

CABINET MINUTES

7 APRIL 2011

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:	Sue Anderson	Minute 193
(Councillors)	Susan Hall	Minute 185
	John Nickolay	Minute 185
	Paul Osborn	Minute 193
	William Stoodley	Minute 185

* Denotes Member present

181. Minute's Silence in memory of Councillor John Cowan

The Leader of the Council reported with sadness that Councillor John Cowan had died of a heart attack during the morning. He paid tribute to the work carried out by John Cowan.

A minute's silence was held in his memory.

182. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 5 – Councillor Questions

Councillor Bob Currie declared a prejudicial interest in question 5, as he was a freeholder. He would leave the room whilst the pertinent question was asked and answered.

Councillor Paul Osborn declared a personal interest in question 1, as he resided in the West Harrow Ward and the CPZ area. Similarly, Councillors Brian and Ann Gate declared personal interests in that they also resided in West Harrow. Councillor Brian Gate stated that he was also a Ward Councillor for West Harrow. They would all remain in the room whilst the question was asked and answered.

Agenda Item 10 – Grant Funding 2011/12

Councillor Sue Anderson declared an interest in that she was a Member of the Grants Advisory Panel. The Councillor further declared personal interests in that she was a member of a number of organisations such as the Harrow Law Centre, Community LinkUp, Harrow Mencap and Harrow Public Transport Users' Association. In addition, she had a prejudicial interest in that she was a trustee of the Welldon Activity Group. She would leave the room whilst the matter was considered.

Councillor Nana Asante declared a personal interest in that she was Chairman of the Grant Advisory Panel. She would remain in the room to listen to the debate on the item.

Councillor Bob Currie declared a personal interest, as he was a blue badge holder. He would remain in the room whilst the matter was considered and voted upon.

Councillor Margaret Davine declared a personal and prejudicial interest as she was a trustee of Welldon Centre. She would leave the room whilst the matter was considered and voted upon.

Councillor Brian Gate declared a prejudicial interest in that he was currently on the Management Board of the Citizen's Advice Bureau as a management trustee. He would leave the room whilst the matter was considered and voted upon.

Councillor Chris Mote declared a personal interest in that he held a blue badge permit. He declared a further prejudicial interest in that his sister was a trustee of St. Luke's Hospice. He would leave the room whilst the matter was considered.

Councillor Janet Mote declared a personal interest in that her husband was blue badge permit holder. Councillor Janet Mote declared a further prejudicial interest in that her sister-in-law was a trustee of St. Luke's Hospice. She would leave the room whilst the matter was considered.

Councillor John Nickolay declared a prejudicial interest, as he was a trustee of the Welldon Activity Group.

Councillor Mrs Rekha Shah declared a personal interest in that she was a member of the Harrow Anti-Racist Alliance and that her daughter worked for St Luke's Hospice.

Agenda Item 14 – Potential Conversion of Harrow’s High Schools to Academy Status – Land and Assets Issues

Councillor Sue Anderson declared a personal interest in that her son was a pupil at Harrow High School.

Councillor Kam Chana declared a personal interest in that he was a governor of two schools in Harrow. He would remain in the room to listen to the debate on the item.

Councillor Barry Macleod-Cullinane declared a personal interest in that his sister was a teacher at Hatch End High School. He did not consider his interest to be prejudicial and would remain in the room to listen to the discussion on the report.

During consideration of this item, Councillor Mrs Rekha Shah declared a personal interest as she was a governor of Harrow High School. She would remain in the room and take part in the discussion and decision-making on this item.

183. Minutes

RESOLVED: That the minutes of the meeting held on 17 March 2011, be taken as read and signed as a correct record.

184. Petitions

1. Councillor Bob Currie presented a petition from approximately 50 residents who were in agreement to the Council erecting gates at the entrance to the alleyway at Cross Road between 63 and 65 Sandringham Crescent.

RESOLVED: That the petition be received and referred to the Corporate Director Community and Environment and the Portfolio Holder for Environment and Community Safety.

2. A petition signed by 24 people was presented on behalf of the Harrow and Wealdstone Shopmobility with the following terms of reference and inviting signatures of protest:

“Harrow Council have refused our application for funding which would have allowed Harrow Shopmobility to continue in operation.”

RESOLVED: That the petition be received and referred to the Portfolio Holder for Community and Cultural Services and the Corporate Director Community and Environment.

185. Public Questions

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

1.

Questioner: Terry Revill, Flash Musicals

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

Question: Do you think it reasonable that organisations which scored over 90% on their assessment should not be recommended for a Grant in 2011/12 leading in some cases to a 100% cut in funding?

Answer: That is a very difficult question to answer because we are going to have to make some very difficult decisions this evening. Every Council across the country is having to do this.

This year the Council received a very high number of applications, up by 101% from over 2 years' ago. This is partly due to the success of the Council in making the grants system better known to residents and more people applying, which is good but it also means that many organisations will have their grants cut or ceased altogether because of government cuts in funding, either directly or, for example, for the ending of the Local Area Agreement (LAA) award grants and cuts in grant for dealing with domestic violence through cuts in the Primary Care Trusts (PCT) and the Police. Lots of organisations are losing their grants from other funders and obviously, they are coming to the Council and that has meant a very large number of people applying.

We had 131 applications this year, requesting a total £2.3m and our grants budget is just under £600,000. So we have a very difficult problem, as indeed we had last year but we have to stick to our grant fund levels, as we are not in a position to top it up.

As indicated in the report to Cabinet, there were a very large number of high scoring applications and a very limited budget from within which to award funding. We had some very good applications but we cannot recommend them. By making a recommendation to award funding to those scoring above 95%, the Grants Advisory Panel has also been able to recommend these organisations do not receive the full grant. What we can do is say that they receive 85% of the grant they

requested and we still remain within the allocated budget.

If the Panel had decided in a hypothetical case, to set a lower threshold score of say 90%, then successful organisations would have received a far lower percentage of the grant requested which for that example would have been somewhere between 65% and 70% of the grant.

I should add there is a reserve list for those who do not quite make the 95% threshold. Grant funding is awarded through an annual competitive process and, as indicated in the report to Cabinet, it is an extremely rigorous process of scoring and checking and this has been really thoroughly done this year, in light of some concerns about what happened in previous years. Organisations receiving grant in one year are expected to make every effort to secure other sources of funding and not rely on Council funding for the following year.

This year is a transitional year and it is expected that next year we will have a new grants system in place, following on from the extensive consultation which the Council has carried out. It looks like we will have a mix of the voluntary sector being asked for further commissioning and small grants but that has yet to be decided.

Supplemental Question: I think that it would have been fairer if the grants threshold was lower to give a lot more organisations a chance to carry on because at least if that happened, the organisations would carry on. At the moment some organisations are just going to vanish into thin air and I just think you should really lower the threshold. On the lower threshold, at least they are going to get some money and then they can try for money elsewhere but to actually just to eliminate some things is just wrong?

Supplemental Answer: I have to say, some organisations that are coming for consideration by the Grants Panel, are of course new applications, as there were for last year and anybody who gets a grant in previous years has no automatic right for it to continue and we do make that very clear. The Grants Panel has looked at this very carefully and some of the grants which are being asked for, if you went down to 65%, while they are excellent applications would not then become viable. So, as I said, we have very, very difficult decisions to make. We have allocated nearly £600,000 and when I look round other councils in London, I think you will find Harrow is at the top end for the amount it is giving to voluntary organisations.

Obviously we would like to give more but, we have had to make cuts for social care, children's centres, road maintenance - everything across the board.

Thank you very much for your question.

186. Councillor Questions

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

1.

Questioner: Councillor William Stoodley

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

Question: "I have met many residents and business owners in Harrow since being elected who are vehemently complaining about the double yellow lines that were brought in by the previous Conservative administration. In particular, the residents of West Harrow ward, who have lost many parking spaces and to whom I put the suggestion that perhaps we might have a single yellow line around the corners that would only be applicable on a Monday morning, so that the dust cart can negotiate the corners of West Harrow's streets. Can the present portfolio holder provide an update on the review that was promised with respect to this matter, please?"

Answer: With regard to the West Harrow Controlled Parking Zone (CPZ), this was implemented following a very lengthy consultation with residents and stakeholders. All of the CPZ schemes are reviewed after there has been some time for the scheme to become established to see if modifications are warranted. The review of the West Harrow CPZ and surrounding areas will take place in early 2011/12 and has been included in the work programme following the Traffic and Road Safety Advisory Panel's meeting in February.

A single yellow line at junctions, especially in the way suggested would allow parking potentially obstructing the junctions to take place during unrestricted times. This would prevent access by emergency service vehicles during an incident which could potentially occur at any time. This is why single yellow lines on junctions were ruled out during the design of the scheme.

Local residents have been advised about the review and have asked to put forward their views and the Council is looking through some proposals they have put forward. I

am pleased to report that a review has taken place of the double yellow lines outside the CPZ and some double yellow lines and extra parking has been made available as a result of that review.

2.

Questioner: Councillor William Stoodley

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

Question "Following on from my previous question, I have also received vehement complaints from shopkeepers about the camera at the quadrant by the "Good Will to All" pub and the double yellow lines along the Pinner Road that were instigated by the previous Conservative administration. We cannot possibly expect our local businesses to prosper if their trade and growth is stifled and smothered by double yellow lines being plonked right outside their shopfronts. It is not unreasonable for shopkeepers to expect their customers to be able to park for a mere 5 or 10 minutes outside of a shop; can the portfolio holder clarify whether or not any action is being proposed with respect to this serious problem for shopkeepers, both in the borough generally and in the two areas I have mentioned in particular?"

Answer: Thank you. I will give you a written reply to that question so that you can share that with the residents and traders in the areas mentioned.

3.

Questioner: Councillor William Stoodley

Asked of: Councillor Margaret Davine, Portfolio Holder for Adults Social Care, Health and Well-Being

Question: "Please would you supply figures for the number of adults that the borough has in care homes, the number of visits in their respective care homes that those adults are supposed to have had in the last 12 months, and the number of visits that have actually taken place?"

Answer: This year, the Council has had 721 service users in either residential homes or nursing homes and of which 652 have received a review. The blanket rule is one a year, although the Council always does more for people it knows who have problems. As a benchmark to other authorities, this result would be seen as good but it is impossible to get 100% because, unfortunately, people

do pass away, they go to live with families or move out of the borough. So 90% is regarded as good.

4.

Questioner: Councillor William Stoodley

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

Question: "A common question I often receive from residents when I announce that I am a Councillor is 'When are you going to do the potholes?' Please therefore would you supply an update on the pothole filling program, so that I am able to answer this question?"

Answer: As you are probably aware, this administration considers Highway maintenance to be a high priority service but the level of funding and the recent hard winters does mean that Harrow has an ever growing backlog of road repairs. Some work has been done to quantify the scale and cost of the pothole issue but with new defects being recorded by Harrow's highway inspectors every day only broad brush figures can be used. The current assessment is that Harrow has around 30,000 potholes with a repair value of approximately £5.5m.

The revenue budget for this year of carriageway potholes is £650,000. This is an increase that has been funded by moving maintenance money away from footways and other highway areas. In addition to the Harrow budget for 2011/12, the Department for Transport has made an allocation of £286,721 specifically for pothole repairs.

5.

Questioner: Councillor William Stoodley

Asked of: Councillor Bob Currie, Portfolio Holder for Housing

Question: "Can you confirm that, following the legal advice received by this borough from Counsel, there is no longer any intention whatsoever to pursue the recoupment, and/or the instigation of, maintenance charges to the owners of ex-Harrow Council freeholders?"

Answer: Over the last six months there has been talk from the opposition about increasing HRA income by seeking maintenance charges from freeholders. At all stages, the administration has indicated that the first issue decided would be to see whether such charges would actually be lawful. The Council has taken legal advice both

internally and externally and I can confirm that the advice is conclusively that this would not be lawful. For this reason the Council does not intend to seek maintenance charges from those freeholders currently living in ex-Council properties on housing estates.

However, following revisions to the transfer agreement, the Council retains the right to consider recovering appropriate costs from all future Right to Buy Sales purchased under the revised transfer agreement. I think that the administration's measured and considered approach to this matter has been fully justified.

6.

Questioner: Councillor Susan Hall

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

Question: "Why was the bulk of the documentation for the Grants Advisory Panel meeting of 30th March, including the main report and over 2,000 pages of supporting documents, not released until the day before the meeting?"

Answer: Officers were working to an extremely tight deadline to process 131 applications, practically a record number of applications received by the Council. You will appreciate that the grants applications deadline was 14 February and the Panel meeting took place in March. During this very tight period 131 applications had to be checked, which was big task. In addition to this, I was keen that a thorough assessment was made of all applications.

Officers have worked very hard, for which I am grateful to them, to ensure that the process was robust and any errors in the processing of applications were minimised. Unlike the former administration, we have learnt the lessons from previous years and introduced a more rigorous and robust process of assessing applications, which is evident in both Cabinet and Panel reports. Moreover, the process had been audited during the year and some of the recommendations from this approach were also included.

Although the report was delayed, I hope you agree that it is better to have an accurate report than one that is rushed and could contain more errors that could be more costly to rectify.

I regret that there was a very tight timescale but I am thankful to Members of the Grants Advisory Panel for doing an excellent job in the short timeframe and if there are any lessons to be learnt from the delay, the administration will certainly do so.

Supplemental Question: Can you explain why, if you have done all this so properly, that you have not incorporated any transitional funding into the process to assist those dozens of groups which have received money in the past, sometimes for many years but for whose funding you have suddenly cut this year? You speak about the previous administration; it actually realised there was an issue. The former administration sorted it out in order to help the many worthy groups. So can you explain that please?

Supplemental Answer: I totally disagree that the former administration sorted it out. It has taken me nearly a year to sort out the issues. The administration has done everything 'by the book'.

7.

Questioner: Councillor Susan Hall

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

Question: "Why have you completely ignored the recommendation made by the Grants Advisory Panel (GAP) regarding the grants appeals process for 2011/12, given that its suggestion would treat all applicants fairly instead of placing an artificial limit on the amount they can appeal for and placing those who might win an appeal at a disadvantage?"

Answer: This item is actually on the Cabinet agenda but I will answer your question. Technically you are wrong because no decisions have yet been taken. Cabinet will soon be considering options and my recommendations before them in conjunction with the recommendations from GAP.

I entirely disagree with your suggestion that I have ignored the recommendation made by GAP. Surely, you accept that the role of the Panel is that of an advisory nature and, in the end, it is for the Portfolio Holder to assess and come to a view and make recommendations to the Cabinet and that is exactly what I will be doing later on tonight.

I have not ignored Recommendation 3 of the GAP but,

having given it due and full consideration and based on discussions with officers, I will be advocating a different strategy and process as reported on the Cabinet agenda. I also fundamentally disagree with your unproven allegation about placing an artificial limit and unfairness or disadvantages arising from Cabinet recommendations on this matter.

Supplemental Question: I fully accept that the GAP provides advice for the Portfolio Holder. The Portfolio Holder has constantly ignored the Panel, therefore would you like to confirm that your administration will not be re-establishing the Grants Panel, on the basis that whilst it gives you good advice, you have tended to ignore it?

Cllr Mrs Rekha Shah Grants Panel had received cross-party recommendations and the former administration ignored those and gave £10,000 to one group which had already received a large amount from the Grants Panel. So it is for the Portfolio Holder to take a decision on what is the best because I have to approve the funding.

8.

Questioner: Councillor Susan Hall

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

Question: "What work has been done to estimate by how much the various proposals in the Draft Lighting Policy will reduce the Council's carbon emissions?"

Answer: The new draft policy proposed in the Cabinet report tonight marks a difference in emphasis to take account of opportunity presented by developments in technology and will lead to the reduction in the energy used by street lighting. This will help the Council to achieve the 4% per annum reductions in energy use set out in the Climate Change Strategy. There is a balance to be reached between the extent of lighting needed, the energy used and the cost of energy and the lighting provision and maintenance.

Officers have looked at a number of technical options for replacing our ageing lighting stock. The Council is optimistic that using new technologies, such as LED, it will be able to achieve both energy saving and cost reductions.

Supplemental Question: What sort of impact do you think this draft policy will have on our Council's carbon reduction commitments?

Supplemental Answer: As stated, the Council is hoping to play a part in the achievement of reducing its carbon or energy consumption by 4% per annum.

9.

Questioner: Councillor Susan Hall

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

Question: "Will additional and specific consultation be conducted on the proposal put forward in the Draft Lighting Policy to introduce variable and/or part-time lighting?"

Answer: Yes, indeed. The purpose of the Cabinet report tonight is to commence discussions with stakeholders about the change in emphasis to include mitigation for Climate Change into the policy.

The consultation is seeking views on options of reducing lighting levels in the early hours of the morning. The administration has no plans to introduce part time lighting as part of this review.

Once the Policy has been decided, the Council will consult on new lighting schemes in the usual way but would not propose to re-examine the policy for each individual lighting scheme.

Supplemental Question: So you can confirm you are not considering turning lights off?

Supplemental Answer: As stated, the Council is not considering reducing lighting levels in the early hours of the morning.

10.

Questioner: Councillor John Nickolay

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

Question: "Can you explain why the decision was taken to ban right-turning traffic from Bonnersfield Lane into Station Road?"

Answer: Traffic was prohibited from turning right from Bonnersfield Lane into Station Road because this allowed the safest and most efficient junction design to be developed for this location. The traffic signals in this

location are an important element of the Station Road project which improves access for the two way movement of buses into the Town Centre. The queuing and journey times for buses is significantly reduced with prohibition because there is no signal phase required for Bonnersfield Lane making the phasing simpler and more efficient. During the development stage of the project, options to retain the existing right turn arrangement were considered but were ruled out because of road safety considerations.

Supplemental Question: What can you say about information given by Greenhill Ward Councillors last January to residents who had objected to the right turn ban, to the effect that you had agreed to it under duress and to have done otherwise would have required to sign a document absolving Council officers from any personal liability for drivers' personal injuries? Was there any truth in what you told people?

Supplemental Answer: There certainly was not any truth in that and the Greenhill Councillors, as yourself, were regularly briefed on this important scheme being delivered on behalf of TfL and also the decision I made as Portfolio Holder, was done in consultation with the Greenhill Ward Councillors and certain mitigating actions are being taken as regard to the concerns raised by them on behalf of the residents.

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

11.

Questioner: Councillor Kam Chana

Asked of: Councillor Thaya Idaikkadar, Portfolio Holder for Property and Major Contracts

Question: "What are the full costs (broken down by all cost centres and expenditure lines of the contract) of extending for another 9 months the contract with Enterprisemouchel to provide Public Realm Infrastructure services?"

12.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “Do you believe that Harrow Council currently receives good value for money from the Local Government Association, given that we have now passed the deadline for withdrawing next year and would therefore not be able to do as such until 2013?”

13.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “At March’s Council meeting, you rejected a Motion put forward by our party to consider urgently the Council’s membership of the LGA, instead promising a review of all similar organisations to which the Council is affiliated. Can you provide an update on the progress of this review and inform us as to which Members and officers are or will be involved?”

14.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “Would the Leader agree with me that on the issue of Academies, the Council has a duty to ensure that any information provided to the public, parents, pupils and any other interested or relevant parties is accurate, politically neutral and not misleading – whether by intention or not?”

15.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “Is the Leader happy with the debate over Academies and the future of schools in Harrow?”

187. Forward Plan 1 April 2011 - 31 July 2011

RESOLVED: To note the contents of the Forward Plan for the period 1 April 2011 – 31 July 2011.

188. Progress on Scrutiny Projects

RESOLVED: To receive and note the progress of scrutiny reports.

RECOMMENDED ITEMS

189. Draft Issues and Options Consultation Documents for the Harrow and Wealdstone Area Action Plan; Site Allocations DPD; and Development Management Policies DPD

Prior to the consideration of the report, the Leader of the Council drew Cabinet's attention to the recommendations from the Local Development Framework Panel meeting held on 15 March and the tabled reference from the Overview and Scrutiny Committee meeting held on 5 April; the latter of which had not been available for circulation prior to the meeting due to the proximity of meetings. Both these documents were noted by Cabinet.

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which explained and detailed the roles of the three Development Plan Documents (DPDs) that were being prepared in support of the spatial strategy set out in the Core Strategy. It was noted that when adopted, the DPDs would form part of Harrow's Local Development Framework. He outlined the consultation process and advised that, subject to Council approval, the three draft documents would be the subject of a six week period of public consultation.

Resolved to RECOMMEND: (to Council)

That, having reviewed and commented on the draft issue and options consultation documents for the Harrow and Wealdstone Area Action Plan, the draft Site Allocations DPD, and the draft Development Management DPD, the draft Issues and Options consultation documents for the Harrow and Wealdstone Area Action Plan; the draft Site Allocations DPD and the draft Development Management DPD be approved for a six week period of public consultation on each of the documents, subject to authority being delegated to the Divisional Director Planning, in consultation with the Portfolio Holder for Planning, Development and Enterprise, to agree amendments to the documents prior to public consultation.

Reason for Decision: To comply with the statutory requirements for public participation in the preparation of the DPDs and with the Council's Statement of Community Involvement.

[Call-In does not apply to the Recommendation]

RESOLVED ITEMS

190. Key Decision - Future Organisation of Grange Nursery and Infant School and Grange Junior School

The Portfolio Holder for Schools and Colleges introduced the report, which informed Cabinet of the statutory proposals published in February 2011 to effect the amalgamation of Grange Nursery and Infant School and Grange Junior School.

The Portfolio Holder added that no objections had been received during the representation period prior to the publication of the report and no objections had been received since its publication either. He stated that Cabinet's approval was sought to enable the two schools to combine in September 2011. He commended the report to enable the two schools to combine.

RESOLVED: That, having determined the statutory proposals, Grange Nursery and Infant School and Grange Junior School be amalgamated in September 2011, namely to:

- (a) extend the age range of Grange Junior School to establish a primary school with an age range of 4 years (Reception) to 11 years (Year 6) with attached nursery class from 1 September 2011;
- (b) expand the capacity of Grange Junior School from 1 September 2011;
- (c) discontinue Grange Nursery and Infant School on 31 August 2011.

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.

To comply with the statutory duty to determine the proposals within two months from the end of the representation period on 4 April 2011, rather than refer the matter to the Office of the Schools Adjudicator for determination.

191. Key Decision - Potential Conversion of Harrow's High Schools to Academy Status - Land and Assets Issues

The Portfolio Holder for Schools and Colleges introduced the report, which updated Members on issues relating to the potential transfer of seven of Harrow's High Schools to Academy status since the matter was reported to the March Cabinet. The report also sought authority to complete any requisite transfers of land and enter a transfer agreement with the schools concerned in the event that the Governing Body of any of those schools determined to enter a funding agreement with the Secretary of State and become an Academy.

The Portfolio Holder and the Corporate Director Children's Services stated that the schools were currently in the process of consulting stakeholders but that it was important that all necessary measures were in place to allow any of

the seven schools to transfer to Academies with the intended start time of autumn term 2011. He commended the work carried out across the Directorates with speed and the thoroughness applied.

RESOLVED: That, in the event of a decision of the governing body of any of the High Schools listed in the officer report agreeing with the Secretary of State to transfer to an Academy, the following be agreed:

- (a) the transfer of the individual school premises to the school on a long lease;
- (b) the Council to enter into a transfer agreement with the school in relation to assets, third party contracts, staffing and information transfer;
- (c) to grant delegated authority to the Corporate Director of Place Shaping in consultation with the Portfolio Holder for Property and Major Contracts to determine the terms of the land transfer based on the model lease issued by the DfE, including the extent of the school premises and licences for land outside of the lease arrangements;
- (d) delegate authority to the Corporate Director of Children's Services in consultation with the Portfolio Holder for Schools and Colleges to determine the terms of the transfer agreement;
- (e) that the Council should offer services under Service Level Agreements (SLAs) to any transferring school. The terms upon which such services are provided to any such school are to be determined by the relevant Director for the service in question.

Reason for Decision: In essence, some or all of the governing bodies of the named High Schools may, during the month of May 2011, decide to become Academies and enter formal funding agreements with the Secretary of State. Given that those schools are currently indicating that, if they proceed, they will look to complete transfer before the end of the summer term, approval to land and asset transfer has been given as required under the Council's Constitution and the Academies Act 2010, conditional upon the decisions of those governing bodies.

To enable officers and any schools so transferring to undertake the considerable amount of work that would be required, in the timescales envisaged, with the necessary Cabinet authority.

To authorise officers to negotiate the terms upon which any services are provided to any transferring school.

192. Key Decision - Grant Funding 2011/12

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the recommendations for the allocation of grants to the voluntary and community sector for 2011/12 together with the

recommendations of the special meeting of the Grants Advisory Panel meeting held on 30 March 2011.

The Portfolio Holder stated that altogether, the Council had received 131 applications and the total amount requested was £2.3m. However, the budget available to the Council was £600,000, as savings had been forced upon the Council by the government. She commended the partnership working between the Council and the Voluntary Sector and the valuable work carried out by this Third Sector. Compared to other local authorities that were either cutting their entire grant budgets or reducing them drastically, this Council was reducing its grant funding by 15% only.

The meeting was informed that, on the basis of the funding criteria, it was being recommended that those applications with a score of 95% or above be awarded 85% of the amount applied for subject to a number of conditions being met. The report also recommended that 5% of the budget be set aside to fund appeals, amounting to a figure of £30,336.

The Portfolio Holder also drew attention to the recommendations of the Grants Advisory Panel, which, inter alia, proposed that all appeals be considered before final recommendations are made and that the appeals be considered by a Panel of Reserve Members. She agreed in principle with the Grants Advisory Panel that decisions on appeals should be made quickly. However, having given due consideration to the Panel's recommendations and having reflected on the experiences and lessons learnt from last year which resulted in significant delays for organisations, the Portfolio Holder proposed changes to the officer recommendations set out in the report, namely that a sub-paragraph 1(c) be added and recommendation 2 be replaced. She added that the report also sought approval to ring-fence £20,781 to fund the development of support services to the voluntary sector to replace those previously provided by the former Harrow Association of Voluntary Services (HAVS). This would be matched by £47,000 carried forward from the current year.

In addition, the report sought delegated authority to the Corporate Director Community and Environment, in conjunction with the Portfolio Holder, to withdraw grant offers from organisations that did not meet the conditions described in the report. In commending the report to Cabinet with the changes proposed, as set out in the resolution below, the Portfolio Holder stated that she recognised the benefits the voluntary and community sector provided to Harrow's diverse communities.

The Leader of the Council stated that the decision before Cabinet was difficult as some organisations would lose out but, the Council had a strong record of supporting the voluntary and community sector. He further noted that a record number of applications had been received for 2011/12.

RESOLVED: That

- (1) grant recommendations for the 2011/12 Main Grants Programme, based on the assessment of applications described in the officer report and as outlined in paragraph 2.2.6 Option 1, be agreed subject to:

- (a) a receipt of satisfactory supporting documents and references;
 - (b) confirmation from the recipient organisation that the proposed project can be delivered within the amount recommended by the deadline of 3 May 2011
 - (c) any variation to the percentage score range and percentage grant allocation necessitated by decisions on appeals as set out in resolution 2 below
- (2) authority to consider and determine appeals be delegated to the Divisional Director Community and Cultural Services in conjunction with the Portfolio Holder for Community and Culture Services including the appointment of an Independent Advisor to advise the Divisional Director and the Portfolio Holder on those appeals and, furthermore, the Divisional Director, in conjunction with the Portfolio Holder, be authorised to vary both the percentage of the grant awarded and the scoring range within which grants are allocated, in light of the decisions on appeals;
 - (3) £20,781 be ring-fenced to fund the interim delivery and long-term development of support services for the voluntary and community sector to replace those provided by Harrow Association of Voluntary Service (HAVS);
 - (4) applications with a score below the threshold agreed for funding be placed on a reserve list;
 - (5) authority be delegated to the Corporate Director Community and Environment, in conjunction with the Portfolio Holder for Community and Culture Services, to:
 - (i) withdraw grant offers where organisations do not comply with the conditions of grant funding as in Resolution 1 above; and
 - (ii) award available funds to organisations on the reserve list in order of highest scores achieved and, where scores are tied, that funding be only distributed when available.

Reason for Decision: To award funding from the Main Grants Programme to voluntary and community sector (VCS) organisations to support them in delivering their services in 2011/12.

193. Council's Use of Performance Information - Review Report

Cabinet received a report of the Divisional Director Partnership Development and Performance setting out a response on the findings and recommendations of the Phase 1 of the Scrutiny Review Group's report on the Council's Use of Performance Information.

The Leader of the Council welcomed the Chairman and a Member of the Scrutiny Review Group to Cabinet.

In his presentation, the Chairman of the Review Group stated that in this first phase of the review, the Review Group had focused on getting an overview of the performance information that was being captured and reported, identifying quick wins and looking at how the recently abolished Place Survey could be replaced. He identified the key recommendation from the Review Group's report and those would be particularly helpful in the Children's and Adult Services areas. The Review Group had noted that there were no measures in place for the Council's licensing functions when compared to the Planning function which was measured on various aspects. Therefore, it would be useful to have an overview of the Licensing area, amongst other things the number of appeals made and those that were successful.

The Chairman of the Review Group stated that the indicator relating to sickness absence was labour-intensive to calculate quarterly and that the Review Group had recommended that it be reported annually and in-year monitoring carried out more frequently using the SAP computer system. He urged Cabinet to reconsider the officer recommendation in this regard, but welcomed the proposal to use a Tracker to replace the Place Survey.

A Member of the Scrutiny Review Group commended the report of the Review Group, which would benefit many services, including those provided to residents.

Cabinet noted that phase 2 of the review would look further to how the Council could improve its performance management, performance at operational level and how residents' perception of performance matched that of the Council, for example in the street cleaning area.

The Portfolio Holder for Performance, Customer Services and Corporate Services welcomed the Scrutiny Review Group's report. In parallel and since the abolition of many performance indicators, officers had also been looking at how performance measurements could be improved, including the Council's direction of travel in this area. The Council's Improvement Boards would monitor progress.

The Portfolio Holder indicated that the sickness absence ought to be retained for the time being and the proposal from the Scrutiny Review Group would be considered at a later date. He stated that if sickness absence was managed effectively, a downward trend would be seen. He looked forward to receiving the Phase 2 of this review.

The Assistant Chief Executive stated that it was critical how performance was measured at a time when the Council would be delivering the greatest changes.

The Leader of the Council thanked the Chairman and the Member of the Scrutiny Review Group for their presentation. The Leader added that the abolition of some national indicators provided the opportunity for local authorities to shape their local indicators. He welcomed a further interchange

with scrutiny in this regard, and the need for Cabinet and Scrutiny to continue the excellent dialogue with scrutiny acting as a 'critical friend'.

RESOLVED: That

- (1) the report and the recommendations of the Scrutiny Review Group on the Council's Use of Performance Information be received;
- (2) the responses recommended by officers to the recommendations of the Scrutiny Review Group be endorsed;
- (3) progress on all recommendations being approved be monitored through the Council's Improvement Boards.

Reason for Decision: To provide an appropriate response to the Scrutiny recommendations and a more effective local performance framework.

194. Key Decision - Grants and Assistance Regime for Disabled Adaptations to Housing in Harrow

The Portfolio Holder for Adult Social Care, Health and Well-Being introduced the report, proposing changes to the Council's approach to the delivery of its service to customers who required adaptations to their home and how it would change. The Portfolio Holder outlined key changes and areas that would be streamlined thereby reducing bureaucracy and giving those affected speedier solutions and an opportunity to experience independent living, such as tenure neutral approach, relocation grants and a handyman scheme. She added that the proposals would also ensure that adaptations previously carried out were not removed unnecessarily, a move that was also welcomed by the Portfolio Holder for Housing.

The Portfolio Holder for Adult Social Care, Health and Well-Being stated that the Council was on a journey in this regard and the proposal in conjunction with the Council's Lean Review, provided an opportunity for a 'win win' situation to the benefit of the vulnerable.

The Corporate Director of Adults and Housing explained that the proposed policy change was a priority action area for the Council and would provide a clearer, faster and fairer service. It would help in managing costs, and potentially there was an opportunity to provide local employment which in turn would benefit the wider community.

RESOLVED: That

- (1) the Grant and Assistance Regime for Disabled Adaptations to Housing in Harrow Policy, which contained the following key changes, be supported and approved:
 - (a) introduction of a tenure neutral approach as far as possible;
 - (b) providing clarity on the decision-making process for different levels of grant and providing an appeal process;

- (c) simplifying the enhanced scheme;
 - (d) introduction of Emergency Disabled Facilities Grant (DFG)/ adaptation process;
 - (e) introduction of Relocation Grant;
 - (f) withdrawal of Discretionary Renovation Grants, except in exceptional circumstances;
 - (g) inclusion of a handyman scheme in the Policy;
 - (h) encouraging Registered Social Landlords (RSLs) to contribute towards DFGs;
 - (i) supporting the Lean Review to enhance service delivery.
- (2) the Corporate Director Adults and Housing, in consultation with the Portfolio Holder for Housing, be authorised to approve minor changes to the Policy resulting from changes imposed by legislation and Government best practice.

Reason for Decision: The existing policy was written in 2003 and is overcomplicated and difficult to understand. There have also been a number of legislative changes since then and changes to best practice recommendations.

195. Key Decision - Review of Street Lighting Policy

Cabinet considered a report of the Corporate Director Community and Environment, which set out the case for a policy revision in the street lighting of highways and residential roads, and proposed a draft new policy for consultation.

The Portfolio Holder for Environment and Community Safety commended the report to Cabinet, as it would help the Council meet its target of an annual decrease of carbon emissions of 4%. He highlighted the level of public consultation that would be carried out in formulating a final Policy, which would also involve key stakeholders.

The Portfolio Holder outlined the benefits of the proposed Policy, which would also help reduce night time accidents and be more responsive to the changing needs of the borough. Priority would be given to the lighting that was old, depleted and needed replacing, and the Council would need to work within a limited budget.

The Corporate Director Community and Environment assured Cabinet that overarching equality impact assessments would be carried out on all schemes agreed.

RESOLVED: That the draft Street Lighting Policy be noted and approved for the purposes of public consultation.

Reason for Decision: Street lighting is provided to ensure the safety of users of the highway, but accounts for 25% of the Council's electricity consumption and 12% of its carbon emissions. The continued application of the existing policy on lighting levels and technology would lead to a significant increase in this consumption as old lighting stock is replaced. The proposal to introduce a new Policy reflects commitments to reduce the impact of Climate Change by new approaches to lighting levels, embracing the new technology available.

196. Children's Services: Ofsted Annual Performance Assessment and Inspection Results

The Portfolio Holder for Children's Services introduced the report, detailing the inspection results for Children's Services for the last year, including Ofsted's annual performance assessment. She highlighted the key aspects of the report, including the intense and challenging levels of inspection from Ofsted during 2010, together with the positive judgement given.

The Portfolio Holder and the Corporate Director Children's Services expressed their thanks to all staff involved in the work, particularly the teams led by the Divisional Director Safeguarding and Family Support and the Head of Service Achievement and Inclusion, Divisional Director Early Years, Childcare and Parents, as well as the support provided by other Directorates including Community and Environment, in ensuring a positive inspection outcome for Harrow's Children's Services and improvements in operational services, particularly at a time when the Service was facing new challenges.

The Leader of the Council thanked the Corporate Director for her work and the innovation in Children's Services. He looked forward to continued positive reports from Ofsted.

RESOLVED: That the annual performance assessment of 'performing well' for Harrow Children's Services and the improved service inspection results across the Directorate be noted, including that all Harrow Children's Services social care settings and services were now graded 'good' or 'outstanding'.

Reason for Decision: Ofsted requires Directors of Children's Services to report the performance assessment to an open meeting of the relevant executive body. This also gives an opportunity to demonstrate the very high level of inspectorate activity and the strong results achieved by the service.

[Call-in does not apply to this decision]

197. Key Decision - Extension of the Lease of Garden House, St John's Road, Harrow.

Cabinet received a report of the Corporate Director Place Shaping together with a confidential appendix, which set out the terms agreed for the proposed extension of the lease of Garden House where Gayton Library was located.

The Portfolio Holder for Property and Major Contracts informed Members that the Planning Committee, at its meeting on 6 April, had granted planning permission to use the property as a library for the term of the lease proposed and a new deal had been negotiated.

RESOLVED: That the extension of the Garden House lease be approved on the principal Heads of Terms set out in the confidential appendix of the officer report, and the Corporate Director Place Shaping, in consultation with the Portfolio Holder for Property and Major Projects, be authorised to agree such additional terms as are required to conclude the lease.

Reason for Decision: To allow Gayton Library to remain at Garden House and to deliver substantial revenue savings over the term of the proposed lease.

198. Exclusion of Public and Press

RESOLVED: That, in accordance with Part I of Schedule 12A to the Local Government Act 1972, the press and public be excluded from the meeting for the following item for the reasons set out below:

<u>Agenda Item No</u>	<u>Title</u>	<u>Reason</u>
19	Extension of the Lease of Garden House, St John's Road, Harrow - Appendix	Information under paragraph 3 [contains information relating to the financial or business affairs of any particular person (including the authority holding that information)].

199. Key Decision - Extension of the Lease of Garden House, St John's Road, Harrow

Cabinet received a confidential appendix to the report of the Corporate Director Place Shaping setting out the Heads of Terms and options considered.

RESOLVED: That the appendix be noted.

Reason for Decision: To allow the appendix to be considered in conjunction with the main report at item 15 on the agenda.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.47 pm).

(Signed) COUNCILLOR BILL STEPHENSON
Chairman