the uncertainty caused by the deletion of 56 policies in the Harrow UDP as part of the LDF process nationally and the "inheritance" of London Plan policies. These policies have since been reviewed and readopted in the 2008 London Plan.
205	Quality of planning service checklist score (%)	94.44	90	100	high	👍	
219b	The percentage of Conservation Areas with an up to date character appraisal	32	50	57.00	high	👍	The council has achieved its 2007/8 target of bringing to 16 the number of conservation areas with adopted character appraisals.
200a	Did the local planning authority submit the local development scheme (LDS) by 28/3/2005 and thereafter maintain a 3 year rolling programme?	Yes	Yes	Yes	-	👍	
200b	Has the local planning authority met the milestones which the current LDS sets out?	Yes	Yes	No	-	👎	Whilst Harrow is meeting all of its locally controlled targets in the LDS, the joint West London Waste DPD development is behind schedule, which is outside the council's control.
200c	Did the local planning authority publish an annual report by 31 December each year?	Yes	Yes	Yes	-	👍	
220	Compliance against the Public Library Service Standards	8	8	6	high	👎	The slight drop across four Standards reflects the Sunday closure of Gayton Library, the consequent loss of visits, a marginal drop in satisfaction of under-16's and a slower stock replenishment, owing to budgetary savings.












BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
170a	Number of visits to museums/galleries per 1,000 population (includes web visits)	324	420	106	high		The drop in web hits results from technical issues and a discontinuity in monitoring methods since management of the Museum reverted to the council in January 2007. Under temporary management arrangements early in the financial year, there was a lack of a full activity programme and the Learning & Access Officer post was vacant, resulting in the loss of potential public and school visits.
170b	Museum/gallery visits that were made in person per 1,000 population	92	145	77	high		
170c	Pupils visiting museums/ galleries in school groups	248	1219	318	high		
99	Road Accident Casualties -						
99a(i)	Number Killed or Seriously Injured (KSI) - all	76	72	56	low		Our ongoing programme of local safety and 20mph zone schemes has contributed to a better than expected reduction in killed and serious injury casualties. There has been an unexpected increase in child killed and seriously injured casualties which, because of the small number involved, produces a large percentage variation. Despite this, we are on track to meet the Government's 2010 targets.
99a(ii)	% change in all KSI since previous year	-3.8	-5.3	-22.2	neg		
99a(iii)	% change in all KSI since 1994-98 average	-38	-41	-54	neg		
99b(i)	Number KSI - children under 16	4	4	7	low		
99b(ii)	% change in children KSI since previous year	-67	0	75	neg		
99b(iii)	% change in children KSI since 1994-98 average	-80	-80	-64.6	neg		
99c(i)	Number - slight injury - all	564	558	503	low		
99c(ii)	% change in slight injury number since previous year	-10	-1	-9.9	neg		
99c(iii)	% change in slight injury number since 1994-98 average	-22	-23	-30.9	neg		
100	Number of days traffic controls in place on traffic sensitive roads per km	0.8	0.8	1.0	low		Commencement of the Wealdstone High Street scheme in the last quarter increased this figure in 2007/8.
165	Percentage of pedestrian crossings with facilities for disabled people	100	100	100	high		
178	Percentage of rights of way footpaths easy to use by the public	100	100	98.0	high		
187	Percentage of surface footways (categories 1, 1a and 2) where structural maintenance should be considered	19	14	16	low		Only half the highways are surveyed each year and therefore the 16% in 2007/8 should be compared with the 15% in 2005/6: not a significant change.
223	The percentage of the principal road network where structural maintenance should be considered	10	12	4	low		The method of calculating this figure changed in 2007/8. On the old basis, it would have been 9%, close to the Actual in 2006/7.


BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
224a	The percentage of the non-principal classified road network where structural maintenance should be considered	7	12	5	low	👍	
224b	The percentage of the unclassified road network where structural maintenance should be considered	12	11	12	low	👉	
82ai	Percentage of household waste recycled	14.7	18	21.18	high	👍	Actual 2007/08 estimated. Significant increase is due to the introduction of the Blue Bin scheme for recycling.
82aii	Tonnes of household waste recycled	15005	18000	20925	high	👍	ditto
82bi	Percentage of household waste sent for composting	13	17	17.75	high	👍	Actual 2007/08 estimated. A reduction in the level of contamination in composted material produced a higher net figure.
82bii	Tonnes of household waste sent for composting	13265	17000	17533	high	👍	ditto
82ci	Percentage of household waste used for energy recovery	0	0	0.03	high	👍	Actual 2007/08 estimated. A minimal amount of material is recovered at the Materials Reclamation Facility and incinerated with energy recovery.
82cii	Tonnes of household waste used for energy recovery	0	0	38	high	👍	ditto
82di	Percentage of household waste sent to landfill	72.3	65	61.02	low	👍	Actual 2007/08 estimated. Decrease reflects increase in recycling.
82dii	Tonnes of household waste sent to landfill	73808	65000	60266	low	👍	ditto
84a	Kilograms of household waste collected per head of population	477	482	459	low	👍	Actual 2007/08 estimated. Reduced figure reflects a reduction in waste collected and at the same time an increase in population.
84b	Percentage change in kg of household waste collected per head since previous year	-1.45	1.05	-4	neg	👍	ditto
86	Cost of waste collection per household (£)	89.84	83.97	87.5	low	👉	
91a	Percentage of population served by kerbside collection of recyclables (one recyclable)	85.6	90	87.5	high	👉	Actual 2007/08 estimated.
91b	Percentage of population served by kerbside collection of recyclables (2+ recyclables)	85.6	90	87.5	high	👉	Actual 2007/08 estimated.

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
	Children's Services						
161	The ratio of the percentage of those young people looked after on 1 April in their 17th year (age 16) who were engaged in education, training or employment at the age of 19 to the percentage of young people in the population who were so engaged at age 19 (PAF A4)	0.87	0.95	0.87	high		Performance is in the top national band and in line with statistical neighbours. 17/21 care leavers were in education, training or employment. (Outturn estimated, based on Labour Force Survey data 2006.)
162	Percentage of child protection cases due for review in the year that were reviewed (PAF C20)	96.2	100	98	high		
163	Children Looked After adopted during the year as a percentage of those who, at 31 March, had been looked after for 6 months or more (PAF C23)	2.7	8	14.3	high		14 adoptions/guardianship orders were achieved during the year. The partnership with Coram and the work of the Permanency Tracking Panel are yielding excellent results. This performance is in top national band and well above latest statistical comparators.
181a	Percentage of 14-year olds achieving Level 5 or above in Key Stage 3 English	80	82	79	high		Harrow pupils considerably exceeded national averages in English (74%), Maths (76%) and Science (73%) and exceeded statistical neighbours (78%, 78%, 73% respectively) at Level 5 and above.
181b	Percentage of 14-year olds achieving Level 5 or above in Key Stage 3 Maths	81	80	79	high		
181c	Percentage of 14-year olds achieving Level 5 or above in Key Stage 3 Science	74	78	75	high		
181d	Percentage of 14 year olds achieving Level 5 or above in Key Stage 3 ICT	60.5	75	69.6	high		In most schools the reported teacher assessment for Level 5 was in line with or close to the national average of 74% and most schools were close to or exceeded their target.
194a	Percentage of 11 year olds achieving Level 5 or above in Key Stage 2 English	39	41	34	high		Harrow schools' outcomes exceed national and statistical neighbours' averages at Level 5 or above. Schools are not statutorily required to set targets for this indicator and the target shown is taken from that set in 2002.
194b	Percentage of 11 year olds achieving Level 5 or above in Key Stage 2 Maths	38	41	38	high		
38	Percentage of pupils aged 15 with 5+ GCSEs A*-C	64	67.5	67.9	high		Harrow's GCSE results are well above the national figure of 60.8%. This measure has risen by over three percentage points since the very high results of 2006, which placed Harrow among the top 10% of authorities nationally.

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
39	Percentage of pupils with 5+ GCSEs A*-G including English & Maths	91.8	95	93.4	high		Harrow's GCSE results are well above the national average figure (including independent schools) of 86.4%.
40	Percentage of pupils achieving Level 4 or above in Key Stage 2 Maths	79	85	79	high		Harrow schools' outcomes in 2007 are in line with national averages and with statistical neighbours' averages at Level 4 or above. The fall compared to 2006 is disappointing. However, schools matched their aggregated 2007 target, suggesting that the fall may be in part due to the change in the pupil cohort.
41	Percentage of pupils achieving Level 4 or above in Key Stage 2 English	85	85	82	high		
43a	Percentage of statements of Special Educational Need prepared within 18 weeks, excluding "exceptions to the rule" under the SEN Code of Practice	98.9	100	98.7	high		
43b	Percentage of statements of Special Educational Need prepared within 18 weeks, including "exceptions to the rule"	99.2	95	97.4	high		
45	Percentage of half days missed due to absence in secondary schools	6.55	6.78	6.61	low		
46	Percentage of half days missed due to absence in primary schools	5.78	4.7	5.33	low		There was an overall upward movement in primary absence rates, both nationally and in London. between the two years. Harrow rates reflected this movement.
222a	Percentage of leaders in early years/childcare settings qualified at level 4 or above	37	41	48	high		The Early Years Service supports workers in childcare settings to achieve relevant qualifications, thus significantly more leaders had qualifications by the end of 2007/8.
222b	Percentage of leaders in early years/childcare settings which have input from staff with relevant graduate or postgraduate training	20	20	18	high		
221a	Percentage of young people aged 13-19 gaining a recorded outcome compared with the percentage of young people in the borough participating in youth work	80	80		high		
221b	Percentage of young people aged 13-19 gaining an accredited outcome compared with the percentage of young people in the borough participating in youth work	7	5		high		

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
49	Stability of placements of Children Looked After by reference to the percentage looked after on 31 March with three or more placements in the year (PAF A1)	13.8	12	10.21	low		A more stable social care workforce and careful management and monitoring of placements has resulted in excellent performance in 2007-8.
50	The percentage of young people leaving care aged 16 or over with at least one GCSE at grade A*-G or a GNVQ (PAF A2)	38	62	50	high		The 2007/8 performance represents 14 out of 28 care leavers with one or more GCSE, against 8 out of 21 in 2006/7. Because of the small numbers, yearly fluctuations in results tend to be magnified.
197	Percentage change in number of conceptions amongst 15-17 year olds	11	-1	-4.8	neg		Target exceeded and the rate is now below the 1998 baseline. This reflects successful work by the partnership on promotion of sexual health in schools, youth services, Youth Offending, Drug and Alcohol Team and other key risk groups. This includes the 'Clinic in a Box' scheme.
	Strategy and Business Support						
8	Percentage of invoices paid on time	80.75	95		high		
9	Percentage of Council Tax collected in year	96.96	97.15	97.1	high		
10	Percentage of non-domestic rates collected in year	97.58	98	97.3	high		
2a	Equality Standard for Local Government - level attained by the authority	4	4	4	high		
2b	Duty to promote racial equality - score against checklist	74	84	89.4	high		The variation is achievement of one more of the 19 elements in this indicator (now 17/19).
11a	The percentage of the top 5% of earners in the authority that are women	37.04	39	43.31	high		The council engaged in a significant management change programme in 2007/8, which resulted in significant change for employees in management positions.
11b	The percentage of the top 5% of earners in the authority that are from ethnic minorities	17.46	18.5	18.90	high		
11c	The percentage of the top 5% of earners in the authority with a disability (excluding those in maintained schools)	4.01	4.5	4.72	high		See 11a
12	The average number of days lost per employee due to sickness	10.34	9.5		low		
14	The percentage of employees taking early retirement (excluding ill health)	1.34	2.5	2.17	low		The management change programme (as 11a) significantly increased this figure in 2007/8.

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
15	The percentage of employees retiring on grounds of ill health	0.34	0.35	0.24	low		Associated with the change programme (as 11a), there was a significant reduction in the volume of recruitment in the year and hence the opportunity to raise this figure.
16a	The percentage of employees declaring that they meet the disability definition in the Disability Discrimination Act 1995	2.34	3	2.27	high		
16b	The percentage of economically active disabled people in the borough	11.1	-	11.1	none	-	This figure is taken from Census data.
17a	The percentage of employees from minority ethnic communities	37.09	39	34.9	high		
76b	Number of Benefit fraud investigators employed per 1,000 caseload	1.24	1	1	none		
76c	Number of Benefit fraud investigations per 1,000 caseload	12.65	13	15.44	none		
76d	Number of successful sanctions per 1,000 Benefits caseload	4.87	4.25	5.95	none		Marked improvement over the last three years follows staff training and development and improved performance management, as well as technical changes,
78a	Average number of days to process new Benefits claims	21	20	20.2	low		
78b	Average number of days to action Changes of Circumstances for Benefit claims	3	4	4.0	low		
79a	Percentage of cases where Housing and Council Tax benefit was correctly calculated	99.2	99	99.00	high		
79bi	Housing Benefit overpayments recovered as a % of all Housing Benefit overpayments identified during the year	68	65	71.82	high		
79bii	Housing Benefit overpayments recovered as a % of the total debt outstanding at the start of the period plus overpayments identified during the year	28.14	30	29.95	high		
79biii	Housing Benefit overpayments written off as a % of the total debt outstanding at the start of the period plus overpayments identified during the year	24.8	2.5	6.72	none	-	

BV no	Description	Actual 2006/07	Target 2007/08	Actual 2007/08	Polarity	Status	Comments
174	Number of racial incidents recorded by the authority, per 100,000 population	165.89	170	140.26	none	-	The council has maintained all the reporting mechanisms that were available in the previous year, so there appears to be a real reduction in the number of qualifying incidents reported in 2007/8.
175	Percentage of racial incidents which resulted in action	99.72	99	100	high		
226a	Total amount spent by the authority on advice and guidance services provided by external organisations	*	*	*	-	-	* The authority is unable to report these figures
226b	Percentage of monies spent on advice and guidance service provision which was given to organisations holding the CLS Quality Mark at "General Help" level and above	*	*	*	-	-	as above
226c	Total amount spent on advice and guidance in the areas of housing, welfare benefits and consumer matters which is provided directly by the authority to the public	*	*	*	-	-	as above

Statement on contracts

The council is aware of and certifies that, where applicable, it has complied with the Code of Practice on Workforce Matters in local authority contracts and has followed the Government (DCLG) statutory guidance on "Best Value and Performance Improvement: Handling of workforce matters in contracting".



Meeting:	Cabinet
Date:	19 June 2008
Subject:	Council Improvement Programme
Key Decision:	No
Responsible Officer:	Interim Divisional Director, Strategy and Improvement, Tom Whiting
Portfolio Holder:	Portfolio Holder for Performance, Communication and Corporate Services, Councillor Paul Osborn
Exempt:	No
Enclosures:	<p>Gantt chart detailing the project sponsor and project manager/s for each project within the council improvement programme, the milestones within each project and the timescales on which they will be delivered – circulated separately</p> <p>Key service delivery projects</p> <p>Overview and Scrutiny Committee – Report of the Scrutiny Challenge Panel on the council improvement programme</p> <p>Unison response to the council improvement programme</p>

Section 1 – Summary and Recommendations

This report sets out the council's improvement programme for the period up to the end of March 2011.

Recommendations:

1. Cabinet is requested to approve the council improvement programme
2. Cabinet is requested to grant delegated responsibility to the Portfolio Holder and Chief Executive to approve subsequent iterations of the council improvement programme
3. Cabinet is requested to approve the council's key service delivery projects

Section 2 – Report

Introductory paragraph

The aim of the council improvement programme is to prioritise and sequence the authority's improvement activities in order to ensure it uses its resources in the most effective way in seeking to deliver improved outcomes and services for local people. This is in a context of the IDeA peer review in December 2007 having highlighted the council's improvement activity as an agenda that poses a challenge to the council's capacity. With the peer review having fully endorsed the Chief Executive's 'nine step' plan, the council improvement programme maps out in more detail how it will be delivered.

Background

As is widely recognised, the 2007 Comprehensive Performance Assessment (CPA) scorecard deemed Harrow Council to be a '2 star authority' that is 'improving adequately'. In addition, the peer review highlighted the need for a step change in performance if the council is to fulfil its ambitions. Key issues highlighted through the CPA corporate assessment report in March 2007 and the peer review included the following:

- The challenging financial position of the council
- The short-term focus of the organisation
- The requirement for a long-term vision for the borough of Harrow
- Low levels of staff morale in some areas
- Managerial capacity and some inconsistency in managerial leadership
- Key skills gaps in parts of the organisation
- Elected member capacity
- Difficulties around the SAP/ERP system

Current situation

The peer review report cited Harrow Council as ambitious, demonstrating a strong desire to progress and reflecting a clear sense of momentum. This is reflected in the tangible progress that has been made recently in a range of key areas, including the following:

- A clearer vision and priorities have been established, backed up by a set of flagship actions against which the council is happy to be judged
- £35million of savings delivered in the last two years and further savings of nearly £10million identified in the budget for 2008/09
- Investment of nearly £2million in council priorities in the current budget, including many front facing services such as street cleansing, environmental crime and Access Harrow
- Contribution of £1million to the council's reserves
- Positive external judgements in key areas - children's services progressing from two to three stars and housing benefits as a four star service
- Performance management infrastructure established, including improvement boards
- Structural change and increasing managerial capacity
- Significant enhancements made to the internal and external communications infrastructure and communication channels, including bringing in an external provider
- Range of officer and elected member development activities underway, working with such organisations as the Local Government Leadership Centre, Roffey Park and Capita
- Staff achievement awards introduced, plus the Innov8 awards

However, this solid progress now needs to be built upon. The peer review indicated this would require concerted and sustained effort across the authority and a need for the council to ensure it doesn't get distracted from its main areas of focus. The council improvement programme responds directly to this challenge.

Developing the programme

The council improvement programme maps out how the Chief Executive's 'nine step' plan will be delivered, with the Gantt chart attached to this report identifying clear milestones, timescales and accountabilities for each project. It is the culmination of work that has been taking place in the authority over the last three months to develop a clear sequencing of improvement activities for delivery between now and March 2011. This has been done to ensure the organisation's improvement effort is focused upon supporting and enabling the delivery of the corporate priorities, flagship actions and other key outcomes that will benefit local people. Specific outcomes that the improvement programme seeks to enable are:

- Increased customer satisfaction
- Strengthened financial position
- Enhanced reputation as a council
- Increased levels of staff morale and staff advocacy
- Harrow Council as an 'employer of choice'
- Corporate Investors In People accreditation
- Enhanced organisational culture
- Achievement of level 5 of the Equalities Standard
- More flexible organisation better equipped to respond to changing circumstances and future opportunities

The process has involved a review of the council's current improvement activities against the findings and recommendations of the CPA, peer review and Access to Services Inspection reports and the most recent Direction of Travel and Use of Resources judgements. There have been a series of discussions concerning the programme and the projects within it, involving Corporate Directors, project sponsors, project managers and other members of staff across the council. In addition, the programme has been shared with trade unions. The response from Unison is attached to this report and the GMB indicated they intended to outline their views to Cabinet members in writing.

