
REPORT OF CABINET

MEETING HELD ON 18 DECEMBER 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 Stanley Sheinwald also attended this meeting to speak on the item indicated at Minutes 535 and 537 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
529. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
7a Scrutiny Review – “Delivering a Strengthened Voluntary Community Sector for Harrow”	Councillor Bill Stephenson	The Member, who was not a member of Cabinet, declared a personal interest in that he was the Chairman of a Body in receipt of a grant from the Grants Panel. He remained in the room whilst this matter was considered and voted upon.
9. Key Decision – Draft Revenue Budget 2009-10 to 2011-12	Councillor Margaret Davine	The Member, who was not a member of Cabinet, declared a personal interest in that her mother was in receipt of social care. She remained in the room whilst this matter was considered and voted upon.
15. Adults Star-rating	Councillor Margaret Davine	The Member, who was not a member of Cabinet, declared a personal interest in that her mother was in receipt of social care. She remained in the room whilst this matter was considered and voted upon.
20. Key Decision – New Fee Structure for Special Treatment Licences – Adjustments to Businesses operating from Homes	Councillor Susan Hall	The Member declared a prejudicial interest and left the room whilst this matter was considered and voted upon.

530. Minutes:

RESOLVED: That the minutes of the meeting held on 13 November 2008, be taken as read and signed as a correct record.

531. **Petitions:**
Councillor Marilyn Ashton presented two petitions from the residents of numbers 1-7 and 8-14 Cherry Tree Way, Stanmore which contained 7 and 6 signatures respectively. The petitions set out objections to the proposed double yellow lines in Cherry Tree Way.
- RESOLVED:** That the petitions be received and referred to the Portfolio Holder for Environment Services and Community Safety for consideration.
532. **Public Questions:**
- RESOLVED:** To note that no public questions had been received.
533. **Councillor Questions:**
- RESOLVED:** To note that no Councillor Questions had been received.
534. **Forward Plan 1 December 2008 - 31 March 2009:**
The Chairman advised that the Harrow Tourism Strategy would now be considered by Cabinet in January 2009 and that the item on Leases to Youth and Elderly Persons Organisations had been deferred to the March 2009 meeting.
- RESOLVED:** To note the contents of the Forward Plan for the period 1 December 2008 – 31 March 2009.
535. **Scrutiny Review - "Delivering a Strengthened Voluntary Community Sector for Harrow":**
In accordance with Executive Procedure Rule 20.1, the Chairman of the Overview and Scrutiny Committee introduced the report, which set out the response to the final report of the scrutiny review entitled "Delivering a Strengthened Voluntary and Community Sector for Harrow". He advised that one of the most important parts of the review had been the consultation with voluntary sector organisations.
- The Chairman of the Overview and Scrutiny Committee drew Cabinet's attention to the 22 recommendations set out in the report and indicated that Scrutiny had requested a full response to each. Where a recommendation was rejected, he requested that reasons for that decision be provided.
- Julia Smith, Chief Executive of Harrow Association for Voluntary Sector (HAVS) and co-sponsor of the review, expressed her thanks to the Chairman of the Overview and Scrutiny Committee for his chairing of the review. She advised that the review had been open and transparent and that the voluntary sector had been fully engaged, most notably at the two conferences held in November 2008. She welcomed the establishment of the scrutiny implementation group and indicated that HAVS would fund the funding officer post if that recommendation were to be agreed by Cabinet.
- The Chairman referred to the reference from the Overview and Scrutiny Committee and advised that officers would consider the recommendations carefully. He emphasised that the scrutiny review recommendations were for Cabinet to consider and make decisions on. He concluded that Cabinet were appreciative of the work carried out by Scrutiny.
- RESOLVED:** That the report be noted and a further response to the scrutiny recommendations be submitted to the Cabinet meeting in March 2009.
- Reason for Decision:** To consider a response to scrutiny recommendations.
536. **Scrutiny Review - Place Survey Challenge Panel:**
The Portfolio Holder for Performance, Communication and Corporate Services introduced the report, which set out the findings and recommendations of a scrutiny challenge panel convened in September 2008 to consider additional questions for the borough's government-mandated Place Survey of local residents. He stated that the input from scrutiny had been useful and that the results as to how well the Council had performed were awaited.
- RESOLVED:** That the report be noted.
- Reason for Decision:** Although no formal decision was required, the recommendations having already been incorporated into the final draft of the Place Survey, it was considered best practice that Cabinet should be advised of business carried out by the scrutiny function.

537. **Standing Scrutiny Review of the Budget - Response to Initial Report:**
In accordance with Executive Procedure Rule 20.1, the Chairman of the Overview and Scrutiny Committee introduced the report, which set out the response to the interim report on the standing scrutiny review of the budget. The review group had considered the Council's performance against themes. He added that there had been a question and answer session with the Leader of the Council and the Corporate Director of Finance the previous evening.
- RESOLVED:** That the response to the recommendations, as set out in Appendix 1 to the report of the Corporate Director of Finance and Assistant Chief Executive, be approved.
- Reason for Decision:** To respond to scrutiny recommendations.
538. **Progress on Scrutiny Projects:**
- RESOLVED:** To receive and note current progress on the scrutiny reports.
539. **Strategic Performance Report - Quarter 2:**
The Portfolio Holder for Performance, Communication and Corporate Services introduced the report, which summarised Council and service performance against key measures and drew attention to areas which required action. He reported that, as could be seen from recent inspections, Harrow was improving and was the second most improved Council in London. The Council did, however, continue to face challenges due to the current economic climate.
- The Portfolio Holder for Planning, Development and Enterprise referred to the flagship action to give a face lift to St Ann's Road. Whilst this could not be progressed due to the financial situation, investment would be put into the town centre and go beyond St Ann's Road commencing in January 2009.
- The Portfolio Holder for Children's Services referred to the continued improvements in the safeguarding children area. This was the result of an enormous amount of enthusiasm and commitment from officers.
- The Portfolio Holder for Schools and Children's Development indicated that there was a plan in place to improve the amber indicator in relation to under achievement in specific groups of pupils through targeted action. The other indicators in her area were on track.
- The Portfolio Holder for Adults and Housing referred to the number of breaks provided for carers. The Council was on track to almost double the original target.
- RESOLVED:** That (1) Portfolio Holders continue to work with officers to achieve improvement against identified key challenges;
- (2) the report be noted.
- Reason for Decision:** To enable Cabinet to be informed of performance against key measures and to identify and assign corrective action where necessary.
540. **Key Decision - Draft Revenue Budget 2009-10 to 2011-12:**
The Portfolio Holder for Strategy, Partnership and Finance introduced the report, which set out the draft revenue medium term financial strategy (MTFS) for 2009-10 to 2011-12, and outlined the context for the budget. He advised that a funding gap of £4.2m remained and that there needed to be a radical assessment of the services provided. There would be limited funding from the Government in future years.
- The Corporate Director of Finance stated that there were funding gaps year on year. She highlighted the proposed change in relation to the contribution to reserves from £1m to £0.5m per annum. Therefore it was essential that the Council came in on budget this year and added £1m to reserves as planned.
- RESOLVED:** That (1) the results of the consultation carried out on the draft corporate priorities, set out in Appendix 1 to the report of the Corporate Director of Finance, be noted;
- (2) the draft revenue budget of £168.599m for 2009-10 and the draft MTFS be agreed;
- (3) the reserves policy set out in paragraph 46 of the report of the Corporate Director of Finance be approved;

(4) the draft Housing Revenue Account (HRA) for 2009-10 to 2011-12 set out in Appendix 6 of the Corporate Director of Finance's report be approved, and the draft HRA be referred to the Tenants and Leaseholders Consultative Forum in January.

Reason for Decision: To publish the draft budget.

541. **Key Decision - Draft Capital Programme 2009-10 to 2011-12:**

The Portfolio Holder for Strategy, Partnership and Finance introduced the report, which set out the proposed summary capital programme for 2009-10 to 2011-12.

RESOLVED: That the draft summary capital programme for 2009-10 to 2011-12 be agreed.

Reason for Decision: To ensure that the Council had an approved capital programme for 2009-10 to 2011-12 to enable the programme to be effectively planned.

542. **Key Decision - Calculation of Council Tax Base for 2009-2010:**

The Corporate Director of Finance introduced the report, which explained that the Local Government Finance Act 1992, as amended by the Local Government Act 2003, required the Authority to formally calculate the Council Tax Base for 2009-2010 and pass this information to precepting authorities by 31 January 2009. The tax base had to be set between 1 December 2008 and 31 January 2009 and was reflected in the draft budget.

RESOLVED: That the following information, given in the report of the Corporate Director of Finance, be agreed:

- (a) the band D equivalent number of taxable properties was calculated as shown in accordance with the Government regulations;
- (b) the provision for uncollectable amounts of Council Tax for 2009-2010 was agreed at 1.75% producing an expected collection rate of 98.25%;
- (c) subject to (a) & (b) above, a Council Tax Taxbase for 2009-2010 of 85,755 Band D equivalent properties (being 87,282 x 98.25%) be approved, allowing for payment in lieu of Ministry of Defence properties;

Reason for Decision: To fulfill Council's statutory obligation to set the Council Tax Base for 2009-2010.

543. **Revenue and Capital Monitoring 2008/09:**

The Portfolio Holder for Strategy, Partnership and Finance introduced the report, which set out the Council's revenue and capital forecast position for 2008-2009 at the end of September 2008. He advised that the Budget Review Working Group had considered the report in detail and that officers were working hard to ensure that the Council came in on budget.

The Corporate Director of Finance reported that an overspend of £1.845m was forecast for 2008/09 and the reasons for this and the pressures were set out in her report.

RESOLVED: That (1) the revenue and capital forecast outturn position for 2008-2009 be noted and the Corporate Directors be requested to produce management action plans to manage the pressures and to ensure that there were compensating savings to bring the budget back into balance;

(2) in relation to the Housing Revenue Account, the current cessation of non urgent repairs continue to the end of the year in order to contain the forecast overspend within £0.650m, as set out in paragraphs 4-7 of the Corporate Director of Finance's report;

(3) the write off of £0.383m of day care debt be approved, as set out at paragraph 17 of the report of the Corporate Director of Finance;

(4) the amendments to the Capital Programme be approved, as set out in appendix 3 to the report of the Corporate Director of Finance.

Reason for Decision: To present the forecast financial position as at 30 September 2008 and actions required to be taken.

544. **Half Year 2008-09 Treasury Management Activity:**
The Corporate Director of Finance introduced the report, which set out proposed changes to the Treasury Management Strategy and a half year summary of Treasury Management activities for 2008-09.
- RESOLVED:** That (1) the changes to the criteria used to select the counterparties be approved;
- (2) changes to the limits for Investments for periods longer than 364 days be approved;
- (3) changes to the Long Term Borrowing profile be approved;
- (4) the half year treasury management activity for 2008-09 be noted.
- Reason for Decision:** To keep Cabinet Members informed of Treasury Management activities and performance.
545. **Health and Safety Mid Year Progress Report:**
The Corporate Director of Finance introduced the report, which set out the progress made in respect of work carried out by the corporate health and safety team during the first half of 2008/09.
- RESOLVED:** That progress made to date on corporate health and safety matters be noted.
- Reason for Decision:** To ensure that Cabinet had visibility of corporate health and safety progress.
546. **Adults Star-rating:**
The Portfolio Holder for Adults and Housing introduced the report, which detailed the outcome of the 2008 star rating for Adults Services. He advised that this was positive news for the Council but he recognised that there were still areas that needed to be addressed. It was the first time in seven years that an improvement in the rating had been seen. He added that the structure of the scoring system had now been changed which would affect the Comprehensive Area Assessment. The Portfolio Holder advised that significant investment was being put into the safeguarding area.
- The Corporate Director for Adults and Housing reported that the Commission for Social Care Inspection (CSCI) had noted the cross party support for the service and he expressed gratitude for the work that had been done. The Chairman acknowledged the contribution of Councillor Margaret Davine and the Portfolio Holder for Adults and Housing conveyed his thanks to the Corporate Director for Adults and Housing and his team.
- RESOLVED:** That the outcome of the 2008 star-rating for Adults Services and the developments in the assessment process for 2009 be noted.
- Reason for Decision:** To inform Cabinet of progress in a key service area and to respond to the Commission for Social Care Inspection request that the star-rating should be reported to Cabinet within two months of publication.
547. **Key Decision - Future Organisation of Belmont First School and Belmont Middle School:**
The Portfolio Holder for Schools and Children's Development stated that Statutory Proposals were published in October 2008 that could effect the amalgamation of Belmont First School and Belmont Middle School. No objections had been received during the representation period. Cabinet approval was sought to enable the two schools to combine in September 2009.
- The Director for Schools and Children's Development referred to the future amalgamation of West Lodge First and Middle Schools which had previously been considered by Cabinet. This matter had been referred to the School Adjudicator who had determined that the schools should amalgamate. This decision had been the subject of a judicial review but the result was that the schools would amalgamate.
- Cabinet considered a proposed amendment to the recommendation and
- RESOLVED:** That the proposals outlined in the statutory notices to determine the future organisation of Belmont First School and Belmont Middle School, as an

amalgamated school, from September 2009, in accordance with the decision makers guidance, be agreed.

Reason for Decision: Cabinet must determine the statutory proposals within two months from the end of the representation period, and with regard to the statutory and non-statutory guidance provided by the Department for Children, Schools and Families (DCSF).

548. **Key Decision - Local Development Scheme - Revision:**

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which identified the need to amend the existing Local Development Scheme (LDS) to specifically reflect the new timing for producing the Joint Waste Development Plan Document, the introduction of a Harrow Town Centre Design Guide Supplementary Planning Document (SPD) and recent changes to planning legislation and to allow more time to prepare a robust evidence base for the Core Strategy.

The Corporate Director of Place Shaping advised that the report had been considered by the Local Development Framework Panel on 27 November 2008 and the recommendation agreed.

RESOLVED: That the revised Local Development Scheme be approved for submission to the Government Office for London and the Greater London Authority.

Reasons for Decision: (1) To allow more time to prepare a robust evidence base for the Core Strategy and ensure the Council stood the best possible chance of the Core Strategy being found sound by the planning inspectorate at an examination in public and avoid unnecessary delays in the adoption of the Core Strategy.

(2) To ensure the LDS accurately reflected the key milestones and delivery targets for development plan documents (such as the Joint Waste Development Planning Document (DPD) and Core Strategy DPD).

(3) To ensure interim design guidance was developed to help manage development pressure on Harrow Town Centre, whilst the LDF core strategy was being prepared for submission to the Secretary of State.

(4) To ensure the Council received the maximum possible amount of funds from the Government through the Housing and Planning Delivery Grant for the plan-making, by having an up-to-date Local Development Scheme.

549. **Joint Waste Development Planning Document Progress Report:**

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which set out the latest position on the preparation of the Joint Waste Development Plan Document and arrangements for public consultation on an initial Issues and Options report. The Corporate Director of Place Shaping advised that a consultation exercise was currently underway which would end on 30 January 2009. He added that Appendix 2 to his report contained exempt information and appeared elsewhere on the agenda.

RESOLVED: That the latest position on the preparation of the Joint Waste Development Plan Document be noted following the recommendation of the Local Development Framework Panel of 27 November 2008.

Reason for Decision: To enable the Cabinet to note progress on the preparation of the Joint Waste Development Plan Document and arrangements for public consultation on an initial Issues and Options report.

550. **Key Decision - Draft Waste Strategy:**

The Portfolio Holder for Environment Services and Community Safety introduced the report, which set out the background to and the reasons why a new Waste Strategy was required and set out the proposed methods of public consultation. The Divisional Director of Environmental Services indicated that the Council was trying to reduce the amount of waste being sent to landfill sites.

RESOLVED: That officers be authorised to submit the draft Waste Management Strategy to public consultation.

Reason for Decision: A new Waste Strategy would help to inform the development of the Local Development Framework and the West London Waste Authority joint Municipal Waste Management Strategy.

551. **Key Decision - New Fee Structure for Special Treatment Licences - Adjustments to Businesses Operating from Homes:**

The Leader introduced the report, which set out the reasons for the proposed reductions to the new fee structure for Special Treatment Licences. The reductions were considered further to the consultation and representations by the businesses operating from their homes. The Divisional Director of Environmental Services drew attention to the amended appendix, which set out a revised fee structure, which had been circulated on a supplemental agenda.

RESOLVED: That the reduction in fees for businesses operating from homes be agreed.

Reason for Decision: To provide a proportionate fee structure to the businesses that provided special treatments in Harrow from their residential dwellings.

(See Minute 529)

(Note: The meeting, having commenced at 7.30 pm, closed at 8.42 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman