



PORTFOLIO HOLDER DECISION MEETING

**TUESDAY 29 JULY 2008
11.30 AM**

**COMMITTEE ROOM 5,
HARROW CIVIC CENTRE**

MEMBERSHIP

Leader

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

**Contact: Damian Markland, Democratic Services Officer
Tel: 020 8424 1785 damian.markland@harrow.gov.uk**

HARROW COUNCIL
PORTFOLIO HOLDER DECISION MEETING
TUESDAY 29 JULY 2008

AGENDA - PART I

PROCEDURAL

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 Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

2. **Arrangement of Agenda:**

To consider whether any item on the agenda should be considered with the press and public excluded because it contains confidential information as defined in the Local Government Act 1972.

Enc. 3. **Minutes:** (Pages 1 - 2)

That the meeting held on 4 July 2008, having been circulated, be taken as read and signed as a correct record.

4. **Petitions:**

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Executive Procedure Rule 15 (Part 4D of the Constitution).

5. **Public Questions:**

To receive questions (if any) under the provisions of Executive Procedure Rule 16 (Part 4D of the Constitution).

(Note: Paragraph 16 of the Executive Procedure Rules stipulates that questions will be asked in the order notice of them was received and that there be a time limit of 15 minutes).

6. **Matters referred to the Executive Member:**

In accordance with the provisions contained in Overview and Scrutiny Procedure Rule 23 (Part 4F of the Constitution).

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

8. **Any Other Urgent Business:**

Which cannot otherwise be dealt with.

AGENDA - PART II

- Enc. 9. **Oxhey Lane Flood Defence Works - Oxhey Lane Farm:** (Pages 3 - 12)
Report of the Corporate Director of Community & Environment.

Local Government (Access to Information) Act 1985

In accordance with the Local Government (Access to Information) Act 1985, this meeting is being called with less than 5 clear working days' notice by virtue of the special circumstances and ground for urgency stated below:-

Special Circumstances / Grounds for Urgency

Under Access to Information Procedure Rule 5.2, where a meeting is convened at shorter notice than set out in Rule 4, copies of the agenda and reports shall be open to inspection from the time the meeting is convened.

To carry out essential flood defence works and for work on site to commence immediately.

The report has been excluded from public inspection on the grounds that it contains information that is considered exempt by virtue of paragraph 3 as specified in schedule 12a (as amended) of the Local Government Act 1972 in that it relates to information relating to the financial or business affairs of any particular person (including the authority holding that information).

This page is intentionally left blank

PORTFOLIO HOLDER DECISION MEETING

4 JULY 2008

Chairman: * Councillor David Ashton

* Denotes Member present

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

52. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

53. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:

<u>Item</u>	<u>Special Circumstances/Grounds for Urgency</u>
7. Street Lighting PFI	The approval contained in this report is required in order to enable Harrow's revised Outline Business Case for a Street Lighting PFI to be submitted to DfT. The report is urgent in order to comply with DfT's timetable for submission to the Treasury Programme Review Group (PRG) in September 2008. Delay would result in increased costs to the Council in respect of procurement costs in respect of external advisors and also the annual Affordability Gap that the Council must meet. It may also jeopardise the approval of the scheme.

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

<u>Item</u>	<u>Reason</u>
9. Street Lighting PFI	The 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).

54. **Minutes:**

RESOLVED: That the minutes of the meeting held on 17 March 2008, be taken as read and signed as a correct record.

55. **Petitions:**

RESOLVED: To note that no petitions had been received.

56. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 16.

57. **Matters referred to the Executive Member:**

RESOLVED: That no matters had been referred to the Executive Member for reconsideration in accordance with the provisions contained in the Overview and Scrutiny Procedure Rule 22 (Part 4F of the Constitution).

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

RESOLVED: To note that no reports had been received.

59. **Street Lighting PFI:**

The submission of the Street Lighting PFI Outline Business Case to the Department of Transport had been discussed by Cabinet at its meetings in January 2007, March 2008 and May 2008. Since the May Cabinet, further discussions had taken place with the Department for Transport, 4Ps and EDF and these had given rise to the need to make further changes to the Outline Business Case.

An officer introduced the confidential report which detailed the reasons for the changes and the advice from the Council's financial advisers.

RESOLVED: That (1) the revised bid to the Department of Transport for PFI credits be approved as set out in the report;

(2) that a further addition to the procurement budget of £400k, making £1.3m in total, be approved; and

(3) that the funding of the revised base Affordability Gap for the duration of the contract term and as set out within the Council's Outline Business Case be approved.

Reason for Decision: Following discussions with the Department for Transport, 4Ps and EDF it had become apparent that further amendments were necessary to Harrow's PFI proposal before a revised Outline Business Case could be submitted.

(This item was included in Part II as it was considered exempt by virtue of paragraph 3 as specified in Schedule 12a (as amended) of the Local Government Act 1972 in that it related to information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Note: The meeting having commenced at 7.45 am, closed at 8.00 am)

(Signed) COUNCILLOR DAVID ASHTON
Chairman

Document is Restricted

This page is intentionally left blank