Overview and Scrutiny members conducted a Challenge Panel on the draft council improvement programme and their report is attached. The final version of the programme has been revised to respond to the following specific points raised by the panel:

- The 'succession planning' programme has been re-titled a 'career planning' programme

- The first line managers' development programme will commence in April 2009 rather than January 2009, in order to provide greater opportunity for it to be informed by the evaluation and learning from the middle manager's development programme

The governance arrangements for the programme reflect the desire of the panel to see the Overview and Scrutiny committee and Performance and Finance sub committee playing a role in monitoring both the implementation of the overall programme and a number of specific projects within it. This will serve to form a key strand of the robust monitoring processes that the panel highlighted as being necessary for successful delivery of the programme. The panel outlined the need for any blockages to the programme to be addressed in the most vigorous manner. The programme management arrangements will meet the need, highlighted by the panel, for the inter-relationship between a number of projects in the programme to be understood and managed accordingly. The panel also saw the human resources stream of the programme as being pivotal to its' success and urged the council to ensure this function is adequately resourced. Other specific points raised by the panel will be considered by project managers as they work up their respective project plans.

Taking the Programme Forward

Looking at the governance arrangements for the programme in more detail, monitoring delivery against the milestones of each project within the improvement programme will take place through a monthly meeting of the Chief Executive and all of the project sponsors. The Corporate Leadership Group, made up of the council's top three management tiers, will review progress on a quarterly basis and there will be regular reporting to elected members, including Cabinet updates and progress reports to the Portfolio Holder, and the close involvement of Overview and Scrutiny as indicated earlier. The Improvement Programme Team within the Strategy and Improvement Directorate will be responsible for maintaining an on-going dialogue with project sponsors and project managers to identify any delays or barriers to progress, working with them to develop and implement mitigating actions and generally supporting the reporting process.

Contents of the Council Improvement Programme

The final version of the programme is shown in the Gantt chart attached to this report, which details the project sponsor and project manager/s for each project within the council improvement programme, the milestones within each project and the timescales on which they will be delivered.

Key Service Delivery Projects

Alongside the council improvement programme, a number of key service delivery projects that are integral to the council's improvement have been identified. These projects have been identified using the following criteria:

- Contribution to flagship actions
- Impact on finance

- Impact on public satisfaction indicator
- Impact on Comprehensive Performance Assessment (CPA) indicator
- Impact on delivery of a corporate priority

A list of the projects concerned is attached to this report. These projects are likely to benefit from close monitoring by Directorates and Improvement Boards. The Improvement Programme Team will support the monitoring of these projects initially, but it is anticipated that over the coming months Directorates will assume this responsibility.

Financial Implications

There are no financial implications relating to the council improvement programme itself, given it mainly draws existing and already resourced activity together into an overall plan. Should any of the projects within the programme identify additional resource requirements, these will be considered through the council's established budget planning process.

Risk Management Implications

Discussions involving the council's risk management team have identified a number of opportunities and risks relating to the council improvement programme. The opportunities include the beneficial effect that successful realisation of the programme will have on the council's reputation, which in turn would impact positively in such areas as recruitment and retention. Another opportunity around the programme is the chance it offers to identify common risks across the different projects and manage them more efficiently and effectively. There is also the opportunity to bring a wider corporate perspective to issues that cut across different areas of responsibility, helping to address issues highlighted to the authority previously around it operating too much in silos.

In terms of risks, effective internal communication of the programme is vital to ensure buy-in and confidence in it and an internal communications plan has therefore been drawn up to underpin the programme. In addition, successful delivery of the programme requires robust governance, strong management, consistent and effective corporate leadership and the 'organisational appetite' necessary to ensure projects turn into a reality on the timescales committed to.

The Improvement Programme Team will work with each project manager to ensure a project plan and risk management arrangements have been established. They will also look across the programme to ensure the pressures placed upon the organisation by the individual projects, for example the roll out of new processes and systems or consultation with staff, are co-ordinated to spread the demands placed on services.

Performance Issues

The recommendations in this report directly impact the following key regulatory judgements:

Regulatory Judgement	Current Score	Impact of Proposals
Corporate Assessment	2	<ul style="list-style-type: none"> Improves performance management arrangements Addresses capacity shortages in the organisation – elected member development, addressing sickness absence, management development
Use of Resources	2	<ul style="list-style-type: none"> Improves procurement savings delivery and income generation to improve financial standing Improves financial management and reporting processes
Access to Services	TBC	<ul style="list-style-type: none"> Addresses key recommendations from recent inspection
Direction of Travel	Improving Adequately	<ul style="list-style-type: none"> Codifies council's overall improvement programme to increase pace of change

Section 3 - Statutory Officer Clearance

Name: Jennifer Hydari	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 20 th May 2008		
Name: Helen White	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 16 th May 2008		

Section 4 – Performance Officer Clearance

Name: Tom Whiting



Divisional Director
(Strategy and
Improvement)

Date: 15th May 2008

Section 5 - Contact Details and Background Papers

Contact: Tom Whiting, Divisional Director Strategy & Improvement

Background papers:

Comprehensive Performance Assessment (CPA) scorecard 2007

Peer review report

Key Service Delivery Projects

Listed below are what are to be defined as the council's 'key service delivery projects', which are integral to the council's improvement. These projects have been identified using the following criteria:

- Contribution to flagship actions
- Impact on finance
- Impact on public satisfaction indicator
- Impact on Comprehensive Performance Assessment (CPA) indicator
- Impact on delivery of a corporate priority

They are drawn from Directorate Service Improvement Plans and were, in many cases, included in the council's improvement programme in 2007/08. These projects are likely to benefit from close monitoring by Directorates and Improvement Boards. Going forward, the Improvement Programme Team will support the monitoring of these projects initially, but it is anticipated that over the coming months Directorates will assume this responsibility.

Corporate Priority 1: Deliver cleaner streets, better environmental services and keep crime low					
Directorate	Key Project	Objectives	Measure of success (KPI)	Timescale (start/ finish)	Leads (Project Manager/ Sponsor)
Comm. & Env.	Renew street lighting infrastructure through PFI	Part of a rolling programme to meet improved performance targets, achieve upper threshold BVPI's, to address H & S issues and to illuminate streets to new British Standards.	Harrow Cabinet approve selection of recommended bidder. Successful bidder is mobilised for contract commencement in April 2010 Procurement process achieved within budget	December 2009 January 2010 Contract start April 2010	PM: Dave Masters PS: Eddie Collier
Comm. & Env.	Redevelopment of Petts Hill Bridge & Highway Improvements <i>Flagship ref: 1.3</i>	Provision of bus priority at the junction of Petts Hill with Northolt Road and Alexandra Avenue and removal of the pinch point at Petts Hill Bridge. To improve routes for pedestrians and cyclists beneath the Chiltern Rail Line at Petts Hill by enhancing access to/from Northolt Park Station, segregating vehicular traffic and removing the current key discontinuity on the LCN+ route. To improve traffic movement by enhancing the traffic-signalled junction of Petts Hill and enhance the urban environment of Petts Hill Bridge.	The effect on journey times, reliability and queue lengths for all traffic and buses Review of personal safety and security for pedestrians Initial road safety assessment for all modes Reduction in bridge strikes Local consultation responses	March 2006 – 2010	PM: Hanif Islam PS: Eddie Collier

104

Corporate Priority 2: Redevelop the Town Centre					
Directorate	Key Project	Objectives	Measure of success (KPI)	Timescale (start/ finish)	Leads (Project Manager/ Sponsor)
Comm. & Env.	Town Centre public transport infrastructure programme	Replacement bus station Enhanced interchange and better environment around the approaches to Harrow on the Hill station	Replaced bus station Enhanced interchange and better environment Pedestrian Bridge – links Dandara and Harrow College sites	Replaced bus station (work on site mid 09) Completed end 2011	PM: Phil Greenwood PS: Andrew Trehern
105 Comm. & Env.	Town Centre Public Realm & Access Strategy	Develop a distinctive, high quality physical environment that is more durable, easier to maintain, alter and cleanse. Simplify and improve access to, from and within the Town Centre for all modes of transport	Phase 1: St Anns Rd – detailed design underway to enable start on site Phase 2: Station Rd –two-way bus working and easier access to Harrow Bus Station Phase 3: College Rd –two-way bus working and easier access to Harrow Bus Station Phase 4: Station Rd North – Enhanced key entry points to Town Centre (dependant on TfL funding)	Phase 1 – Start on site (June 08) Phase 2 – outline designs complete (June 08) Phase 3 – outline designs complete (June 08) Phase 4 -	PM: Phil Greenwood PS: Andrew Trehern
Comm. & Env.	Harrow College Programme <i>Flagship ref: 2.1</i>	Redevelopment of key town centre site and new link over railway. Create a high quality open space with the remodelled Lowlands Recreation Ground, including potential venue for outdoor performance. Increase the level of town centre housing. Reconfigured open space to be laid out on completion of new college, undertaken by Harrow College for LBH		Planning application expected (Feb 08) Confirmation of LSC funding (Jun 08) Start on site (Aug 08) College opens (Sep 2011) Reconfig -	PM: Phil Greenwood PS: Graham Jones

				start on site (2011) commence work (2012)	
--	--	--	--	--	--

Corporate Priority 3: Improve the well-being of adults and children and the care of those who most need our help					
Directorate	Key Project	Objectives	Measure of success (KPI)	Timescale (start/ finish)	Leads (Project Manager/ Sponsor)
Children's	Implement the LDD Strategic Plan	Complete a fundamental service review for provision for children with disabilities including modernising commissioning.	Improved self-assessment scores for SEN/CWD/Transition and continuing care – form 2 to 3 (over 75% with transition plan.	2007 – 2009	PM: Roger Rickman PS: Heather Clements
Children's	Implement care matters to improve the life chances of children looked after	To systematically implement an audit of social care files to ensure good quality of practice and recording and to inform its performance monitoring processes. To provide agreed and published threshold criteria for social care interventions and ensure they are disseminated to the front-line to further improve the level of referrals.	Evidence of systematic regular Audit Published eligibility criteria		PM: Gail Hancock PS: Paul Clark
Adults & Housing 107	Give people more control over their own lives by extending direct payments to more of those who are eligible		100 further social care service users to receive their own budget and arrange their own care compared to the 1676 current users.		PM: Debbie Robinson PS: Bernie Flaherty
Adults & Housing	Develop and implement a joint strategic needs assessment with PCT		From April 2008 Local Authorities (children's and adults services) and the PCT have a formal duty to start the process. The workshop that will be held in January 2008 will inform the workplans		PM: Sue Conn PS: Mark Gillett
Adults & Housing	Delivery of the Decent Homes Standard by 2010	Reduce the level of non decent homes 72% (as at 1 April 2007) to nil Recover shortfall in target for 2006/07 by 31/3/08	BVPI 184 No of non decent homes reduced to 44%	March 2010	PM: Alison Pegg PS: Paul Najsarek
Adults & Housing	Develop more preventative services	Produce scoping paper looking at current provision and availability. Set up a steering group for evaluation and subsequent work Develop plans to enhance and engage the	Scoping paper produced April 08 Evaluation of preventative services by end of October 08 Corss council and multi-agency preventative strategy produced – March 09	March 2010	PM: Peter Singh PS: Mark Gillett

		capacity within the voluntary sector	Plans to involve voluntary sector by December 08 Impact assessment undertaken by end of March 2010		
Adults & Housing	Commission for social care impaction (Learning Disability Action Plan)	Responding to the LD Inspection in addition to plans elsewhere in the TPP	PI for D55/6 above outer London average by March 08	March 08	PM: Doris Sheridan PS: Bernie Flaherty

Corporate Priority 4: Extend community use of schools while making education in Harrow even better						
Ref	Key Project	Objectives	Measure of success (KPI)	Timescale (start/ finish)	Leads (Project Manager/ Sponsor)	
	Children's	Ensure all CYP have access to a wide range of extended activities through the 7 community clusters	To continue the roll out affordable accessible childcare before and after school. To expand the range of holiday childcare places across the borough To provide a range of tailored services to support children and families	18 full service extended school by 2008 29 by 2009 57 by 2010	2007-2010	PM: Wendy Beeton PS: Paul Clark
	Children's	Build 16 Children's Centres across the borough <i>Flagship ref: 5.5</i>	To Deliver 9 Children Centres by 2008 To reach 7480 of Harrows most disadvantaged children To provide high quality childcare To provide a broad range of accessible services to children and their families.	Broad range of services in line with the Governments core offer available in every Children's Centre	September 2010	PM: Wendy Beeton PS: Paul Clark
109	Children's	Fight bullying and abuse by rolling out the Miss Dorothy Dot Com programme to all primary schools <i>Flagship ref: 1.8</i>	To help young people feel safe in Harrow by implementing this pilot to develop personal safety programme and to roll out to all primary schools from 2008	All primary schools to have received training and be participating in the programme by March 09. OFSTED to rate all participating schools as 'good' or 'outstanding' for Care Guidance and Support.	2006-2009	PM: Heather Clements PS: Paul Clark
	Children's	Develop a 14-19 Strategy	Ensure, through flexible pathways, that all young people are encouraged and have the opportunity to get into Education, Training or Employment with Training. To link with the local economic development strategy for information and mutual development. Vocational pathways developed across the Collegiate in partnership with the business community.	98% of young people in education training or employment with training by 2010. Compared with our current target of 95% by 07/08 and 95.4 in 08/09	2007-2010	PM: Heather Clements PS: Paul Clark

		<p>To continue to develop the Skills Centre to provide high quality vocational courses to a wide range of students from 14-19.</p> <p>Deliver school re-organisation so that Harrow schools are in line with the national agenda.</p>			
110	<p>Children's</p> <p>Narrowing the achievement gap for academic attainment</p> <p><i>Flagship ref: 4.3</i></p>	<p>Target Black African and Black Caribbean pupils for early intervention and support by rolling out the Black Pupil Achievement Project across all schools</p> <p>Initiation of pilot to target white working class boys' underachievement</p>	<p>Improved performance of black pupils in national tests so that they perform in line with other ethnic groups in the borough –</p> <p>2006 GCSE: 5+ A*-C Black African – 41.7% Black Caribbean – 45.2%</p> <p>2009 GCSE: 5+ A*-C Black African – 44% Black Caribbean – 48%</p> <p>Development of an intervention programme and improved outcomes for the small number of traveller children in the borough Reduced numbers of traveller children excluded from school</p> <p>Development of a pilot project to investigate the underlying causes of underachievement of white boys.</p>	2007-2009	<p>PM: Heather Clements PS: Paul Clark</p>
	<p>Children's</p> <p>Increase the number of Full Service Extended Schools offering access to culture, leisure and learning for CYP, their families and the local community</p>	<p>Improve facilities within clusters of schools to better provide facilities for sports and leisure</p> <p>To ensure every cluster has a needs analysis audit in place which steers the development of the services provided for the local community</p> <p>To develop the relationship with Watford Football Club in order to keep young people gainfully occupied and improve their health and wellbeing.</p>	<p>57 full service extended schools by 2010</p> <p>7 needs analysis audits in place</p>	2006-1010	<p>PM: Wendy Beeton PS: Paul Clark</p>

Children's	Design and build the new Whitmore High School and dual use leisure and arts facilities <i>Flagship ref: 4.1</i>			Design – 08/09 Demolish existing and new foundations – March 09	PM: Heather Clements PS: Paul Clarke
Children's	Establish provision for children on the autistic spectrum in mainstream primary schools	Develop 3 Additionally resourced centres for children on the Autistic Spectrum meeting the needs of 36 pupils		Summer 2009	PM: Roger Rickman PS: Heather Clements

111

Corporate Priority 5: Improve the way we work for our residents					
Ref	Key Project	Objectives	Measure of success (KPI)	Timescale (start/ finish)	Leads (Project Manager/ Sponsor)
Children's	Increase young people's involvement in local decision making through the development of the Youth Parliament and the role of Young Mayor <i>Flagship ref; 5.6</i>				PM: Richard Segalov PS: Paul Clarke
Comm. & Env.	Museum accreditation	To achieve accreditation for Harrow Museum and Heritage Centre	Access to funding sources Status of Museum	May 07 – Mar 08	PM: John Pennells PS: Bob Mills
112 mm. & v.	Replacement of Library management System <i>Flagship ref: 5.3</i>	To provide a more efficient computer system, with greater scope for self-service and interactive facilities for users	Fewer phone calls for checking, renewing and requesting stock. Improved user satisfaction (surveyed annually) through more targeted stock, and shorter queues	In progress - Sep 09	PM: Nikki Copleston PS: John Pennells

Corporate Priority 6: Develop communities where people from different backgrounds get on well together					
Directorate	Key Project	Objectives	Measure of success (KPI)	Timescale (start/finish)	Leads (Project Manager/Sponsor)
Comm. & Env.	Byron Park Development Programme	<p>Provide a new leisure centre, a skate park, bridge replacement, residential development and facilities for people with learning disabilities.</p> <p>Leisure centre: new leisure centre to be built on current stakeboard park. (PM: Richard Berry)</p> <p>Bridge replacement: relocate the Bridge Centre to a position closer to the new leisure centre. (PM: Mark Gillett)</p> <p>Skate park: Replace and enhance the skate park provision and position it in a prominent accessible location (PM: Lesley McConnell)</p>	<p>Application determined (May 08)</p> <p>Separate application for skate park determined (May 08). Construction begins (Jul 08)</p> <p>Relocation of current skate park (Jul 08). Begin construction (Jul 08)</p>		<p>PM:</p> <p>PS: Andrew Trehern</p>
Comm. & Env.	Hatch End Development Programme	<p>Provide a replacement library, swimming pool, leisure facility and residential development. Opportunity for consolidation of services/facilities on one site (School/PCT/Police/Leisure/Arts)</p> <p>Sports & leisure facilities: upgrading of bannister and local playing fields, to offer an integrated package of sports, leisure and fitness activities</p> <p>Replace library: replacement library to be integrated with leisure development</p>	<p>Tenders out – Mid 08</p> <p>Design brief/ feasibility study</p>		<p>PM: Lesley McConnell</p> <p>PS: Andrew Trehern</p>
Comm. & Env.	Plan to open Prince Edwards Playing Fields Football Centre of Excellence in 2008	Promote vibrant cultural and leisure opportunities and redevelop 44 acres of disused playing field	<p>Opening of the Playing Fields</p> <p>Creation of sustainable use agreements and sports partnerships</p>	July / August 2008	<p>PM: Phil Loveland-Cooper</p> <p>PS: Andrew Trehern</p>
Comm. & Env.	Replacement of Gayton Library	To provide a central library facility fit for purpose, as part of the improved cultural	Increased access to resources/ increased visitor rate.	Jan 2007-Mar 2010	<p>PM: Bob Mills</p> <p>PS: Javed</p>

