

CABINET MINUTES

14 SEPTEMBER 2010

Chairman: * Councillor Bill Stephenson

Councillors: † Bob Currie * Graham Henson
* Margaret Davine * Thaya Idaikkadar
* Keith Ferry * Phillip O'Dell
* Brian Gate * Mrs Rekha Shah
* Mitzi Green

In attendance: James Bond Minute 43
(Councillors) Susan Hall Minute 43
Barry Macleod-Cullinane Minutes 43 and 50

* Denotes Member present
† Denotes apologies received

39. **Declarations of Interest**

RESOLVED: To note that the following interests were declared and that all Members would remain in the room to participate in or listen to the discussion on the reports, as appropriate:

Agenda Item 8(b) – Neighbourhood Champions Scrutiny Challenge Panel Report

Councillors Brian Gate and Mitzi Green declared personal interests in that they had participated in the Challenge Panel on Neighbourhood Champions. Councillor Green added that she had also chaired the Panel.

Councillors Christine Bednell, Susan Hall, Paul Osborn, Jean Lammiman and Barry Macleod-Cullinane declared interests in that they had approved the Neighbourhood Champions Scheme at a Cabinet meeting when serving as Portfolio Holders under the previous administration. Councillor Hall also

stated that she had instigated the Scheme and was herself a Neighbourhood Champion together with Councillor Lammiman.

Agenda Item 20(a) – Harrow Magistrate’s Court Challenge Panel

Councillor Janet Mote declared an interest in that her husband, Councillor Chris Mote, was a Magistrate. Councillor Stephen Greek declared that his father was a Magistrate.

40. Minutes

RESOLVED: That the minutes of the meeting held on 15 July 2010, be taken as read and signed as a correct record.

41. Petitions

Mr Brian Stoker, a local resident, submitted a petition with one signature and the following terms of reference:

“We request the Executive to determine why a Harrow Council department has been allowed to expend resources and construct an unrequired toilet building on a concrete foundation on an allotment site in a designated Green Belt area without planning permission?”

The site in question is Park View allotments, Anselm Road, Hatch End, which is the only allotment site in Harrow in a designated Green Belt.”

RESOLVED: That the petition be received.

42. Public Questions

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

1.

Questioner: Ameet Jogia

Asked of: Councillor Phillip O’Dell, Portfolio Holder for Environment and Community Safety

Question: “Residents in the vicinity of Whitmore Road, Porlock Avenue and Treve Avenue have expressed a desire for parking controls to be introduced for road safety reasons. Can the Portfolio Holder guarantee that prompt action will be taken to deal with this problem?”

Answer: The question will be referred to the officers, as I cannot guarantee anything in advance of the public consultation taking place on this matter.

Supplemental Question: Following the results of the consultation, will the Portfolio Holder work to respect the wishes of the

respective majority who favour parking controls and not surrender to opposition from more vocal residents living further afield?

Supplemental Answer: As I said previously, I cannot guarantee anything.

43. Councillor Questions

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

1.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: “What contact has the Council had with Harrow PCT on the issue of their budget cuts since the Harrow Partnership Board meeting on July 22nd 2010?”

Note: At the request of the questioner, a written answer would be provided. The answer would be provided by Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Well-Being.

2.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question “What analysis has the Council done of the impact of the PCT's cuts and what discussions have taken place between the Council and those voluntary organisations directly affected by Harrow PCT's grant cuts, especially those providing mental health services?”

Note: At the request of the questioner, a written answer would be provided. The answer would be provided by Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Well-Being.

3.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "What contingencies has Harrow Council put into place to support vulnerable residents, especially those with severe mental health needs, whose services have been cut?"

Note: At the request of the questioner, a written answer would be provided. The answer would be provided by Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Well-Being.

4.

Questioner: Councillor James Bond

Asked of: Councillor Brian Gate, Portfolio Holder for Schools and Colleges

Question: "Why did the Council fail to inform residents of the halal-only meat option in the borough's secondary schools at the time this decision was taken, and, in view of the offence being caused to sections of our community, should the Council now redeem itself by following the wisdom offered by the Harrow Inter Faith Council, who in stating that while it is right that halal meat should be offered as an option to the children of a Muslim faith, there should be provision of food for those pupils who, for various reasons, religious or otherwise, are not permitted, or would not wish, to eat halal meat?"

Answer: Provision of the school meals has been delegated to schools for many years, in line with national guidance on the delegation of school funding budgets.

Schools have negotiated contracts individually and in the case of the high schools, collectively with a range of providers. As a local authority, we have no involvement in this process and all the issues that have been raised recently have been passed on to the schools.

The recent discussions we have been having with schools has been around the opportunity to create facilities for serving school meals to primary schools,

as part of a capital programme and as most primary schools no longer have kitchens, due to the school meals service being removed in the 1990s, our proposed solution has been to develop hub kitchens in high schools that could supply a number of primary schools. The discussions about the location, the feasibility and what is on offer to primary schools is currently ongoing.

Supplemental Question: In view of the controversy that is raging throughout the borough and the desire to wish that good relations throughout the community continue, do you not think the Council should engage with the Harrow Interfaith Council and other bodies in order to resolve this issue to the satisfaction of every single resident of the borough?

Supplemental Answer: I think the concerns that have been raised should be sent directly to the schools because they are the decision makers. I am happy to discuss issues with headteachers to ensure that community cohesion is actually carried out and that is very important to the administration.

Cllr Stephenson: The Interfaith Council is meeting this evening to discuss the subject of halal meat and, as the Leader of the Council, I would be very happy to meet with the representatives and to pass on their views to Councillor Gate and the schools.

5.

Questioner: Councillor Susan Hall

Asked of: Councillor Mrs Rekha Shah, Portfolio Holder for Community and Cultural Services

Question: "Why was the report on Grants Appeals (agenda item 15) distributed after the deadline for submitting questions had expired?"

Answer: Thank you for your question.

The Leader, at the beginning of the meeting, mentioned that the report had been deferred to October. As the report was not circulated late there is no question for me to answer.

Note: The supplemental question was not answered as it did not arise directly out of the original question or reply.

6.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "What are the new ways in which your administration will be engaging with residents, and when will these new ways of public engagement be implemented?"

Answer: Thank you for the question, as it gives me an opportunity to talk about the administration's plans for improving engagement with, and involvement with, local residents and all the key partners.

My administration will be looking at improving engagement, as under the previous administration when residents were last surveyed in March, only 30% had felt they were able to influence decisions affecting the area and that was unchanged from the previous year. Furthermore, only 29% felt able to influence decisions, down from 30% in October. I believe these were the second worst figures in London.

My administration fully supports many of the ways that the Council already consults, for example, the Residents' Panels and the Stakeholder Panels. However, I do believe that we need to think about new ways of working to see whether we can improve the situation. We are hoping to involve people in a dialogue about Council services and the difficult choices ahead. The people of Harrow have elected a Labour administration to make decisions and not to involve them in everything, so we need to establish which areas residents want to be involved in and where they have a real opportunity to affect the shape of the service they receive.

The Communications Plan is being updated to help us improve our performance in this area and engage more closely with local residents. The latest edition of Harrow People will be written in a different style, focusing on the community. It will include new sections where we intend to encourage debate and where residents can criticise the Council, if they feel they need to.

The administration will be bringing the Year Ahead Statement to a special Cabinet in October. This document will lay out in more detail the community

engagement proposals and how the administration wishes to consult on the vision and priorities.

Supplemental Question: Not only have you failed to say when these new ways to engage the public will be implemented but would you not agree that your administration's record to date, for engaging better with the public, has been lamentable?

Supplemental Answer: I do not agree. I have answered your question. I explained how the administration was going to look at revising Harrow People and introduce new measures for Cabinet. My administration will seek to engage with residents and get greater satisfaction from them.

7.

Questioner: Councillor Susan Hall

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "The Quarter 1 Revenue and Capital Monitoring Report shows that the Council is forecasting an overspend of £3.1 million, up from £2.3 million in July. Your plans to deal with this overspend (p.86) mention controlling vacancies and the use of agency staff, which is something the Council has always attempted to do. What additional steps in this respect are you planning to take, and how much are they expected to save?"

Answer: Much of the £1.8m of the overspend is due to the defective budget set last February. £2 million on Children's Services, which meant that the Council has put £1 million into this budget to correct it. There is still £1m more to find. Predictably wrong enforcement and parking income.

All these pressures amount to £1.8m. Additionally, the Council has had to find £189,000 from the contingency and elsewhere to correct the grants budget. The rest is due to in-year cuts imposed by the Government.

All Directors are working to identify ways to mitigate the pressures they are facing and the pressures include the demand for Children's Services which I have already mentioned, demand for Adult Care, the knock-on effect of the financial position of Harrow PCT and if Councillor Davine had been able to give her answer to questions 1-3, she would have been able to

give some good news about the issues there, straight from the PCT.

To make matters worse, the new government has imposed in-year cuts in Harrow amounting to about £5.8m, much worse than initial figures suggested. These cuts included the government renegeing on money promised to the Harrow Strategic Partnership for the Local Area Agreement and cuts to other important programmes.

Every department has been a target of delivering a balanced budget this year incorporating the in-year cuts. It is difficult work as we seek to make savings that will have the least impact on residents. Directorates are following all avenues as suggested in the report. The Council has reviewed every agency spend in detail and we have introduced additional vacancy controls to assist.

The net position has worsened by £800k between the second and third months, and reflects £1.3m of grant cuts that have been allocated to Directors. This is actually a £500k improvement. The administration hopes to see further progress during Quarter 2.

So when we compare the £2.3m with the £3.1m, one has to add in the £1.3m extra cuts. The administration has already made £500,000 saving and I commend the Directorates for this achievement. The administration will continue to make savings in very difficult circumstances.

Supplemental Question: On a note of being careful who we are actually looking for; are we still looking for a Tourism Officer?

Supplemental Answer: I do not regard that as a supplementary question, so I am not going to answer it.

8.

Questioner: Councillor Susan Hall

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "In relation to the same plans, what opportunities to increase income are you exploring, when would any related measures come into force, and how much are they expected to increase income by?"

Answer: I have given a detailed answer to your first question and the next three questions are essentially on the same paragraph in the report. My reply will therefore not be long.

All Directors have been asked to review income streams, as part of their approach to mitigate the forecast overspend. There are no specific proposals to increase charges in-year at this juncture. As part of the planning round for next year's budget, a new fees and charges policy is being developed to come to Cabinet in October. Fees and charges are being reviewed on a rolling basis.

My administration will continue to look for external funding for projects through sponsors, EU funds, various Government initiatives that helped us build the Harrow Arts Centre, lottery funding and Section 106 money. Unfortunately, government initiatives are 'drying up'.

Supplemental Question: At an Overview and Scrutiny Committee meeting in July, your Labour administration suggested that parking charges could be increased. Clearly this is at odds with your manifesto pledge.

Do you therefore rule out increasing parking charges?

Supplemental Answer: My administration is carrying out a review on parking and will report back in due course.

The following questions were not reached in the time limit of 15 minutes. It was noted that written responses would be provided.

9.

Questioner: Councillor Paul Osborn

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "Regarding your plans to reduce the overspend, what specific examples can you give of areas where you're looking at "careful management of spending", and how much of a saving do you expect this to make?"

10.

Questioner: Councillor Paul Osborn

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "Which transformation projects and 2011/12 savings are you looking to bring forward and when, and how much do you expect them to save?"

11.

Questioner: Councillor Anthony Seymour

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "How can the proposed transfer of the Council's IT service be justified when it appears that there is a substantial funding gap, which has been identified by the Cabinet Report, without any clear idea as to how it will be funded over the coming financial years in this age of austerity?"

12.

Questioner: Councillor Susan Hall

Asked of: Councillor Mitzi Green, Portfolio Holder for Children's Services

Question: "What specific measures are being taken to tackle the £1 million overspend in Children' Services, in addition to the £1 million already allocated from last year's underspend?"

13.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: "In my very first question to your administration (Cabinet, June 24), I asked you about the implications for the Council and Harrow residents of the PCT's financial mismanagement. Do you regret that it has taken this long for your administration to recognise the

severity of this issue by finally including a provision for PCT cost shunts in tonight's Cabinet papers (p.92), and how much provision are you making as it is not given in the Cabinet papers?"

44. Forward Plan 1 September - 31 December 2010

The Leader of the Council advised that the report relating to 'Dangerous Dogs' had been deferred and the 'Year Ahead Statement' report had been deferred to a special meeting of Cabinet to be held on 7 October 2010.

Additionally, decisions relating to agenda items 10 (Revenue and Capital Monitoring for Quarter 1 – as at 30 June 2010), 13 (Teenage Placement Strategy including change of use of Honeypot Lane Children's Residential Unit), 16 (Housing Act 2004) and 17 (New Fee Structure for Special Treatment Licenses) were considered to be key decisions but were not listed on the September 2010 Forward Plan. Cabinet would be taking decisions in relation to these items in accordance with Rule 15 of the Access to Information Procedure Rules of the Council's Constitution.

The Leader reiterated that consideration of item 15 (Grants Appeals 2010/11) had been deferred to October.

RESOLVED: To note the contents of the Forward Plan for the period 1 September – 31 December 2010.

RECOMMENDED ITEMS

45. Key Decision - IT Service Delivery

Cabinet considered a joint report led by the Corporate Director of Finance, which set out the need for a modern and reliable IT platform to help support and ensure the delivery of the Council's Transformation Programme, also known as a Better Deal for Residents. A reference from the Overview and Scrutiny Committee setting out comments made at its meeting on 8 September had also been circulated.

The Portfolio Holder for Performance, Customer Services and Corporate Services stated that the project had been running for a significant period of time and that an important long term decision was required and one which would affect the future of the Council. He outlined the history, including the options appraisal that had been conducted previously.

The Portfolio Holder stated that a review of the IT service had highlighted a number of concerns, such as a limited capacity to support remote and flexible working and the lack of a disaster recovery system; both of which were considered to be a constraint to the future transformation of Council services. In addition, there was no consistent approach across the Council in relation to IT service delivery.

The Portfolio Holder added that, during the initial options appraisal process, other options had been considered but it had been concluded that working with Capita under the current partnership agreement would be the best option and one which would help provide value for money. At this time a decision was made by the Corporate Strategy Board (CSB) whereby authority was given to proceed with a bid from a single supplier, namely Capita, as the most appropriate and cost effective solution provider. The then Portfolio Holder had been kept informed and had fully supported the approach, including the approach for the value for money assessment that PricewaterCoopers (PwC) had carried out as part of the evaluation.

In March 2010, the Council received a proposal from Capita that would unify the core IT service infrastructure and a detailed evaluation of the bid was conducted. As outlined in the report, an in-house option was also developed in order to make a comparison. This showed that in order to deliver the same level of service, the Council would have to spend a comparable amount but the option involved greater risk in relation to its delivery.

In July, an 'in principle' decision was taken by Cabinet for the transfer of the IT service to Capita, subject to further consultation with staff and trade unions. Negotiation of the contract with Capita was also approved at the July Cabinet meeting. Since then the following strands had taken place:

- staff and unions had been consulted;
- negotiation on the proposed contract had commenced;
- work on the transition plan had started;
- a pricing model had been developed.

The Portfolio Holder added that consultation with staff had taken place and that consultation with individual members of staff would continue up to the proposed date of transfer. Staff would be provided with as many options as possible, including applying for the Voluntary Severance Scheme, and with details of opportunities with Capita to ensure that they could make informed choices. A response to the in-house bid would be presented to full Council. He outlined the issues with the in-house bid, set out at paragraph 16 of the report.

The Portfolio Holder stated that a flexible pricing model had been negotiated to take into account lower fees for a reduced number of users and vice versa, which was one of the key criteria for the contract along with a break clause after five years. The moving of all IT services into a partnership agreement would bring clarity and simplicity into a single service model, which would ultimately improve service provision and customer confidence, including productivity. Capita had committed to high levels of security to promote remote and flexible working. As it was already in partnership with the Council, it was considered that the company was best equipped to ensure good service delivery. It also had the necessary expertise, background and vision. Although, Capita's bid was more expensive than the Council's allocated budget, there was a strong case for additional investment to be made as it would underpin a significant amount of the work of the transformation of the Council for the future. It was recognised that there had been significant under

funding in the IT area for a number of years, and if the service remained in-house there would remain a need for investment. A robust and resilient IT infrastructure was required for the future.

Following the cancellation of the Building Schools for the Future Programme by the government, it was now possible to use the money set aside to ensure a robust IT service to support Council services effectively. The proposal before Cabinet was about ensuring the future provision of services that were integral to the Council's Transformation agenda, and would provide an important tool to drive efficiencies and underpin projects, such as remote and flexible working.

The Leader of the Council thanked officers for their work during this challenging period. He also thanked staff who had ensured that the system was functioning during a period of underinvestment.

A revised set of recommendations were tabled at the meeting.

Resolved to RECOMMEND: (to Council) That

- (1) the IT service be transferred to Capita with effect from 1 November 2010, or as soon as possible thereafter, subject to the completion of satisfactory contract negotiations;
- (2) the Director of Finance be authorised to finalise and sign the contract in agreement with the relevant Portfolio Holder(s);
- (3) the virement of £450,000 to cover the additional cost of the contract in 2010-11, as set out below, be approved;

From	To	£000
Earmarked Reserves - BSF	IT Service	400
Treasury Management Activity (capital financing costs and investment income)	IT Service	50
Total		450

RESOLVED: That

- (4) it be noted that consultation with staff and trade unions on the service delivery model was completed on 31 August 2010 and the outcome of the consultation be also noted;
- (5) the ongoing arrangements to support staff through the transfer period be noted;
- (6) the progress made on commercial negotiations with Capita be noted;
- (7) the outline transition plan be noted;

- (8) the proposals for the payment model be noted;
- (9) it be noted that any Voluntary Severance Scheme (VSS) or redundancy costs would be funded from the provision on the balance sheet for employee related matters;
- (10) the comments of the Overview and Scrutiny Committee be noted.

Reason for Decision: Investment in IT was essential to underpin the Council's Transformation Programme. There was a strong case for investment in technology. The level of investment required must be sufficient to enable future transformation and the investment needed to be made sooner rather than later. Investment was required to achieve the Council's aim to have fewer buildings, fully supported by remote and mobile working. Modernised IT services would enable Members and staff to be better supported and more productive. The Capita proposal was the preferred delivery model; the in-house alternative was expected to have a similar cost, but carried significantly more risk and was likely to take longer to transition. There were substantial cashable benefits from investment in IT in terms of wider transformation, accommodation, amongst other benefits. There were substantial non cashable benefits for Members, staff and customers. Capita had demonstrated that every effort would be made to mitigate the impact on staff directly affected by the transfer of services. An open tender would be costly to run, take a long time and delay service improvement, and the result would probably be the same.

[Call-In does not apply to the Recommendation or the Decision]

46. Key Decision - Emergency Planning

Cabinet received a report of the Corporate Director of Finance, which referred to the provision of a co-ordinated response in emergency situations. Cabinet noted that, as part of the arrangements for dealing with major incidents or emergencies in London, all boroughs and the City of London were being asked to adopt the 'Gold Resolution'. In addition, the report set out the arrangements for Mutual Aid across London.

The Portfolio Holder for Performance, Customer Services and Corporate Services stated that, once adopted, the 'Gold Resolution' would allow the delegation of certain powers to the 'Gold Chief Executive', and would help ensure a co-ordinated response in emergencies, including that the arrangements were 'fit for purpose'. He added that it was necessary for all 33 London authorities to formally agree and accept the addendum to the Local Authority 'Gold Resolution' before it could take effect.

The Portfolio Holder identified the key aspects of the report, which were the 'Gold Resolution' and the Memorandum on Mutual Aid. He added that rota arrangements would be put in place following the adoption of the 'Gold Resolution', and he also referred to the involvement of the police in this regard. Cabinet was informed that the Memorandum on Mutual Aid was a set of guidelines for providing mutual aid between participating boroughs but that it was not legally binding and was a voluntary arrangement.

Resolved to RECOMMEND: (to Council) That

- (1) the Addendum to the Local Authority 'Gold Resolution' be approved;
- (2) the Memorandum on Mutual Aid be adopted as part of the Council's Constitution.

Reason for Decision: Following practical experience in exercises and recent serious incidents, the 'Gold Resolution' had been reviewed and additions identified to ensure it was fit for purpose in the future.

[Call-In does not apply to the Recommendation]

RESOLVED ITEMS

47. Appointment of Portfolio Holder Assistants

Cabinet considered a report of the Director of Legal and Governance Services setting out the proposals for named Portfolio Holder Assistants, the Wards they represented and their areas of responsibility under the identified Cabinet Member.

The Leader of the Council was pleased that the job descriptions for the Assistants were being issued for the first time and commended the report to Cabinet.

RESOLVED: That

- (i) the Portfolio Holder Assistants set out at appendix A to the minutes be appointed;
- (ii) the payment of a Special Responsibility Allowance (SRA) to the Portfolio Holder Assistants with a retrospective implementation date of 1 July 2010 be approved.

Reason for Decision: To enable the support to Cabinet Members in terms of information provision and management. To contribute to and ensure an effective decision-making framework as part of the democratic process.

48. Progress on Scrutiny Projects

RESOLVED: To receive and note the current progress of the scrutiny report.

Reason for Decision: To note the progress being made on the various scrutiny reviews.

49. Neighbourhood Champions Scrutiny Challenge Panel Report

Cabinet received a report of the Divisional Director, Partnership Development and Performance setting out the findings of the Neighbourhood Champions Scrutiny Challenge Panel.

The Leader of the Council thanked the Challenge Panel Members for their work.

RESOLVED: That

- (1) the recommendations of the Neighbourhood Champions Scrutiny Challenge Panel be noted;
- (2) a response report to the recommendations be submitted to Cabinet by the Corporate Director of Community and Environment.

Reason for Decision: In order that the issues identified by the scrutiny Challenge Panel can contribute to the future successful development of the Neighbourhood Champions Scheme.

50. Harrow Magistrates Court Challenge Panel Report

Cabinet considered a report, which set out the findings and recommendations from a Harrow Magistrates' Court Scrutiny Challenge Panel following the recommendation of Her Majesty's Court Service (HMCS) to close eleven Magistrates' Courts in London, one of which was the Harrow Magistrate's Court.

The Leader of the Council invited the Chairman of the cross-party Harrow Magistrate's Court (HMC) Challenge Panel, which had analysed the Business Case put forward by HMCS, to address the meeting. It was noted that one of the main conclusions of the Challenge Panel was that the proposed closure would push huge costs onto other public sector organisations in the borough, such as the Council and the Police and would inconvenience residents.

The Chairman of the Challenge Panel paid tribute to the Members for their work and applauded the work of the Senior Democratic Services Officer who had provided support to the Panel on this major issue. He added that:

- the consultation was flawed and contained inaccuracies similar to those set out in a previous proposal to close HMC;
- there was no financial justification to close HMC and that the costs associated with the proposed closure outweighed the benefits of retaining the Court;
- the closure of HMC would shunt significant costs on to other public sector bodies, such as Harrow Police and the Council, as well as local businesses and, more importantly, Harrow residents;

- whilst Harrow was a safe borough, there was concern that the proposed closure of HMC would result in police officers travelling longer to and from other Courts thereby being away from their 'normal' policing duties resulting in an adverse impact on community safety in Harrow;
- public awareness of the proposed closure of the HMC ought to have been more determined and the promotion of the petition could have been more user-friendly.

The Chairman of the Challenge Panel stated that alternative proposals, such as a co-location of HMC with the Crown Court or other public services on the Kodak site had also been considered.

The Leader of the Council thanked the Chairman and Members of the Challenge Panel for their work, including the representative from the HMCS for attending the Panel meeting. He thanked the police and representatives from HMC for their contributions.

RESOLVED: That

- (1) the Challenge Panel's report be welcomed and form part of the Council's Corporate response to the consultation;
- (2) the response be sent to the local MPs and the GLA Member for Brent and Harrow;
- (3) a cross-party delegation meeting be sought with the appropriate authority to discuss the proposed closure.

Reason for Decision: To support the Council's formal response, raise awareness of the implications locally and ensure that there is local justice.

51. Single Equalities Scheme

Cabinet considered a joint report of the Corporate Director of Adults and Housing and the Assistant Chief Executive setting out the draft Single Equalities Scheme (SES) and the public consultation proposed on the Scheme. The Scheme addressed the taking forward of the six equality strands and working towards the excellent level of the new Equality Framework for Local Government (EFLG). It was noted that the Scheme also addressed the proposed seventh equality strand, socio-economic deprivation, in anticipation of it becoming operational at a future date.

The Portfolio Holder for Performance, Customer Services and Corporate Services stated that consultation had commenced and would continue until 31 October. He was pleased that the Council, which had the most ethnically diverse population of any local authority in the country, was going beyond the legal requirements to develop equality schemes for race, gender and disability and had devised a Scheme which incorporated age, religion or belief, and sexual orientation equality. This course of action would ensure that the Council continued to build on its commitment to equality and diversity.

The Portfolio Holder also thanked the Scrutiny Challenge Panel for acting as a 'critical' friend and stated that the Panel's recommendations would form part of the consultation process. He added that residents and stakeholders would be able to respond to the Scheme on-line, and it was important that diversity and equality were championed, celebrated and promoted. The Scheme highlighted the Council's commitment to maintain and build on the strengths in this area while tackling discrimination.

In conclusion, the Portfolio Holder stated that, following consultation, the Scheme would be presented to December Cabinet for final approval.

RESOLVED: That the draft Single Equalities Scheme be noted and consultation on it be endorsed.

Reason for Decision: To comply with the Council's obligations under the Equalities legislation and Public Equality Duties.

52. Key Decision - Revenue and Capital Monitoring for Quarter 1 - as at 30 June 2010

The Corporate Director of Finance introduced the report, which summarised the monitoring position as at end of June 2010. The Corporate Director identified the budget pressures in various Directorates, including the variances in the Housing Revenue Account (HRA). She briefed Cabinet on the capital programme, the general balances position and the position on the reserves held by the Council, including other key aspects, as follows:

- an overspend of £3.1m across Directorates was being forecasted, which included the impact of in-year funding cuts;
- action plans to mitigate the considerable pressures were being developed, particularly those associated with the pressures on social care and income from parking;
- whilst there was some capacity in relation to the pay provision and treasury management, it was important that the Council ended the year in a strong position in preparation for the impact of the spending review to be announced in October;
- the £2.2m carried forward from the previous year was being managed carefully and that the money was only being released when necessary;
- a variance of £100k in the Housing Revenue Account (HRA) was being forecasted and mitigating measures had been put in place;
- currently, there were no particular concerns relating to the reserves held by the Council.

A reference was made to some changes to the programme, including the carry forwards from last year. A detailed review of spend and commitments

was currently underway and the results would be picked up in the next monitoring report.

The Corporate Director stated that following the government's spending review, a further report would be submitted to Cabinet.

RESOLVED: That

- (1) the revenue and capital forecast outturn position for 2010/11 be noted;
- (2) the action being taken to bring the Council in on budget this year be noted;
- (3) the virement of £0.495m within the HRA reserves for external decorations to carry out the repairs work be approved;
- (4) the amendments to the Capital Programme set out at appendix 2 be approved.

Reason for Decision: To note the forecast financial position and actions required.

53. Key Decision - Teenage Placement Strategy including Change of Use of Honeypot Lane Children's Residential Unit

The Portfolio Holder for Children's Services introduced a report, which set out the consultation process and initial outcomes in relation to the change of use of Honeypot Lane Children's Residential Unit. The report also included the updated position with regard to the Teenage Placement Strategy.

The Portfolio Holder commended the report to Cabinet and stated that change was required due to demographic changes and the continuing pressures on the provision of social care, including the care budget, in the borough. She added that a new independent Unit would be established and referred to the proposed timeline for its implementation with a view to the Unit being fully operational from April 2011.

An officer informed Cabinet that the responses received by the closing deadline of 9 September were being analysed; however all stakeholders currently based at the Residential Unit, staff, unions and Partners had engaged positively in the process. She added that no complaints had been received in respect of the proposal and that the respondents had been positive about the proposed operating model.

The Leader of the Council thanked all participants, and stated that this was a good example of how the Council could make savings on valuable resources.

RESOLVED: That

- (1) the overall progress in relation to the Teenage Placement Strategy be noted;

- (2) Honeypot Lane Children's Residential Unit be closed as a residential unit, and the minor refurbishment of the building to enable it to be a semi-independent unit for Children Looked After be approved;
- (3) the Corporate Director of Children's Services, in consultation with the Portfolio Holder for Children's Services, be delegated future decisions in relation to the implementation of the decision to change the use of the Honeypot Lane Children's Residential Unit within the agreed timeline and the framework outlined in the report.

Reason for Decision: To allow the Teenage Placement Strategy to be implemented thereby enabling Children's Services to improve the choice and quality of placements, including support services. To promote improved life chances and outcomes for Children Looked After and care leavers.

54. Key Decision - Future Organisation of Elmgrove Infant School and Elmgrove Junior School

The Portfolio Holder for Schools and Colleges introduced the report, which set out the outcome of the statutory consultation about the future organisation of Elmgrove Infant School and Elmgrove Junior School, and the recommendations of the governing bodies that the two schools amalgamate in September 2011. It was noted that the headteachers of the two schools had resigned, thereby triggering the amalgamation policy agreed in 2007.

It was noted that from September 2010, Harrow's school reorganisation proposals had been implemented. Elmgrove First School had become Elmgrove Infant School and Nursery (Reception to Year 2), and Elmgrove Middle School had become Elmgrove Junior School (Year 3 to Year 6).

The Portfolio Holder outlined the consultation process and the responses received, the majority of which had supported the amalgamation. The comments from parents and staff on the proposed amalgamation had been made available to the governing bodies to allow these to be considered in subsequent future planning of the school.

All those involved in previous amalgamations, particularly the headteachers, were thanked for ensuring a smooth transition towards combined schools.

RESOLVED: That, having considered the outcome of the statutory consultation and the recommendation from the governing bodies, the publication of statutory notices to combine Elmgrove Infant School and Nursery and Elmgrove Junior School be approved.

Reason for Decision: Combining the two schools would give the opportunity to further improve educational standards by enabling planning as a coherent whole across the primary phase of the national curriculum and providing greater flexibility across and between key stages. Access to the whole primary curriculum supports and informs whole school planning, assessment, pastoral systems, and provides opportunities for wider staff development and experience across the full primary phase.

55. Key Item - Grant Appeals 2010/11

RESOLVED: To note that the matter had been deferred to October.

56. Key Decision - Housing Act 2004: Introduction of Additional Licensing Scheme for Houses in Multiple Occupation (HMO) for properties consisting of 2 or more storeys

The Portfolio Holder for Environment and Community Safety introduced the report, which sets out the proposal to re-introduce an Additional Licensing Scheme, under Part 2 of the Housing Act 2004, in relation to a specified description of Houses in Multiple Occupation (HMO), within the borough of Harrow, namely properties of two or more storey occupied by four or more unrelated persons.

The Portfolio Holder added that the Scheme would apply to some 1500 homes in the borough and was designed to protect those in the private sector market by ensuring that the homes met approved standards. He added that responsible landlords had nothing to fear from the Scheme, and referred to the event launch on 22 September where free information would be made available on the Scheme.

The Leader of the Council was pleased that the Scheme would provide additional protection to tenants and their neighbours.

RESOLVED: That the proposed Additional Licensing Scheme to licence HMO properties of 2 or more storeys occupied by four or more unrelated persons be implemented.

Reason for Decision: As the majority of the housing stock and HMOs in the borough are two storey properties, licensing HMOs in this category would enable the Council to protect the health, safety and welfare of the occupants and others. An Additional Licensing Scheme would enable the Council to better deal with HMOs not being properly managed. It would also enable the Council to deal effectively with complaints relating to overcrowding, anti social behavior, overflowing bins, lack of fire safety measures and amenities within HMO dwellings. Licensing conditions and HMO management would ensure better landlord compliance and therefore benefit tenants and neighbours alike.

57. Key Decision - New Fee Structure for Special Treatment Licences to incorporate Laser and Intense Pulse Light (IPL) Treatments

Cabinet considered a report of the Corporate Director Community and Environment, which set out the new fee structure proposed for special treatments licences issued under the London Local Authorities Act 1991, so as to include a fee band for premises wishing to offer laser and Intense Pulse Light treatments (IPL), as the regulation of these was shortly due to revert back to local authorities.

The Divisional Director Environmental Services identified the key elements of the report and stated that the revised fee structure, in particular the new Band E, which would apply to laser and IPL.

RESOLVED: That the fee structure for special treatments licences at Appendix 2 to the report be agreed.

Reason for Decision: To set a fee for operators seeking to carry out laser and IPL treatments, and cover those premises providing such treatments.

58. Urgent Key Decision - Building Regulations Charging Scheme

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which set out the revisions to the Building Regulations charges. The requirement for a review of charges and publication of a new scheme had followed the government's review of the future of Building Control services in 2009/10. The Building (Local Authority Charges) Regulations 2010 required the new charging scheme to be in place by 1 October 2010.

In addition to proposing a new charging scheme, and given the more dynamic nature of fee setting anticipated as a consequence of the new regulations, the report also sought approval for the future review, amendment, revocation, and replacement of the charges scheme to be delegated.

RESOLVED: That

- (1) the London Borough of Harrow Building Regulations Charging Scheme 2010 at appendix A to the report be agreed;
- (2) authority to amend, revoke or replace any future London Borough of Harrow Building Regulations Charging Scheme made under the Building (Local Authority Charges) Regulations 2010, be delegated to the Divisional Director Planning, in consultation with the Corporate Director of Finance and the Portfolio Holder for Planning, Development and Enterprise;
- (3) the annual schedule of fees and charges be revised to reflect the new London Borough of Harrow Building Regulations Charging Scheme 2010 and subsequent amendments to the scheme with effect from 1 October 2010.

Reason for Decision: To meet the statutory obligation to change the existing Building Regulations Charges Scheme in line with the Building (Local Authority Charges) Regulations 2010 by 1 October 2010. To reflect the Scheme and any future amendments in the Authority's annual schedule of fees and charges. The authority to amend, revoke or replace the scheme will allow the Divisional Director Planning to make regular adjustments without the delay in seeking approval; to prevent excessive under or over recovery of costs incurred, as required under the Building (Local Authority Charges) Regulations 2010.

[Call-In does not apply to the Decision]

59. Key Decision - Property Disposal Programme 2010/11

Cabinet considered a report of the Corporate Director Place Shaping, together with a confidential appendix 5, which set out proposals for the disposal of the freehold interest in land and various properties in the borough.

The Portfolio Holder for Property and Major Contracts stated that disposal was necessary due to government cuts, help generate capital receipt, reduce backlog maintenance capital liability thereby ensuring that the Council was providing value for money. He commended the report to Cabinet.

RESOLVED: That

- (1) the land and properties set out at appendices 1-3 to the report be declared as surplus;
- (2) the financial implications and projected sale prices set out at appendix 5 to the report be noted;
- (3) the Corporate Director Place Shaping be authorised to take all action necessary to dispose of the Council's freehold interest in the land and properties at appendices 1-3 to the report for the best consideration that could reasonably be obtained.

Reason for Decision: To generate a significant capital receipt for the Council, generate a revenue saving and reduce back log maintenance, thereby fulfilling part of the Place Shaping and Property Transformation work stream.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.38 pm).

(Signed) COUNCILLOR BILL STEPHENSON
Chairman

APPENDIX A

Portfolio Holder Assistant	Identified Remit	Responsible Cabinet Member & Portfolio
Councillor Zarina Khalid (Queensbury Ward)	Youth Services	Councillor Mitzi Green Children's Services
Councillor Ajay Maru (Kenton West Ward)	Enterprise	Councillor Keith Ferry Planning, Development & Enterprise
Councillor Varshar Parmar (Marlborough Ward)	Public Realm	Councillor Phillip O'Dell Deputy Leader, Environment & Community Safety
Councillor David Perry (Marlborough Ward)	Sport	Councillor Rekha Shah Community & Cultural Services Councillor Mitzi Green Children's Services Councillor Phillip O'Dell Deputy Leader, Environment & Community Safety
Councillor Victoria Silver (Kenton East Ward)	Communications Adult Services	Councillor Bill Stephenson Leader, Finance & Business Transformation Councillor Margaret Davine Adult Social Care, Health & Wellbeing
Councillor Ben Wealthy (Greenhill Ward)	Housing	Councillor Bob Currie Housing