

# Overview and Scrutiny Committee

## AGENDA

**DATE:** Tuesday 5 April 2011

**TIME:** 7.30 pm

**VENUE:** Committee Rooms 1&2  
Harrow Civic Centre

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**MEMBERSHIP** (Quorum 4)

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**Chairman:** Councillor Jerry Miles

**Councillors:**

Sue Anderson  
Ann Gate  
Bill Phillips  
Sachin Shah

Kam Chana  
Barry Macleod-Cullinane  
Paul Osborn (VC)  
Stephen Wright

**Representatives of Voluntary Aided Sector:** Mrs J Rammelt/Reverend P Reece  
**Representatives of Parent Governors:** 2 Vacancies

(Note: Where there is a matter relating to the Council's education functions, the "church" and parent governor representatives have attendance, speaking and voting rights. They are entitled to speak but not vote on any other matter.)

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**Reserve Members:**

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1. Nana Asante
2. Varsha Parmar
3. Krishna Suresh
4. Sasi Suresh
5. Krishna James

1. Stanley Sheinwald
2. Mark Versallion
3. Christine Bednell
4. Susan Hall

**Contact:** Alison Atherton / Claire Vincent, Senior Professional - Democratic Services  
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# **AGENDA - PART I**

## **1. ATTENDANCE BY RESERVE MEMBERS**

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

## **2. DECLARATIONS OF INTEREST**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

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

## **3. MINUTES (Pages 1 - 6)**

That the minutes of the meeting held on 15 March 2011 be taken as read and signed as a correct record.

## **4. PUBLIC QUESTIONS**

To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution).

## **5. PETITIONS**

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

## **6. DEPUTATIONS**

To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B) of the Constitution.

## **7. REFERENCES FROM COUNCIL/CABINET**

(if any).

## **8. TRANSPORT LOCAL IMPLEMENTATION PLAN (Pages 7 - 30)**

Report of the Corporate Director of Community and Environment

**9. CIVIC CENTRE RENEWAL (To Follow)**

Report of the Corporate Director of Place Shaping

**10. DRAFT ISSUES AND OPTIONS CONSULTATION DOCUMENTS FOR THE HARROW AND WEALDSTONE AREA ACTION PLAN; DRAFT SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD); AND DRAFT DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT (DPD) (Pages 31 - 42)**

Report of the Corporate Director of Place Shaping

**11. PLANNING ENFORCEMENT (Pages 43 - 50)**

Report of the Divisional Director of Planning Services

**12. REPORT FROM THE CHAIR OF THE PERFORMANCE AND FINANCE SCRUTINY SUB-COMMITTEE (To Follow)**

Report of the Divisional Director of Partnership Development and Performance

**13. ANY OTHER BUSINESS**

Which the Chairman has decided is urgent and cannot otherwise be dealt with.

**AGENDA - PART II**

**Nil**

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# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 15 MARCH 2011

<b>Chairman:</b>	* Councillor Jerry Miles	
<b>Councillors:</b>	* Sue Anderson * Kam Chana * Ann Gate * Barry Macleod-Cullinane	* Paul Osborn * Bill Phillips * Sachin Shah * Stephen Wright
<b>Voting Co-opted:</b>	(Voluntary Aided) † Mrs J Rammelt Reverend P Reece	(Parent Governors)
<b>In attendance: (Councillors)</b>	Thaya Idaikkadar Mrs Rekha Shah	Minute 108
	* Denotes Member present † Denotes apologies received	

### 103. Attendance by Reserve Members

**RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.

### 104. Declarations of Interest

**RESOLVED:** To note that there were no declarations of interests made by Members.

## **105. Minutes**

The Committee agreed to consider the minutes of the previous meeting as a matter of urgency as they had not been finalised at the time the agenda was printed and circulated.

**RESOLVED:** That the minutes of the meeting held on 22 February 2011 be taken as read and signed as a correct record.

## **106. Public Questions, Petitions and Deputations**

**RESOLVED:** To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B of the Constitution) respectively.

## **107. References from Council/Cabinet**

**RESOLVED:** To note that no references had been received.

## **RESOLVED ITEMS**

## **108. Leisure Facilities Management Contract**

The Chairman welcomed Marianne Locke, Divisional Director of Community and Culture, Richard Hawtin, Interim Head of Procurement, Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts, Councillor Rekha Shah, Portfolio Holder for Community and Culture, to the meeting.

Members agreed that a report, which had just become available, entitled 'Leisure Facilities Management Contract' be considered as a matter of urgency in order that the Committee's comments could be submitted to Cabinet on 17 March 2011. Members received the report of the Divisional Director of Community and Cultural Services, which set out the procurement and evaluation processes undertaken for the award of an interim two year contract for the management of the Council's leisure facilities. The Chairman drew Members' attention to the Part II appendix which detailed the tender evaluation data and the Committee agreed that they would only exclude any press and public present if it became necessary to discuss the detail of the appendix during the course of the meeting.

The Portfolio Holder for Property and Major Contracts introduced the report and advised that the current contract with Leisure Connection was due to end on 31 March 2011. He advised that following Cabinet on 13 January 2011, officers had reported to Portfolio Holders on their ongoing discussions with that contractor. Officers, as a result of those discussions, had come to the view that it was likely that a more financially advantageous offer could be obtained by procuring an interim two year contract and the Portfolio Holders had requested that officers proceed on this basis. The Portfolio Holder concluded that this appeared to have been a good decision and congratulated officers on the achievement of savings in such a short timeframe.

Whilst Members were of the view that the Council was now in a good position in that Greenwich Leisure Ltd offered a good deal, they did have concerns as to the process following the Cabinet decision of 13 January 2011. In considering the report, Members asked questions and made comments, which were responded to as follows:

- A Member questioned as to how it was proposed to increase usage at the Leisure Centre. The Divisional Director advised that usage was one of the measures that had been used to test all tenders. Greenwich Leisure Ltd (GLL) had provided key performance indicators and was experienced, as were all the tenderers, in driving up performance. It was felt that GLL had provided sufficient information to indicate that they could increase usage.
- In terms of the kind of usage expected of a successful Leisure Centre, the Divisional Director advised that she could provide the Member with figures but that Leisure Centre usage was seasonal. All of the contractors had indicated that they could increase footfall.
- A Member challenged the accuracy of the report to Cabinet in January 2011, the process following that meeting and its transparency. He drew Members' attention to the minutes of that meeting. He acknowledged that a new Interim Head of Procurement was now in post which had impacted on the procurement of the contract but he was concerned that the process had been rushed and had therefore resulted in less scrutiny. He questioned why the option that had now been pursued had not been flagged up earlier. If the process had commenced earlier, increased savings may have been realised due to a larger pool of tenderers. The Divisional Director advised that it had become apparent, during the course of the negotiations, that the Council could achieve a better deal but that the previous report to Cabinet had set out an accurate picture at that point. The Interim Head of Procurement advised that as this was a Part B service under the European Union public procurement rules, it was felt that this opportunity was in the best interest of the Council. He added that the process had been fair and proper and that legal advice was that the Council could defend its position.
- A Member questioned why the procurement for the contract had not been started earlier and expressed concern that it appeared that the Council had not had officers in post to deal with the contract between April and October 2010. The Portfolio Holder for Property and Major Contracts advised that there had been a delay as there had been a new administration, he had been a new Portfolio Holder and that he had been aware of the imminent appointments of a new Divisional Director and Interim Head of Procurement. He was, however, confident that a better deal than that before Members would not have been obtained.
- As Leisure Connection had indicated that they had felt unable to respond to the tender and had not submitted a bid, a Member

questioned what information they had provided. The Divisional Director advised that information was still being received and until Cabinet had made a decision on the contract, discussions on this issue could not progress. The Interim Head of Procurement added that the Council had been clear with Leisure Connection that they could bid as part of the tendering process.

- In terms of change management, a Member questioned the risks associated with the potential change in contractor. The Divisional Director advised that whilst there were risks, Leisure Connection had given assurances that they would act in a professional manner during any potential handover.
- In response to a Member's question, the Interim Head of Procurement advised that no contractors, other than those detailed in the report, had expressed an interest in the contract. Under Part B rules, there was no requirement to advertise and the tenders received were from well known, quality providers.
- In terms of the project team evaluation, a Member challenged officers in terms of the weightings given to some of the evaluation criteria and sought clarification of the rationale. The Interim Head of Procurement advised that the contract was a two year interim arrangement seeking improved service and performance. The information available to officers was that performance could be significantly improved. In terms of health and safety, the Divisional Director advised that GLL had a suite of key performance indicators that would be monitored on a quarterly basis as part of formal contract monitoring arrangements.
- In response to a Member's question in terms of pricing, the impact of the contractors' different arrangements on VAT and the quantification of benefits, the Divisional Director undertook to provide a written response.
- Members commented that the staff at the Leisure Centre could be rude and have a poor attitude. A Member indicated that the biggest barrier for people with disabilities using facilities was the attitude of staff and he sought assurances that quality training would be a contract requirement. The Portfolio Holder for Property and Major Contracts advised that feedback on GLL from other boroughs on this aspect had been positive. The Divisional Director added that staff training procedures would be reviewed on a regular basis and mystery shopping exercises would be undertaken. She undertook to feed Members comments on staff attitude back to the contractor.
- A Member commended officers for trying to obtain an improved contract but questioned the future of those organisations currently located at the Leisure Centre. The Divisional Director advised that the Council would expect the successful contractor to work with those organisations and to provide a full programme and to monitor classes offered.



- As GLL was a co-operative, a Member questioned whether those staff subject to TUPE would be absorbed by the co-operative. Another Member questioned how officers were going to deal with the TUPE of poor staff. The Divisional Director advised that the staff would be part of any TUPE arrangement and that, in the past, GLL had given staff full rights. She acknowledged the concerns in relation to the current staff which was an issue of management, training and possibly pay and conditions. The Portfolio Holder for Property and Major Contracts added that staffing was a management issue.
- Members expressed concern at the condition of the Leisure Centre and therefore the ability to increase its usage. Concern was also expressed that the capital available to make improvements had not been used. The Divisional Director advised that she would expect any potential contractor to have looked at the facility in order to determine its business case and that the indications were that GLL had a good reputation for driving up performance. There had not been a full programme for repairs which was an issue for both the Council and contractor.
- In response to Member's question, the Interim Head of Procurement advised that the successful contractor would be tied into the contract for two years. Members were also advised that there would be no financial penalty clauses in the contract for under performance as experience had shown that sanctions should not be imposed in the first few months of a contract as it was a period of bedding in. Members questioned what sanctions would be used to deal with under performance and sought reassurance that robust contract management would be in place. Members were advised that the Council had made it clear that it was the client and that details of the contract would be finalised once it was awarded and would thereafter be closely monitored.
- A Member indicated that the Performance and Finance Scrutiny Sub-Committee would welcome the receipt of regular reports on the performance of the contract.

The Portfolio Holder for Property and Major Contracts indicated that both he and the Portfolio Holder for Community and Culture would take on board the comments and welcomed the cross party agreement that the Council was now in a good position in terms of the contract.

The Chairman thanked Divisional Director of Community and Culture, the Interim Head of Procurement, the Portfolio Holder for Property and Major Contracts and Portfolio Holder for Community and Culture, for their attendance at the meeting and for the responses provided.

**RESOLVED:** That the Committee's comments on the Leisure Facilities Management Contract be forwarded to Cabinet for consideration at its meeting on 17 March 2011.

**109. Exclusion of the Press and Public**

**RESOLVED:** That the press and public be excluded from the meeting for the following item for the reasons set out below:

<u>Item</u>	<u>Title</u>	<u>Reason</u>
8.	Leisure Facilities Management Contract – Appendix A – Tender Evaluation Data	Information under paragraph 3 – it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

**110. Leisure Facilities Management Contract**

**RESOLVED:** That the appendix be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.14 pm).

(Signed) COUNCILLOR JERRY MILES  
Chairman

**REPORT FOR: OVERVIEW AND  
SCRUTINY COMMITTEE**

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<b>Date of Meeting:</b>	5 April 2011
<b>Subject:</b>	Transport Local Implementation Plan
<b>Responsible Officer:</b>	Brendon Hills - Corporate Director Community & Environment
<b>Scrutiny Lead</b>	Cllr Stanley Sheinwald
<b>Member area:</b>	Policy lead for Sustainability Development and Enterprise
	Cllr Sue Anderson Performance lead for Sustainable Development and Enterprise
<b>Exempt:</b>	No
<b>Enclosures:</b>	Appendix A – Harrow draft Transport objectives Appendix B – Harrow Draft programme of investment Appendix C – Equality Impact Assessment

## **Section 1 – Summary and Recommendations**

The consultation on the draft second Local Implementation Plan (LIP2) closed at the end of February. This report provides information on the consultation results.

### **Recommendations:**

The Overview and Scrutiny Committee is requested to:

1. Note the report

## **Section 2 – Report**

### **Introduction**

- 2.1 LIP2 is a statutory document required by the Mayor of London that must show how the borough will implement the Mayor's Transport Strategy locally in Harrow. It contains all of Harrow's transport objectives, policies, delivery plan, monitoring indicators and targets and is funded by Transport for London (TfL), Borough capital and revenue and from other sources. LIP2 covers the period 2011 and beyond and includes a detailed programme of investment for the period 2011/12 – 2013/14.
- 2.2 LIP2 will make a significant contribution to all the Borough's corporate priorities. The policies and programmes detailed will improve the environment, support healthy lifestyles, improve safety, promote equality and develop more integrated and sustainable modes of transport.

### **Background**

- 2.3 Cabinet approved the draft LIP2 for consulting on 15 December 2010.
- 2.4 The LIP2 public consultation ran for 2 months from 20<sup>th</sup> December throughout all of January and February. Statutory consultees for LIP2 are the Metropolitan Commissioner of Police, TfL, organisations representing disabled people and other London boroughs whose area will be affected by LIP2.
- 2.5 The key consultation issues were to determine whether consultees sought changes to the Harrow transport objectives, policies and actions identified in the draft LIP2. Harrow's draft transport objectives are provided in Appendix A. Harrow's draft LIP2 programme of investment is provided in Appendix B.
- 2.6 Following consultation, LIP2 is being revised to take account of the comments received and any appropriate changes made. The amended LIP2 will be reported to Cabinet on 19<sup>th</sup> May 2011 and Cabinet will be requested to recommend the document for approval to the Full Council on 7 July 2011. Once LIP2 is adopted, the previous LIP will no longer be Council policy.
- 2.7 It is intended that the revised LIP2 will be made available in the Council political group offices and in the Members' library from 1<sup>st</sup> April 2011.

### **Consultation**

- 2.8 LIP2 consultation was primarily web based but also consisted of stakeholder meetings and local adverts to draw attention to the consultation.
- 2.9 Stakeholder meetings included:

- Harrow bus liaison group
- Harrow better together meeting
- Partnership with People transport sub-group
- Learning and physically disabled transport engage group
- Members and TARSAP advisors seminar
- Staff seminar

- 2.10 A full analysis of the comments is underway and a consultation report will accompany the LIP2 document for the Cabinet meeting.
- 2.11 As TfL approval is required, their comments are of key concern. Their comments were mostly favourable and in particular they stated that they considered the draft LIP2 to be “*a good, comprehensive and clearly structured draft*”. They also identified some fairly easy corrections and changes required for final approval.
- 2.12 An early summary of comments from all the consultation are:
- Quality of Metropolitan line service and in particular Harrow on the Hill station accessibility– also more to be done at Stanmore station re accessibility
  - Harrow-on-the-Hill should be a regeneration driver for the town centre
  - More information required on links with West London sub regional transport strategy
  - More information required on non-mandatory indicators
  - Some additional bus links suggested particularly to hospitals
  - Remove cycle routes they are useless
  - Make cycle routes mandatory and don't allow parking
  - Provide more car clubs

These will all be addressed further in the consultation report being prepared.

### **Legal comments**

- 2.13 The GLA Act 1999 requires all London authorities to prepare a LIP setting out proposals for implementing the Mayor's Transport Strategy for their area. In preparing its LIP, the Council is required to have regard to the Mayor's Transport Strategy and guidance issued by the Mayor.
- 2.14 The Council is also required to revise its LIP if the Mayor's Transport Strategy is revised. A revised LIP is subject to public consultation and approval by the Mayor of London. .

### **Equalities impact**

- 2.15 LIP2 has undergone an Equalities Impact Assessment. Key equality groups were included as part of the public consultation including the Harrow women's centre and Harrow Equality Centre and a specific meeting with a Learning and physical difficulties transport engage group. The general policies and programmes promoted in LIP2 are consistent with Harrow's original LIP which had a positive impact on equality target groups. The following table gives an overview of the likely equalities impact of the proposed programme of investment:

<b>Equalities group</b>	<b>Programmes</b>	<b>Impact</b>
Women	Bus priority, cycling improvements, traffic calming, principal road maintenance, cycle training	Positive
Children	School travel plans, traffic calming, principal road maintenance, cycle training, road safety education, walk to school week, walk on Wednesdays, sustainable travel theatre in education, road safety theatre	Positive
People with mobility difficulties	Shopmobility, dropped kerbs, bus stop accessibility, additional disabled parking bays, traffic calming	Positive

- 2.16 The Harrow Equality Impact Assessment form is provided in Appendix C. It will be signed for inclusion in the LIP2 Cabinet report on 19 May 2011.

### **Resources**

- 2.17 The works identified in the draft LIP2 will be fully resourced by the TfL LIP funding and supporting funds from Harrow. The delivery of the programme will be undertaken by existing staff resources within the Traffic & Highway Network team.

### **Financial Implications**

- 2.18 There are no implications to the Council capital or revenue based on this plan although the timetables for works could change in line with Council changes in priorities. In addition, TfL major scheme funding is subject to bids.
- 2.19 The only financial requirement is that we do spend the money provided by TfL on the schemes identified. Staff costs for all schemes included in the programme of investment are charged to scheme budgets.

### **Performance Issues**

- 2.20 It is a requirement for LIP2 to set locally specific targets for the following: Mode share, Bus service reliability, Asset condition, Road traffic casualties, CO<sub>2</sub> emissions. The targets set by LIP2 are in line with the previous National Indicators where relevant and have been discussed with various sections of the Council to ensure coordination. TfL needs to approve the targets set.
- 2.21 Implementing LIP2 will also have a positive impact on Harrow's place survey where the condition of roads and congestion are always identified as areas of concern. Based on benchmarking information provided by TfL, these are recommended to be set as follows:
- Mode share: Harrow aims to achieve a 30.5% mode share for walking in 2013/14 and a 1.5% mode share for cycling in 2013/14.
  - Bus service reliability: Maintain a bus excess wait time of 1.1 minutes on high frequency routes.

- Asset condition: Harrow aims to achieve a target of 8% of principal road lengths in need of repair in 2013/14.
- Road traffic casualties: Harrow intends to achieve a target of 42 KSIs or less for the years 2012 to 2014 and a target of 468 total casualties or less in 2013/14.
- CO<sub>2</sub> emissions: Harrow target for emissions from ground based transport is 137.82k tonnes per year in 2013.

2.22 In addition to these mandatory targets the borough has chosen to report on the following additional local indicators which will all be reported to TfL as part of a three-year impact report:

- Number of schools located within a 20mph zone within the borough
- School pupils per cycle parking space
- Percentage of school travel by bicycle
- Number of motorcycle casualties
- Weekday bus run times
- Proportion of school aged children in full time education travelling to school by the mode of travel that they usually use
- Number of environmentally friendly vehicle parking permits issued

2.23 The Mayor also requires boroughs to report on his key high profile outputs relating to cycling, walking, road safety and personal security, buses, smarter travel, environment, local area accessibility, controlled parking and freight and cleaner local authority fleets. These reports will be submitted to TfL on an annual basis.

2.24 At the end of the second LIP period, in 2014, the borough will prepare and publish a three-year impact report setting out the expenditure and implementation of LIP2 programmes, target achievement and evidence of how LIP2 has contributed to the wider policy objectives for Harrow.

### **Environmental Impact**

2.25 A full strategic environmental assessment of the draft LIP2 has been prepared. This was published along with the draft LIP2. This report reviews the impact of implementing LIP2 on all environmental issues. It shows that there are no negative environmental implications as a result of LIP2 and that the key influences are a positive impact on air quality and human health.

2.26 The measures contained in the LIP will support the council's over-arching Climate Change strategy

### **Risk Management Implications**

2.27 The major risk to delivery of all schemes is lack of funding and lack of skilled staff to deliver the works. None of the funding shown in the draft LIP2 is guaranteed. Funds for work outlined in the plan is mainly from Transport for London through the LIPs needs based funding although some is through the Council capital/revenue grant. Both of these are potentially subject to large cuts. In addition, the poor state of the economy and a possible further

recession will result in less funding available through any associated development Section 106 funding.

2.28 Schemes included in LIP2 are included in the department risk registers. In addition, any major scheme that progressed would also call for a specific risk register. If funding for works programmed in this LIP2 is less than expected, works will be reprofiled to start at a later date.

2.29 Risk included on Directorate risk register? No.

2.30 Separate risk register in place? No.

### Corporate Priorities

2.31 The LIP2 will support the new corporate priorities as follows:

- **Keeping neighbourhoods clean, green and safe** – supported by area based schemes, 20mph zones, local safety improvements, principal road renewal, sustainable travel promotions, major schemes, environmental promotions
- **United and involved communities: a Council that listens and leads** – supported by school travel plans and associated schemes, car clubs, cycle training, bike week, walking works, road safety educational activities
- **Supporting and protecting people who are most in need** – supported by disabled parking facilities, Shopmobility, bus stop accessibility schemes, travel training, 20mph zones, principal road renewal, bus priority schemes, pedestrian crossings
- **A Town Centre to be proud of: changing Harrow for the better** – supported by bus priority measures, area based schemes, local safety improvements, cycle and pedestrian improvement, electric charging points, freight loading bays

## Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 15 March 2011		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 14 <sup>th</sup> March 2011		



## **Section 4 - Contact Details and Background Papers**

**Contact:** Ann Fine, Transport Policy officer, 020 8424 1496 (x2496)

### **Background Papers:**

Cabinet Report and Minutes of 15 December 2010  
Draft LIP2.

## Appendix A – Harrow Draft Transport Objectives

1. To enable Harrow's residents to have the best possible access to employment opportunities and to improve the attractiveness of Harrow as a place to live, visit and work, the borough will further develop the transport system to provide access to employment opportunities within and beyond the borough and also support improved access to a wide range of facilities such as retail centres and education and health services as well as access to cultural heritage and outdoor green spaces
2. Support improved orbital transport links across the Borough and between outer London centres thereby providing greater access to a wider catchment area for employment opportunities by enabling journeys currently made by car to be made by sustainable forms of transport and thereby improve the environment
3. Encourage a healthier lifestyle by promoting healthy and safe travel particularly for pedestrians and cyclists
4. Reduce CO2 emissions in Harrow, increase environment sustainability, improve general health and deliver a better quality of life in the borough through the use of travel planning and appropriate traffic engineering measures including providing improved facilities for pedestrians and cyclists
5. Support the borough's economic growth by regenerating Harrow Town Centre and the new Area of Intensification and ensure that the transport delivery needs of the Area of Intensification are prioritised
6. Reduce the number of motorcycle casualties across the borough
7. Improve social inclusion in the borough by improving the quality, capacity and accessibility of Harrow-on-the-Hill station and Harrow bus Station and improving the accessibility, efficiency and attractiveness of all transport including public transport borough wide and in particular Transport for London stations
8. Support projected population growth within the new Intensification Area by improving transport connectivity between Harrow-on-the-Hill station/Harrow bus station and Harrow & Wealdstone station
9. Increase the number of people cycling in the borough in order to improve public health, improve air quality, reduce congestion and to reduce the impact of climate change
10. Improve the efficiency of servicing and delivery reduce congestion and make essential car journeys easier
11. Improve the quality of life of residents and visitors and improve overall health the borough will improve pedestrian walkways that use and link existing parks and open spaces with town centres and public transport provision
12. Ensure that the vitality of the town centre is supported through good transport access via all modes of transport prioritising sustainable modes of transport

## Appendix B – Harrow Draft Programme of Investment

Programme areas		Funding source	Funding (£000)				MTS goals				
			2011/12	2012/13	2013/14	Total	Econ. devt and pop growth	Quality of life	Safety and security	Opportunities for all	Climate change
Corridors and Neighbourhoods	<b>Streatfield Road / Christchurch Ave Traffic calming /review £60 + 45k cycle improvements</b> - address KSI clusters around junctions and review heavy use by HGVs using this route	LIP allocation	105	0	0	105	✓	✓	✓	✓	✓
	<b>Harrow Town Centre traffic calming KSIs</b> - specifically targetting pedestrian KSIs and motorcycle casualties	LIP allocation	50	0	0	50	✓	✓	✓	✓	✓
	<b>Warren Lane (BAE Site)</b> Junction improvements/ access issues /lighting/footpath	Developer	100	0	0	100	✓	✓	✓	✓	✓
	<b>Wood Lane</b> Parking controls /warning signing	Developer	15	0	0	15	✓	✓	✓	✓	✓
	<b>Stanmore Hill /Uxbridge Road signal work /congestion relief</b> - improve bus accessibility by linking 4 sets of signals - possibly introduce ped phase at the Stanmore Hill/The Broadway junction	LIP allocation	150	30	0	180	✓	✓	✓	✓	✓
	<b>Honeypot Lane / Whitchurch Lane KSIs</b> - address high number of KSIs along corridor	LIP allocation	103	0	0	103	✓	✓	✓	✓	✓
	<b>Shaftesbury Ave, Roxeth Hill, Sudbury Hill, Whitmore Road KSIs</b> - particularly address KSI clusters around junctions	LIP allocation	70			70	✓	✓	✓	✓	✓
	<b>Address key motorcycle and child ped accident locations</b>	LIP allocation		100	100	200	✓	✓	✓	✓	✓
	<b>Stanmore Hill bus stop accessibility</b> - hard surfacing, signing and lining and kerb height adjustment as necessary	LIP allocation	25	0	0	25	✓	✓	✓	✓	✓
	<b>Edgware Road bus stop accessibility</b> - hard surfacing, signing and lining and kerb height adjustment as necessary	LIP allocation	30	0	0	30	✓	✓	✓	✓	✓
	<b>Elm Pk Rd / Cannon Lane / Rayners Lane bus stop accessibility corridor</b> - hard surfacing, signing and lining and kerb height adjustment as necessary	LIP allocation	30	0	0	30	✓	✓	✓	✓	✓
	<b>Bus stop accessibility improvements</b>	LIP allocation	0	50	50	100	✓	✓	✓	✓	✓
	<b>Marsh Lane cycling improvements</b> - minor improvements for cycles to cross Marsh Lane which acts as a barrier. These will enable improved bikeability levels	LIP allocation	50			50	✓	✓	✓	✓	✓
	<b>Long Elmes / College Avenue / The Avenue cycling improvements</b> - minor improvements for cycles to cross Long Elmes and High Rd which acts as barriers. These will enable improved bikeability levels	LIP allocation	50	0	0	50	✓	✓	✓	✓	✓

Programme areas	Funding source	Funding (£000)				MTS goals				
		2011/12	2012/13	2013/14	Total	Econ. dev't and pop growth	Quality of life	Safety and security	Opportunities for all	Climate change
<b>Common Road / Brookshill cycling improvements</b> - minor improvements needed to enable improved bikeability levels along predominantly rural type roads.	LIP allocation	50	0	0	50	✓	✓			✓
<b>Pinner Road bus priority</b> - carriageway widening to incorporate full width left turn lane for all traffic including buses	LIP allocation	60	0	0	60	✓	✓		✓	✓
<b>Rayners Lane bus priority completion</b> - completion of inset parking bays and cycle track relocation	LIP allocation	40	0	0	40	✓	✓		✓	✓
<b>Bus route joint inspection meetings and implementations</b>	LIP allocation	0	100	150	250	✓	✓	✓	✓	✓
<b>Electronic bus lane signs</b> - introduce revolving signs to clarify bus lane operational hours	LIP allocation	10	0	0	10	✓	✓	✓		
<b>Locket Road parking review</b> - Increase road width for turning buses	LIP allocation	5	2	0	7	✓	✓	✓		✓
<b>Clamp Hill / Uxbridge Road cycling corridor</b> - Improved bikeability in a topographically difficult location	LIP allocation	0	166	90	256		✓		✓	✓
<b>STUDY Pinner area cycle facilities and legal loading bays</b>	LIP allocation	25	0	0	25	✓	✓	✓	✓	✓
<b>STUDY Walking studies</b> - identifying key pedestrian corridors for future work	LIP allocation	15	0	0	15	✓	✓	✓	✓	✓
<b>Belmont trail</b> - to maximise use of this important green corridor (former railway line) through the urban environment, ongoing improvements will be made including rubbish clearance, signage, ground levelling and planting	LIP allocation	33	60	0	93		✓	✓	✓	✓
<b>Disabled parking and dropped kerb programme</b> - Additional requirements necessary to address an increasingly mobility impaired population	LIP allocation	35	65	65	165		✓	✓	✓	✓
<b>Cannon Lane schools 20mph zone</b> - traffic calming on local roads to encourage walking and cycling	LIP allocation	50	0	0	50	✓	✓	✓	✓	✓
<b>Priestmead schools 20mph zone</b> - traffic calming on local roads to encourage walking and cycling	LIP allocation	60	0	0	60	✓	✓	✓	✓	✓
<b>Roxbourne schools 20mph zone</b> - traffic calming on local roads to encourage walking and cycling	LIP allocation	0	40	0	40	✓	✓	✓	✓	✓
<b>Elmgrove schools 20mph zone</b> - traffic calming on local roads to encourage walking and cycling	LIP allocation	0	50	0	50	✓	✓	✓	✓	✓

Programme areas	Funding source	Funding (£000)				MTS goals				
		2011/12	2012/13	2013/14	Total	Econ. dev't and pop growth	Quality of life	Safety and security	Opportunities for all	Climate change
<b>Weald schools 20mph zone</b> - traffic calming on local roads to encourage walking and cycling	LIP allocation	0	50	0	50	✓	✓	✓	✓	✓
<b>Belmont schools 20mph zone</b> - traffic calming on local roads to encourage walking and cycling	LIP allocation	0	0	50	50	✓	✓	✓	✓	✓
<b>Additional linear greenways projects</b>	LIP allocation			60	60	✓	✓	✓	✓	✓
<b>Shopmobility</b> - increased opening hours of service particularly at weekends and in Christmas sales	LIP allocation	5	5	5	15	✓			✓	✓
<b>Legible london signing for Harrow town centre and Wealdstone</b>	LIP allocation			100	100	✓	✓	✓	✓	✓
<b>Environment inc charging points</b> - Promotion and installation of charging points in Harrow - Air quality education through multi media resources	LIP allocation	40			40	✓	✓		✓	✓
<b>Future programme development</b> - identify future work and support ongoing work and for traffic surveys	LIP allocation	40	50	50	140	✓	✓	✓	✓	✓
<b>Bus Priority: South Harrow - Eastcote Lane</b> - Waiting and loading restriction on one side to be extended to allow opposing buses to pass near Kings Road	LIP allocation		60	20	80	✓	✓	✓	✓	✓
<b>Bus Priority: Stanmore - Common Rd/ High Rd junction</b> - Feasibility study for bus priority schemes at junction. Implementation following year. Scheme funding delayed by TfL due to TfL Signals resource availability. New left turn lane to bypass queuing straight ahead traffic. Involves civils, major stats and lining. Reduce journey time savings on route 258.	LIP allocation		75	75	150	✓	✓	✓	✓	✓
<b>Bus Priority: Stanmore - London Rd/Brockley Hill</b> - Bus Priority measures at junction and along London Road	LIP allocation			10	10	✓	✓	✓	✓	✓
<b>Eastcote Lane / Rayners Lane reconfigure junction</b> Work needed to relieve congestion and smooth traffic flows and to address accidents at the junctions	LIP allocation		50		50	✓	✓	✓	✓	✓
<b>Kymerley Rd/ College Rd review layout</b> - Increase bus station capacity by creating standing space on Kymerley Rd	LIP allocation			150	150	✓	✓	✓	✓	✓
	Developer			250	250					
<b>Station Road feasibility study</b> - Review ped crossing, central islands and bus lane layout	LIP allocation			50	50	✓	✓	✓	✓	✓
<b>Smoothing traffic issues</b> General congestion relief	LIP allocation			50	50	✓	✓	✓		✓

Programme areas	Funding source	Funding (£000)				MTS goals					
		2011/12	2012/13	2013/14	Total	Econ. dev't and pop growth	Quality of life	Safety and security	Opportunities for all	Climate change	
Smarter travel	Burnt Oak CPZ review of scheme including review of parking around new Krishna Avanti school	Harrow capital	30			30	✓	✓	✓	✓	✓
	Developer	40			40						
	Canons Park station area CPZ review	Harrow capital	70	30		100	✓	✓	✓	✓	✓
		Developer	40			40					
	Pinner CPZ review and extension	Harrow capital	60	40		100	✓	✓	✓	✓	✓
	Harrow CPZ review and potential expansion to Harrow View area	Harrow capital	50	20		70	✓	✓	✓	✓	✓
	Harrow Weald potential new CPZ area	Harrow capital	50	20		70	✓	✓	✓	✓	✓
	Kenton Station area CPZ review	Harrow capital		50	30	80	✓	✓	✓	✓	✓
		Harrow capital			90	90	✓	✓	✓	✓	✓
	North Harrow CPZ	Harrow capital			30	30					
		Developer			90	90	✓	✓	✓	✓	✓
	Problem streets - Improvements to streets with limited accessibility for service and Emergency vehicles and where specialist access is required	Harrow capital	20	20	20	60	✓	✓	✓	✓	✓
	Freight issues investigation and implementation and signing strategy for London Lorry ban	LIP allocation		100	60	160	✓	✓	✓		✓
	Rights of Way legal issues and mapping Update definitive map as required	LIP allocation		10	15	25		✓	✓	✓	✓
	PETTS HILL payback	LIP allocation	333	333		666					
	School support - Workshops on reviewing school travel plans, theatre in education events, Publicity and promotions including newsletters and web based information, small grant funding, walk to school events	LIP allocation	75	70	70	215		✓	✓	✓	✓
	Promoting sustainability - Promotion of active travel events tying up to Olympics - Ongoing promotions for sustainable travel (using social media)	LIP allocation	45	45	45	135	✓	✓			✓
	Road safety education - road safety promotional material, school presentation visits, theatre in education, other additional safety campaigns	LIP allocation	35	35	35	105		✓	✓	✓	✓
	Cycle training - Promote cycle training to adults and children both those who live or work in the borough, through the Council's website, travel plans and sustainable travel events. Adult training is offered as either individual or group sessions, tailored to the ability of the rider and loan cycles can be provided to complete novice riders when required.	LIP allocation	98	95	100	293	✓	✓	✓	✓	✓
	School travel plan advisor - financial support to maintain position	LIP allocation	22	22	22	66		✓	✓		✓
Pedestrian / cycling safety promotions	LIP allocation	10	10	10	30			✓			

Programme areas		Funding source	Funding (£000)				MTS goals				
			2011/12	2012/13	2013/14	Total	Econ. devt and pop growth	Quality of life	Safety and security	Opportunities for all	Climate change
	<b>Travel training</b> - provide support to those with learning difficulties to use public transport	LIP allocation		5	6	11	✓	✓	✓	✓	✓
<b>Integrated transport total</b>			<b>2,224</b>	<b>1,858</b>	<b>1,858</b>	<b>5,940</b>					
<b>Local Transport Fund – projects to be agreed by Transport Portfolio Holder</b>			<b>100</b>	<b>100</b>	<b>100</b>	<b>300</b>					
Maintenance	A4090 Alexandra Ave - West footway High Worples to 383 Alexandra Ave	LIP allocation	102			102	✓	✓	✓	✓	✓
	A 4005 LONDON RD / SUDBURY HILL - Roxeth Hill to 30m South Of South Hill Ave	LIP allocation	122			122	✓	✓	✓	✓	✓
	A 410 UXBRIDGE ROAD - Milne Field Roundabout to Anselm Rd (DUAL C/WAY)	LIP allocation	295			295	✓	✓	✓	✓	✓
	A 312 Northolt Rd - North - Templars Hse to Police Station	LIP allocation	53			53	✓	✓	✓	✓	✓
	A 409 High St - East footway -Locket Rd to No 96 & Spencer Rd To Claremont Rd	LIP allocation	52			52	✓	✓	✓	✓	✓
	Additional roads based on road condition surveys	LIP allocation		500	500	1,000	✓	✓	✓	✓	✓
	Bridge assessment and strengthening - Prioritised locations	Council revenue	90	90	90	270	✓	✓	✓	✓	✓
TfL interim measures		25	25	25	75	✓	✓	✓	✓	✓	
<b>Maintenance total</b>			<b>739</b>	<b>615</b>	<b>615</b>	<b>1,969</b>					
Major Schemes	Mollison Way	LIP allocation	1,000			1,000	✓	✓	✓	✓	✓
	Rayners Lane	LIP allocation	150			150	✓	✓	✓	✓	✓
		Developer	25			25					
	Northumberland Road	LIP allocation		100	900	1,000	✓	✓	✓	✓	✓
	Station Road Intensification Area	LIP allocation			100	100	✓	✓	✓	✓	✓
		Developer				0					
SUSTRANS greenway route from Stanmore, through to Brent and then Ealing all the way to the Thames (funding is for all boroughs)	LIP allocation		200	1,000	1,200	✓	✓	✓	✓	✓	
<b>Major Scheme total</b>			<b>1,175</b>	<b>300</b>	<b>2,000</b>	<b>3,475</b>					
<b>INDICATIVE TOTALS BUT SUBJECT TO BIDS</b>			<b>4,238</b>	<b>2,873</b>	<b>4,573</b>	<b>11,684</b>					

## Appendix C – Equality Impact Assessment

### ***Equality Impact Assessment (EqIA) Form***

In order to carry out this impact assessment, it is important that you have completed the EqIA E-learning Module and read the Corporate Guidelines on EqIA's. Please refer to these to assist you in completing this form and assessment.

#### SCREENING

<i>What is the policy? (name and description)</i>	Harrow Transport Local Implementation Plan
Which Directorate and Service is responsible for the policy?	Community and Environment
Name & contact details of person(s) carrying out the EqIA:	Ann Fine
Date of assessment:	

#### **Stage 1: About the Policy**

1. Is this a new or an existing policy?	Existing
2. What are the aims, objectives or purpose of the policy?	To implement the Mayor's Transport Strategy at the local level
3. What factors / forces could prevent you from achieving these aims and objectives?	Financial setbacks, lack of skilled staffing to do work, results of local consultation on projects and initiatives
4. How does the policy	It meets all the new corporate priorities as follows:



<p>contribute to the council's corporate aims and objectives?</p>	<ul style="list-style-type: none"> <li>• <b>Keeping neighbourhoods clean, green and safe</b> – supported by area based schemes, 20mph zones, local safety improvements, principal road renewal, sustainable travel promotions, environmental promotions</li> <li>• <b>United and involved communities: a Council that listens and leads</b> – supported by school travel plans and associated schemes, car clubs, cycle training, bike week, walking works, road safety educational activities</li> <li>• <b>Supporting and protecting people who are most in need</b> – supported by disabled parking facilities, Shopmobility, bus stop accessibility schemes, travel training, 20mph zones, principal road renewal, bus priority schemes, pedestrian crossings</li> <li>• <b>A Town Centre to be proud of: changing Harrow for the better</b> – supported by bus priority measures, area based schemes, local safety improvements, cycle and pedestrian improvement, electric charging points, freight loading bays</li> </ul>
<p>5. Who is intended to benefit from this policy and in what way?</p>	<p>All local residents, visitors and businesses will received improved transport facilities that will better match their needs and the needs of the travelling public</p>
<p>6. Is responsibility for the policy shared with another department, authority or organisation? If so:</p> <ul style="list-style-type: none"> <li>• Who are the partners?</li> <li>• Who is responsible for the policy?</li> </ul>	<p>Yes, it needs to be approved by the Mayor of London. Transport for London will recommend to him whether to approve the policy or not. This is a legislative requirement and part of the Greater London Authority Act.</p> <p>Partners are schools and other Council directorates</p>
<p><b>Stage 2: Collecting Evidence</b></p>	
<p>7. What data or benchmarking information is available to facilitate the screening of this policy?</p>	<p>Regular ongoing stakeholder meetings including the Partnership with Older People transport subgroup, traffic liaison group, bus liaison group, new transport disabilities group. These will all keep us informed as to how our policy is being perceived in the public. Also, correspondence and complaints will keep the borough aware of such issues.</p>

- Results from the Place Survey
- Customer Satisfaction Surveys
- Local or national research
- Complaints or compliments received
- CAA, IIP or other assessments

**8. Have you undertaken any consultation on this policy? Yes**

**If yes, who was consulted? (this may include staff, members, unions, community / voluntary groups, stakeholders, residents and service users)**

Equality Strand	Name of Group	What consultation methods were used?	What do the results show about the impact on different equality groups?
Age	Partnership with Older People transport subgroup Age Concern Harrow	Meeting with Partnership with older People transport subgroup Email consultation to age concern Harrow	Emphasized need to better transport access for all
Disability	HAD, Learning and physical difficulties transport engage group, Harrow blind society	Meeting with learning and physical difficulties transport engage group Email consultation to HAD and Harrow blind society	Emphasized need to better transport access for all and particularly concerned about pavement conditions
Gender	Harrow Women's centre	Email consultation	None
Race	Harrow Council for Racial Equality	Email consultation	None
Religion or Belief			

Sexual Orientation		
Other (please state)		
<b>9. If you have not undertaken any consultation, explain why?</b>		
<b>Proposed Consultation (for NEW policies)</b>		
<p><b>NOTE:</b> If you have not undertaken any consultation as yet, list your proposals for consultation with target dates in the section below. Any proposed consultation needs to be <b>completed before</b> progressing with the rest of the EqIA.</p> <p><b>For guidance on consultation, see consultation guidelines on the HUB</b>  <a href="http://harrowhub/site/scripts/documents.php?categoryID=127">http://harrowhub/site/scripts/documents.php?categoryID=127</a></p>		
Who do you plan to consult?	What method of consultation do you propose to use and what is your target date for consultation?	What did the results show about the impact on different equality groups?
<b>Consultation is running from 20 December 2010 until end of Feb 2011</b>	<b>Meetings with stakeholder groups and internet</b>	<b>Benefits to groups with mobility difficulties</b>
<b>Stage 3: Assessing Impact</b>		
<b>10. Considering the information / data from your research or/and consultation, is there any reason to believe that any adverse impact occurs or has the potential to occur on any equality group?</b>		

Mark answer with an X	Age		Disability		Gender		Race		Religion / Belief		Sexual Orientation		Socio Economic Inequality	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
		X		X		X		X		X		X		X
If yes, explain what the impact is and which group(s) this affects?  <b>If none, go to question 11.</b>														
<b>10A.</b> What measures are you going to take to eliminate or reduce the adverse impact(s)? E.g. consultation, research, implement equality monitoring														
<b>Equality Group</b>	Actions identified to eliminate/reduce adverse impact ( <b>Copy these measures into the Improvement Action Plan</b> )													
Age														
Disability														
Gender														
Race														
Religion or Belief														
Sexual Orientation														
Socio Economic														

11. Is there any evidence or concern that **direct discrimination** may occur with reference to anti discrimination legislation?

***Direct discrimination - occurs when a person is treated less favourably than others on the grounds of their age, disability, gender, race, religion or belief, or sexual orientation. Refer to main guidelines and toolkit for examples of direct discrimination.***

Mark answer with an X	Age		Disability		Gender		Race		Religion / Belief		Sexual Orientation		Socio Economic Inequality	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
		X		X		X		X		X		X		X

If yes, explain which equality group(s) this affects? (You are encouraged to seek Legal Advice)

12. Is there any evidence or concern that **indirect discrimination** may occur? If yes describe this below and whether you can credibly justify continuing with the policy in terms of the benefits of its wider aims?

***Indirect discrimination - occurs when a rule, condition or requirement, which applies equally to everyone, has a disproportionately adverse effect on people from a particular equalities group when there is no objective justification for the rule. Refer to main guidelines and toolkit for examples of indirect discrimination.***

Mark answer with an X	Age		Disability		Gender		Race		Religion / Belief		Sexual Orientation		Socio Economic Inequality		
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
		X		X		X		X		X		X		X	
If yes, explain which equality group(s) this affects? (You are encouraged to seek Legal Advice)															
13. Is the policy likely to affect relations between certain groups, for example because it is seen as favouring a particular group or denying opportunities to another?															
Mark answer with an X	Age		Disability		Gender		Race		Religion / Belief		Sexual Orientation		Socio Economic Inequality		
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
	X		X											X	
If yes, explain which equality group(s) this affects?		See below													
14. If you have any further evidence or concern the potential impact the policy may have on a particular group(s), explain these below. This could be positive or negative. (if neither positive or negative, insert none)															
Equality Group		Positive						Negative							
Age		Young people are being encouraged to walk and cycle more, particularly to school and therefore they will be healthier						None							
Disability		There will be increased bus stops suitable for low floor buses, increased Shopmobility opening hours, increased parking for people with disabilities, all scheme updates will focus on improving facilities for those with disabilities						None							
Gender								None							

	Possibly improved sense of safety	
Race	Possibly improved sense of safety	None
Religion or Belief	Possibly improved sense of safety	None
Sexual Orientation	Possibly improved sense of safety	None
Socio Economic Inequality	Where major schemes are introduced, they are predominantly in areas of greater deprivation and will offer improvements to the vicinity.	None
<p><b>15. How does the policy conform to the requirements of the Public Equality Duties, which require all council functions and services to:</b></p> <ul style="list-style-type: none"> <li>• promote equality of opportunity,</li> <li>• eliminate discrimination</li> <li>• promote good relations between different equality groups</li> </ul> <p>If the answer is none or N/A please state why? What amendments could be made?</p>	<p><b>Implementation of LIP2 will promote equality of opportunity. As those with mobility difficulties are provided with improved access to the transport system, they improve their access to jobs and services.</b></p>	

16. Has an impact been identified?	Yes	X	If yes, is the impact positive or negative?	Positive	X	Go to Q17
	No (go to Q17)			Negative		Go to Q16 A
16A. If there is a negative impact on any group(s), is that impact legal?	Yes		If illegal, take legal advice	If legal, is the impact intended?	Yes	
	No	X			No	
17. Have you received any complaints or compliments about the policy? If so, provide details.	None					
18. What monitoring is in place to check the effects of the policy on equality groups?						
19. How will the results of any monitoring be analysed, reported and publicised?	This information will be made available on request					
20. What monitoring measures need to be introduced to ensure effective monitoring of the policy? (Include in Improvement Action Plan)	Regular ongoing stakeholder meetings including the Partnership with Older People transport subgroup, traffic liaison group, bus liaison group, new transport disabilities group. These will all keep us informed as to how our policy is being perceived in the public. Also, correspondence and complaints will keep the borough aware of such issues.					



21. When will the policy be reviewed?	3 year annual review as required by the Mayor of London		
<b>Decision</b>			
22. On the basis of your answers so far, what is the potential for differential impact? (see note 19.8 in Corporate Guidance Document)  <b>Mark with an X</b>	<p style="text-align: center;"><b>High</b> <i>(Large adverse impact on equality groups)</i></p>	<p style="text-align: center;"><b>Medium</b> <i>(Some adverse impact on equality groups)</i></p>	<p style="text-align: center;"><b>Low</b> <i>(Low potential for adverse impact on equality groups)</i></p>
			<b>X</b>
	Continue on to Part 2 for a full assessment.		Go to Stage 4 for any actions to improve policy and sign off.

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**REPORT FOR: OVERVIEW AND  
SCRUTINY COMMITTEE  
AND SCRUTINY SUB-  
COMMITTEES**

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<b>Date of Meeting:</b>	05 April 2011
<b>Subject:</b>	Draft Issues and Options Consultation Documents for the Harrow & Wealdstone Area Action Plan; Draft Site Allocations DPD; and Draft Development Management Policies DPD
<b>Responsible Officer:</b>	Andrew Trehern – Corporate Director of Place Shaping
<b>Scrutiny Lead Member area:</b>	Keith Ferry – Portfolio Holder for Planning, Development and Enterprise
<b>Exempt:</b>	No
<b>Enclosures:</b>	Due to the size of the three draft DPDs, electronic copies of each have been circulated to Committee Members and Reserves only. The three draft DPDs will be published with the agenda and can be viewed on the website.

**Section 1 – Summary and Recommendations**

This report introduces three Development Plan Documents (DPDs) that are being prepared in support of the spatial strategy set out in the Core Strategy. When adopted the DPDs will form part of Harrow's Local Development

Framework.

**Recommendations:**

The Committee is requested to consider and comment 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, which are to be reported to Cabinet at its meeting of 7<sup>th</sup> April 2011.

## **Section 2 – Report**

### **Introduction**

1. It is a corporate priority to prepare a series of statutory planning policy documents, which together comprise the Local Development Framework (LDF) for the Borough that will eventually replace the existing Unitary Development Plan (adopted in July 2004). Now that the Core Strategy has progressed to the submission stage, work has begun on preparing the other development plan documents of the Harrow LDF that will give effect to and support the implementation of the vision, objectives and spatial strategy of the Core Strategy.

2. This report provides a brief summary of purpose and content for each of the draft DPDs. The documents were also reported and considered by the LDF Panel at its meeting of 15 March. At the time of writing this report the minutes of that meeting were not available but the responsible officer will be able to give a verbal update to this Committee of the matters raised. Subject to Cabinet and Council approval, the three draft documents will be published in May 2011 for a six week period of public consultation in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).

### **Summary of the purpose and content of each DPD**

#### **Harrow and Wealdstone Area Action Plan**

3. The Harrow and Wealdstone Area Action Plan (AAP) is being prepared jointly with Greater London Authority (GLA). Its purpose is to give effect to the Intensification Area designation of both the Core Strategy and Replacement London Plan by setting out the policies, proposals and site allocations required to manage growth and development in the Intensification Area in a comprehensive manner, ensuring it delivers the social, environmental and economic outcomes sought for the area. These include:

- The creation of 3,000 new full time equivalent jobs;
- Higher density and higher quality residential and mixed use development providing 2,500 new homes;
- Strengthening the role of Harrow town centre as a prosperous Metropolitan centre within outer London;
- Regenerating Wealdstone district centre, ensuring that new employment led redevelopment of the surrounding industrial estates, including the Kodak site, contribute to its long-term growth and vitality;

- Creating a clear context for development on the Kodak site;
- Improving the amenity and connectivity of Station Road;
- Increasing the Borough's 'visibility' in a west London and London context to ensure Harrow secures appropriate levels of investment from private and public sector partners;
- Ensuring new development and growth is matched by investment in infrastructure serving the area and the wider Borough.

4. The Issues and Options Consultation document draws on the work and consultation undertaken to date on behalf of the Council and the GLA by East Architects, who have been commissioned to prepare a masterplan for the area. It outlines four development strategy options, including a preferred option, for how growth and development might be accommodated within the Intensification Area. The options have been developed by East Architects based on a baseline analysis, a review of policy and the evidence base, and through the consideration of issues, concerns and opportunities raised through consultation with forum groups. A summary of the four development strategy options are set out below, along with a brief commentary of their respective strengths and weaknesses:

**Option 1: One Centre** – This option would see the three sub-areas (Harrow town centre, Wealdstone town centre and Station Road) being joined together by a shared intensification of activity, reducing any distinctions between the areas and, over time, see them developed as one large centre. This is a highly ambitious option that requires the maximization of the capacity of all strategic sites within the Intensification Area with development types (housing and employment) and densities being applied equally across the whole area. As a result, this option offers the highest overall outcomes in terms of levels of residential development and job outputs but this is likely to be at the cost of local context. This option may also not be compatible with existing levels of public transport accessibility and there is a risk that the market might not be able to absorb this level of development.

**Option 2: Harrow +** – In this option, intensification and development would be focused on Harrow town centre. It would ensure the centre's Metropolitan status was enhanced and retained, and would see significant public realm and infrastructure improvements delivered in the centre that would benefit the wider community. However, it would require most housing to be met in tall, flatted schemes, which presents risks in terms of market saturation as well as opposition from residents to see this form of development within the town centre. The option would only result in modest growth and benefits for Station Road and Wealdstone, and therefore does not optimize the regeneration opportunities that exist within these sub-areas.

**Option 3: Two Centres** – This option would retain and reinforce the distinctiveness of Harrow town centre and Wealdstone, ensuring new development is sensitive to these areas. Growth would be focused within the two town centres, with flatted housing development in Harrow town centre (but at a much reduced scale than required under option 2) and the provision of family orientated housing in Wealdstone. The regeneration of Wealdstone will also benefit from housing and employment development of the Kodak site. Station Road does not play a significant role under this option, and therefore

the opportunity to strengthen its role as a link between the two town centres and to regenerate Station Road will be missed.

**Option 4: High Roads and Centres** – This option is similar to option 3, but with the additional benefit of realizing the development opportunities that exist along Station Road, which would facilitate much needed public realm improvements along this corridor. However, this option would require appropriate controls and more detailed guidance to be put in place to ensure the three sub-areas retained their distinctiveness, in terms of function and built form, and did not morph into one homogenous entity as proposed by Option 1.

### **Development Management Policies DPD**

5. The purpose of the Development Management Policies DPD is to give effect to the Harrow Core Strategy by setting out the detailed planning policies required to control the development and use of land and ensure the agreed Spatial Strategy is delivered. The Development Management Policies DPD therefore seeks to establish the specific standards and policy criteria that new development will be expected to meet, and against which planning applications will be considered.

6. The policies of the Development Management Policies DPD will apply to all new development proposed within the Borough that is **outside** of the Harrow Intensification Area boundary.

7. With regard to content and policy coverage, there is no need for the Development Management Policies to replicate policies contained in national policy statements or the London Plan, as the latter already forms part of the Development Plan for the Borough and the former is a material consideration. Rather the purpose of the Development Management Policies DPD is to provide detailed policies at a local level that reflect the spatial strategy and strategic objectives of the Harrow Core Strategy. The exception to this is where it is necessary to give further local interpretation to regional and national policy, which may include providing a 'policy hook' to enable the Council to bring forward Supplementary Planning Documents, Planning Briefs or Design Guidance to give clarity to local circumstances and to assist all parties in the design rationale of schemes and the acceptability of proposals.

### **Site Allocations DPD**

8. The purpose of the Site Allocations DPD is to identify spatial policy designations and to safeguard or allocate sites, **outside** of the Harrow Intensification Area, in line with the spatial objectives set out in the Core Strategy and the emerging Development Management Policies DPD. It will identify the locations and sites for specific types of development, such as housing and employment, or sites to be protected through planning policies, including retail frontages and open spaces, in order to ensure the vision, objectives and spatial development strategy of the Core Strategy are given effect and implemented. It will also sets out further detail of the policy context and criteria applying to specific sites proposed for development, alongside site constraints, relevant strategic objectives to be met, identified local needs and specific infrastructure requirements.

9. The content of the draft Site Allocations Document has been informed and shaped by the following work:

- The 'Call for Sites' carried out in 2009, and again in late 2010, which has been used to update our evidence of available land (Strategic Housing Land Availability Assessment) and to gain an understanding of landowner aspirations;
- Other research work including the recent Employment Land Study, Retail Study, Strategic Flood Risk Assessment, Viability Assessment, PPG 17 Study and work in support of the Draft Joint Waste Management DPD;
- Representations received to consultation on the Harrow Core Strategy;
- Consultation undertaken with service providers;
- Issues raised by colleagues in Development Management with respect to the applicability, validity or errors identified with existing allocations;
- Representations received by external parties regarding inconsistencies or corrections required to the proposals map forming part of the Harrow UDP;
- A review of sites with planning permission within the Borough;
- Analysis of changes to national and regional policy which impacts on existing and proposed allocations or definitions of development, which will need to be picked up through the Site Allocations Document.

10. A number of the sites identified in this DPD benefit from planning permission and the allocation is therefore based upon earlier planning decisions. Many of the allocated sites are therefore already known to the planning committee and the community. Based upon submissions received and research undertaken by officers, where the draft DPD identifies sites for development, it is considered that the sites and buildings included in the DPD will be made available and are deliverable within the plan period to 2026. Publishing the DPD for public consultation seeks to confirm these assumptions. Finally, in one or two cases, the document is being used to correct earlier drafting errors in the proposals map to the UDP, which have come to light during the intervening plan period.

### **The purpose of the Issues and Options stage consultation**

11. The purpose of the Issues and Options stage is to invite public and stakeholder views and comments on the options or sites being put forward for consideration, to enable consultees to offer up further information, and to confirm the preferred option as the most appropriate option on which to prepare the final documents. To assist consultees, a Sustainability Appraisal (SA) has also been undertaken of the three DPDs, the purpose of which is to identify the potential positive and negative social, economic and environmental impacts likely to arise as a result of implementing the various development options proposed. The SA is to be published alongside the Issues and Options documents, to assist people in making an informed decision about which option they might prefer.

## **Next Steps**

12. Subject to comments from the Cabinet and the approval of the Full Council, the three DPDs will be published for public consultation in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004, and the Council's Statement of Community Involvement (2007), for a six week period in April/May 2011.

13. Following the close of consultation, the analysis of comments made to each of the DPDs and the Council's responses to these will be reported to the LDF Panel prior to further work being undertaken to progress each of the DPDs to the next stage.

## **Equalities Impact**

14. An equalities impact assessment will be undertaken of the three DPDs. This will build on the previous EQIA prepared for the Core Strategy and will be made available to view on the Council website at the time the documents are published for public consultation.

## **Legal Comments**

15. The legal requirements for the preparation and consultation exercise on DPDs are set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). A failure to comply with the statutory requirements may result in the DPD being found 'unsound' at the examination in public.

## **Financial Implications**

16. The cost of preparing, publishing, and consulting on the three draft DPDs is contained within the existing LDF budget. The purpose of preparing the three documents in tandem is to save costs, in terms of publication, notification and examination costs, and to make the most efficient and effective use of resources, in terms of officer time spent undertaking consultation and community engagement.

## **Performance Issues**

17. A key piece of LDF evidence base is the Annual Monitoring Report, which highlights the performance of existing UDP policies against the set of national and local indicators. The findings of the latest AMR have been used to inform the Sustainability Appraisal of the three DPDs, which seek to ensure the DPDs, where relevant, address areas of weak performance and to build on those areas where the Borough is performing well. The following table summarises the most relevant planning performance indicators and how each document will respond to these targets:



Which performance indicators will be impacted by the DPDs?	What is the current performance of those indicators?			Potential impact of the DPDs
	Target 09/10	Actual 09/10	Target 10/11	
NI154 Net additional homes provided	400	460	400	The Site Allocations DPD and the AAP will identify and designate sufficient sites for new housing to meet Harrow's strategic housing requirement
NI155 Number of affordable homes delivered (gross)	165	143	165	The Development Management Policies and the AAP will seeks to secure the maximum affordable housing provision from individual sites of 10 and above units.
NI157 Processing of Planning applications as measured against targets for 'major', 'minor' and 'other' application types	69%	84%	69%	An update development management plan will assist greatly in providing certainty to developers and help the Council to determine future planning applications in accordance with the statutory timeframes.
NI159 Supply of ready to develop housing sites	100%	100%	100%	The Site Allocations DPD and the AAP will identify and designate sufficient sites for new housing to meet Harrow's strategic housing requirement
NI170 Previously developed land that has been vacant or derelict for more than 5 years	No specific data set	5.7 ha	No specific data set	All three documents seek to reinforce the spatial strategy of the Core Strategy which encourages development of sites and buildings that have been vacant or derelict for a significant period of time.
NI171 VAT Registration rate	No specific data set	88.4%	No specific data set	All three DPDs seeks to retain and support existing and new businesses either through allocating or safeguarding sites or buildings for employment use.
NI186 Per capita reduction in CO2 emissions in the LA area	7.5%	4%	7.5%	The AAP and Site Allocations DPDs will ensure new housing is located in areas of high public accessibility and through requirements in the Development Management Policies for higher sustainable building design standards.

NI188 Adapting to climate change	Level 1	No data	Level 1	The Development Management Policies and the AAP seek to address the impacts of climate change through requirements for sustainable building design, while the Site Allocations DPD ensures sensitive development not located in areas subject to flood risk.
NI189 Flood and coastal erosion risk management	100%	100%	100%	The SRFA was completed in July 2009 and has been taken into account in preparing the three DPDs
NI197 Improved local biodiversity – active management of local sites	4	4	3	All three DPDs address the functionality of open space and the ability to create continuous green chain links. They also give statutory protection to sites of conservation
NI204 Planning Appeal Performance	40%	37%	40%	The updated AAP and DM polices will serve to improve the Councils resilience in supporting planning decisions on appeal
BV200b Meeting the LDS Timetable	No specific data set	All milestone being met	No specific data set	The preparation of the three DPDs is in accordance with the timetable in the revised LDS
<b>What is the current performance of these indicators?</b>	The above table shows current year and targets for 10/11. It is expected that the DPDs propose allocations and policies to provide the capacity and delivery means that will enable delivery against these indicators in future years.			
<b>How much will current performance be improved or other negative effects be mitigated?</b>	The eventual adoption of the DPDs will ensure the Council delivers upon these performance indicators in a positive and proactive manner.			

18. The Government has announced its intention to withdraw National Indicators as from 1 April 2011 but to substitute a list of data requirements. Many of the datasets underlying the above indicators will still be required and the Council is in the process of reviewing the performance measures it needs to manage its business. Forward targets for those indicators retained by the Council will take into account the intended effects of these policies.

## Environmental Impact

Does the proposal comply with all relevant environmental legislation? Yes

19. The consideration of environmental impacts is an integral and ongoing part of the process of preparing all Development Plan Documents. This includes requirements under the Planning and Compulsory Purchase Act (as

revised) to undertake Sustainability Appraisal, incorporating Strategic Environmental Assessment, informing each stage of a document's production. In preference to repeating the assessment and findings of the Sustainability Appraisal, a copy of the Sustainability Appraisal is available electronically and will also be published alongside publication of the three DPDs.

## Risk Management Implications

Risk included on Directorate risk register? Yes

Separate risk register in place? Yes

Potential Risks	Commentary	Mitigation Measures
Compliance with legislation	To meet the test of 'soundness' of DPDs are required to comply with the legal requirements for preparing and consulting on DPDs under the Planning and Compulsory Purchase Act.	Officers will seek to ensure compliance with the relevant legislative requirements, including the undertaking of Sustainability Appraisal, Equalities Impact Assessment and requirements for consultation. The LDF team will maintain a log that chronicles legal compliance of the DPDs as they progress towards examination and adoption.
Reform of the plan-making system	The Government has signaled its intention to reform the planning system and, in particular, to issue a single national policy statement that Development Plan Documents will need to be consistent with.	Any changes to the current planning system, including the introduction of a single national policy statement, will need to be subject to a period of public consultation. The three DPDs are at a very early stage of production, which should enable changes in legislation or national policy to be reflected in latter stages if necessary. Officers will keep abreast of proposals and consultation on changes to the planning legislation and national planning policy, and will report these and the potential implications for Harrow's LDF to the LDF Panel.
Inappropriate consultation responses	A real risk with consultation on the DPDs is that consultees will make representations in respect of matters that have already been dealt with through the Core Strategy and are therefore not up for further debate.	The DPDs will be clear that their purpose is to give effect to the Core Strategy, including the agreed spatial strategy, which includes the broad distribution and quantum of development to be accommodated, as well as the strategic objectives regarding the safeguarding of specific types of land use, including employment and open space.
Resourcing	The three DPDs are being prepared and published in tandem. There is a risk that at	Officers will monitor the workload in respect of the three DPDs being prepared and will seek to manage peaks or crunch points in the process.

	<p>key stages in the plan making process, resources in the LDF team may not be sufficient to maintain the timetable agreed in the revised LDS.</p>	<p>However, the workload associated with any one DPD is dependant on the level of community interest, number of responses received to consultation and the complexity of the matters raised. Where necessary, additional staff resources may need to be drafted in for short periods. This will be done in consultation with the Director of Planning and seek to give opportunities to those within the department who may wish to gain policy experience.</p>
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## Corporate Priorities

20. The three DPDs will help to deliver the following emerging corporate priorities:

- **Keeping neighbourhoods clean, green and safe:** by promoting a better quality built environment and public spaces, and considering options for enhancing green infrastructure and access to open spaces.
- **United and involved communities - a Council that listens and leads:** Engagement with the community and others is at the heart of the LDF process. The Area Action Plan, in particular, responds to the community's concerns about the state of Harrow town centre and seeks to ensure that the development and growth within the Intensification Area reflects the priorities and preferences of residents.
- **Supporting our Town centre, and local shopping centres and businesses:** The three DPDs will provide a positive and clear policy framework to guide the future development and growth within Harrow Town Centre, other centres and local parades, as well as securing appropriate investment in infrastructure and required environmental improvements.

## Section 3 - Statutory Officer Clearance

<p>Name: Kanta Hirani</p> <p>Date: 15<sup>th</sup> March 2011</p>	<p><input checked="" type="checkbox"/> on behalf of the* Chief Financial Officer</p>
<p>Name: Abiodun Kolawole</p> <p>Date: 11<sup>th</sup> March 2011</p>	<p><input checked="" type="checkbox"/> on behalf of the* Monitoring Officer</p>

## **Section 4 - Contact Details and Background Papers**

**Contact:** Matthew Paterson, Senior Professional Planning Policy, Place Shaping, 020 8736 6082

### **Background Papers:**

Minutes of the LDF Panel of 15 March 2011

Pre-Submission draft of the Harrow Core Strategy (March 2011)

Major Developments Panel: Report of 8 January 2011 on the draft options from the Harrow and Wealdstone Masterplanning exercise

LDF Evidence Base Studies

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**REPORT FOR: OVERVIEW AND  
SCRUTINY COMMITTEE  
AND SCRUTINY SUB-  
COMMITTEES**

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<b>Date of Meeting:</b>	05 April 2011
<b>Subject:</b>	Planning Enforcement
<b>Responsible Officer:</b>	Andrew Trehern – Corporate Director of Place Shaping
<b>Scrutiny Lead Member area:</b>	Keith Ferry – Portfolio Holder for Planning, Development and Enterprise
<b>Exempt:</b>	No
<b>Enclosures:</b>	None

**Section 1 – Summary and Recommendations**

This report provides an overview of the performance of the planning enforcement service. The report includes information on the scale of enforcement activity and the policy position driving such activity in Harrow.

**For Information**

## **Section 2 – Report**

### **1.0 Introduction**

- 1.1 Harrow’s planning enforcement team comprises 4 officers, supported by an administrator. Since April 2010, the enforcement team has received over 776 complaints via the telephone, e-mail, Councilor correspondence and officer investigations (and unsuccessful retrospective planning applications). This represents an increase, year on year over the last 3 years (see table 1 below).
- 1.2 Officers seek to undertake a site visit to all alleged breaches where ever possible, based upon an informal prioritization process. Because of the number of complaints and the ongoing process of managing “live” cases, these visits are often undertaken as linked visits, on the way to or from other investigations. Access to sites, to investigate breaches may require a number of visits (and in some cases the use of Court awarded warrants). The team has investigated and closed some 487 cases this year (to March 2011).
- 1.3 To enable day-to-day delivery of the service, the Council has delegated certain powers to nominated officers to enter land, investigate breaches and instruct the Council’s solicitor in the service of statutory notices. This reflects practice across the Country. In September 2009, the Council extended the scope of such delegation to the Divisional Director.

### **2.0 Background to Planning Enforcement**

- 2.1 The carrying out of development without first securing planning permission is not in itself a criminal offence. Such development is “unlawful”. The Council is required to be able to demonstrate that development is not lawful in order to pursue formal enforcement action. This requires evidence. Unlawful development may be rendered lawful through either the grant of a planning permission or by virtue of its “immunity” from action – usually by virtue of elapsed time.
- 2.2 Part VII of the Town and Country Planning Act 1990 confers powers on local planning authorities to take enforcement action in respect of breaches of planning control. Enforcement powers may be invoked where development has been carried out without the requisite grant of planning permission, or a condition imposed on a planning permission has been breached. The Act also provides for special controls such as planning obligations, tree preservation orders and listed buildings.
- 2.3 Examples of local planning authorities’ enforcement powers include:
  - Planning Contravention Notices
  - Enforcement notices
  - Breach of Condition Notices
  - Stop Notices



- Temporary Stop Notices
- Injunctions
- Enforcement of duties as to replacement of trees
- S215 Untidy Site Notices
- Advertisement Discontinuance notices

2.4 In London, the Local Planning Authority may also utilise powers granted by virtue of the London Local Authorities Act 1995 to serve a notice requiring removal of an advertisement hoarding and take direct action by entering on the land, removing the hoarding and recover the expenses incurred in doing so.

### 3.0 Enforcement Policy

- 3.1 Planning Policy Guidance Note 18 dating from 1991 sets out the government's policy on the use of planning enforcement powers by local planning authorities. Practice guidance and the development of specific provisions (such as temporary stop notices) since the 1990 Act (and the PPG) have been covered in subsequent circulars. Specific guidance is also provided on the enforcement of planning control for listed buildings.
- 3.2 PPG 18 is clear that a Local Planning Authority should not pursue enforcement action where the purpose is to remedy trivial breaches. Accordingly, an enforcement notice should not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought. This would normally considered, on appeal, to amount to unreasonable behavior.
- 3.3 A LPA may consider that development has been carried out without the requisite planning permission, but the development could be made acceptable by the imposition of planning conditions (for example, to control the hours, or mode, of operation; or to carry out a landscaping scheme). If so, the authority may invite the owner or occupier of the land to submit an application, and pay the appropriate application fee, voluntarily. LPA's should adopt reasonable time limits for compliance where dealing with enforcement cases. In the case of unauthorized development by a householder who may have relied on or incorrectly interpreted "permitted development" rights the PPG indicates that it is inappropriate to initiate a prosecution, unless the householder has failed to take satisfactory steps to regularise the breach, despite being allowed adequate time to do so.
- 3.4 The PPG also encourages LPA's to adopt a sympathetic approach to enforcement involving small businesses and the self employed consistent with the government's interest in fostering enterprise.
- 3.5 Nevertheless, where, in the LPA's view, unauthorised development has been carried out and the LPA consider that: -
- (1) the breach of control took place in full knowledge that planning permission was needed (whether or not advice to this effect was given by the LPA to the person responsible);

- (2) the person responsible for the breach will not submit a planning application for it (despite being advised to do so); and
- (3) the breach is causing serious harm to public amenity in the neighbourhood of the site, the LPA should normally take vigorous enforcement action (including, if appropriate, the service of a stop notice) to remedy the breach urgently, or prevent further serious harm to public amenity.

### 3.6 Overall PPG 18 states that

- *“In considering any enforcement action, the decisive issue for the LPA should be whether the breach of control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest;*
- *enforcement action should always be commensurate with the breach of planning control to which it relates (for example, it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site); and*
- *where the LPA's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations should not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop (LPAs should bear in mind the statutory time limits for taking enforcement action).”*

## 4.0 Enforcement in Harrow;

### 4.1 The Committee's concern is that:

- (i) That developers get planning permission for a development but exceed that plan; and
- (ii) Properties are developed without permission.

4.2 The table below indicates the number of cases and consequential action taken by the planning enforcement team over the last 3 years. The table highlights the consequences of the recent and deliberate focus on planning enforcement, notably a marked increase in the use of enforcement notices over the last 2 years and a consequential reduction in the number of cases “cleared up” through a conclusion that formal action is not expedient. This reflects a hardening of the approach to enforcement in line with Community and Member feedback.

**Table 1: recorded complaints and action**

Year	Complaints recorded	Notices Served	Appeals submitted	Cases Closed
2008/9	749	19	7	1101
2009/10	760	52	15	534
2010/11*	776	49	32	487

- 4.3 This greater use of enforcement notices is inevitably accompanied by an increase in enforcement appeals. Whilst the service has successfully and effectively defended such appeals and has secured costs (for unreasonable behaviour) in 6 appeals over the last years, the consequential impact of the focus on action has meant that officers time has had to focus on a fewer number of live cases. This has served to reduce the clear up rate of the service.

**Table 2: Enforcement Appeals**

Year	Appeals submitted	Allowed	Dismissed
2008/9	7	2	5
2009/10	15	3	12
2010/11	32	0	20

- 4.4 The performance of the Council in the preparation and service of high quality and effective notices is reflected in the performance on appeal. Against a national trend of some appeals allowed for enforcement matters, Harrow's improving performance is well above the national average. In the case of 6 appeals over the last 18 months, the Council has also successfully pursued claims for costs against the appellant on the grounds of unreasonable behaviour.
- 4.5 A revised enforcement policy, seeking to identify clear priorities and new service standards to inform all involved in the enforcement process is under preparation. This policy will also include a prosecution policy for breaches of listed building and conservation area consents, paving the way for more effective enforcement of such criminal breaches through the courts.
- 4.6 PPG18 stresses that the pursuit of formal enforcement processes should follow only after voluntary attempts to secure resolution of a breach have failed. This makes economic sense also, given that where a genuine attempt is made to remedy a breach, it is unnecessary to engage additional officer time (on appeals etc) and legal advice and formal notices to compel a willing party to resolve a dispute.
- 4.7 Together with the increase use of enforcement notices, the Council has also sought to more fully exploit the range of measures provided for planning enforcement, in an attempt to demonstrate a greater determination to resolve harmful breaches. Consequently, this has seen, for the first time, the use of untidy site notices (S215) and action under the London Local Authorities Act (to remove unauthorised adverts) alongside the use of planning contravention notices, enforcement notices and stop notices.
- 4.8 Compliance with extant enforcement notices has also been secured through the Councils successful prosecution (of a change of use and unauthorised developments) in the Court. There are 11 further prosecutions initiated and underway for failure to comply with the terms of an enforcement notice and 7 further cases being prepared for prosecution by the enforcement officers. Direct action involving the demolition of an unauthorised garage, clearance of an unauthorised

builder's yard and removal of a 48-sheet advertisement hoarding also took place in 2010. The planning enforcement team has also begun engagement with the financial investigations team within Brent and Harrow Trading Standards to pursue more robust financial penalties alongside proposed convictions for breaches of enforcement notices using the more robust penalties within the Proceeds of Crime Act.

- 4.9 Finally, the Coalition is currently examining scope for changes to UK planning legislation. These include changes to the fee regulations (to enable fee recovery of all costs) and the scope to broaden the planning enforcement powers (and policy) through changes to the enforcement provisions and a new national planning policy statement. The Planning Service will seek to exploit such changes where possible to examine whether more effective recovery of costs and a more efficient process might usefully increase the capacity to pursue early action against breaches.

## **5.0 Benchmarking Planning Enforcement**

- 5.1 The costs and effectiveness of planning enforcement services amongst local authorities are within the scope of a project, supported by the Planning Advisory Service, for "managing Excellent Planning Services. Harrow is participating in this project which will seek to identify baseline information that is capable of being shared between local authorities. This project is at an early stage and whilst the Council has undertaken a first phase review of its own costs and outcomes, this data has not yet been reconciled with potential partners amongst the other pilot authorities. As the project matures, it is expected that reliable (and comparative) data on costs and performance will be forthcoming.
- 5.2 Discussion with neighbouring authorities in London is ongoing to establish a reliable indicator of performance (in terms of officer productivity) and cost.

## **6.0 Equalities Impact**

- 6.1 Each enforcement decision must have regard to the implications for action under both equalities legislation and the Human Rights Act. This report does not make policy and provides no specific assessment of a particular case requiring such an assessment.

## **7.0 Financial Implications**

- 7.1 The cost of operating the enforcement service is contained within the Planning Division of place shaping's budget. No reductions or changes to funding are proposed by this report. Depending upon the approach, the prosecution or pursuit of direct action has specific budget implications that are considered in detail at the time of such a decision. The cost of the financial investigations undertaken is met from the Planning Divisions budget.

## 8.0 Performance Issues

None.

## 9.0 Environmental Impact

- 9.1 Does the proposal comply with all relevant environmental legislation?  
Yes
- 9.2 All enforcement decisions are made having regard to the statutory framework, and policy covering such action, including where relevant, the provisions of the development plan.

## 10.0 Risk Management Implications

- 10.1 Risk included on Directorate risk register? No

Separate risk register in place? No – case specific RA undertaken as required.

## 11.0 Corporate Priorities

- 11.1 Planning enforcement activity aims to reinforce and help to deliver the following emerging corporate priorities:
- **Keeping neighbourhoods clean, green and safe:** by securing the removal of harmful unauthorised developments.
  - **United and involved communities - a Council that listens and leads:** In acting upon complaints made by the community, individuals and related associations.

## Section 3 - Contact Details and Background Papers

**Contact:** Stephen Kelly Divisional Director – Planning , 020 8736 6082

### **Background Papers:**

Town and Country Planning Act 1990  
Planning Policy Guidance Note 18 – 1991

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