	Flagship ref: 2.2	offer in central Harrow. Gayton Road Project to develop accessible tourist destination for central library, information, performing arts and exhibitions. Develop a design brief, communications and community engagement plan and specification around a new iconic multi-use space in the town centre.	Increased resident satisfaction levels Communications and community consultation plan begun. Community engagement in planning and ensuring accessibility and diversity in the services of the centre		Khan/Graham Jones
Comm. & Env.	Develop the community development strategy <i>Flagship ref: 10.3</i>	Implement the community development strategy	Capacity building Number of volunteers-Mori Delivery of the action plan	Sept 07-2010	PM: Kashmir Thakar PS: Javed Khan
Comm. & Env.	Embed refreshed community engagement strategy	Introduce consultation and engagement boards for service user involvement and feed the outcomes of these into continuous improvement plans	% of residents satisfied with services Recycling levels Residents who feel people from different backgrounds get on well	March 2010	PM: Kashmir Takhar PS: Javed Khan
114 Comm. & Env.	Community and Cultural Calendar <i>Flagship ref: 6.2</i>	Deliver key events in partnership with the voluntary and community sector e.g Under One Sky, Black History Month.	Numbers of attendance, number soft events MORI community cohesion	July 2007 and annual programme of activity	PM: Kashmir Takhar PS: Javed Khan
Comm. & Env.	Strategic Property Review	To take a corporate approach to property and maximise the return from assets	Use of resources (asset management) score. Total saving achieved. Delivery of disposal plan.	Ongoing	PM: Philip Loveland-Cooper PS: Andrew Trehern
Comm. & Env.	Improve the open space around the new Hindu School & build and agree programme for public realm improvement for Camrose Avenue	Use section 106 money from the school development to improve the quality of Camrose Ave Playing Fields	Planning approved New changing facilities built Playing fields drainage is complete	July 2007 2008/2009	PM: Philip Loveland Cooper PS: Graham Jones / Geoff Wingrove PH: Marilyn Ashton



June 2008

Overview and Scrutiny Committee

Report of the Scrutiny Challenge Panel

Council Improvement Programme

Members of the Challenge Panel

Cllr Paul Scott (Chairman)
Cllr Brian Gate
Cllr Mitzi Green
Cllr Richard Romain
Cllr Stanley Sheinwald

TABLE OF CONTENTS

CHAIRMAN'S INTRODUCTION & ACKNOWLEDGEMENTS	1
BACKGROUND	2
KEY OBSERVATIONS	3
RECOMMENDATIONS.....	6
CONCLUSION	7
APPENDIX ONE	8

CHAIRMAN'S INTRODUCTION & ACKNOWLEDGEMENTS

The Overview and Scrutiny committee was pleased to have been invited to participate in the development of the Council's Improvement Programme and I am delighted to have been able to chair this important investigation. The programme is designed to consolidate all of the various improvement plans deriving from a number of inspections that the authority has been through in the past 18 months. In so doing, it is hoped that it will provide a strategic focus to our internal processes and thus ensure that we are fit for purpose to deliver excellent services for our residents.

The challenge panel met on 4th June and we are grateful to those who provided us with the information upon which we based our challenge:

- Cllr Paul Osborn, Portfolio Holder for Performance, Communication and Corporate Services
- Michael Lockwood, Chief Executive
- Myfanwy Barret, Corporate Director Corporate Finance
- Lesley Clarke, Human Resources and Development Strategy Manager
- Carol Cutler, Director of Business Transformation and Customer Service
- Kireen Rooney, Programme Manager, Improvement Programme Team
- Tom Whiting, Divisional Director Strategy and Improvement

We would especially like to thank Chris Bowron, who has been seconded from the Improvement and Development Agency to support the development of the improvement programme for the particular support he provided to the panel in preparing its investigation.

This is a huge programme and is critical if the organisation is to improve its reputation and the services it delivers to local people. With this in mind we would welcome the opportunity to continue to engage with officers and portfolio holders to ensure the effective delivery of projects. To this end we intent to make a number of recommendations to the Overview and Scrutiny committee regarding additional projects and monitoring processes. These are included in our findings and recommendations below.

Cllr Paul Scott , Chairman Council Improvement Programme Challenge Panel

BACKGROUND

During the last 18 months, the council has been subject to a number of external performance assessments. These have included:

- Corporate assessment – December 2006
- Use of Resources score – annually
- Improvement and Development Agency peer review – December 2007
- Access to Services Inspection – March 2008

Each of these assessments identified ways in which the council needs to improve some of its corporate processes and functions if it is to be able to support overall improvement in the delivery of services to local people.

In order to respond to the findings of the assessments, the council has developed the council improvement programme to be delivered between now and 2011. The programme will be considered by Cabinet on 19th June.

All of the above assessments have drawn attention to the need for the council to improve some of its fundamental processes if it is to realise its ambition to be one of the best in London by 2012. By co-ordinating action in a single, combined programme the council hopes to ensure that actions are being targeted at the most important areas, that action is delivering real change and that the organisation is collectively focussed on improvement. A piecemeal approach to service improvement will not bring the step change that is required.

The Overview and Scrutiny committee was asked to provide challenge to the assumptions behind and the focus of the council improvement programme, the action proposed and the anticipated outcomes. In order to do this, it is a challenge panel was proposed.

The panel took place on 4th June 2008 as a round-table discussions between scrutiny councillors, council officers and the portfolio holder for Performance, Communication and Corporate Services. At the meeting the panel received detailed information on the content of the plan and was able to question and make recommendations on specific elements of the content and also to raise a number of strategic questions in relation to the delivery of the programme.

The panel comprised:

- Cllr Paul Scott (Chairman)
- Cllr Brian Gate
- Cllr Mitzi Green
- Cllr Richard Romain
- Cllr Stanley Sheinwald
-

The scope for the investigation was agreed by the Overview and Scrutiny committee in May and is attached as Appendix One

The panel's findings and recommendations are included in the pages that follow.

KEY OBSERVATIONS

The challenge panel's observations are summarised in the paragraphs below:

Overarching

- The development of the council improvement programme is long overdue and the panel wishes to put on record its gratitude to the Chief Executive and his colleagues for the production of the programme. We endorse its overall direction and recognise that it is clearly attempting a comprehensive response to the organisation's weaknesses. It is a welcome development.
- A key theme in the justification of the programme is the need for consistency in organisational procedures. We thoroughly endorse this.
- This is a huge programme of work. Whilst the panel acknowledges that this is inevitable if proper co-ordination of all of the disparate improvement projects and plans is to be achieved, we would stress that the council must have robust monitoring processes in place to oversee its successful overall delivery. We anticipate the scrutiny function, both Overview and Scrutiny committee and the Performance and Finance sub committee, playing a role in supporting the monitoring of the programme.
- We would also seek assurances that monitoring processes are sufficiently rigorous to ensure that we learn from the projects currently being undertaken and that we learn from failures. We see this programme as key to our improvement, it should take us forward and not be forced to continually address past failure.
- In the time available, we were not able to raise specific questions with regard to the overall governance of the programme but we would urge that the organisation ensures a robust system is put in place.
- The size of the programme means that in the time available, we do not feel that we have been able to devote adequate time to consideration of the detail in a number of the streams. In particular, we believe that the HR stream is critical to the success of the programme: if the council's staff are not properly equipped to undertake the tasks or are lacking in motivation as a result of poor morale, then the programme, no matter how well financially resourced, runs a serious risk of failure. With that in mind we will propose to the Overview and Scrutiny committee that it pays particular attention to the delivery of this theme.
- In the context of the HR stream we would also endorse the assertion of the need for managers to manage. This is critical to the delivery of the programme. However, we would also hope that managers are given the tools to manage and would also seek assurances that, in particular the importance of the middle management tier is acknowledged and that the morale of this critical layer of the organisation is supported. We look forward to receiving further advice on the implementation of the Management Development Programme, via the Corporate Effectiveness Lead Members.

- Whilst we recognise and endorse the need for a robust managerial approach to some of the difficulties faced by the organisation, we would suggest that whilst a 'stick' may be an appropriate solution in some circumstances, a 'carrot' will also support the delivery of improvement and may have a more positive impact upon morale. In the context of the example given to us, we would be interested to understand the broader impact of the sanctions for absence on the morale of the staff in question.
- Also in the context of rewards and sanctions we are particularly interested in the penalty likely to result from failure to deliver on key projects. Whilst we would urge clarity for the organisation on what constitutes 'failure', we would also comment that blockages to this crucial programme must be addressed in the most vigorous manner if the future of the organisation and all of its staff and services to our residents are not to be jeopardised.
- It is perhaps disappointing that we appear to be at such an embryonic stage in our journey to improvement. A number of projects discussed at the panel meeting were at the foundation stage or indeed proposed the implementation of systems that should, by now, have been part and parcel of the council's core activities - we refer here specifically to the use of complaints information. Delay in the delivery of improvement and modernisation of processes can put the council at risk and it is heartening to see that action is now being taken to put this right.
- In this context, we would also seek assurances regarding the process for ongoing development of the programme, its 'evolution'. It is critical that the programme, whilst obviously being monitored in its own right, is rooted in the service planning and performance monitoring processes of the council in order that it is able to respond to changes in need, best practice and priorities. It will not evolve in a vacuum.
- We would also comment on the inter-relationship of the various streams. Obviously these need a degree of separation for management purposes. However, as we alluded to in our discussions, the interrelationship between a number of projects and streams is clear. We would urge that the governance structures ensure that the interdependency of projects, for example, those relating to staff sickness, staff morale and customer care is not lost in the pursuit of individual project targets.
- Time did not allow us to address the issue of sequencing of the projects and streams and we would urge the Chief Executive and his project sponsors to ensure that all of the components of the improvement programme are implemented in a timely and appropriately sequenced manner.

Specific

During the panel a number of specific comments were made and these are summarised below:

Access to Services

- Greater attention needs to be given to the first impression given by staff to visitors in to the civic centre. In particular, the entrance to Civic One is gloomy and often overcrowded and thus confusing. This does not relay a message of competence to those using the civic centre.
- Decisions regarding definition of 'avoidable contact' need to be made consistently

Finance IT and Risk

- Whilst quick wins may be financially attractive, the council must ensure that in the long term these quick wins do not have a detrimental on service delivery and residents – the organisation must have a clear analysis of the long-term impact of decisions.
- There may be a number of opportunities for the development of partnership with local business in order to improve procurement performance. Whilst these local organisations may not have the profile of some of the larger suppliers, by working with them, the council may be able to broker effective contracts and can also support the development of the local economy.

Human Resources

- The organisation needs to be aware of the many influences that contribute to high sickness levels
- As councillors are as much a part of the improvement process as officers, some form of appraisal process should be introduced for members
- The pilot of the Management Development Programme for middle managers should be fully evaluated before the First Line Manager Programme is rolled out in order to sure that any amendments in the former are reflected in the latter.
- The process of 'succession planning' might be more usefully focussed on 'career planning'. Improving the career prospects of staff can mean that staff morale can be boosted and the council may be able to retain more of its staff.
- Resources for the HR stream is crucial and the panel does not wish to see any projects 'de-prioritised'. It is critical that sufficient resources are found to deliver this stream.

Cross Cutting

- The overall programme of projects will benefit from external peer/non executive director input where appropriate
- The impact of additional performance requests from central government and of running both the council improvement programme and service review programme on the organisation, whilst all necessary to resolve funding issues, should be monitored.

RECOMMENDATIONS

The council improvement programme challenge panel recommends that:

- the findings of the challenge panel are referred to cabinet for consideration with the council improvement programme on 19th June
- the report is referred to the Overview and Scrutiny committee for endorsement
- the report to the Overview and Scrutiny committee includes a recommendation regarding the need to
 - a. monitor the implementation of the programme overall
 - b. monitor a number of specific components of the programme in more detail

CONCLUSION

The panel thoroughly endorses the council improvement programme, our observations are not meant as criticisms but hopefully as comments that will help support the ongoing development of the programme and ultimately the delivery of improved services to our residents. Where we have made, or indeed make in future, suggestions for amendments to the programme, we hope they are helpful

We are extremely grateful for the opportunity to have contributed to the development of the programme. This programme belongs to all of us, staff, managers, backbench councillors and cabinet members, we look forward to offering further support in the future

**Council Improvement Programme Challenge Panel
5th June 2008**

APPENDIX ONE**COUNCIL IMPROVEMENT PROGRAMME CHALLENGE PANEL - DRAFT SCOPE**

1	SUBJECT	Council Improvement Programme Challenge Panel
2	COMMITTEE	Overview and Scrutiny
3	REVIEW GROUP	Cllr Sheinwald Cllr Green Cllr Versallion Cllr Gate TBC
4	AIMS/ OBJECTIVES/ OUTCOMES	To support the development of the council's council improvement programme
5	MEASURES OF SUCCESS OF REVIEW	<ul style="list-style-type: none">• The panel is able to provide effective challenge to the improvement programme• Cabinet welcome the comments made by the panel
6	SCOPE	The panel will: <ul style="list-style-type: none">• Challenge the assumptions upon which the revised council improvement programme is based• Challenge the focus of the action proposed• Consider the appropriateness of the action proposed• Challenge the effectiveness of the action proposed
7	SERVICE PRIORITIES (Corporate/Dept)	Improve the way we work
8	REVIEW SPONSOR	Michael Lockwood, Chief Executive
9	ACCOUNTABLE MANAGER	Tom Whiting, Divisional Director Strategy and Improvement
10	SUPPORT OFFICER	Lynne McAdam, Service Manager Scrutiny
11	ADMINISTRATIVE SUPPORT	From existing resources
12	EXTERNAL INPUT	None

13	METHODOLOGY	<p>Summary papers outlining context for the development of the improvement plan:</p> <ul style="list-style-type: none"> • I&DeA Peer Review report • Corporate assessment outcomes • CPA outcomes • Access Harrow inspection report <p>Development of key lines of enquiry Round table panel discussion to investigate four areas of scope with:</p> <ul style="list-style-type: none"> • Divisional Director, Strategy and Improvement • Divisional Director HR & Development • Director of Business Transformation and Customer Services • Corporate Director Corporate Finance • Improvement Programme Consultant
14	EQUALITY IMPLICATIONS	The council improvement programme is designed to support the council in its ambition to become one of the best councils in London by 2012. In delivering this ambition, the council will support the delivery of excellent services to one of the most diverse communities in London.
15	ASSUMPTIONS/ CONSTRAINTS	The costs of the challenge panel will be met from within existing resources
16	SECTION 17 IMPLICATIONS	None specific
17	TIMESCALE	The timetable for completion of the challenge panel means that it must take place between 21 st March and 7 th June
18	RESOURCE COMMITMENTS	Lynne McAdam, Service Manager Scrutiny
19	REPORT AUTHOR	Lynne McAdam, Service Manager Scrutiny
20	REPORTING ARRANGEMENTS	<p>Outline of formal reporting process:</p> <p>To Service Director <input checked="" type="checkbox"/> When by 7th June 2008 To Portfolio Holder <input type="checkbox"/> When..... To CMT <input type="checkbox"/> When..... To Cabinet <input checked="" type="checkbox"/> When 19th June 2008</p>
21	FOLLOW UP ARRANGEMENTS (proposals)	TBC

Unison response to the Council Improvement Plan

Unison would raise concerns with regards to the future of the IT department we believe that this area of expertise should remain an in-house service, and should be supported rather than under resourced and for the resources to be fairly allocated between partner (Capita BTP) and in house IT services and for efficiencies to be seen on a fair and equal basis. This service would allow the council to retain control of the systems used by this authority, and not to be fully influenced by an outside or partnership body, we have seen the affect to other service areas when savings from the councils partners are not met. The services of the in house IT department, Unison believe has been set up to fail over a three year period. The BVI indicators have been positive for the in-house service.

Unison strongly objects to the role out of contribution based pay (contribution and Reward) as this is a clear breach of the contractual rights and arrangements for all employees of the council. This system would be based on the employers' discretion whether to allow the employee to progress to the next wage increment, and would be used as a method of savings; this in turn will result in low morale and poor performance; which contradicts the basis of this improvement plan. This pay scheme if abused may in turn provide a platform for equal pay claims, and the costs could spiral. The matter in front of cabinet tonight has circumvented the right to consult and negotiate with all parties and put forward by an arbitrary decision from the head of the HR department, as illustrated by the improvement plan and the unrealistic time scales imposed 'two days given to respond to cabinet plus one day consultation' on this important issue. Unison would draw to your attention the failure to adhere to the current policies and procedures by management and HR. The interpretation of these policies and the 'discretion' of managers has at best been inconsistent and as such any proposed performance based pay should be withdrawn from implementation. Unison would request that this matter be returned to the negotiating table, rather than progressed in an arbitrary manner.

Management Development- Unison has major concerns regarding the amount of investment that continues to be made in the training and development of manages. To date the investment has not been realised in the any improvement of performance and contribution by managers to good workforce relations in many areas of the council. The latest investment in

this area was stated during the presentation of the improvement plan as in the region of £70,000, what proportion does this figure represent in regard to the overall workforce training/development investment. Unison questions the reasoning behind the need to continually and repeatedly train managers?

A culture change will only occur if the morale of the staff is increased. By the introduction of this improvement plan it is likely to achieve will the reverse effect. This improvement plan was presented to Unison to resolve the low morale that has been uncovered by the Authority. This hastily progressed document should be returned to the negotiation table for creative input that would encompass the views of the whole workforce.

The inappropriate use of temporary and agency staff provides Unison with a clear picture of mismanagement; not just money but this also suppresses the Councils equal opportunities employer status by providing employment outside of the competitive process. The total misuse of the as-and-when policy has resulted in extra costs being aligned to certain departments. Again Unison asks; what cost is attributed by this mismanagement?

Unison is extremely disappointed by the way in which the officers of the council are dismissive of any union in-put this again is clearly seen by the limited time scales given and by the clear reduction in time to respond.



Meeting:	Cabinet
Date:	19 June 2008
Subject:	Strategic Approach to School Reorganisation
Key Decision:	Yes
Responsible Officer:	Director Schools and Children's Development, Heather Clements,
Portfolio Holder:	Portfolio Holder, Schools and Children's Development Cllr Anjana Patel
Exempt:	No
Enclosures:	Annexe 1 Proposals for Individual Schools Annexe 2 High Level Timeline Annexe 3 Workstream Groups

Section 1 – Summary and Recommendations

This report presents an up-date of the work of the School Reorganisation Stakeholder Reference Group and proposes to undertake consultation to change school organisation and the ages of transfer in Harrow. It also informs Cabinet of the Department for Children, Schools and Families (DCSF) consultation on Building Schools for the Future (BSF).

Recommendations:

Cabinet is requested to:

1. Consider and note the progress of the work of the Stakeholder Reference Group.
2. Agree to undertake a consultation on school reorganisation to change the ages of transfer and age ranges in community schools in Harrow, in accordance with DCSF Guidance to change community schools, with effect from September 2010. The proposed changes will establish:
 - separate first schools (Reception to Year 3) as infant schools (Reception to Year 2)
 - separate middle schools (Year 4 to Year 7) as junior schools (Year 3 to Year 6)
 - combined first and middle schools (Reception to Year 7) as primary schools (Reception to Year 6)
 - high schools (Year 8 to Year 11) as secondary schools with 6th form provision (Year 7 to Year 13)

3. Receive a further report in early 2009 outlining the comments received during the consultation and to consider whether to publish statutory notices.
4. Agree to delegate responsibility to the Director of Schools and Children's Development in consultation with the Portfolio Holder Schools and Children's Development to submit a response to the DCSF consultation and an Expression of Interest for Building Schools for the Future funding in response to the DCSF guidance.

Reason: (For recommendation)

Cabinet re-affirmed their commitment to changing the age of transfer at their meeting in October 2007 and established the Stakeholder Reference Group. To exercise the local authority's statutory responsibility in relation to school organisation, consultation on proposals is required. This report will enable the Stage 1 consultation to reorganise community schools in Harrow.

Section 2 – Report

2.1 Introduction

- 2.1.1 The Strategic Approach to School Reorganisation and the potential outcome to change the ages of transfer will contribute to the Corporate Priority to extend community use of schools while making education in Harrow even better.
- 2.1.2 The Vision for Education agreed by Cabinet at their meeting on 21 May 2008 will underpin the development of the strategic approach to school reorganisation.
- 2.1.3 Cabinet's commitment to changing school reorganisation in Harrow is consistent with a range of National and Local policies impacting currently on Children's Services and schools. These include:
 - the aspirations from the Children's Plan,
 - Every Child Matters
 - the local authority's role as champion for pupils and parents
 - the consultation on BSF and the opportunity to re-submit expressions of interest to bring forward BSF funding for Harrow schools, and
 - the investment opportunity provided through the DCSF Primary Capital Programme.

2.2 Background

- 2.2.1 At their meeting in October 2007, Cabinet agreed a Strategic Approach to School Organisation. The rationale for changing school organisation was outlined in the report grouped under the headings Organisation, Education and Social Factors and Stakeholder Support. Cabinet resolved:
 - i) Commitment to implementing changes in the age of transfer from 12 to 11 years of age to secondary school and from 8 to 7 years of age to Junior School.
 - ii) To establish a Stakeholder Reference Group.

- iii) The submission of a revised Building Schools for the Future (BSF) bid in accordance with the Department for Children, Schools and Families guidance be agreed.
 - iv) An amended amalgamation policy be agreed.
- 2.2.2 The amalgamation policy continues to be implemented when circumstances within the policy are met. Proposals arising from the application of the amalgamation policy will be reported to Cabinet accordingly.
- 2.2.3 The DCSF are undertaking a consultation on the management of future waves of the BSF programme. It is expected that guidance will be issued in August and submission made by October 2008. To enable the preparation and submission of the consultation response and the Expression of Interest, Cabinet are requested to agree to delegate responsibility to the Director of Schools and Children's Development in consultation with the Portfolio Holder Schools and Children's Development to agree the submissions in accordance with the DCSF's timeline and guidance.
- 2.2.4 The remaining focus of this report is on the Stakeholder Reference Group and proposals to consult on changing the age of transfer.

Options considered

2.3 School Organisation in Harrow

- 2.3.1 There are several models of school organisation in Harrow. Community schools in the primary sector in Harrow are organised as separate first schools, Reception to Year 3, separate middle schools, Year 4 to Year 7, combined first and middle schools Reception to Year 7. High schools are currently Year 8 to Year 11; however the addition of sixth forms means that from September 2008, the high schools will be Year 8 to Year 13. The organisation of the special schools will also need to be reviewed to align them with mainstream schools. There are more flexible practices currently that allow some pupils to transfer to special high schools at the end of Year 6.
- 2.3.2 The Strategic Approach to School Reorganisation project is inclusive of the voluntary aided sector. Voluntary aided schools are included in the discussions to do with the project and the workstreams. The education vision has been discussed with diocesan bodies, who are supportive of the approach.
- 2.3.3 The primary schools in the voluntary aided sector (Roman Catholic, Church of England, Jewish and Hindu) are combined first and middle schools or primary schools. The Roman Catholic secondary schools are Year 7 to Year 11. From September 2009 these secondary schools will be Year 7 to Year 13. The Governing Bodies have responsibility for the organisation of their schools. It is proposed that local authority officers offer to work with the governing bodies of the voluntary aided schools to co-ordinate the process for them to bring forward statutory notices, if they so choose, to make changes and align their schools with the arrangements proposed for community sector schools.

2.3.4 The proposed reorganisation for Community Schools is summarised in the table below. There are no proposals to change the number of places in the first and middle schools. The proposals for individual schools are listed in Annexe 1.

Current Organisation (no. of schools)	Year Groups	Proposed Organisation (no. of schools)	Year Groups
First Schools (16)*	Reception to Year 3	Infant Schools (16)*	Reception to Year 2
Middle Schools (16)*	Year 4 to Year 7	Junior Schools (16)*	Year 3 to Year 6
Combined First and Middle Schools (13)*	Reception to Year 7	Primary Schools (13)*	Reception to Year 6
Special Schools (2)	Reception to Year 7	Special Primary Schools (2)	Reception to Year 6
High Schools (8) **	Year 8 to Year 11	Secondary Schools (8)	Year 7 to Year 13
Special High Schools (2)	Year 7 to Year 13	No change	

Notes:

* *These numbers may be subject to change. On 21 May 2008, Cabinet decided to publish statutory proposals to amalgamate the West Lodge schools. There may be further consultations about proposals to amalgamate schools that may affect these numbers.*

** *With effect from September 2008, community high schools will be Year 8 to Year 13 including sixth form provision*

2.4 Timescale for Implementation of Proposals

2.4.1 It is proposed that school reorganisation is implemented in September 2010 and that the proposals for each individual school are subject of consultation in accordance with the DCSF Guidance Stage 1 during September, with the consultation ending in early December 2008. An outline high level timeline is provided in Annexe 2.

2.5 Impact of School Reorganisation

2.5.1 The strategic change to school organisation proposed is a complex project that will impact on all community schools in Harrow and has the potential to impact on those schools in the voluntary aided sector also organised with Year 7 pupils. The headline impacts are:

- In September 2010, the first year of the change, pupils in Year 2 and Year 3 at the end of the summer term 2010 in separate first schools will transfer to the newly established junior schools. In the current Academic Year 2007-08 these pupils are in Reception and Year 1.

- Pupils in Year 6 and Year 7 at the end of the summer term 2010 in separate middle schools and combined schools will transfer to newly established secondary schools. In the current Academic Year 2007-08 these pupils are in Years 4 and 5.
- The admissions arrangements will need to be agreed in accordance with the statutory process, meet the requirements of the New Code of Practice and the Admissions Service will need to manage four cohorts of pupils transferring in September 2010.
- SEN statements for all pupils transferring will need to be completed and appropriate induction and curriculum planning in place.
- Appropriate accommodation will need to be available for the pupils changing schools and capital funding deployed to meet these needs. Available sources include Schools Devolved Formula Capital, DCSF modernisation and Basic Need funding, Primary Capital Programme and BSF funding.
- School budgets will need to be adjusted to reflect the movement of pupils, and transitional arrangements agreed within the available funding from the Direct Schools Grant (DSG)
- School staffing structures will need to be reviewed and appointments made appropriate for the school organisation
- Parents, staff and governors will need to be consulted and informed of the proposals and the changes
- Statutory processes will need to be completed to implement the changes
- Curriculum planning, teaching and learning strategies, induction processes etc will need to be in place for the schools

2.6 Stakeholder Reference Group

2.6.1 The Stakeholder Reference Group was established in February 2008. It is a representative group with the remit to provide advice and guidance on the refinement of proposals and options for implementation to change the age of transfer. The Group is chaired by the Portfolio Holder for Children's Services and is supported by a range of officers.

2.6.2 The Stakeholder Reference Group (SRG), which is not a decision-making group, has considered a range of focused workstreams regarding school reorganisation. These are listed as follows:

- i) Admissions
- ii) Capital
- iii) Consultation and Communication
- iv) Curriculum, Teaching and Learning
- v) Early Years and Extended Schools
- vi) Finance
- vii) Pupil Projections and Demographics
- viii) School Leadership, Governance and Management
- ix) Special Education Needs
- x) Workforce Strategy

2.6.3 A Project Officer Team supports the SRG. Each workstream within the project is lead by a senior officer. There are representative working groups for the Admissions, Finance and Workforce Strategy

workstreams with headteachers, governors and union representatives. Officers are developing the other work streams. There are links and cross cutting themes between all the workstreams and the working groups meet jointly as required. Each workstream has a project scope document which includes reference to key milestones. The diagram in Annexe 3 illustrates the workstream groups.

2.7 Workstreams Progress to Date on Key Impacts

Admissions

- 2.7.1 The Admissions Group are considering admission arrangements to ensure that they meet the Admissions Code of Practice and are fair to all parents. The arrangements are also being considered in the context of proposed changes to school organisation. There will be an exercise during June and July 2008 to gather 'soundings' on models of admissions. This will be followed by a formal consultation in the Autumn Term 2008. The models developed for consultation will be informed by the soundings.

Capital

- 2.7.2 School Site Development Plans for all high schools have been commissioned and are being agreed with Headteachers and Chairs of Governors. The plans include the provision for Year 7 pupils and the sixth forms. These plans will form the basis of the BSF submission in September 2008.
- 2.7.3 In the primary school sector, there is a rolling programme of completing School Site Development Plans. The Schools' Asset Management Data has been reviewed and up-dated. A desktop exercise is being undertaken to identify potential capacity in schools, which could be used to expand capacity for places in the future. The submission for the Primary Capital Programme is being prepared and agreed for submission by 16 June 2008.

Consultation and Communications

- 2.7.4 A communication and consultation plan is being developed that will be implemented following the Cabinet decision in June. There will be a DCSF Statutory Stage 1 consultation from September to December 2008. The Stakeholder Reference Group considered the most efficient mechanisms for communication and suggested the following: school based meetings using a standard presentation prepared by the local authority, road shows, newsletters for staff, governors and parents in addition to a website and dedicated email address.

Curriculum, Teaching and Learning/Leadership, Governance and Management

- 2.7.5 The approach adopted to address School Improvement and Leadership issues is to mainstream activities arising from changes to school organisation to Harrow's School Improvement Strategies. For example, the Review of the Secondary Curriculum would be implemented nationally but in Harrow this will now be in the context of the change in age of transfer. Opportunities to engage school senior management teams are being implemented to support the development of approaches to a range of issues including pupils' induction programmes, pastoral systems, curriculum planning. This group has a link with the Workforce Strategy in relation to workforce re-

structuring and training for staff. Investigations are being undertaken to confirm if New Instruments of Governance are required.

Finance

- 2.7.6 There have been a series of modelling exercises undertaken to illustrate the overall impact on school budgets generated by funding following pupils. The challenge for this group is to move from a high level position of understanding to more specific impact on individual school budgets and then to determine an acceptable middle position. Further considerations are being given to the Government's Minimum Funding Guarantee, LA Protection and transitional funding arrangements that are affordable within the available resources of the Direct Schools Grant (DSG) and avoid redundancies and associated costs.

Pupil Projections and Demographics

- 2.7.7 Pupil population and roll projections have been completed and there is an indication of an increase in the number of 4-10 year olds by 2015. This is generated from increases in population and potential growth in child yield from housing developments. Schools will be identified with the potential to increase capacity for places in the future.

Special Educational Needs

- 2.7.8 The main issues highlighted to date are the need for statements of special educational needs to be reviewed and published for all pupils transferring and to ensure that the needs of pupils with special educational needs are met within the planning of the curriculum group. The special schools' age ranges will need to be aligned with primary and secondary phases. This will mirror the current practices.

Workforce Strategy

- 2.7.9 An initial impact assessment exercise has been completed to identify the potential number of posts affected by the proposed changes. This is based on general assumptions, which need to be developed further into specific assumptions. The effects on schools will vary according to the profile of the staff and existing staffing structures. The group are working towards an agreed statement on the avoidance of redundancy and process for managing change. Advice regarding re-structuring will be re-issued to schools after Cabinet. There will be further joint meetings with the Finance Group to ensure that resource issues are considered together.

2.8 Implications of the Recommendation

Equalities Impact

- 2.8.1 An initial Equalities Impact Assessment has been undertaken and this will be reviewed throughout the project. Overall the alignment of Harrow community schools with the VA sector and neighbouring boroughs will enhance the equality of opportunity and choice for young people.

Legal comments

- 2.8.2 The Education and Inspections Act 2006 provides a framework for consultation, publication and determination of statutory notices in respect of proposals for schools, including changing the age range. There are responsibilities for both local authorities and governing

bodies within this legislation to bring forward proposals for changes to schools. Changes to Admissions Arrangements are also included in this Legislation.

- 2.8.3 If the project proceeds school governing bodies will have access to legal advice under the terms of their Service Level Agreement (SLA) for Legal Services and for Human Resources and Development Services.

2.9 Financial Implications

- 2.9.1 The School Reorganisation project is being managed currently within existing resources. In the formation of the implementation strategies, each of the workstream leads is developing the business case for additional resources. It is expected in some areas that there will need to be a time limited additional resource. For example, managing four cohorts of admissions for September 2010 and, supporting schools to re-structure accordingly. Additional resources will only be considered where the School Reorganisation project is generating additional work that would not usually arise as part of a service. Any additional requirements for school organisation will be included in the MTBS process.

- 2.9.2 The Finance Working Group is considering the revenue implications for Schools. Any changes to the funding formula will need to be agreed by the Schools Forum and contained within the Dedicated Schools Grant.

- 2.9.3 Capital funding will be available from a range of sources including Schools' Devolved Formula Capital, DCSF Modernisation Funding, Primary Capital Programme and Building Schools for the Future.

- 2.9.4 For Harrow to be part of the Building Schools for the Future programme there will need to be sufficient funding to support the process and satisfy the DCSF that this will be available. The process includes the development of Strategies for Change for Schools for each school. In addition, the Council will need to establish an appropriate vehicle to procure the building programme. The DCSF's preferred model is a Local Education Partnership (LEP). This procurement will be through the Competitive Dialogue Process and will incur costs for technical, legal and other professional advisers. The costs will be developed further once the position of Harrow in the BSF programme is clarified.

2.10 Performance Issues

- 2.10.1 Delivering School Reorganisation so that Harrow Schools are in line with the national agenda is Council Improvement Plan project IP7D and contributes to a range of performance indicators, in particular the following from the new National Indicator Set. NI 72 – 109 'Enjoy and Achieve' indicators covering Key Stage achievement and progression, narrowing the gap for lower performing and vulnerable groups, attendance, behaviour, special educational needs.

- 2.10.2 Whilst Harrow's performance is currently above national and statistical neighbours averages at all Key Stages, Harrow's targets, which are set annually for the DCSF, are highly challenging. The table below

presents Harrow's performance against its targets and the national averages.

Harrow's 2006-07 Results

KS1	Actual	Target	National
Reading L2+	84.7%	Not set	84%
Writing L2+	81.0%	Not set	80%
Maths L2+	90.5%	Not set	90%
Science L2+	88.2%	Not set	89%
KS2	Actual	Target	National
English L4+	82%	85%	80%
Maths L4+	79%	85%	77%
Science L4+	88%	Not set	88%
KS3	Actual	Target	National
English L5+	79%	82%	74%
Maths L5+	79%	80%	76%
Science L5+	75%	78%	73%
GCSE	Actual	Target	National
% 5+ A*-C	68.0%	67.5%	62.0%
% 5+ A*-C incl E&M	56.1%	Not set	46.8%

2.11 Risk Management Implications

2.11.1 Each of the work stream leads has developed a Risk Log including actions to mitigate potential risks. These will be subject to on-going review and development.

Section 3 - Statutory Officer Clearance

Name: Bharat Jashapara..... <input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 23.5.08.....	
Name: Helen White..... <input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 20.5.08.....	

Section 4 – Performance Officer Clearance

Name: David Harrington <input checked="" type="checkbox"/>	on behalf of the Divisional Director (Strategy and Improvement)
Date: 22.5.08.....	

Section 5 - Contact Details and Background Papers

- Annexe 1 Proposals for Individual Schools
- Annexe 2 High Level Timeline
- Annexe 3 Workstream Groups

Contact: Johanna Morgan, Service Manager, Partnerships and Well-Being,
020 8736 6841

Background Papers:

- Paper 1 Cabinet Report Strategic Approach to School Organisation
October 2007
- Paper 2 Department for Children Schools and families (DCSF) Building
Schools for the Future (BSF) Consultation

Current and Proposed Organisation for Primary Phase Schools

Separate First Schools	Current Organisation			Proposed Organisation			
	Year Groups September 2008	No of Year Groups	Planned Admission No	Proposed Organisation	Year Groups September 2010	No of Year Groups	Planned Admission No
Belmont First School	Reception to Year 3	4	60	Belmont Infant School	Reception to Year 2	3	60
Cannon Lane First School	Reception to Year 3	4	90	Cannon Lane Infant School	Reception to Year 2	3	90
Elmgrove First School	Reception to Year 3	4	82	Elmgrove Infant School	Reception to Year 2	3	82
Grange First School	Reception to Year 3	4	60	Grange Infant School	Reception to Year 2	3	60
Kenmore Park First	Reception to Year 3	4	90	Kenmore Park Infant School	Reception to Year 2	3	90
Longfield First	Reception to Year 3	4	90	Longfield Infant School	Reception to Year 2	3	90
Pinner Park First School	Reception to Year 3	4	90	Pinner Park Infant School	Reception to Year 2	3	90
Priestmead First	Reception to Year 3	4	90	Priestmead Infant School	Reception to Year 2	3	90
Roxbourne First School	Reception to Year 3	4	90	Roxbourne Infant School	Reception to Year 2	3	90
Roxeth Manor First School	Reception to Year 3	4	90	Roxeth Manor Infant School	Reception to Year 2	3	90
Stag Lane First School	Reception to Year 3	4	90	Stag Lane Infant School	Reception to Year 2	3	90
Stanburn First	Reception to Year 3	4	90	Stanburn Infant School	Reception to Year 2	3	90
Weald First School	Reception to Year 3	4	90	Weald Infant School	Reception to Year 2	3	90
Welldon Park First School	Reception to Year 3	4	90	Welldon Park Infant School	Reception to Year 2	3	90
West Lodge First	Reception to Year 3	4	90	West Lodge Infant School	Reception to Year 2	3	90
Whitchurch First	Reception to Year 3	4	90	Whitchurch Infant School	Reception to Year 2	3	90

Separate Middle Schools	Current Organisation			Proposed Organisation			
	Year Groups September 2008	No of Year Groups	Planned Admission No	Proposed Organisation	Year Groups September 2010	No of Year Groups	Planned Admission No
Belmont Middle School	Year 4 to Year 7	4	60	Belmont Junior School	Year 3 to Year 6	4	60
Cannon Lane Middle	Year 4 to Year 7	4	90	Cannon Lane Junior School	Year 3 to Year 6	4	90
Elmgrove Middle School	Year 4 to Year 7	4	82	Elmgrove Junior School	Year 3 to Year 6	4	82
Grange Middle School	Year 4 to Year 7	4	60	Grange Junior School	Year 3 to Year 6	4	60
Kenmore Park Middle School	Year 4 to Year 7	4	90	Kenmore Park Junior School	Year 3 to Year 6	4	90
Longfield Middle School	Year 4 to Year 7	4	90	Longfield Junior School	Year 3 to Year 6	4	90
Pinner Park Middle School	Year 4 to Year 7	4	90	Pinner Park Junior School	Year 3 to Year 6	4	90
Priestmead Middle	Year 4 to Year 7	4	90	Priestmead Junior School	Year 3 to Year 6	4	90
Roxbourne Middle School	Year 4 to Year 7	4	90	Roxbourne Junior School	Year 3 to Year 6	4	90
Roxeth Manor Middle School	Year 4 to Year 7	4	90	Roxeth Manor Junior School	Year 3 to Year 6	4	90
Stag Lane Middle School	Year 4 to Year 7	4	90	Stag Lane Junior School	Year 3 to Year 6	4	90
Stanburn Middle	Year 4 to Year 7	4	90	Stanburn Junior School	Year 3 to Year 6	4	90
Weald Middle School	Year 4 to Year 7	4	90	Weald Junior School	Year 3 to Year 6	4	90
Welldon Park Middle School	Year 4 to Year 7	4	90	Welldon Park Junior School	Year 3 to Year 6	4	90
West Lodge Middle School	Year 4 to Year 7	4	90	West Lodge Junior School	Year 3 to Year 6	4	90
Whitchurch Middle	Year 4 to Year 7	4	90	Whitchurch Junior School	Year 3 to Year 6	4	90

Combined Schools	DRAFT Current and Proposed Organisation for Primary Phase Schools						
	Current Organisation			Proposed Organisation			
	Year Groups September 2008	No of Year Groups	Planned Admission No	Proposed Organisation	Year Groups September 2010	No of Year Groups	Planned Admission No
Alyward F & M School	Reception to Year 7	8	60	Alyward Primary	Reception to Year 6	7	60
Cedars Manor F& M School	Reception to Year 7	8	60	Cedars Manor Primary	Reception to Year 6	7	60
Earlsmead F& M School	Reception to Year 7	8	60	Earlsmead Primary	Reception to Year 6	7	60
Glebe F& M School	Reception to Year 7	8	52	Glebe Primary	Reception to Year 6	7	52
Grimsdyke F& M School	Reception to Year 7	8	60	Grimsdyke Primary	Reception to Year 6	7	60
Little Stanmore F& M School	Reception to Year 7	8	30	Little Stanmore Primary	Reception to Year 6	7	30
Marlborough F& M School	Reception to Year 7	8	60	Marlborough Primary	Reception to Year 6	7	60
Newton Farm F & M School	Reception to Year 7	8	30	Newton Farm Primary	Reception to Year 6	7	30
Norbury F& M School	Reception to Year 7	8	60	Norbury Primary	Reception to Year 6	7	60
Pinner Wood F& M School	Reception to Year 7	8	60	Pinner Wood Primary	Reception to Year 6	7	60
Roxeth Nursery, First and Middle	Reception to Year 7	8	60	Roxeth Primary	Reception to Year 6	7	60
Vaughan F& M School	Reception to Year 7	8	60	Vaughan Primary	Reception to Year 6	7	60
Whitefriars F& M School	Reception to Year 7	8	60	Whitefriars Primary School	Reception to Year 6	7	60

Special Schools	Current Organisation			Proposed Organisation			
	Year Groups September 2008	No of Year Groups	Number of Places	Proposed Organisation	Year Groups September 2010	No of Year Groups	Number of Plaes
Alexandra F& M School	Reception to Year 7	8		Alexandra Primary School	Reception to Year 6	7	
Woodlands School	Reception to Year 7	8		Woodlands Primary School	Reception to Year 6	7	

Voluntary Aided Schools	Current Organisation			Proposed Organisation			
	Year Groups September 2008	No of Year Groups	Planned Admission No Reception	Proposed Organisation	Year Groups September 2010	No of Year Groups	Planned Admission No
St Anselm Primary	Reception to Year 6	7	60				
St Bernadettes RC Primary	Reception to Year 6	7	60				
St George's Primary	Reception to Year 6	7	60	Any changes to voluntary aided schools will need to be considered and brought forward by the Governing Bodies and Diocesan Boards			
St John Fisher RC F&M	Reception to Year 7	8	60				
St Josephs Primary School	Reception to Year 6	7	60				
St Teresa's F&M School	Reception to Year 7	8	60				
St John's C of E School	Reception to Year 7	8	60				
Moriah Primary	Reception to Year 6	7	30				
Krishna Avanti	Reception to Year 7	8	30				

First Schools	16
Middle Schools	16
Combined	13
Special Primary	2
VA	9
Total	56

DRAFT
Current and Proposed School Organisation for Community High Schools

High Schools	Current Organisation			Proposed Organisation		
	Year Groups September 2008	No of Year Groups	Planned Admission No Years 8 - 11	Year Groups September 2010	No of Year Groups	Planned Admission No Year 7 - 11 ***
Bentley Wood High School	Year 8 to Year 13	6	180	Year 7 to Year 13	7	180
Canons High School	Year 8 to Year 13	6	180	Year 7 to Year 13	7	180
Hatch End High School	Year 8 to Year 13	6	300	Year 7 to Year 13	7	300
Harrow High School	Year 8 to Year 13	6	180	Year 7 to Year 13	7	180
Nower Hill High School	Year 8 to Year 13	6	300	Year 7 to Year 13	7	300
Park High School	Year 8 to Year 13	6	280	Year 7 to Year 13	7	300
Rooks Heath High School	Year 8 to Year 13	6	210	Year 7 to Year 13	7	270
Whitmore High School	Year 8 to Year 13	6	260	Year 7 to Year 13	7	270
Kingsley High School*	Year 7 to Year 13	7		No change		
Shaftesbury High School**	Year 7 to Year 14	6		Year 7 to Year 14	7	

*Kingsley High School - no change is required to Kingsley High School. Special Schools do not have Planned Admission Numbers but a total number of places

**Shaftesbury High School - Special Schools do not have Planned Admission Numbers but a total number of places

***Planned Admission No Year 7 - these are the maximum number of places being considered.

This page is intentionally left blank

Strategic Approach to School Re-Organisation In Harrow

High Level Outline Plan

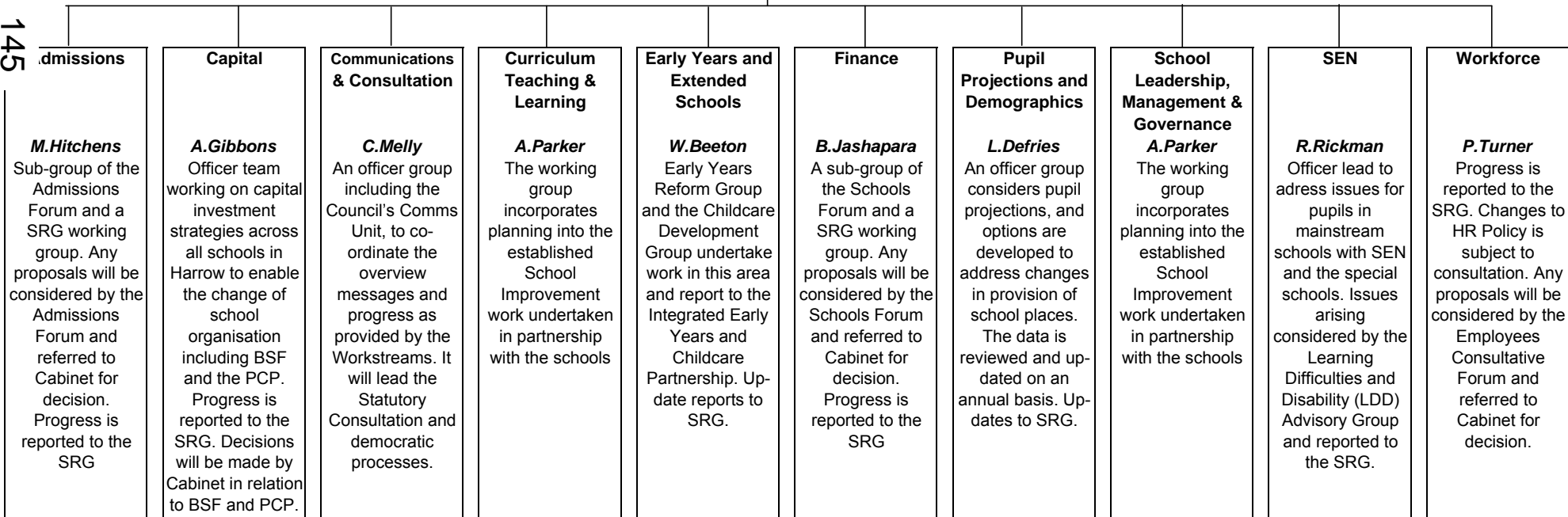
Date	Action
February 2008	Establish Stakeholder Reference Group
June 2008	Report to Cabinet on Proposals for Consultation
July 2008	Soft Consultation starts
September 2008	Formal Consultation on Proposals for change
December 2008	Consultation ends
January 2009	Report to Cabinet outcomes of consultation
February 2009	Publish Statutory Notices
March 2009	Report to Cabinet to Determine Statutory Notices
September 2010	Year 7 & 8 pupils admitted to Secondary Schools Year 3 & 4 pupils admitted to Junior Schools

This page is intentionally left blank

This diagram illustrates the Workstreams reporting to the SRG. The lead of the workstream is in italics. For some groups there are specific working groups with representative headteachers, governors and union members. The SRG is not a decision making group. Cabinet are responsible for final decisions. Where there are other formal stages in the decision making process these are indicated in the text.

Stakeholder Reference Group			
Councillors Christine Bednell (Chair) Bill Stephenson Anjana Patel	Headteacher Representatives Janice Howkins High Schools Pauline Atkins Special Schools Joy Lawrence Middle Schools Kim James First Schools Chris McDermott First & Middle Schools	Governors Sangita Patel First Schools & Middle Schools Diana La Rue High Schools Sue Chaplin Combined F&M Schools Local Authority Heather Clements Director Schools and Children's Development	Professional Associations Lynne Ahmad UNISON Lynne Snowdon NUT John Dunbar GMB

145



This page is intentionally left blank

Meeting:	Cabinet
Date:	19 th June 2008
Subject:	Relocation of Belmont Synagogue
Key Decision: (Executive-side only)	Yes
Responsible Officer:	Corporate Director Community and Environment, Andrew Trehern
Portfolio Holder:	Portfolio Holder for Major Contracts and Property, Councillor Tony Ferrari
Exempt:	No
Enclosures:	Appendix 1 – Site Plans 4125 and 4126

Section 1 – Summary and Recommendations

This report sets out the reasons for the relocation of Belmont Synagogue and the proposed rationale for disposal of land at Wemborough Road and the garage block adjacent to the existing synagogue

Recommendations:

The Cabinet is requested to:

Authorise the Corporate Director of Community and Environment Services to

1) Negotiate and conclude at the best consideration reasonably obtainable the disposal of:

A) Land at Wemborough Road adjacent to Cannons Community Centre

B) The garage block in Honister Place adjacent to the synagogue in Vernon Drive

2) Consider and rule on any objections received in connection with the disposal of the land at Wemborough Road following the statutory advertising

- 3) Agree the variation to the terms of the existing lease to Cannons Community Association to facilitate the access arrangements and building of a new synagogue on the adjacent land
- 4) To authorise the Capital receipt from the sale of the Honister Place garages to be used for Affordable homes and regeneration projects.

Reason: (For recommendation)

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. In particular, Capital has a revenue benefit as it reduces the need to borrow and will assist with reducing the predicted shortfall in 2009/10 (11.3). To ensure the ongoing viability of the synagogue.

Section 2 – Report

2.1 Introduction

- 2.1.1 The report proposes the disposal of a property surplus to the Council's requirements thereby generating a capital receipt. This will give value for money in line with the Council's Corporate Priorities (P11) and the Vision for delivering Value for Money. In particular the receipt of Capital has a revenue benefit as it reduces the need to borrow and will assist with reducing the predicted shortfall in 2008/9 (11.3).
- 2.1.2 For the avoidance of doubt this report deals only with property issues and does not in way attempt to pre judge any planning applications which may subsequently be made

2.2 Brief History

- 2.2.1 The council was approached by Belmont Synagogue with regard to their need to relocate from Vernon Drive as a result of the following issues: -
 - The Council is advised that the existing building is very tired and in need of substantial maintenance and that the synagogue does not have funds to invest in the existing synagogue.
 - The entire centre of gravity of the synagogue community has shifted and 90% of the members now live on the Wemborough Road side .The new housing development in Honeypot Lane will provide potential additional membership
 - No new members have joined in over 7 years on the Vernon Drive side.
 - The existing building was designed with the needs of and provision for a kindergarten and Sunday school. The rise of Jewish day schools has led to the closure of Jewish Sunday Schools and the kindergarten and the building no longer match the needs of the communities such as Belmont.
 - The sale of the existing site would fund the acquisition of land and the building of a new fit for purpose synagogue to meet the long terms needs of this community.
- 2.2.2 Adjacent to the Cannons Community Centre in Wemborough Road is an area of council owned land (shown for identification purposes on the attached plan number 4126) currently designated as open space but with

its sole access being via the Bromfield entrance to the cannons community centre. and included within their lease. The council has been advised by the synagogue that The Community Association have indicated to them that they would be prepared to provide rights of access and to surrender part of the land to enable a new synagogue to be built adjacent to the existing community buildings. A variation to the Associations lease from the council would be required to facilitate this.

- 2.2.3 The synagogue are prepared to release and transfer the freehold of an area of land at their existing Vernon Drive location which would: -
- Partly compensate for the loss of open space at Wemborough Road.
 - Provide a link in the “Green Chain “- in a location, which would otherwise remain built on.
- 2.2.4 Adjacent to the existing Vernon drive synagogue there is a block of council owned garages (shown for identification on plan number 4125) which are currently let on monthly tenancies and come within the HRA .The synagogue would like to acquire these to either a) enable a more comprehensive residential development on the total site (subject to planning) and compensate for the loss of parking when part of the existing synagogue car park is released as part of the green chain

2.3 Options considered

1. **Retain the garages at Honister Place and sell land at Wemborough Road**
This would result in a lower capital receipt to the council and a) limit the scale of any residential redevelopment or b) If the property is sold by the synagogue for an alternative D1 use limit the number of, off road parking spaces following the release of part of the existing car park into the green chain
2. **Sell the land at Wemborough Road and the garages at Honister Place**
This would maximise the council’s capital receipt and enable the synagogue to relocate (subject to planning) and continue to serve the needs of its members in the longer term. This would be on the basis of a conditional contract subject to planning consent being granted at A) Wemborough Road for a new synagogue B) Vernon Drive for residential redevelopment and C) The Freehold transfer of the Honister Place garages containing either, a restrictive covenant limiting the use to residential in connection with the residential redevelopment of the existing synagogue in Vernon Drive and or the transfer not taking place until the commencement of the residential redevelopment.
3. **Retain the land at Wemborough Road and the garages at Honister Place**
The council would lose the opportunity to receive a capital receipt and the future of the synagogue would be put at risk, and the opportunity to gain a section of the green chain would be lost

2.4 Recommendations

- 2.4.1 That the council proceeds on the basis of option 2 thereby generating a substantial capital receipt, ensuring the synagogue is able to meet the changing needs of its community and to enhance the green chain. The transaction would be subject to the receipt of satisfactory planning consents and the transfer restrictions and process as detailed.

2.5 Financial Implications

- 2.5.1 The garages at Honister Place currently generate a revenue stream for the HRA this would be replaced with a capital receipt
- 2.5.2 The garages at Honister Place currently generate a revenue stream for the HRA this would be replaced with a capital receipt With reference to the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, the Council is obliged to pay over 50% of the Capital receipts derived from the sale of any other interest in Housing land. With reference to the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, the Council is obliged to pay over 50% of the Capital receipts derived from the sale of any other interest in Housing land.
- 2.5.3 However, in view of the provisions of paragraphs 12-18 of the said Regulations, the Council can reduce the amounts payable to the Secretary of State under these regulations. The reduction in the amount payable can be determined by the Council and must be used as a contribution towards Affordable Housing or Regeneration projects It should be noted that this can only be used for Affordable Housing or Regeneration projects

2.6 Risk Management Implications

Risk not included in directorate risk register.

- 2.6.1 Negotiations with Cannons Community Association may not come to a satisfactory conclusion
- 2.6.2 Planning consent for the new synagogue is not granted. Any applications will need to be referred to both the GLA and GOL as open space is involved.
- 2.6.3 Belmont synagogue are unable to raise the additional monies required for the development
- 2.6.4 The council may incur abortive legal, surveying and management costs

2.7 Legal Issues

- 2.7.1 The Council has the power to sell the Wemborough Road property under S123 Local Government Act 1972, and the Garages at Honsister Place under Section 32 of the Housing Act 1985
- 2.7.2 The council is required under S123 (2A) to advertise the disposal of the Wemborough Road property for two consecutive weeks and consider any objections received before disposing of the land

- 2.7.3 The Council must obtain the best consideration reasonably obtainable for this property or rely on the general consent issued by the Secretary of State under the local Government Act 1972. If best consideration is not being obtained and the council cannot rely on the general consent, the Council must obtain the ad hoc consent of the Secretary of state for the disposal.
- 2.7.4 In so far as the Garages are concerned the Council is required under the general consent issued by the Secretary of State under S32 of the Housing Act 1985 to achieve the best consideration reasonably obtainable. If this is not obtained the council must obtain the ad hoc consent of the Secretary of State for the disposal.
- 2.7.5 The Council has the power to acquire the synagogue land under section 120 of the Local government Act 1972

2.8 Performance Issues

- 2.8.1 The disposal of this property forms part of the Council's Disposal Programme that is targeted with generating £30m of capital during 2008/09, The disposal of this property forms part of this programme contributing to the target of £30m. Options 1 and 3 do not maximise the potential value for money
- 2.8.2 Option 2 maximises the council's capital receipt and further positively impacts upon Residents satisfaction indicators (Place Survey) by enabling the synagogue to continue to serve the needs of its members in the longer term.
- 2.8.3 Option 2 further impacts upon our programme of green belt management and as such will work towards our meeting the suite of National Indicators around Green Issues.

