

2009 - 2010

HARROW COUNCIL  
COUNCIL SUMMONS

MEETING  
Thursday 9 July 2009





## COUNCIL SUMMONS

Legal and Governance Services Department

Civic Centre

Harrow

Wednesday 1<sup>st</sup> July 2009

Dear Member

I hereby request and summon you to attend a **Meeting of the Council of the London Borough of Harrow** to be held in the **Council Chamber** at the **Civic Centre, Station Road, Harrow, on Thursday, 9th** day of **July 2009 at 7.30 pm** to consider the following numbered matters and to pass such resolutions and to make such orders thereon as may then be determined.

Yours sincerely

A handwritten signature in black ink, consisting of the letters 'H' and 'R' in a stylized, cursive font.

Director of Legal and Governance Services

## **PRAYERS**

The Mayor's Chaplain, Rabbi Mendel Lew, will open the meeting with Prayers.

### **SCRUTINY AWARD**

To note the Council's success in attaining the Financial Scrutiny Award 2009 from the Centre for Public Scrutiny.

#### **1. COUNCIL MINUTES:**

That the minutes of the annual meeting held on 7 May 2009 be taken as read and signed as a correct record.

#### **2. DECLARATIONS OF INTEREST:**

To receive declarations of personal or prejudicial interests arising from business to be transacted at this meeting, from all members of the Council.

#### **3. MAYOR'S ANNOUNCEMENTS:**

To receive any announcements from the Mayor.

[Note: Information as to recent Mayoral engagements will be tabled].

#### **4. PROCEDURAL MOTIONS:**

To receive and consider any procedural motions by Members of the Council in relation to the conduct of this Meeting.

[Note: Notice of such procedural motions, received after the issuing of this Summons, will be tabled].

#### **5. PETITIONS:**

To receive any petitions to be presented:

- (i) by a representative of the petitioners;
- (ii) by a Councillor, on behalf of petitioners; or
- (iii) by the Mayor, on behalf of petitioners.

#### **6. PUBLIC QUESTIONS:**

A period of up to 15 minutes is allowed for members of the public to ask questions of members of the Executive, Portfolio Holders and Chairmen of Committees, of which notice has been received no later than 5.00 pm two clear working days prior to the day of this Meeting.

[Note: Any such questions received will be tabled].

**7. LEADER'S ANNOUNCEMENTS:**

To receive a presentation from the Leader of the Council on business since the last ordinary meeting. This will be followed by a question and answer session of 15 minutes relating to issues raised in the presentation.

**8. CHILDREN AND YOUNG PEOPLE'S PLAN: (Pages 1 - 4)**

Recommendation I: Cabinet  
(23 April 2009)

**9. REVISED HOUSING REVENUE ACCOUNT (HRA) BUDGET 2009/10 AND MEDIUM TERM FINANCIAL STRATEGY 2009/10 TO 2011/12: (Pages 5 - 10)**

Recommendation I: Cabinet  
(18 June 2009)

**10. SCRUTINY ANNUAL REPORT 2009/10:**

Recommendation I: Overview and Scrutiny Committee  
(11 June 2009)

[NOTE: The revised Annual Scrutiny Report 2008/09 is included within the background papers pack]

**11. SCRUTINY WORK PROGRAMME: (Pages 11 - 18)**

Recommendation II: Overview and Scrutiny Committee  
(11 June 2009)

**12. OPERATION AND PROVISIONS FOR CALL-IN & URGENCY 2008/09: (Pages 19 - 26)**

Report of the Chief Executive attached.

**13. AMENDMENTS TO REPRESENTATIVES ON COUNCIL COMMITTEES:**

The Leader of the Council to propose that Councillor Nizam Ismail be replaced by Councillor Phillip O'Dell as a reserve representative of the Governance, Audit and Risk Management Committee for the remainder of the Municipal Year 2009/10.

**FOR DECISION**

**14. SPECIAL RESPONSIBILITY ALLOWANCE: (To Follow)**

In accordance with Rule 14.1 to consider the Leader's proposal.

**FOR DECISION**

**15. RECOMMENDED CONSTITUTIONAL CHANGES: (Pages 27 - 32)**

Report arising from the Constitution Review Working Group.

**16. QUESTIONS WITH NOTICE:**

A period of up to 15 minutes is allowed for asking written questions by Members of Council of a member of the Executive or the Chairman of any Committee:-

- (i) of which notice has been received at least two clear working days prior to the day of this Meeting; or
- (ii) which relate to urgent matters, and the consent of the Executive Member or Committee Chairman to whom the question is to be put has been obtained and the content has been advised to the Director of Legal and Governance Services by 12 noon on the day of the Council Meeting.

[Any such questions received will be tabled].

**17. MOTIONS:**

The following Motions have been notified in accordance with the requirements of Council Procedure Rule 15, to be moved and seconded by the Members indicated:-

**(1) One Hour Bus Ticket**

To be moved by Councillor Paul Scott and seconded by Councillor Chris Noyce:

“This Council believes in affordable public transport and in the need to ensure that passengers who use “Pay As You Go” Oyster cards have a fair deal.

This Council notes that in other European capital cities bus passengers have the benefit of a time-limited bus ticket which enables them to use two or three buses within a set time without having to pay again. Further that almost a million car journeys every day in London are less than one mile in length, and supports effective ways of encouraging modal shift to public transport.

This Council views with concern, at this time of economic recession, that even short journeys in London may involve

using two or three buses and can cost up to £3.00 if more than one bus is needed. The average bus journey length is 3.54km (2.2 miles, 9 stops), and that Transport for London (TfL) estimate that 16% of bus journeys on Oyster 'Pay As You Go' involve using a second bus within 60 minutes of the first.

This Council commends the proposal for a One Hour Bus Ticket to be available on Oyster "Pay As You Go", enabling passengers to use more than one bus during a 60-minute period without paying more than £1.00 and instructs its Chief Executive to write to the Mayor of London promoting the One Hour Bus Ticket proposal and requesting that he instruct Transport for London to implement it as soon as possible.

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."

## **(2) Harrow College**

To be moved by Councillor Bill Stephenson and seconded by Councillor Navin Shah:

"This Council expresses its extreme concern and dismay at the decision by the Learning and Skills Council (LSC) not to fund the innovative and Harrow College development 'One Harrow'.

Council believes this a body blow to the people of Harrow and an enormous betrayal of trust by the LSC:

- to the College which in good faith invested over £10 million in working their proposal up to the stage when it was accepted 'in detail' by the LSC;
- to all learners in Harrow, who have the right to be educated in buildings which are fit for purpose;
- to all Harrow residents as this development was a key piece in the jigsaw for the development and regeneration of the Town Centre.

Council believes that the LSC has let everyone down in a most disgraceful way and notes that the LSC is about to be abolished and all of Harrow's colleges will once again come back into the Local Authority fold along with Harrow's schools.

Council instructs the Chief Executive to urgently set up a meeting between senior ministers and a cross-party Harrow delegation including the two local MPs, the Brent and Harrow Assembly Member, the Harrow party political leaders and the Principal of Harrow College."

### **(3) Bentley Priory**

To be moved by Councillor Marilyn Ashton and seconded by Councillor John Cowan:

“This Council notes with great concern that the proposed Battle of Britain museum at Bentley Priory faces an uncertain future. The construction of the museum is a compulsory part of the overall plan for the site, but the severity of the recession has stifled the ability of developers to take on the project.

This Council is of the opinion that it is imperative the museum be built. As the site of Fighter Command during World War II - from where the Battle of Britain was coordinated – it is a precious and vital piece of our history. Therefore, this Council wants to ensure Bentley Priory is preserved for future generations, and to honour those who fought and died defending this country.

This Council is therefore resolved to write to the Chancellor of the Exchequer to request Government funding for the Bentley Priory development. This Council does so on the basis that:

- I. Bentley Priory is an important part of our national history, and it is unacceptable that a site of such significance is left to deteriorate. The creation of a museum is a vital way of both preserving the site and honouring its contribution.
- II. The Government sold Bentley Priory for a substantial sum of money, and then failed to make any considerations as to how to protect its heritage.
- III. We have seen banks bailed out to the tune of billions of pounds, so it is right that the Government also helps protect areas of Britain’s heritage and culture which have been blighted by the recession.

This Council worked hard to ensure that establishing the museum at Bentley Priory was a key part of the planning proposals for the site, and continues to support this exciting and incredibly worthy venture”

### **(4) Travel Motion**

To be moved by Councillor Jeremy Zeid and seconded by Councillor Paul Scott:

“This Council expresses serious concerns regarding the Government’s ‘e-Borders’ travel database. This database is designed to track and store the details of every journey in and out of the UK by all individuals, and is estimated to have already tracked around 100 million such journeys. This Council is concerned that:



- I. The range of information stored – which includes travel itineraries, phone numbers, seat reservations, e-mail addresses, travel companions and credit card details – makes this database dangerously open to abuse, by both the State and any other parties who may obtain its content. For example:
  - a) Large scale credit card fraud and e-mail scams are likely to have a greater chance of success as the result of the range of information the database will contain.
  - b) Potential thieves will know precisely who is out of the country, away from their homes and businesses, and for exactly how long.
  - c) State agencies could also use this information to conduct warrantless and covert searches while the home-owner is out of the country.
  - d) In the event of a burglary due to a data-leak, the home-owners insurers may refuse to pay out as information given out was a contributory factor.
- II. The Government's appalling track record on data security makes a database of this nature a worrying prospect.
- III. The Government has offered no guarantees that the information in this database will not be shared between Departments that might otherwise be unable to obtain such information, and originally tried to exclude it from the Data Protection Act by inserting a now deleted clause into the Coroners and Justice Act.
- IV. The lack of any significant public consultation on this database, combined with the hurried and poorly publicised nature of its implementation, means that the Government and its agencies have not satisfactorily considered the arguments against it, and have dismissed the ramifications for ordinary people.
- V. This database is another example of the Government attempting to monitor, regulate and inconvenience the vastly law-abiding population on specious national security and crime prevention grounds.
- VI. This database can only deal with those who go through legal channels or who are in possession of legal documentation, thereby focusing on the law-abiding majority and doing nothing to clamp down on people actually breaking the law."

## **(5) Council Housing Rents**

To be moved by Councillor Barry Macleod-Cullinane and seconded by Councillor Tony Ferrari:

“This Council notes that despite knowing since 30<sup>th</sup> September 2008 that its rent convergence policy would generate a 6.15% rent increase, it took until 6<sup>th</sup> March 2009 for the then Housing Minister, Margaret Beckett, to announce proposals to halve increases in rents – 8 days after Harrow had issued its rent bills for 2009-10;

This Council notes that:

- a. this whole sorry episode has created needless concern, worry and confusion amongst Harrow’s tenants; and
- b. the £7,740 cost of re-billing council rents will fall on council tenants, that an additional £10,705 of “negative subsidy” will be paid out from the Housing Revenue Account, and that an additional £9,940 has been incurred by the General Fund to review Housing Benefit entitlements associated with the reduction in rent increases; and;
- c. the unanimous support at the Tenants’ and Leaseholders’ Forum (special) meeting, 29<sup>th</sup> June 2009, for recovering these costs from the government;

Therefore, this Council resolves to instruct the Chief Executive to write to the new Secretary of State for Communities and Local Government (DCLG), John Denham, expressing its grave concerns at DCLG’s failure to act until after almost every council had issued their rent bills despite the problem being known 6 months earlier and to seek a meeting with him to discuss the recovery of the approximately £30,000 cost of the re-billing exercise.”

## **(6) Seeking Abolition of the Tenants’ Tax**

To be moved by Councillor Barry Macleod-Cullinane and seconded by Councillor Yogesh Teli:

“This Council notes:

- a. that from the total council rents to be collected in 2009-10, £6,213,840 will be paid out of Harrow’s HRA to other parts of the country, as “Housing Revenue Account negative subsidy”;
- b. that this payment amounts to roughly £1 of every £3 of rent collected in Harrow;
- c. the ongoing pressures on the Housing Revenue Account (HRA), specifically around responsive repairs, capital works and the external decorations programme;
- d. that Harrow’s £6-7million annual HRA negative subsidy payment, were it to be retained in Harrow’s HRA, would

significantly improve the quality of service that Harrow's tenants rightfully expect – and pay for;

- e. that Harrow's payment of "Housing Revenue Account negative subsidy" therefore amounts to a "tenants' tax";

This Council resolves:

- (1) To campaign, including working with all other relevant organisations, for the abolition of the "HRA negative subsidy" or "tenants' tax" for the benefit of Harrow's council tenants;
- (2) That a meeting be sought with the new Housing Minister, John Healey, to express Harrow's grave concerns at the poor deal for our tenants of the current HRA negative subsidy regime and to press for the abolition of the Tenants' Tax as part of the government's review of the Housing Revenue Account."

**18. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE BY PORTFOLIO HOLDERS, LEADER AND CABINET & USE OF SPECIAL URGENCY PROCEDURE: (Pages 33 - 38)**

Report of the Director of Legal and Governance Services attached.

**19. DECISIONS ON URGENT MATTERS RESERVED TO COUNCIL: (Pages 39 - 42)**

Report of the Director of Legal and Governance Services.