



**MINUTES
of the
MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 2 APRIL 2009**

Present: **The Worshipful the Mayor (Councillor John Nickolay)
The Deputy Mayor (Councillor Eric Silver)**

Councillors:

Husain Akhtar
Nana Asante
David Ashton
Mrs Marilyn Ashton
Mrs Camilla Bath
Miss Christine A. Bednell
Robert Benson
Don Billson
Mrs Lurline Champagne
Mrinal Choudhury
Golam Sobhan Chowdhury
John Cowan
Bob Currie
Margaret Davine
Mano Dharmarajah
Anthony Ferrari
Keith Ferry
Archie T. Foulds
Brian E. Gate
David Gawn

Susan Hall
Graham Henson
Thaya Idaikkadar
Nizam Ismail
Krishna James
Manji. Kara
Mrs E.M. Kinnear
Ashok Kulkarni
Jean Lammiman
Barry Macleod-Cullinane
Julia Merison
Salim Miah
Myra Michael
Jerry J. Miles
Vina Mithani
Chris Mote
Mrs Janet Mote
Narinder Singh Mudhar
Mrs Joyce Nickolay
Christopher D. Noyce

Phillip O'Dell
Asad Omar
Paul Osborn
Anjana Patel
David Perry
Raj Ray
Richard David Romain
Paul Scott
Anthony Seymour
Navin Shah
Mrs Rekha Shah
Stanley Sheinwald
Dinesh Solanki
Bill Stephenson
Mrs Sasikala Suresh
Yogesh Teli
Keekira Thammaiah
Mark A. Versallion
Jeremy Zeid

PRAYERS

The meeting opened with Prayers offered by the
Reverend Antony Ford Rablen

329. COUNCIL MINUTES:

On a matter arising the Council was advised that with regard to Minute 324 (Motion – Ceramics BA Degree) the University of Westminster had indicated it proposed a closure of the course over a five years period.

RESOLVED: That the minutes of the meeting held on 19 February 2009 be taken as read and signed as a correct record.

330. DECLARATIONS OF INTEREST:

It was noted that there were no declarations of interests.

331. MAYOR'S ANNOUNCEMENTS:

The Mayor spoke briefly on several of his recent engagements and reminded Members of upcoming events, including his Civic Service, the Opening of Petts Hill Bridge and London Mayor's Walk, requesting that Members note the engagements within their diaries.

RESOLVED: That the report of the Worshipful the Mayor upon his official duties, as tabled, be noted and received.

332. PROCEDURAL MOTIONS:

There were no procedural motions from Members of Council.

333. PETITIONS AND PUBLIC QUESTIONS:

There were no petitions presented or public questions received.

334. LEADER'S ANNOUNCEMENTS:

(i) The Leader introduced his report highlighting achievements and proposals since the last ordinary meeting.

(ii) At the conclusion of his report the Leader responded to questions from Members of the Council.

RESOLVED: That the report of the Leader be received.

335. SUSTAINABLE COMMUNITY STRATEGY - REFRESH:

Further to Item 8 on the Summons, the Council received Recommendation I of the Cabinet meeting held on 26 March 2009.

The Recommendation was formally moved by the Leader (Councillor David Ashton).

RESOLVED: That the Sustainable Community Strategy be approved and adopted.

336. OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE:

Further to Item 9 on the Summons, the Council received a Recommendation from the Overview and Scrutiny Committee meeting held 16 March 2009 to amend its Terms of Reference.

The Recommendation was formally moved by Councillor Stanley Sheinwald (Chairman of the Committee).

RESOLVED: That the Terms of Reference, as set out at Appendix 1, be agreed.

337. PROPOSED CHANGES - STRATEGIC PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEES:

Further to Item 10 on the Summons, the Council received a Recommendation from the Strategic Planning and Development Management Committees held on 11 and 25 March 2009 respectively.

The Recommendations were formally moved by Councillor Marilyn Ashton (Chairman of both Committees).

RESOLVED: That a single Planning Committee with the Terms of Reference, as set out at Appendix 2, be agreed with effect from the Municipal Year 2009/10.

338. MONITORING OFFICER - ANNUAL REPORT 2008/09:

Further to Item 11 on the Summons, the Council received a Recommendation from the Standards Committee meeting held 17 March 2009 concerning the Annual Report of the Monitoring Officer.

The Recommendation was formally moved by the Mayor.

RESOLVED: That the report be noted.

339. QUESTIONS WITH NOTICE:

The following question had been submitted by a Member of Council under Rule 13.2:-

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Councillor Bill Stephenson	Leader and Portfolio Holder for Strategy, Partnership & Finance (Councillor David Ashton)	"An important part of the Council's budget strategy is to seek fifty voluntary severances. Could Councillor Ashton update the Council on the current situation stating how many voluntary severances have been agreed so far?"

[Notes: (i) Under the provisions of Council Procedure Rule 13.4, the question was answered orally by the Portfolio Holder;

(ii) under the provisions of Council Procedure Rule 13.5, the Member asked a supplementary question, which was also answered orally].

340. MOTION - REAFFIRMATION OF TWINNING AGREEMENT:

At Item 13(1) the Council received a Motion in the names of Councillors David Ashton, Bill Stephenson and Christopher Noyce, in the following terms:

"This Council notes and welcomes the opportunity to celebrate its links with Douai, France and, as part of the 30th Anniversary celebrations, agrees the reaffirmation of the Twinning Agreement between Harrow and Douai by signature of both Mayors at a celebratory event to be held on 2 May 2009. The text of the 2009 Twinning Agreement reaffirmation to read as follows:

"We John Nickolay, Mayor of Harrow and

Jacques Vernier, Le Maire de Douai

On this Thirtieth Anniversary of the Accord linking

Our two great Towns do re- affirm and uphold the

aspirations set out by our Forbears on the

5th Day of May 1979

Freely appointed on behalf of the peoples of our two Towns

Committed to the aspirations and needs of our peoples

Conscious that western civilisation was cradled in our ancient communities and that the spirit of liberty was deeply entrenched in these freedoms which our Communities are certain will prevail

Aware that the fruits of history must continue in the larger world and that the world will continue to be a truly humanitarian one as long as mankind can live freely in free towns.

Solemnly pledge on this day

To maintain permanent links between the Councils of our communities and to encourage in all fields of exchanges between our peoples in order to promote a lively spirit of European brotherhood by better mutual understanding.

To co-ordinate our efforts with a view to furthering to the greatest extent possible through the means at our disposal the success of that very necessary enterprise for peace and prosperity: European Unity.

Douai, Harrow: the 2nd of May 2009.”

RESOLVED: That the substantive Motion, as set out above, be adopted.

[Note: The Mayor (Councillor John Nickolay), Deputy Mayor (Councillor Eric Silver), Councillors Husain Akhtar, Nana Asante, David Ashton, Marilyn Ashton, Mrs Camilla Bath, Miss Christine Bednell, Robert Benson, Don Billson, Mrs Lurline Champagnie, Mrinal Choudhury, Golam Chowdhury, John Cowan, Bob Currie, Mrs Margaret Davine, Mano Dharmarajah, Tony Ferrari, Keith Ferry, Archie Foulds, B E Gate, David Gawn, Susan Hall, Graham Henson, Thaya Idaikkadar, Nizam Ismail, Krishna James, Manji Kara, Ashok Kulkarni, Jean Lammiman, Barry Macleod-Cullinane, Julia Merison, Salim Miah, Mrs Myra Michael, Jerry Miles, Mrs Vina Mithani, Chris Mote, Mrs Janet Mote, Narinder Singh Mudhar, Joyce Nickolay, Christopher Noyce, Phillip O'Dell, Asad Omar, Paul Osborn, Anjana Patel, David Perry, Raj Ray, Richard Romain, Paul Scott, Anthony Seymour, Navin Shah, Mrs Rekha Shah, Stanley Sheinwald, Dinesh Solanki, Bill Stephenson, Mrs Sasikala Suresh, Yogesh Teli, Keeki Thammaiah, Mark Versallion and Jeremy Zeid wished to be recorded as having voted for the substantive motion].

341. MOTION - ABSENCE OF CHAIRMAN AT MEETINGS OF COMMITTEES, SUB-COMMITTEES AND PANELS:

At Item 13(2) the Council received a Motion in the names of Councillors Paul Osborn and David Ashton, in the following terms:

“This Council supports amendments to Part 4B (Committee Procedure Rule 8.4 and to Part 4E (Advisory / Consultative Rule 6.2 to read as follows:

Absence of Chair at Meetings

In the absence of the Chair, the Vice-Chair shall preside.

If after 15 minutes since the identified start time of the Committee, sub-committee or Panel neither the Chair or Vice-Chair are present, then the meeting shall elect a Chair for that meeting as its first order of business.

Where the Chair and Vice-Chair have both submitted apologies in advance of the meeting to the Director of Legal & Governance Services, then the first order of business shall be to elect a Chair for the meeting.”

Upon a vote, the Motion was carried.

RESOLVED: That the substantive Motion, as set out above, be adopted.

342. MOTION - BUSINESS RATES:

- (i) In accordance with Rule 16.1 and at Item 13(3) the Council noted the withdrawal of the Motion set out within the Summons and received the amended Motion in the names of Councillors David Ashton and Jeremy Zeid, in the following terms:

“This Council notes that from April 1st 2009 business rates across the country are due to increase by 2%, as the result of a last-minute ‘U-turn’ by Government. This Council recognises that this increase has been brought down from 5% by the Chancellor of the Exchequer, but is of the opinion that this action does not go far enough. This Council thus:

- I. is resolved to allow, on application, small businesses in the Borough to pay their business rates over 12 months rather than the usual 10.
 - II. urges all local businesses to investigate whether they qualify for the Small Business Rate Relief Scheme. This Council estimates that over half of the Borough’s businesses are likely to qualify, but that at present nearly two-thirds of those businesses do not claim this relief.
 - III. urges the Government to defer the entire increase on the grounds that:
 - a) a 2% increase will still hit small businesses hard at a time when the majority of them are struggling through the recession.
 - b) the original 5% increase is linked to September 2008’s RPI figure, but the economic situation has changed dramatically since then.
 - c) if the increase had been linked to February 2009’s RPI it would have been 0%, rendering any form of increase unacceptable at this time.
 - IV. is resolved to write to the Chancellor of the Exchequer to express the aforementioned concerns.”
- (ii) There was a second amendment proposed in the names of Councillors Phillip O’Dell and Keith Ferry, which sought to amend the Motion to read as follows:-

“This Council welcomes the Government’s decision to peg the increase in business rates to 2% instead of 5% for this year as this will be of significant help for businesses with cash flow problems. Council further notes the many different measures which the Government has introduced to help businesses in general and small businesses in particular.

Council further resolves

- (i) to allow, on application, small businesses in the Borough to pay their business rates over twelve months rather than the usual ten,
 - (ii) that it will widely publicise the Small Business Rate Scheme which allows a 50% discount, and applies to nearly half the Borough’s businesses but which is not at present claimed by two-thirds of such businesses.”
- (iii) Upon a vote, the second amendment was lost.
- (iv) Upon a vote the substantive Motion, as amended, was agreed.

RESOLVED: That the substantive Motion, as set out at (i) above, be adopted.

343. MOTION - HARROW RESIDENTS AND BUSINESSES:

- (i) At Item 13(4) the Council received a Motion in the names of Councillors Bill Stephenson and Phillip O'Dell, in the following terms

"This Council believes that the current economic downturn poses a serious threat, not only to the Council itself but, individually to the well-being of many Harrow residents and businesses. This Council further believes that it should do everything in its power to help.

This Council:

- (i) welcomes the initiatives already being taken but agrees that much more needs to be done;
- (ii) believes that it is vital for all partners and organisations in Harrow to work together, and, in particular, welcomes the fact that the Harrow Partnership Board will be considering this matter at its next meeting;
- (iii) suggests to the Overview and Scrutiny Committee that it should consider setting up a Challenge Panel to look at the best ways to help Harrow residents and businesses in this very difficult situation."
- (ii) There was an amendment proposed in the names of Councillors Marilyn Ashton and Paul Osborn, which sought to amend the Motion to read as follows:-

"This Council is concerned that the current recession, which would hit Britain hardest and has been described by the Chancellor of the Exchequer as the worst for over 100 years, has adverse implications for the Council, Harrow businesses, and the quality of life for many Harrow residents. Therefore, in addition to welcoming the many positive steps taken to limit the impact of the recession in the Borough, this Council:

- (i) encourages all partners and organisations in Harrow to work together in meeting the challenges faced by the British economy.
- (ii) welcomes the fact that the Harrow Partnership Board will be considering the local implications of the recession at its next meeting.
- (iii) encourages all Harrow politicians to publicise and support the initiatives intended to help those struggling through these difficult times."
- (iii) Upon a vote, the amendment was carried.
- (iv) Upon a vote the substantive Motion, as amended, was agreed.

RESOLVED: That the substantive Motion, as amended and set out at (ii) above, be adopted.

344. MOTION - HARROW ON THE HILL STATION:

In accordance with Rule 16.1 and at Item 13(5) the Council noted the withdrawal of the Motion set out within the Summons and received the amended cross-party Motion in the names of Councillors Bill Stephenson and Susan Hall, in the following terms:

"This Council notes that Harrow-on-the-Hill station is a major tube and rail hub which is used by thousands of travellers every day. However, it still remains inaccessible to the vast majority of passengers with physical disabilities and also to many others such as the less able bodied, those with young children or even for those with heavy luggage.

This Council declares in the strongest possible terms that this is totally unacceptable and believes that Harrow-on-the-Hill station should be made DDA compliant as a matter of urgency.

This Council is dismayed to learn that Transport for London is proposing to delete the proposed DDA upgrade of Harrow-on-the-Hill station from its current business plans.

This Council will support a campaign to reverse this decision which it would hope would involve the Harrow Public Transport Users association, the two Harrow MPs, the Brent and Harrow London Assembly Member, the Harrow Association for Disabled people, and all other interested organisations.”

RESOLVED: That the substantive Motion, as set out above, be adopted.

[Note: The Mayor (Councillor John Nickolay), Deputy Mayor (Councillor Eric Silver), Councillors Husain Akhtar, Nana Asante, David Ashton, Marilyn Ashton, Mrs Camilla Bath, Miss Christine Bednell, Robert Benson, Don Billson, Mrs Lurline Champagnie, Mrinal Choudhury, Golam Chowdhury, John Cowan, Bob Currie, Mrs Margaret Davine, Mano Dharmarajah, Tony Ferrari, Keith Ferry, Archie Foulds, B E Gate, David Gawn, Susan Hall, Graham Henson, Thaya Idaikkadar, Nizam Ismail, Manji Kara, Ashok Kulkarni, Jean Lammiman, Barry Macleod-Cullinane, Julia Merison, Salim Miah, Mrs Myra Michael, Jerry Miles, Mrs Vina Mithani, Chris Mote, Mrs Janet Mote, Narinder Singh Mudhar, Joyce Nickolay, Christopher Noyce, Phillip O'Dell, Asad Omar, Paul Osborn, Anjana Patel, David Perry, Raj Ray, Richard Romain, Paul Scott, Anthony Seymour, Navin Shah, Mrs Rekha Shah, Stanley Sheinwald, Dinesh Solanki, Bill Stephenson, Mrs Sasikala Suresh, Yogesh Teli, Keeki Thammaiah, Mark Versallion and Jeremy Zeid wished to be recorded as having voted for the substantive motion to be adopted].

345. MOTION - NORTH WEST LONDON LIGHT RAILWAY:

- (i) In accordance with Rule 16.1 and at Item 13(6) the Council noted the withdrawal of the Motion set out within the Summons and received the amended cross-party Motion in the names of Councillors Brian Gate and Councillor Manji Kara, in the following terms:

“This Council notes that the North West London Light Railway is a proposal for the construction of an orbital light railway system centered on the planned £5 billion Brent Cross/Cricklewood development with potential branches to Mill Hill East, Wembley Stadium, Park Royal, Ealing Broadway and Finchley Road via West Hampstead. It would largely make use of existing little used freight lines or abandoned railway tracks, and would both provide an attractive alternative to the estimated 29,000 extra vehicle movements likely to be generated by the expanded Brent Cross, and offer orbital light rail routes across the whole of North West London. This will benefit the residents of Harrow; for example, by improving access to public transport connections and decreasing traffic congestion.

This Council supports, in principle, the North West London Light Railway proposal. This Council therefore instructs the Chief Executive to write to Transport for London to ask whether it will provide funding for a feasibility study to examine this proposal. This Council is of the opinion, however, that in the event of Transport for London stating that no funding shall be forthcoming, no more public money should be directed towards this proposal.

This Council further instructs the Chief Executive to write to the two Harrow MPs, the Brent and Harrow Assembly Member and to ‘London Councils’ to inform them of this motion and to ask for their support.”

- (ii) The substantive Motion was carried unanimously.

RESOLVED: That the substantive Motion, as set out above, be adopted.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 10.10 pm).

APPENDIX 1

OVERVIEW AND SCRUTINY COMMITTEE**REVISED TERMS OF REFERENCE**

The Overview and Scrutiny Committee has the following powers and duties:

1. To oversee an agreed work programme that can help secure service improvement through in-depth investigation of poor performance and the development of an effective strategy/policy framework for the council and partners;
2. To have general oversight of the council's scrutiny function;
3. To offer challenge and critical support to the Executive's policy development function and the long-term strategic direction of the borough;
4. To anticipate policy changes and determine their potential impact on residents and to recommend changes where these are appropriate;
5. To consider the council and partners' strategic approach to service delivery, using, where necessary, the power of overview and scrutiny committees to receive information from partner agencies and to require partner authorities to respond to reports and recommendations from the Committee, as set out under Part Five of the Local Government and Public Involvement in Health Act 2007;
6. To undertake detailed investigation of service/financial performance in order to recommend policy changes to the Executive and to commission investigations by the Performance and Finance sub committee;
7. To have regard, in carrying out its functions, to the requirement to involve local representatives, as set out in Part Seven of the Local Government and Public Involvement in Health Act 2007;
8. To report scrutiny findings and recommendations to the Executive within 8 weeks of being published or to its next meeting, whichever is the sooner, in accordance with the council's constitution
9. To consider items included in the Forward Plan;
10. To consider Councillor Call for Action in terms of
 - a. Local Government Matters (Section 119, Local Government and Public Involvement in Health Act 2007)
 - b. Local Crime & Disorder Matters (Section 19, Police & Justice Act 2006)
11. To discharge the functions conferred by Section 21(f) of the Local Government Act 2000 of reviewing and scrutinising, in accordance with regulations under Section 7 of the Health and Social Care Act 2001, matters relating to the planning, provision and operation of health services in Harrow.
12. To respond to consultations from local health trusts, Department of Health and any organisation which provides health services outside the local authority's area to inhabitants within it.

APPENDIX 2

PLANNING COMMITTEE**TERMS OF REFERENCE**

1. To exercise the functions of the council as local planning authority under the Town and Country Planning Act 1990 and other planning and subordinate legislation with the exception that:
 - a) the preparation, maintenance and updating of the Local Development Framework; and
 - b) the consideration of any policy matter concerning the planning of the Borough, including the development of major sites but not the determination of any planning application;shall be matters to be determined by the Cabinet.
2. To determine applications for certificates under section 17 of the Land Compensation Act 1961.
3. To consider and, if appropriate, serve Article 4 Directions removing permitted development rights in accordance with the Town and Country Planning General (Permitted Development) Order 1990.
4. To determine and enforce building regulations.
5. All other functions relating to town and country planning and development control as set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) listed by Committee in the schedule to this document.