Section 3 - Statutory Officer Clearance

Name: ...Sheela Thakrar.....	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: ...20 th May 2008.....		
Name: ...Jessica Farmer.....	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 20 th May 2008		

Section 4 – Performance Officer Clearance

Name: Anu Sing



On behalf of
Divisional Director
(Strategy and Improvement)

Date: ...20th May 2008.....

Section 5 - Contact Details and Background Papers

Contact: Philip Loveland-Cooper – SP Strategic Property Ext: 2877/020 8424 1877 or
Email: - Philip.Loveland-Cooper@Harrow.Gov.Uk

Background Papers:

None

APPENDIX

This appendix consists of an ordnance survey map which is not available electronically.

This page is intentionally left blank

APPENDIX

This appendix consists of an ordnance survey map which is not available electronically.

This page is intentionally left blank



Meeting:	Cabinet
Date:	19 th June 2008
Subject:	Environmental Crime Enforcement Policy
Key Decision:	Yes
Responsible Officer:	Corporate Director, Community and Environmental Services – Andrew Trehern
Portfolio Holder:	Portfolio Holder for Environment Services, Councillor Susan Hall
Exempt:	No
Enclosures:	Environmental Crime Enforcement Policy

Section 1 – Summary and Recommendations

This report puts forward for adoption an Environmental Enforcement Policy for the principal environmental crime types of fly tipping, littering, graffiti and commercial waste provision and disposal (duty of care).

Recommendations:

Cabinet are requested to:

1. Agree that the Enforcement Policy for Environmental Crime shown at Appendix 1 is formally adopted.
2. That the Policy is subjected to ongoing consultation and reviewed on an annual basis, with minor amendments agreed and incorporated on an annual basis in consultation with the Portfolio Holder.
3. That where significant amendment or review is required the Policy is brought back to Cabinet for decision.

Reason: To establish a formal policy for the enforcement of environmental crime. If Cabinet does not agree the recommendations this would result in a reduced opportunity to develop our response to tackling environmental enforcement, the delivery of key corporate priorities and expose the Council to risk through formal challenge.

Section 2 – Report

2.0 **Background**

- 2.1 Every Local Authority is encouraged to have a fully documented Enforcement Policy that has been adopted by the Council. The Government has identified that Local Authorities need to have documented procedures and policies in place to ensure consistency and conformity of enforcement and has issued guidance in this respect. This Policy reflect that guidance and is intended to meet this need and act as the focus for enforcement actions carried out under the delegated authority granted by the Council. They are designed to reflect the content of the Enforcement Concordat that the Authority has signed up to.
- 2.2 The policy specifically covers Environmental Crime and assists officers in the decision making process when dealing with enforcement issues. It sets out a consistent approach regarding the use of formal and informal enforcement mechanisms to achieve effective and efficient compliance with relevant statutes.
- 2.3 The aim of the policy is:
- (a) To ensure that a consistent approach is maintained in deciding whether to use informal or formal means of enforcement to achieve consistent, fair, effective and efficient compliance with the relevant legislation, which is proportional to the risk to public health or contravention whilst minimising the burden to the public, local business and the authority.
 - (b) To provide Officers with guidelines to assist in the decision process when dealing with enforcement issues consistent with current government guidance in the relevant area of enforcement to ensure that enforcement action is taken in line with relevant guidance and Codes of Practice.
 - (c) To maintain the level of enforcement activity according to the standards of service laid down in the Service Standards and Performance Indicators Policy document.
 - (d) To ensure that enforcement is informed by the principles of proportionality in applying the law and securing compliance; consistency of approach, targeting of enforcement action and transparency about how the regulator operates and what those regulated may expect.
- 2.4 It is important to adopt measures that will ensure consistency and conformity while retaining an awareness of any particular local circumstance and to ensure that all sectors are treated fairly to ensure unnecessary burdens are not placed on business. The term enforcement action includes the full range of customer contacts and associated activity, from informal enquiry and contact, educational discussions, through service of informal letters and formal Statutory Notices, up to and including formal action in court.

- 2.5 The primary objective is to deliver a consistent approach to all activities, assist officers in the decision making process when dealing with enforcement issues and to set out a consistent approach regarding the use of formal and informal mechanisms at their disposal to achieve effective and efficient compliance with the relevant statutes. The aim is to ensure consistently high quality service in line with the corporate strategies.
- 2.6 In all cases the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these will be carried out in accordance with the relevant PACE codes of practice.
- 2.7 Within the last year the Government has established a Local Authority Better Regulation Office (LABRO). The work of LABRO is at an early stage and much detail is awaited on the nature of expectations on local authorities. Any changes necessary because of statutory and non-statutory guidance will be incorporated in revisions to the policy.

3.0 Options considered (statutory requirement for Executive-side reports)

- 3.1 Best practice is for all enforcement activities to be covered by an enforcement policy and central government guidance expects every local authority to have a fully documented Enforcement Policy that has been adopted by the Council with documented procedures and policies in place to ensure consistency and conformity of enforcement.
- 3.2 This Policy documents reflect that guidance and is intended to meet this need and act as the focus for environmental enforcement actions carried out under the delegated authority granted by the Council. They are designed to reflect the content of the Enforcement Concordat that the council has signed up to.
- 3.3 The existing Community Safety Services policy fully meets the requirements of the Enforcement Concordat and existing enforcement activities are undertaken under the scope of the policy. However this specific policy is being proposed in the main areas of environmental crime as this:
- Demonstrates the Council's leadership in and commitment to environmental improvement within the borough.
 - Gives a clear statement of the Council's approach to enforcement.
 - Facilitates working with partners such as the Police on joint enforcement issues.
 - Provides a clear statement to the Council's enforcement officers on enforcement expectations.

The policy supports the work of the council and partner agencies, such as the Police in developing a consistent approach to enforcement and the deployment of resources. The policy sits alongside the other enforcement policies within the authority.

- 3.4 There is however no obligation on the council to adopt a formal enforcement policy for environmental crime and a decision could be made not to do so and to retain the current generic enforcement policy for all enforcement activities.

4.0 **Consultation**

- 4.1 There is no legal requirement for the Policy to be consulted on prior to implementation. The Policy will be reviewed on a minimum of an annual basis, based on operational experience, changes in legislation, relevant case law and feedback from stakeholders. Minor amendments will be agreed and incorporated in consultation with the Portfolio Holder. Where significant amendment is required the Policy will be brought back to Cabinet for decision.
- 4.2 Statutory guidance and good practice recommends that authorities allow for a well publicised lead in time to raise awareness within the business and resident community. A comprehensive promotional and awareness raising campaign will be undertaken through a managed communication strategy designed to raise awareness making full use of local media, Harrow website, information leaflets and published materials and partner agency publications.
- 4.3 It is also proposed that Members of the Council engage directly with the business and resident community through business seminars, enforcement visits and activities and visiting schools, colleges and community meetings to raise awareness. Any feedback received from these activities will be an integral part of the annual review process.

5.0 **Legal Comments**

- 5.1 There are no additional legal implications beyond those set out in the body of the report and the Policy document.
- 5.2 The adoption of a formal enforcement policy for environmental crime which dictates the legal procedures to be followed and provides a formally agreed policy to support enforcement decisions and action taken through the courts will serve to protect the Council to risks through formal challenge.

6.0 **Financial Implications**

- 6.1 The report is not seeking additional financial resources at this time and there are no financial implications relating to the agreement of the recommendations by cabinet.

7.0 **Equalities Impact Consideration**

- 7.1 There are no anticipated impacts on Equalities or Diversity, but as part of the ongoing consultation any impacts will be recorded, assessed and included as part of the evaluation of the policy.
- 7.2 The implementation of the enforcement policy will provide a standard process for enforcement action and be implemented across the borough and will apply equally to all people and businesses. The process will not target or exclude any person or businesses on the basis of ethnicity or any other factor. Training to support the implementation of the scheme will cover the importance of consistency during the enforcement procedure to ensure that no person is discriminated against on the basis of ethnicity.

- 7.3 Within the Policy all officers must have regard to:
- (a) The Councils Corporate Policy on Racial Equality at all times in undertaking their duties and in the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these must be carried out in accordance with this policy.
 - (b) The provisions of the Human Rights Act 1998 at all times in undertaking their duties and in the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these must be carried out in accordance with this Act. The enforcement decision making process should have regard to the Checklist for Human Rights Convention Rights
 - (c) The provisions of the Data Protection Act 1998 at all times in undertaking their duties and in the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these must be carried out in accordance with this Act.
- 7.4 The provision of a policy also supports the delivery of equalities issues associated with fear of crime, such as reassurance of vulnerable communities and consultation with hard to reach groups. Implementation of the recommendations will serve to support delivery against the key equalities issues identified.

8.0 **Community Safety (s17 Crime & Disorder Act 1998)**

- 8.1 The content of the report and recommendations address the need for partner agencies to work together to develop and implement strategies to tackle environmental crime and the clear links to crime and disorder, ASB and fear of crime. The report makes direct recommendations relating to partnership working arrangements and activities that should be co-ordinated across agencies and implementation of these recommendation will serve to underpin the delivery of crime reduction strategy priorities, specifically the ASB and fear of crime priority, delivery of LAA stretch targets and BCS crime and as such directly support section 17 key objectives.

9.0 **Performance Issues**

- 9.1 The development of a detailed policy for environmental crime supports consistent enforcement standards. It will influence the achievement of measures related the environment and environmental cleanliness, including the Mori satisfaction survey, and support the delivery of a number of key BVPi's and National Indicators as listed below. However the policy will be one of many factors in the achieving higher performance.
- 9.2 Although there are no direct performance measures, BVPi's, or National Indicators the policy will indirectly impact on a number of key indicators as follows:
- National indicator 195 - Improved street and environmental cleanliness (levels of graffiti, litter, detritus and fly posting) - The delivery of the environmental crime enforcement policy will directly support enforcement of environmental crime and serve to support improvements in this area.

- BVPi 199a - Street and Environmental Cleanliness – litter/detritus. Current indicator: Performance currently “Needs prompt attention” (Red). The delivery of the environmental crime enforcement policy will directly support enforcement of environmental crime and serve to support improvements in this area.
- NI 199b Street and Environmental Cleanliness – graffiti. Current indicator: Performance currently “Excellent” (Green). The delivery of the enforcement policy will directly support enforcement of graffiti and act as a deterrent to support improved public realm response in this key area
- Flagship Actions – Deliver cleaner streets, better environmental services and keep crime low. Reference 1.7 – Tackle environmental crime and reduce fly-tipping, graffiti and litter through the work of the new Envirocrime Team. Measurement: Achieve the Gold Standard on the LGA Reputation Campaign in relation to Grot Spots in Neighbourhoods and Protecting the Environment. The enforcement policy will directly support the delivery of an enhanced enforcement regime through the Environmental Enforcement Team put in place and will directly support the work of the new team.
- Local Area Agreement Stretch Target, National Indicator 17 - Perceptions of Anti Social Behaviour (green) – These indicators have specific sub criteria relating to fly tipping, littering and graffiti which will be directly supported by the Policy.
- National indicators 24 and 25 - Satisfaction with the way the police and local council dealt with anti-social behaviour - These indicators have specific sub criteria relating to fly tipping, littering and graffiti which will be directly supported by the Policy.
- National Indicator 182 - Satisfaction of businesses with local authority regulation services – A key element of best practice is publishing a transparent enforcement policy and consistency of enforcement action. This will be directly supported by the Policy.

9.3 There is no direct impact in terms of the key lines of enquiry for CAA but the Policy will provide direct evidence to support the delivery of key corporate priorities relating to improving environmental conditions, the provision of open and transparent services and support key BVPi’s and national indicators.

10. **Risk Management Implications**

10.0 Risks associated with enforcement activities are low and chiefly are the risks of appeal against enforcement action. The development of a detailed enforcement policy for environmental crime supports consistent decision-making and enforcement standards and minimises the risk associated with enforcement activities.

Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar



on behalf of the
Chief Financial Officer

Date: 22/05/2008

Name: Helen White



on behalf of the
Monitoring Officer

Date: 22/05/2008

Section 4 – Performance Officer Clearance

Name: Andrea Durn



on behalf of the*
Divisional Director
(Strategy and
Improvement)

Date: 22/05/2008

Section 5 - Contact Details and Background Papers

Contact:

Andy Appleby, Service Manager – Public Realm Enforcement, Community Safety Services, Urban living, 020 8736 6240 andy.appleby@harrow.gov.uk

Gareth Llywelyn-Roberts, Head of Community Safety Services, 020 8736 6230, gareth.Llywelyn-roberts@Harrow.gov.uk

Background Papers:

Cabinet Report: 15th March 2006 – Implementing the Clean Neighbourhoods and Environment Act 2005 (Summary of provisions and ALG agreed FPN fine levels.

Clean Neighbourhoods and Environment Act 2005 – available on the OPSI web site at: <http://www.opsi.gov.uk/acts/acts2005/20050016.htm>

Environmental Offences (Fixed Penalties)(Miscellaneous Provisions) Regulations 2006 (these regulations detail the levels of fixed penalties for a number of offences and other related provisions) – available on the OPSI website at: <http://www.opsi.gov.uk/si/si2006/20060783.htm>

Explanation of the Clean Neighbourhoods and Environment Act's provisions:

http://www.opsi.gov.uk/acts/en2005/ukpgaen_20050016_en.pdf

The Cautioning of Adult Offenders. Home Office. Circular 30/2005, 15th June 2005. (www.homeoffice.gov.uk)

Code for Crown Prosecutors. November 2004 (www.cps.gov.uk)

Regulation of Investigatory Powers Act 2000 and code of practice on the Act (www.homeoffice.gov.uk/ripa)

Code of practice B to the Police and Criminal Evidence Act 1984 (s.60(1)(a) and s.66) (<http://www.homeoffice.gov.uk/pcrq>)

Data Protection Act 1998 and the Freedom of Information Act 2000. (Department of Constitutional Affairs, www.dca.gov.uk).

COMMUNITY SAFETY SERVICES

ENVIRONMENTAL ENFORCEMENT POLICY

1.0 Introduction

- 1.1 The Government have identified that Local Authorities need to have documented procedures and policies in place to ensure consistency and conformity of enforcement and has issued guidance in this respect. This Policy document reflects that guidance and is intended to meet this need and act as the focus for all environmental enforcement actions carried out under the delegated authority granted by the Council. It is designed to reflect the content of the Enforcement Concordat that the Service has signed up to and relevant best practice guidance, codes of practice and central government guidance.
- 1.2 The policy covers all the principal environmental crime types of fly tipping, littering, graffiti and commercial waste provision and disposal (duty of care) and seeks to assist officers in the decision process when dealing with enforcement issues. It sets out a consistent approach regarding the use of formal and informal mechanisms at their disposal to achieve effective and efficient compliance with relevant statutes and sets and agreed Policy in terms of the course of action to be taken as regards the environmental crime types.
- 1.3 Officers should have regard to the Departmental Enforcement Policy, which is the overriding Policy, the standard procedures for enforcement for each crime type and statutory guidance when considering issues that fall within these areas.

2.0 Aim of the Policy

- 2.1 The aim of the policy is:
- (a) To ensure that a consistent approach is maintained in deciding whether to use informal or formal means of enforcement to achieve consistent, fair, effective and efficient compliance with the relevant legislation which is proportional to the risk to public health or contravention whilst minimising the burden to the public, local business and the authority.
 - (b) To provide Officers with guidelines to assist in the decision process when dealing with enforcement issues.
 - (c) To set out the criteria to determine the competency of officers for authorisation purposes.
 - (d) To maintain the level of enforcement activity according to the standards of service laid down in the Service Standards and Performance Indicators Policy document.
 - (e) To ensure that enforcement is informed by the principles of proportionality in applying the law and securing compliance; consistency of approach, targeting of enforcement action and transparency about how the regulator operates and what those regulated may expect.

3.0 **Enforcement Policy**

- 3.1 The Service Standards and Performance Indicators for Community Safety services identify the quantified aims and objectives against which the service can be measured and lays down the service standards and the performance criteria to which the service will seek to perform. This is supported by detailed procedures and guidance for the enforcement of each crime type held within this service quality manual.
- 3.2 All officers will follow this enforcement policy. Any departure from the policy must be exceptional, capable of justification and be approved by the relevant Service Manager in consultation with the Head of Service. Where the issue has potentially significant ramifications the Head of Service and Portfolio Holder must be consulted where and must be informed of all formal action taken.
- 3.3 In all cases the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these will be carried out in accordance with the relevant PACE codes of practice and comply with the standard evidential rules.
- 3.4 All officers must have regard to the Authorities Corporate Policy on Racial Equality at all times in undertaking their duties and in the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these must be carried out in accordance with this policy.
- 3.5 All officers must have regard to the provisions of the Human Rights Act 1998 at all times in undertaking their duties and in the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these must be carried out in accordance with this Act. The enforcement decision making process should have regard to the Checklist for Human Rights Convention Rights
- 3.6 All officers must have regard to the of the provisions of the Data Protection Act 1998 at all times in undertaking their duties and in the investigation of complaints, inspections and contravention's of legislation and the gathering of evidence in relation to these must be carried out in accordance with this Act.
- 3.7 If applicable the requirements of the Regulation of Investigatory Powers Act 2000 shall be taken into account during investigations. The Act works in conjunction with existing legislation e.g. Human Rights Act 1998. The councils RIPA procedures must be complied with at all times and the authorisation must be formally recorded within the corporate systems.
- 3.8 The Code for Crown Prosecutors (Prosecutors employed by the Crown Prosecution Service) is referred to by Local Authority solicitors in ensuring that fair and consistent decisions about prosecutions are made. Officers shall refer to this code when considering the merits and public interest of pursuing a prosecution.

4.0 **Qualifications and Authorisation of Officers** **Environmental Health General**

- 4.1 The Head of Community Safety Services holds the delegated authority to authorise Council staff to exercise the powers and duties under environmental legislation. These delegated powers for officers will only be exercised in accordance with this enforcement policy.
- 4.2 No officer shall carry out any enforcement duties unless suitably trained and experienced and authorised in writing by the Head of Community Safety Services. Service Managers in conjunction with Principal Officers will satisfy themselves that officers authorised for specific powers meet the standards of competence outlined in any appropriate guidance.
- 4.3 Officers on Out of Hours duty will under normal circumstances only take action up to the level of their assessed competence and training. Where the action required goes beyond their level of assessed competence they will attempt to contact an officer who has been assessed as competent in the relevant area.
- 4.4 Statutory Notices, Improvement Notices and Prohibition Notices may only be served by officers who are suitably qualified and specifically authorised for this purpose by the council in accordance with appropriate guidance. The delegated authority to prosecute lies with the Head of Service, or in their absence the Service Manager, who will formally authorise all prosecutions.
- 4.5 A commitment to training will be provided for all enforcement officers as and when required to meet changes in legislation and enforcement procedures. As part of this process records of training and/or assessment will be maintained and held in a confidential file by the Service Manager and/or Personnel Section as appropriate.

5.0 **Enforcement Options**

- 5.1 All officers will follow the documented standard procedures and refer to any relevant guidance in the Statutory Codes of Practice or guidance notes issued under the relevant statutes or by a recognised body and which are accepted as providing a national standard. The aim of this approach is to ensure that enforcement decisions are always consistent, balanced, fair and relate to common standards to ensure the public is adequately protected.
- 5.2 It is considered that there are essentially four steps of enforcement relevant to environmental enforcement. These steps provide the framework that officers employed by the Council should follow when carrying out their duties. These steps are described broadly as, Prevention, Informal Action, Formal Action and Prosecution.
- 5.3 Officers will try to ensure that members of the public and businesses do not unnecessarily expose themselves to the possibility of formal action through lack of information or understanding. Officers will target the advice and information issued to residents, the public and specific businesses and premises for which particular statutes apply and endeavour to ensure from their contact with these people that they understand the requirements placed upon them. The objective will be to secure a positive relationship between enforcer and those whose activities are subject to regulation.

5.4 The action taken by the officer should be proportionate to the risk to public health and safety and protection of the environment arising from any contravention identified. In deciding the enforcement action to be taken the officer should have regard to:

- (a) The seriousness of the offence.
- (b) The individual or businesses past history of compliance.
- (c) The confidence in the individual or management of a business i.e., the willingness to rectify and/or improve conditions.
- (d) The consequence of non compliance.
- (e) The likely effectiveness of the various enforcement options.
- (f) The risk to public health, safety and welfare.
- (g) Any significant local factor or circumstance.
- (h) The evidence available.

6.0 **Preventative Action**

- 6.1 Officers will seek to raise awareness about the need to comply with legislation using an educational approach to promote good practice on environmental and safety issues. This will not be considered as an option where any significant breach of relevant legislation is identified.
- 6.2 Promotion will be carried out by contact with the various business groups, residents and individuals who are complained of by members of the public. The dissemination of information will be by way of leaflets, publications, recognised courses, seminars and by word of mouth during informal contact or inspection and investigative visits.
- 6.3 The objective is to achieve a climate of legislative awareness and co-operation from possible offenders but is not for use where contravention of relevant legislation has already been identified.

7.0 **Informal Action**

- 7.1 The objective of informal action will be to secure compliance where breaches of statutory requirements or compliance with regulations or statutes that the council is delegated to take action under. Where the council is required to enforce legislation by statute or the act or omission is considered serious or presents a significant risk to the environment, members of the public or an employed person the officer will proceed to the Formal Action stage immediately.
- 7.2 Informal action includes offering advice, verbal warnings and requests for action, the use of informal letters and inspection reports.
- 7.3 Informal action should be considered according to one or more of the following circumstances when informal action as described above will be deemed appropriate:

- (a) The act or omission is not serious enough to warrant formal action and does not pose a significant risk to the environment, public health, safety or welfare.
- (b) The individual or company's past history are such that it can be reasonably expected that the informal action will achieve compliance.
- (c) The officer has high confidence in the individual or management's ability to correct a defect or contravention and undertake any works that may be required.
- (d) Standards in general are good suggesting a high level of awareness of statutory responsibilities.
- (e) The consequences of non-compliance are acceptable, e.g. minor matters, or the time period allowed to seek compliance does not present a risk to the environment, public health, safety or welfare.

7.4 Officers will inform the individual or company verbally, as soon as reasonably practical, of any circumstance that they consider constitutes non-compliance with the relevant statute, breaches of statutory requirements and the necessary works or action needed to comply with the regulations as the first stage of informal action. Officers will state a specific time period for the individual or company to comply with the relevant legislation. At this stage a formal written warning of the possibility of formal action will be given if the informal action is not complied with.

7.5 Where informal action is taken involving verbal confirmation of non compliance and the offence or non compliance is serious or where there are a number of items which require attention, and in all cases where a statutory requirement is made, a letter shall be sent confirming the contravention/non compliance found, the Act to which the comments apply within established response times. The informal notice will make clear:

- (a) The findings of the inspection or investigation.
- (b) The action that the inspecting/investigating officer intends to take providing an opportunity to discuss this action.
- (c) The works/actions that the recipient will be required/advised to undertake and a specific time period within which they must be completed.
- (d) Relevant advice regarding how the works/actions may be achieved containing sufficient information to understand the work which is required and why it is necessary.
- (e) The differentiation between legal requirements and recommendations of good practice.
- (f) Where necessary the specific legislative requirement/s contravened.
- (g) The means by which a complaint or representation may be made regarding the works required, or any other matter regarding the inspection/investigation or its outcome, including the contact details of the inspecting officer, their manager and details of the complaints procedure.

Any time limit stated will relate to the risks or potential health problems that may result. A reasonable time must be allowed for works to be carried out. An extension of time will be considered only where representations are made to the Council. Any extension will be dealt with on an individual basis depending on the circumstance as to why the works have not been completed.

- 7.6 If raised by way of complaint the complainant will be informed of the findings of the inspection/investigation, the action taken and the time limit given for compliance.
- 7.7 The letter must also clearly indicate the willingness of the Council to resolve the matter without recourse to formal action so long as there is adequate response to the initial informal approach. Persons in receipt of an informal notice “verbal or written” will be given every opportunity to discuss the requirements with the officer and agree an appropriate programme and timetable of work. Encouragement will be given to recipients to seek advice at each stage of the process where this is applicable.

8.0 **Formal Action**

- 8.1 Formal action will consist of the use of formal mechanisms to achieve compliance where informal action has either been unsuccessful or is not deemed appropriate. Formal action will include the use of formal Notices, legal action of any nature or prosecution.

Formal action will normally only be contemplated if the Council is satisfied that all reasonable steps have been taken to achieve compliance through informal action or where one or more of the following apply:

- (a) There is a risk of serious pollution, environmental damage or blight or hazard to health safety or welfare or visual or material damage to the environment
- (b) There is a clear disregard of responsibilities under the legislation enforced by the Council.
- (c) The offences are of such nature or gravity that other forms of action are inappropriate.
- (d) There is a legislative requirement to take action regardless of the circumstance.
- (e) There is a reasonable prospect of defending the action taken in the case of an appeal against the action taken or of successful prosecution.
- (f) Statutory works required in an informal notice have not been complied with within the stated time period and there are no reasonable grounds on which to extend the relevant time period.
- (g) The Policies outlined in section 13 of this report relating to each offence type dictate and set a precedence of formal action in the first instance.

- 8.2 An important element of formal action is proportionality and consistency. Proportionality demands that Local Authorities exercise their discretion to ensure that:
- (a) Resources are targeted according to risk, and
 - (b) There is appropriate interpretation of what is reasonably practical, so that expenditure is proportionate to benefit gained.

However, where serious breaches of legislation are discovered or risks to members of the public are high, then formal action will be recommended immediately.

- 8.3 Where formal action is contemplated against an organisation or business outside Harrow Borough regard must be had to the information received from the home authority/lead authority where appropriate, relevant case law and the previous history. Where the action will have national significance it must be taken into account whether the action is in accordance with national guidelines.

It is important that in determining what formal action is to be taken the correct decision is adopted. Enforcement action will take the form of either:

- (a) Informal action (verbal warning or informal letter). (See section 7.0 above)
- (b) The use of Statutory Notice
- (c) The use of Fixed Penalty Notices.
- (d) The use of Formal Cautions.
- (e) The instigation of legal proceedings.

9.0 **Statutory Notices and Formal Action**

- 9.1 A Statutory Notice, including Fixed Penalty Notices, will normally be the first formal sanction issued by the council. This paragraph refers to those Notices specified in any Act, the enforcement of which is delegated to the Head of Community safety Services within the terms of the current scheme of delegation.

- 9.2 The circumstances in which a Notice will be served include one or more of the following criteria:

Improvement Notice

- (a) There is a significant contravention of legislation.
- (b) There is a lack of confidence in the successful outcome of an informal approach.
- (c) There is a history of non-compliance with informal action.
- (d) Standards are generally poor with little management awareness of statutory requirements.

- (e) The consequences of non-compliance could be potentially serious to public health, safety or welfare.
- (f) Effective action needs to be taken quickly in order to remedy conditions that are serious or deteriorating.
- (g) There is a legal requirement for the Council to take action.
- (h) Where there is a direct contravention of legislation, defect or condition affecting the health and safety or welfare of any person for which no alternative solution has been selected which would otherwise lead to an early resolution of the matter.
- (i) Statutory works required in an informal notice have not been complied with within the stated time period and reasonable grounds on which to extend the relevant time period.

Prohibition Notice

- (a) The consequences of not taking immediate and decisive action to protect health, safety or welfare would be unacceptable.
- (b) An imminent risk of injury or to health, safety or welfare can be demonstrated.
- (c) The requirements of the relevant Statutory Codes of Practice regarding the use of such Notices are fulfilled.
- (d) The proprietor of the business or individual is unprepared to voluntarily close their premises or cease to use any equipment, process, treatment or activity associated with imminent risk.
- (e) Where there is a direct contravention of legislation, defect or condition affecting the health and safety or welfare of any person for which no alternative solution has been selected which would otherwise lead to an early resolution of the matter.

Abatement Notice

- (a) There are serious risks of pollution or imminent risks to public health, safety or welfare.
- (b) All efforts to effect an agreed solution to a Statutory Nuisance by informal means have failed.

Fixed Penalty Notice

Fixed Penalty Notices will be issued under specified legislation and in appropriate cases discounts applied where the payments are received within an early payment period. If a fixed penalty is not paid within the prescribed period legal proceedings shall be considered in accordance with the requirements of the legislation.

Carry out Work in Default

Work required in the interests of public health, safety or the environment may be undertaken by the Authority in default, and the costs recovered in accordance with specific legislation. This may be appropriate when:

- It is necessary to carry out the work in the public interest and/or the costs are not prohibitive.
- There is a failure to carry out work covered by a statutory notice.
- Immediate action is required.
- It is unlikely that the work will be carried out unless done in default.

Refusal/Revocation of Licence/ Approval/ Authorisation

Licences, Approvals and Authorisations are issued under specific legislation and will only be refused or revoked following appropriate procedures and consideration of all relevant evidence. Legislation often details the grounds for objection and officers in determining the approach to the case will use these grounds.

In the absence of established grounds for objection to a particular application, in order to warrant refusal/revocation of a Licence, Approval, or Authorisation the individual or organisation must meet one or more of the following criteria:

- engage in fraudulent activity,
- deliberately or persistently breach legal obligations
- deliberately or persistently ignore written warnings or formal notices
- endanger to a serious degree the health, safety or well being of people, animals or the environment

Injunctions

In exceptional cases where action under the relevant legislation is deemed likely to be ineffective, where there is serious imminent risk to public health or the environment, and immediate action is considered necessary, injunctive proceedings may be instituted.

Other Orders and Notices:

Other enforcement options will be considered where there is a direct contravention of legislation, defect or condition affecting the health, safety and welfare of any person or is giving rise to environmental blight or damage and for which no agreed alternative solution has been accepted which would otherwise lead to an early resolution of the matter.

- 9.3 Officers will follow procedures set out in relevant codes of practice and guidance notes. Time limits specified in the notice must be realistic and where possible the requirements of the notice will be discussed in advance with the recipient. The Notice will be served as a matter of priority following identification of the relevant contravention. All notices will be accompanied by information clearly describing the mechanisms to seek further information or to appeal against requirements of the Notice.
- 9.4 Authorised officers may serve a notice immediately out of hours or where the circumstances are such that consultation would delay unnecessarily the purpose of the action or expose people to immediate risk. The Service Manager and/or Head of Service should be informed as soon as practicable. In cases where the service of a fixed penalty notice is appropriate, the notice will be served immediately or as soon as possible after the investigation of the offence.
- 9.5 Officers with delegated authority to issue Notices will only exercise this power after giving full consideration to the circumstances. Notices will be served after all alternative remedies have been exhausted, or have been evaluated to be inappropriate, or are within the procedures for the issue of fixed penalty notices and officers will follow any procedures set out in relevant Codes of Practice or Guidance Notes. Time limits specified in the Notice must be realistic and where possible requirements of the Notice should be discussed in advance including any necessary consultation with the Council's Legal Advisors.
- 9.6 If action is being contemplated as result of a service request the complainant will be informed that a Notice has been served and the time given for compliance.
- 9.7 The service of Notice does not preclude the taking of a prosecution at the same time where such action is considered necessary and appropriate in the circumstances.

10.0 **Prosecutions**

- 10.1 Prosecution should only be considered when the following advice has been considered having full regard to the following principles:
- (a) Reasonableness – is the proposed course of action reasonable in terms of cost, likely outcome and appropriateness to the offence?
 - (b) Ultra Vires – does legal authority exist for the proposed course of action and is it vested in the Council, the Head of Community Safety Services or any individual officer concerned. If formal action is contemplated, have all the requirements of the Police and Criminal Evidence Act been met?
 - (c) The Crown Prosecution Service Code – this code sets out two clear principles or tests that should be considered before any prosecution is embarked upon. These are the evidential tests and the public interest test. The evidential test requires that there be a “realistic prospect of conviction” based on reliable and admissible evidence. The public interest test is concerned with balancing the possible “for” and “against” factors that may exist.

This may mean balancing the cost of legal action against the likely outcome, the seriousness of the offence against a possible disproportionately harmful effect on the defendant, and so on.

- 10.2 The decision to initiate prosecution proceedings will be taken by the Head of Service, or in their absence a Service Manager, taking into consideration the guidelines contained in relevant Codes of Practice or Guidance Notes. This decision will be formally recorded using the standard approval form for prosecution.
- 10.3 The investigating officer must be able to clearly show there is relevant and admissible evidence to support legal action. The Council's legal advisor will be consulted to determine compliance with the evidential test where there is doubt or legal opinion is required. Full regard must be had to the availability of the "Due Diligence" and other defences. The final decision to proceed will be taken by the Head of Service when they are satisfied that these tests have been met but in all cases there must be a realistic prospect of a conviction being gained.
- 10.4 Prosecutions will in general be restricted to those who blatantly disregard the law, refuse to achieve a basic minimum requirement or who place any person at risk. The circumstance in which prosecution will normally be considered are according to one of more of the following:
- (a) Where the alleged offence involves a significant breach of the law such that public health, safety and well being is put at risk or significant environmental damage or blight is being caused. The significance of the alleged offence will take into regard the risks or harm to public health, identifiable victims, environmental damage or blight caused or disregard of public health for financial reward.
 - (b) Where the alleged offence involves a failure to correct and identify a serious risk and the offender has been given a reasonable opportunity to comply with the lawful requirements of an enforcement officer.
 - (c) Where the offence involves the failure to comply in full or in part with the requirements of a Statutory Notice.
 - (d) Where there is a history of similar offences related to environmental damage or blight, risk of public health, safety or welfare.
 - (e) Where the perpetrator gained the advantage sought from a single commission.
 - (f) Where the offence involves the threat of violence.
 - (g) Where prosecution would be in the public interest, having regard particularly to the Councils duty to enforce the law.
 - (h) Where there are overriding local factors that must be taken into account.
 - (i) In accordance with the Policy statements as regards each environmental crime type in section 13 below where there is a risk of serious pollution, environmental damage or blight or hazard to health safety or welfare or visual or material damage to the environment
- 10.4 There will be no hard and fast rule with regard to the restraint to the decision to prosecute. Every case will be considered on its merits, including the need to prosecute first time offenders.

- 10.5 Where prosecution is as a result of a service request, the complainant will be informed of the decision to prosecute and kept informed of the progress of the action proposed including the final court decision.
- 10.6 Where a complainant is required to give evidence in support of a prosecution they will be given all suitable support and advice to enable them to do so effectively and with the minimum of burden.
- 11.0 **Formal Cautions**
- 11.1 The “formal caution” may be used as an alternative to prosecution. As with prosecutions, the Council’s legal advisor will be consulted to determine compliance with the evidential test where there is doubt or legal advice is required on a point of law. The final decision to proceed will be taken by the Head of Service, or in their absence a Service Manager, in conjunction with the Council’s Legal Advisor and any other relevant person. A Formal Caution will only be issued by an officer with the delegated authority to do so.
- 11.2 The Home Office Circular states the purpose of a formal caution is:
- (a) To deal quickly and simply with less serious offences.
 - (b) To divert less serious offences away from the Courts.
 - (c) To reduce the chances of repeat offences.
- 11.3 The formal caution maybe used in place of court proceedings when:
- (a) The interest of justice will not be served by court action.
 - (b) For offences of a minor nature not actioned following service of a Statutory Notice and where there is no risk to public health or the environment.
 - (c) A “technical offence” has been committed and there is a need for the offence to be formally recorded.
- 11.4 To safeguard the suspected offender’s interest the following conditions must be fulfilled:
- (a) There is sufficient evidence to secure a conviction.
 - (b) The suspected offender must admit the offence.
 - (c) The suspected offender must understand the significance of a formal caution and agree to being cautioned.
 - (d) The suspected offenders Human Rights must not have been contravened by the issue of the caution.

- 11.5 The Head of Service with the Service Manager and investigating officer will determine if a formal caution is the most appropriate form of sanction following consultation with the Legal and Democratic Service. Unless there are particular reasons not to, refusal of a formal caution will be followed by a prosecution for the alleged offence. It is important therefore to ensure that before a formal caution is offered, the case satisfies all of the tests and requirements for a prosecution.
- 11.6 The Office of Fair Trading, Home or Lead Authority where appropriate must be advised of any formal caution issued by the Council.
- 11.7 Any formal caution issued by the Council under the above will not be sited in relation to an offence committed more than three years after the caution is issued.

12.0 **Power to Enter Premises, Land and Vehicles**

- 12.1 The power to enter private premises, land or a vehicle will vary depending upon the legislation that is relevant to the situation. In general, enforcement officers are legally empowered to enter commercial premises and vehicles during normal operating hours in order to determine whether the law is being complied with. In the case of domestic premises, the law usually requires reasonable notice to be given to the occupier before an officer has a right to enter.
- 12.2 A person refusing an officer entry risks committing the serious offence of obstruction and is liable to prosecution by the Council.
- 12.3 An officer who wishes to gain entry to private areas of a property will, where circumstances permit, explain who they are and the purpose of their visit. The officer will also show their official identification and will seek permission to enter. Persons in charge of premises are encouraged to refuse access to officers who are unable to show any official identification until their identity and authority has been confirmed, in order to prevent access by people imitating Council officers.
- 12.4 Enforcement officers may take other persons into premises in order to assist, for example, a police officer or an expert in the field of the investigation.
- 12.5 Persons in charge of premises will be invited to accompany enforcement officers whilst on the premises and officers will carry out their duties in a way that minimises detrimental effects on the legal activities at the premises. Nevertheless, it may be necessary to enter businesses during busy periods if it is suspected that contraventions will take place then.

13.0 **The Council Policy on Environmental Crime Enforcement**

- 13.1 The following sets out the council's policy to the enforcement of three main types of environmental crime encompassing Fly tipping, littering, Duty of Care for Commercial Waste and Graffiti.

Education

- 13.2 While ignorance of the law is no defence, in addition to purely pursuing enforcement options the council does much to promote compliance with the law. We provide advice through letters, leaflets, self-assessments and booklets. We also use our

website, the Harrow People, booklets sent with council tax information and various promotional events such as Junior Citizen and Under One Sky, to draw attention to the law and to promote compliance. However the nature of the environmental crimes in this policy are widely recognised as offences and only in cases where the circumstances warrant the use of an educative approach would this be used as an alternative to formal enforcement actions (which may range from a warning letter to prosecution).

13.3 As guidance to officers, an educative approach is only used where the action of a potential offender:

- Appeared genuinely accidental or inadvertent, and
- Immediate action had been taken by, or on behalf of the offender to rectify the situation, and
- The action had been completely effective at rectifying the circumstances of the offence.

It is unlikely that this discretion to use an educative approach will be used in situations involving commercial waste, or commercial Duty of Care. Note – the council will soon complete a programme to distribute Duty of Care information to all commercial premises in high street locations in the borough.

Flytipping, littering and the unlawful deposit of waste.

Main legislation –

Environmental Protection Act 1990
Including s33, 59, 87 and 88.

London Local Authorities Act 2007

Clean Neighbourhoods and Environment Act 2005

Sanction

Prosecution

The Policy of Harrow Council is that fly tipping, littering and unlawful deposit of waste is considered to be a wholly avoidable action, which in most instances is premeditated or wilful disregard for the relevant legislation.

In all cases the council will seek to Prosecute those responsible, including on the first offence, where the evidence is available to support this course of action.

Related Criteria - Offender Action or Behaviour

- Flytipping – the deposit, storage or placement of waste (one black bag or more, or its equivalent).
- Repeated littering – the deposit, storage or placement of waste (less than one black bag).
- Littering where aggravated by the potential adverse environmental impact of the waste, examples may include asbestos containing materials, oils, chemicals, toxic materials and other materials with similar environmental impacts.

In all cases the council will seek to recover all costs, including the cost of investigation, associated with the action.

- Where there is non-compliance with a notice, or where non-compliance is reasonably anticipated.

Notices

Fixed Penalty Notices

Where the offence meets the criteria for Prosecution the Policy of the council is to prosecute.

Where prosecution is not available as a first option and the use of a fixed Penalty Notice sanction is available a Fixed penalty Notice will be issued to the responsible person according to the statutory guidance and process.

- Littering - unless meeting the criteria for prosecution above. This littering includes deposit of smoker's materials and waste, fast foods and materials, confectionary and wrappers, chewing gum, etc.

Other Sanctions

Formal Warnings

Due to the current extent of fly tipping and littering, the use of informal enforcement options to substitute for prosecution or the issue of a Fixed Penalty Notice is not considered appropriate.

However, where the evidence does not exist to support these routes as a minimum a Formal Warning letter will be sent and recorded for use as evidence to support future actions if required. See notes on Education, above.

Formal Caution

A formal caution will be considered as the appropriate course of action only in accordance with this Policy.

A formal caution will only be considered appropriate where it enables the council to deal quickly and simply with less serious offences, to divert less serious offences away from the Courts or to reduce the chances of repeat offences.

Work in Default

Where the power is available to undertake work in default and charge the cost of works to the person responsible the council will undertake works in default to obtain prompt action in cases of adverse environmental or amenity impact is being caused.

In all cases the council will seek to recover all costs associated with the works in default, if necessary through formal action in the courts through our standard procedures.

Seizure and disposal of vehicles

Where the power to seize a vehicle exists under the Clean Neighbourhoods Act, i.e. a vehicle used for the commission of fly tipping, the council will on all occasions seek to formally seize the vehicle and will apply to the court to obtain approval for its disposal.

Commercial Duty of Care

Covering the storage, handling and disposal of commercial waste.

Main legislation –

Environmental Protection Act 1990
Including s34.

Clean Neighbourhoods and Environment Act 2005

Sanction

Prosecution

The Policy of Harrow Council is that duty of care cases, as described in the right-hand column, are considered to be a wholly avoidable action, which in most instances is premeditated or wilful disregard for the relevant legislation.

In all cases the council will seek to Prosecute those responsible, including on the first offence, where the evidence is available to support this course of action.

Related Criteria - Offender Action or Behaviour

- Contravention of duty of care provisions with the waste subsequently appearing as a flytip (one black bag or more), or littering (less than one black bag).
- Contravention of duty of care provisions leading to the diversion, or attempted diversion into other waste streams, such as but not exclusively,

In all cases the council will seek to recover all costs, including the cost of investigation, associated with the action.

Notices

Fixed Penalty Notices

Where the offence meets the criteria for Prosecution the Policy of the council is to prosecute.

Where prosecution is not available as a first option and the use of a fixed Penalty Notice sanction is available a Fixed penalty Notice will be issued to the responsible person according to the statutory guidance and process.

Other Sanctions

Formal Warnings

Due to the current extent of the diversion of commercial waste into illegal methods of disposal, the use of other enforcement options to substitute for prosecution or the issue of a Fixed Penalty Notice is not considered appropriate.

However, where the evidence does not exist to support these routes as a minimum a Formal Warning letter will be sent and recorded for use as evidence to support future actions if required. See notes on Education, above.

domestic, recycling, 'green' and street cleaning wastes.

- Contravention of duty of care provisions leading to waste arising in the disposal arrangements of other parties (which would include vehicles, bins, skips and premises).
- Where there is non-compliance with a notice, or where non-compliance is reasonably anticipated.
- Unable to provide waste disposal documentation.
- Contravention of duty of care arrangements for the containment of waste.
- Contravention of duty of care waste arrangements with the likelihood of the spread of waste materials.
- A notice to produce may be used where compliance with duty of care provisions is considered likely, but waste disposal documents are not immediately available on site.

Formal Caution

A formal caution will be considered as the appropriate course of action only in accordance with this Policy. A formal caution will only be considered appropriate where it enables the council to deal quickly and simply with less serious offences, to divert less serious offences away from the Courts or to reduce the chances of repeat offences.

Work in Default

Where the power is available to undertake work in default and charge the cost of works to the person responsible the council will undertake works in default to obtain prompt action in cases of adverse environmental or amenity impact is being caused i.e. the clearance of accumulated waste.

In all cases the council will seek to recover all costs associated with the works in default, if necessary through formal action in the courts through our standard procedures.

Graffiti

Main legislation –

Anti Social Behaviour Act 2003.

London Local Authorities Acts, 1995 and 2007

Highways Act 1980

Criminal Damage act 1971 (as amended by the Crime and Disorder Act 1998 in respect of religious or racially aggravated crime)

Clean Neighbourhoods and Environment Act 2005

Sanction

Prosecution

The Policy of Harrow Council is that graffiti cases as described in the right-hand column, is considered to be a wholly avoidable premeditated act. In all cases the council will seek to Prosecute those responsible,

Related Criteria - Offender Action or Behaviour

- Commission of graffiti offences, but if small scale and a first offence use FPN.
- Commission of graffiti offences with

including on the first offence, where the evidence is available to support this course of action.

In all cases the council will seek to recover all costs, including the cost of investigation, and removal of graffiti associated with the action.

The council will, in conjunction with the police, maintain a formal evidential record of all instances of graffiti, including 'Tags' and wider graffiti types. Where a person is identified as responsible for a graffiti offence we will seek to link all previous instances which can be linked through an identifiable 'Tag' or other identifiable characteristic and prosecute for all offences recorded through the formal log.

Notices

Fixed Penalty Notices

Where the offence meets the criteria for Prosecution the Policy of the council is to prosecute.

Where prosecution is not available as a first option and the use of a Fixed Penalty Notice sanction is available a Fixed penalty Notice will be issued to the responsible person according to the statutory guidance and process.

Notice

Where the occupier of a property fails to remove graffiti, which is considered to be detrimental to the amenity of the area, from the surface of a building a Notice requiring removal will be served requiring the Graffiti to be removed.

Other Sanctions

Formal Warnings

Due to the current extent of graffiti and the negative impact on the environment, the use of other enforcement options to substitute for

racial or religious aggravation.

- Defacing the highway or highway structures sufficient to cause damage.
- Where there is non-compliance with a fixed penalty notice.

- Small scale graffiti, with no religious or racial aggravation and a first offence.

- Notice on the occupier of a property to remove graffiti from the surface of a building if it is considered to be detrimental to the amenity of the area.

prosecution or the issue of a Fixed Penalty Notice is not considered appropriate.

However, where the evidence does not exist to support these routes as a minimum a Formal Warning letter will be sent and recorded for use as evidence to support future actions if required. See notes on Education, above.

Formal Caution

A formal caution will be considered as the appropriate course of action only in accordance with this Policy. A formal caution will only be considered appropriate where it enables the council to deal quickly and simply with less serious offences, to divert less serious offences away from the Courts or to reduce the chances of repeat offences.

Work in Default

Where the power is available to undertake work in default and charge the cost of works to the person responsible the council will undertake works in default to obtain prompt action in cases of adverse environmental or amenity impact is being caused i.e. the clearance of accumulated waste.

- Work in default following failure to remove graffiti following a notice served on the occupier of a property, where the circumstances are justified by lack of action to remove or address graffiti affecting the amenity of the area.

In all cases the council will seek to recover all costs associated with the works in default, if necessary through formal action in the courts through our standard procedures.

- 13.4 In the cases where a decision has been made in accordance with this policy to proceed with an enforcement action, and such action is against a person under the age of 18, a further review of the case will be made. Depending on the age of the person, this may involve Childrens Services, Young Offenders, Youth Justice, or other agencies as appropriate.
- 13.5 The council will seek to recover all costs incurred through investigation and legal action, work in default, waste clearance, waste stabilisation, waste disposal, graffiti removal, pollution control, site remediation, environmental monitoring, damage to council property or land, etc. The recovery of costs will be pursued by any available means.
- 13.5 The council will work with other agencies including the Environment Agency and Police on enforcement issues. In cases where both the council and another agency have enforcement powers, an opportunity will be given to that agency to investigate.

The Environment Agency is most likely to seek involvement in major flytipping, or organised commercial flytipping. If, following investigation, the Agency decide not to take enforcement action, to avoid allegations of over prosecution, the council will not take enforcement action if it is based on precisely the same legislation and the same evidence.

14. **The Keeping and Disclosure of Information**

- 14.1 Information collected or recorded as part of the Council's enforcement activities will be securely retained in a paper and/or electronic format for a period defined by legislation or required for future reference by the service. In appropriate cases this information will include decisions taken about the choice of enforcement options.
- 14.2 The identity of a person providing the Council with information about other people committing crime, will remain confidential unless prior agreement by the person is obtained, or its disclosure is authorised by law or by a court of law.
- 14.3 Personal data held manually or as computer records will be handled in accordance with the with the Data Protection Act 1998 (DPA). This information will be used in accordance with the Council's DPA registration. Exemptions to this include where information is disclosed to other agencies or used for another reason for the purposes of detecting or preventing crime. This will include sharing of information between Council services and with the police and other enforcement agencies. Sharing of information relating to the Crime and Disorder Act, will be undertaken in accordance with the *Joint Protocol on the Sharing of Information*, through the Council's designated officer.
- 14.4 Right of access to information held by the Council will be given on request, in accordance with the Freedom of Information Act 2000 and Environmental Information Regulations 2004 unless the information is already publicly available (as described in the Council's *Publication Scheme*). Some exemptions to the Council providing information can be found in the Act, Regulations and the Council's publication scheme.
- 15.0 **Review**
- 15.1 This Enforcement Policy will be reviewed as appropriate and at least annually and where amendments, which reflect legislative changes, administrative or operational developments or other matters are necessary, will be referred to the Portfolio Holder or Cabinet for approval.

This page is intentionally left blank



Meeting:	Cabinet
Date:	19 June 2008
Subject:	Extension of vehicle contract-hire and maintenance contract
Key Decision:	Yes
Responsible Officer:	Corporate Director – Community and Environment, Andrew Trehern
Portfolio Holder:	Deputy Leader and Portfolio-holder Environment Services, Susan Hall
Exempt:	The financial details of the proposed extension are exempt (paragraph 3 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person).
Enclosures:	Exempt Appendix A – Assessment of Proposed Extension Appendix B – Price Comparisons Appendix C - Deed of Extension and Variation

Section 1 – Summary and Recommendations

This report sets out the background to and the reasons why the existing vehicle hire & maintenance contract should be extended

Recommendation:

Cabinet is requested to authorise officers to execute the proposed Deed of Extension and Variation to the vehicle hire & maintenance contract between Harrow & Fraikin plc (see draft in Appendix C), which will extend that contact until 31st August 2017

Reason:

The extension will allow the replacement of the current spot-hire refuse collection

fleet and their replacement with a uniform specification fleet at a substantial reduction in costs. The extension sets out a framework within which the Council may hire other vehicles should Fraikin's prices not be the most competitive.

Section 2 – Report

Introductory paragraph

The proposed extension will allow the council to reduce its waste collection costs further and improve the waste management service's VFM. The reduction in vehicle costs is part of its corporate savings plan.

The proposed extension will help the council deliver its following corporate visions: -

- A place with quality neighbourhoods with clean and safe streets
- A place where the council provides value for money services

And the following corporate priorities: -

- Deliver cleaner streets, better environmental services and keep crime low
- Improve the way we work for our residents

Options considered

A fundamental service review of Public Realm Services was carried in 2007/8. The provision of the vehicle fleet was a major element in the review. In particular it was identified that vehicle costs were above average because of the large proportion of refuse collection vehicles that were sourced on a spot-hire basis. The review also identified that the cost of long-term contract-hire vehicles was low compared to a benchmark of similar vehicles held by Capita in their cost comparison database.

The findings of the Review and the proposed management actions were reported to the Service Review Board on 14 Feb 2008. The options for vehicle provision were set out in section 7 of Appendix B to the report and recommended that the existing contract be extended subject to some further clarification on prices being quoted by Fraikin, and some further comparison work with LB Barnet, which was in the process of tendering its vehicle fleet provision.

Appendix G of the report set out the following proposal/ recommendation, which was adopted by the Service Review Board

Rec. 2.14	The proposed extension of the existing vehicle contract hire and maintenance contract with Fraikin for a further eight years
--------------	--

Background

The current contract with Fraikin was signed in 2002 for a term of seven years with an option to extend for a further eight years. The proposed extension will run from 1 Jan 2010 to 31 August 2017.

Current situation

The further work indicated to the Service Review Board has now been completed and is summarised in Appendix A.

The purpose of the additional work was to consider the risks associated with extending a large contract for a relatively long period of time without conducting a full tender process. The work has demonstrated that the key risks have been properly addressed and that the extension

represents good value for money for the council. A contract extension is therefore the best solution and will deliver savings.

The proposed extension allows for the early replacement of the refuse collection fleet. Other services are not currently included but the proposal allows for flexibility as other vehicles come up for renewal. Under the proposal, Fraikin will provide quotations for alternative specifications going forward and this will allow other stakeholders to procure their vehicles to their own satisfaction. With the immediate exception of the waste fleet there is no on-going commitment by the council to source other replacement vehicles from Fraikin. However, with the waste fleet representing 60%, by value, of the current fleet, this arrangement provides a framework that allows other stakeholders to renew their fleet in a manner that will also provide them with VFM. If they consider that this is not the case, they would be free to tender their fleet requirements in the normal way.

Children's Services and Adult and Housing Services have been consulted about the proposal and are content that it provides them with the necessary flexibility for the development of special needs transport. They are currently undertaking a service review that will determine their future requirements, specifications etc. The proposed extension will allow them to enter into similar negotiations/benchmarking with Fraikin once their service review has been completed.

The revised arrangements with Fraikin will lead to improved management information being made available to the council and will allow the governance of the contract to be improved. This will include information about workforce profile and related issues such as workforce turnover.

Why a change is needed

Appendix A sets out why the change is necessary.

Financial Implications

The proposed extension will allow Public Realm Services to deliver the saving of £250k over two years – 2008/9 and 2009/10 - identified in the MTFs, which has already been built into the budget. The costs of extending the contract will be contained within Public Realm Services existing budget.

Legal Implications

The existing contract with Fraikin can lawfully be extended for up to 8 years under clause 35 of the contract.

Performance Issues

The reduction in vehicle costs will be reflected in lower collection costs for waste management services per household (BVPI 86). The total reduction in the indicator (as a result of this decision) will be in the order of £2.95 per household - over this year and next. (i.e. a total saving of £250k).

Risk Management Implications

If the contract is not extended, the refuse fleet will not be refreshed and the programmed budget savings will not be realised.

Section 3 - Statutory Officer Clearance

Name: Sheela Thakkrar	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: ...21 May 2008.....		
Name: Stephen Dorrian.....	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: ...15 May 2008.....		

Section 4 – Performance Officer Clearance

Name:...Tom Whiting.....	<input checked="" type="checkbox"/>	Divisional Director (Strategy and Improvement)
Date: ...13 May 2008.....		

Section 5 - Contact Details and Background Papers

Contact:

Jerry Hickman, Head of Public Realm Services, 020 8424 1701

Andrew Baker, Senior Professional – Public Realm Services, 020 8424 1779

Background Papers

Service Review Board - 14 Feb 2008 - Service Review of Public Realm Services

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank