

# **Council SUMMONS AND AGENDA**

**DATE:** Thursday 4 November 2010

**TIME:** 7.30 pm

**VENUE:** Council Chamber, Harrow  
Civic Centre

**All Councillors are hereby summoned to attend the Council Meeting for the transaction of the business set out.**



Hugh Peart  
Director of Legal and Governance Services

**Despatch Date:** Wednesday 27 October 2010

## **PRAYERS**

The Mayor's Chaplain, Imam Hafiz Muhammad Akram, will open the meeting with Prayers.

### **1. COUNCIL MINUTES: (Pages 1 - 34)**

That the minutes of the ordinary meeting held on 8 July 2010 and the extraordinary meeting held on 7 October 2010 be taken as read and signed as correct records.

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

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

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

To receive any announcements from the Mayor. Information as to recent Mayoral engagements will be tabled.

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

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

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

### **5. PETITIONS:**

To receive any petitions to be presented by:

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

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

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

**7. LEADER'S ANNOUNCEMENTS:**

To receive a presentation from the Leader of the Council on business since the last meeting, followed by a question and answer session. The item is allotted 20 minutes.

**8. PETITION DEBATE - Parking Issues in Pinner:**

At its meeting on 8<sup>th</sup> July 2010, the Council agreed to receive a Petition of 2,487 signatures, submitted by Councillor Stephen Wright, on behalf of petitioners and outlining the following terms:

*"We the undersigned request that Harrow Council urgently address the parking issues in Pinner. Local businesses are suffering as a result of the high car parking charges in comparison with other local High Streets in the area.*

*We urge Harrow Council to introduce a free ½ hour car parking scheme in Pinner car parks and meter parking areas and to reduce hourly rates to fall in line with Northwood, Ruislip and Eastcote."*

The Petition has been subject to the validation process and meets the threshold of signatures needed to engender a Council debate. The matter has also been the subject of proactive consideration by Traffic & Road Safety Advisory Panel meetings held on 15 July and 16 September 2010. That Panel discussed the issue and noted that the outcome of the Council debate should be reported to a future meeting of the Panel.

Councillor Wright may read the terms of the petition on behalf of the petition signatories or may defer to the petition organiser. There is a period of one minute allocated to present. A period of 10 minutes is permitted for Members to debate the Petition terms and issues.

Following discussion the Council may choose to refer the petition to the Cabinet to determine the matter, taking into account the views expressed by Council.

**9. RECOMMENDED CONSTITUTIONAL CHANGE: (To Follow)**

Report of the Constitution Review Working Group.

## 10. QUESTIONS WITH NOTICE:

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

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

[Any such questions received will be tabled].

## 11. MOTIONS:

The following Motions have been notified in accordance with the requirements of Council Procedure Rule 14, to be moved and seconded by the Members indicated:-

### (1) Houses in Multiple Occupation

**To be moved by Councillor James Bond and seconded by Councillor Chris Noyce:**

“This Council notes that the following two statutory instruments came into effect on 1<sup>st</sup> October 2010:

1. The Town & Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2010 (2010 No. 2134) will make changes of use from Class C3 (dwellinghouses) to Class C4 (houses in multiple occupation) permitted development.
2. The Town and Country Planning (Compensation) (No. 3) (England) Regulations 2010 (2010 No 2135)

This Council notes therefore that the Government has amended the planning rules for houses in multiple occupation (HMOs) and as a result from 1<sup>st</sup> October 2010 changes of use from family houses to small HMOs will be able to happen freely without the need for planning applications.

This Council is concerned that appropriate time was not given to consultation with Local Authority Planning Services.

This Council also views with concern the possible detrimental effects such permitted development could have on the character and environmental aspects of residential roads including the increase in motor vehicles, refuse and possible nuisance to surrounding neighbours.

This Council regrets that the new legislation does not allow residents

to be alerted to such proposals for houses in multiple occupation.

This Council recognises the extra burden placed on Local Authority Planning Services in order to facilitate Article 4 Directions.

This Council resolves to instruct the Chief Executive to write to the Chief Planner at the Department of Communities and Local Government to express our grave concern that such developments can occur without recourse to Local Authority approval.

This Council further instructs the Chief Executive to write to the Members of Parliament for Harrow West, Harrow East and Ruislip, Pinner and Northwood to note our concerns”.

## **(2) Proposed Cap on Housing Benefit**

**To be moved by Councillor K Kareema Marikar and seconded by Councillor Ben Wealthy:**

“This Council deplores the unreasonable cap on Housing Benefit which will export poverty to Outer London Boroughs like Harrow. London suffers severe housing shortages which have not been helped by the Conservative Right to Buy Policy as it depleted housing stock. To make matters worse, the conservative policy of offering private housing as an option for homeless families will mean that Councils in inner London will be setting up a revolving door for families in temporary private housing who will have to be moved to outer London or beyond.

This Council notes that 59% of families in private housing are living in poverty. The cap on Housing Benefit is neither fair nor reasonable as it affects the poor and impacts on children who are more likely to be moved several times resulting in unstable education with its consequent impact on education attainment.

This Council draws the attention of Government to the fact that high rents in London are not a new phenomenon but are driven by the housing shortage. When the Local Housing Allowance was introduced the average rent in Central London for a 3 bedroom house was £700, twice the cap. This Council draws the Government's attention to the fact that it is Landlords who profit from Housing Benefit not tenants.

As a Council committed to listening and leading, this Council urges Government to look at the root causes of high rents in London and bring out policies which deal with problem instead of ideological cuts which play well in conservative heartlands but penalise the poor and those unfortunate enough to lose their jobs.

This Council urges the Government to reconsider the cap and reduce the housing benefit bill by funding Councils to build enough social housing thereby stimulating the building industry, creating jobs and giving the country the much needed optimism which will take us out of recession and avoid a depression.

This Council resolves to:

- (1) instruct the Chief Executive to write to the Prime Minister expressing our concern about this retrograde step which penalises families;
- (2) write to Harrow's MPs and GLA Member to ask them to raise these concerns in Parliament and the London Assembly;
- (3) work with the other London Boroughs through London Councils to lobby against the Housing Benefit cap;
- (4) support the voluntary and community sector to campaign for fairness for families."

### **(3) Government Spending Review – Implications for Women**

**To be moved by Councillor Sue Anderson and seconded by Councillor Victoria Silver:**

"This Council notes with deep concern the huge cuts announced during the spending review contain measures that will hit women twice as hard as men in our communities in Harrow.

The Council believes urgent action is needed by the government to tackle the effect these cuts will have on households and female workers in Harrow - and across the country - because the clear effects will be damaging throughout our communities if the consequences of cutbacks on females and families are not significantly addressed.

The Council is resolutely committed to helping those in greatest need but the targeting of local government for cuts is tantamount to singling out women for the greatest hit as 75 per cent of local government workers nationally are women and the rolling back of public services hits women particularly hard because they tend to use services more frequently and more intensively, because of their sizeable caring responsibilities.

The Council hopes the government will reconsider its plans because making women bear the brunt of cuts makes a mockery of its claimed commitment to fairness. We also hope the Council will commit to closely monitoring the impact of changes on women and families in the borough through proper impact assessments and evaluation."

#### **(4) “Standing up for Harrow” Motion**

**To be moved by Councillor Bill Stephenson and seconded by Councillor Ben Wealthy:**

“This Council notes that the Conservative/Liberal Democrat Coalition Government’s Comprehensive Spending Review threatens Harrow’s economic recovery.

Many senior economists believe that the scale and speed of cuts in public spending will damage business and lead to job losses.

Experts have also warned that the Coalition Government’s spending plans are regressive, not progressive, and will hit the poorest hardest.

This Council notes:

- Following the Conservative/Liberal Democrat Coalition Government’s budget, the Office for Budget Responsibility downgraded its growth forecast for next year from 2.6% to 2.3% in response to the increased pace of public spending reductions.
- In their independent assessment of the Comprehensive Spending Review, the Institute for Fiscal Studies said that the measures were ‘more regressive, than progressive’ and made clear that children were the biggest losers, not bankers.
- The Conservative/Liberal Democrat Coalition Government’s Comprehensive Spending Review, outlines big cuts in Local Government spending of almost 30%. The Local Government Group has been clear that such reductions ‘will lead to cuts at the front line.’
- Local Government has had some of the biggest cuts in the public sector, and most authorities’ cuts are significantly front-loaded to 2011/12.
- The Conservative/Liberal Democrat Coalition Government have admitted that at least 1 million jobs will be lost - half in the public sector and half in the private sector.
- Other cuts to funding for new social housing, child tax credits, university teaching budgets and school modernisation programmes will curb aspirations and opportunities for many people in Harrow.
- The Conservative/Liberal Democrat Coalition Government’s decision to raise VAT to 20% in 2011 will damage Harrow businesses and is unfair, hitting those on low and fixed incomes hardest.

This Council believes that the Conservative/Liberal Democrat Coalition Government’s Comprehensive Spending Review will hinder, not help Harrow’s economic recovery. Furthermore, their wider economic

policies are deeply unfair and will hit the poorest and most vulnerable in Harrow hardest.”

## **(5) Fare Increases**

**To be moved by Councillor Navin Shah and seconded by Councillor Phillip O’Dell:**

“This Council deplores the London Mayor, Boris Johnson’s, proposals for a devastating rise in bus and tube fares - with an average increase of 7%, going up to an actual increase of 74%.

This Council notes that:

- Tube and bus fares went up by 6% in the first year of Boris Johnson’s Mayoralty and last year single bus journeys went up by 20%.
- the coalition government is already hitting Harrow residents with a likely cut of at least 30% in its grant to Harrow Council in addition to the above inflation rises in tube and bus fares.
- the only legacy that Boris Johnson has left so far as the people of Harrow are concerned is that of closing ticket offices like North Harrow Station, endless weekend closures of the Jubilee and Metropolitan line services and the scrapping of funding for disabled access to Harrow on the Hill and Stanmore tube stations.

This Council instructs the Chief Executive to communicate this Motion to the three Harrow MPs and the London Assembly Member for Brent and Harrow, asking them to oppose these fare increases and further instructs the Chief Executive to write to the Mayor of London demanding that the fare increases be scrapped.”

## **(6) Harrow International Vision**

**To be moved by Councillor Nana Asante and seconded by Councillor Graham Henson:**

“This Council notes with some concern the pessimism of the governments’ spending plans and the short-sighted cuts which threaten the economic recovery. The Council notes with great concern the in-year cut of the Migrants Impact Fund which has cost London authorities an estimated £2.4 million. This Council also puts on record its concern at the cut in LAA Reward Grant, an act which undermines the credibility of future agreements with Government. This assault on Local Government funding makes the silence on the important area of community and social cohesion even more worrying.

The Council believes that the Government should take some lessons from a Council that listens and leads, and tap into the optimism and



potential of residents and enable them to work towards a brighter future. This Council is resolutely committed to furthering Community Cohesion and celebrating the fact that Harrow is the most religiously diverse borough of England and Wales.

This Council commits to renewing its international vision by:

- working towards recognition of Harrow as a Fair Trade borough in March 2011
- following the example of its twin town Douai and exploring the possibility of twinning with more towns and cities such as Balakot, Bhuj, Broken Hill, Hargeisa, Pattan, Port au Prince, Kingston, La, Tilburg and Tel Aviv, underlining the tremendous advantage such links can bring, both to the harmony of the Borough and its future development.

This Council resolves to:

- (i) explore the feasibility of Harrow twinning with further towns and cities;
- (ii) involve residents in creating opportunities for experiencing and exploring other cultures thereby building an atmosphere for economic development and trade opportunities, a positive climate to counterbalance the doom and gloom coming from the current Government;
- (iii) work with London Councils to mitigate the impact of the short-sighted cuts on our residents.

*(Under the provisions of Council Procedure Rule 14.6, it is considered that the subject matter of this Motion refers to matters within the remit of the Executive and the Motion therefore stands referred to the next meeting of that body.*

*It may be moved that such referral should not apply and any procedural motion moved and seconded to that effect shall be voted on without discussion).*

**12. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE BY CABINET AND PORTFOLIO HOLDERS:** (Pages 35 - 40)

Report of the Director of Legal & Governance Services.

**13. URGENT DECISIONS ON MATTERS RESERVED TO COUNCIL:** (Pages 41 - 44)

Report of the Director of Legal & Governance Services.

This page is intentionally left blank

# **COUNCIL 4 NOVEMBER 2010**

## **MINUTES**

**COUNCIL MEETING – 8 JULY 2010**

**EXTRAORDINARY COUNCIL MEETING – 7 OCTOBER 2010**

This page is intentionally left blank

# COUNCIL MINUTES

## 8 JULY 2010

- Present:**
- \* Councillor Asad Omar (The Worshipful the Mayor)
  - \* Councillor Mrinal Choudhury (The Deputy Mayor)
- Councillors:**
- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>* Husain Akhtar</li> <li>* Sue Anderson</li> <li>* Nana Asante</li> <li>* Mrs Camilla Bath</li> <li>* Christine Bednell</li> <li>* James Bond</li> <li>* Mrs Lurline Champagne OBE</li> <li>* Kam Chana</li> <li>* Ramji Chauhan</li> <li>* John Cowan</li> <li>* Bob Currie</li> <li>* Margaret Davine</li> <li>* Mano Dharmarajah</li> <li>* Tony Ferrari</li> <li>* Keith Ferry</li> <li>* Ann Gate</li> <li>* Brian Gate</li> <li>* David Gawn</li> <li>* Stephen Greek</li> <li>* Mitzi Green</li> <li>* Susan Hall</li> <li>* Graham Henson</li> <li>* Thaya Idaikkadar</li> <li>* Nizam Ismail</li> <li>* Krishna James</li> <li>* Manji Kara</li> <li>* Zarina Khalid</li> <li>* Jean Lammiman</li> <li>* Barry Macleod-Cullinane</li> <li>* Kairul Kareema Marikar</li> <li>Ajay Maru</li> </ul> | <ul style="list-style-type: none"> <li>* Jerry Miles</li> <li>* Mrs Vina Mithani</li> <li>* Chris Mote</li> <li>* Janet Mote</li> <li>* John Nickolay</li> <li>* Joyce Nickolay</li> <li>* Christopher Noyce</li> <li>* Phillip O'Dell</li> <li>* Paul Osborn</li> <li>* Varsha Parmar</li> <li>David Perry</li> <li>* Bill Phillips</li> <li>* Raj Ray</li> <li>* Richard Romain</li> <li>* Anthony Seymour</li> <li>* Lynda Seymour</li> <li>* Navin Shah</li> <li>* Mrs Rekha Shah</li> <li>* Sachin Shah</li> <li>* Stanley Sheinwald</li> <li>* Victoria Silver</li> <li>* Bill Stephenson</li> <li>William Stoodley</li> <li>* Krishna Suresh</li> <li>* Sasi Suresh</li> <li>* Yogesh Teli</li> <li>* Mark Versallion</li> <li>* Ben Wealthy</li> <li>* Simon Williams</li> <li>* Stephen Wright</li> </ul> |
|--|--|

\* Denotes Member present

## PRAYERS

The meeting opened with Prayers offered by the Imam Hafiz Muhammad Akram.

### 24. COUNCIL MINUTES

**RESOLVED: That**

- (i) **the minutes of the annual meeting held on 25 May 2010 be taken as read and signed as a correct record subject to an amendment at page 5, (5 – Presentation of Medallions to the Immediate Past Mayor) to read “Councillor Asad Omar...”.**
- (ii) **the minutes of the extraordinary meeting held on 27 May 2010, be taken as read and signed as a correct record.**

### 25. DECLARATIONS OF INTEREST

The Mayor invited declarations of interest by Members of the Council in respect of the business on the Summons.

- (i) Item 13(3): Motions: Magistrates’ Court Motion  
Councillor Husain Akhtar declared a personal interest in the above item as he was currently the deputy chair of the Crime Prevention Panel, but considered that he could speak and vote thereon.

Councillor Stephen Greek declared a personal interest in the above item as his father was a magistrate, but considered that he could speak and vote thereon.

Councillor Chris Mote declared a personal interest in the above item as he was a magistrate in a London borough other than Harrow, but considered that he could speak and vote thereon.

- (ii) Item 12: Questions With Notice  
Councillor Bob Currie declared a personal interest in that he attended regular meetings of the Eastcote Lane Tenants’ Association, but considered that he could speak and vote thereon.

### 26. MAYOR'S ANNOUNCEMENTS

The Mayor requested that Council note the engagements he had undertaken. The Mayor drew particular attention to his attendance at the Harrow Youth Games and congratulated the badminton team for achieving a gold medal.

The Mayor also congratulated those residents of Harrow who had received honours in the Queen’s Birthday Honours List, particularly the Borough Commander Dal Babu who was awarded an OBE.

**RESOLVED: That the report of the Worshipful the Mayor, as tabled, be noted and received.**

## **27. PROCEDURAL MOTIONS**

In accordance with Rules 14.6 and 14.7, the Leader of the Opposition exercised her right that the referral of the Kenton Road Motion to Cabinet be disapplied. This allowed Council to debate the Motion and offer comments or recommendations to Cabinet in its consideration of the matter.

## **28. PETITIONS**

In accordance with Rule 10, the following petitions were presented:

(1) by Members of Council on behalf of petitioners:

- (i) Submitted by Councillor Tony Ferrari, containing 46 signatures of residents, requesting that the Council consider the appropriateness of issuing parking tickets in Kynaston Wood.

[The petition stood referred to the Traffic and Road Safety Advisory Panel].

- (ii) Submitted by Councillor Stephen Wright, containing 2487 signatures requesting that the Council address parking issues in Pinner.

[The petition stood referred to the next ordinary meeting of Council].

(2) By members of the public:

- (i) Petition containing 67 signatures requesting that
  - the Council implement a 20mph speed camera as a solution to act as a deterrent for future accidents;
  - concerns be addressed relating to un-doctored kerbs in Taunton Way;
  - concerns be addressed in relation to a tree in Taunton Way blocking a 30mph warning board.

[The Petition stood referred to the next meeting of the Traffic and Road Safety Advisory Panel].

## **29. PUBLIC QUESTIONS**

The questions submitted by members of the public and responded to by Portfolio Holders, in accordance with Rule 11, are contained at appendix I.

## **30. LEADER'S ANNOUNCEMENTS**

The Leader of the Council introduced his report highlighting achievements and proposals since the last ordinary meeting.

At the conclusion of his report, the Leader responded to questions from Members of the Council.

**RESOLVED: That the report of the Leader of the Council be received and noted.**

## **31. LICENSING POLICY**

Further to Item 8 on the Summons, the Council received a Recommendation from the Licensing and General Purposes Committee held on 15 June 2010.

The Recommendation was formally moved by Councillor Mano Dharmarajah (Chairman of the Committee).

**RESOLVED: That the revised Licensing Policy be approved and adopted.**

## **32. SCRUTINY ANNUAL REPORT 2009/10**

Further to Item 9 on the Summons, the Council received a Recommendation from the Overview and Scrutiny Committee held on 13 April 2010.

The Recommendation was formally moved by Councillor Jerry Miles (Chairman of the Committee).

**RESOLVED: That the Scrutiny Annual Report for 2009/10 be endorsed.**

## **33. OPERATION AND PROVISIONS FOR CALL-IN & URGENCY 2009/10**

- (i) In accordance with Committee Procedure Rule 47, which required Members to monitor annually the operation of the provisions for call-in and urgency, the Council received a report on this matter;
- (ii) During the debate, the Leader of the Opposition raised an issue that one of the methods for initiating call-in required amending. This related to the requirement that signatures from six Members, from at least two political groups, were needed to request a call-in. It was agreed that the Constitution Review Working Group would investigate this issue.



**RESOLVED: That the operation of the call-in and urgency procedures, as reported, be noted.**

#### **34. LOCAL GOVERNMENT PETITION SCHEME**

The Council received a report which requested the approval of a Petition Scheme, in accordance with the Local Democracy, Economic Development and Construction Act 2009.

The recommendation was formally moved by Councillor Bill Stephenson (Leader of the Council).

**RESOLVED: That**

- (1) the Petition Scheme be approved, as set out in Appendix II to these minutes;**
- (2) the consequential amendments to the Constitution be approved, as set out in Appendix III to these minutes.**

#### **35. QUESTIONS WITH NOTICE**

The questions submitted by Councillors and responded to by Portfolio Holders, in accordance with Rule 12, are contained at appendix IV.

#### **36. MOTION - COUNCIL TRANSPARENCY**

- (i) At item 13(1) the Council received a Motion in the names of Councillors Barry Macleod-Cullinane and Susan Hall in the following terms:

“This Council welcomes the proposals recently put forward by the Department of Communities and Local Government (DCLG), as part of its efforts to improve local government transparency and accountability.

This Council therefore commits itself to complying with the DCLG recommendations, and by 1<sup>st</sup> January 2011 at the latest will publish and continue publishing online:

1. Details in full of total cumulative spending over £500.
2. Information on all staff earning over £50,000 per annum (including details of salaries, benefits, and expenses) and their job descriptions.
3. Councillor allowances and expenses (in a real-time rather than annual format).

4. Frontline service data, including rubbish and recycling rates, as well as council tax collection rates.
5. Automatic energy reading to measure energy consumption and enable residents to monitor the council's drive towards lower emissions and energy use.
6. Full answers to Questions with Notice at Council meetings (to be published in the Council minutes).

None of the above shall include information that:

- a) Relates to a commercial arrangement in negotiation.
- b) Is not publishable under the data protection act.
- c) Relates to the protection of vulnerable adults and children.

This Council also pledges that this information will be published at zero cost to taxpayers, with its collation and presentation forming part of other processes the Council already carries out.

With some of this information already available, this Council further pledges to make itself even more transparent by requiring that the various strands of information be collected and brought together on the main council website – with a link from the frontpage – under the heading, “[www.harrow.gov.uk/transparency](http://www.harrow.gov.uk/transparency)” to make it easy for residents to find.”

This Council believes that enacting these proposals will encourage financial responsibility, improve accountability, and be of substantial benefit to Harrow residents”.

- (ii) Upon a vote, the Motion was not carried.

**RESOLVED:** That the Motion be not adopted.

[Note: Councillors Husain Akhtar, Mrs Camilla Bath, Christine Bednell, Mrs Lurline Champagnie OBE, Kam Chana, Ramji Chauhan, John Cowan, Tony Ferrari, Stephen Greek, Susan Hall, Manji Kara, Jean Lammiman, Barry Macleod-Cullinane, Mrs Vina Mithani, Chris Mote, Janet Mote, John Nickolay, Joyce Nickolay, Paul Osborn, Richard Romain, Anthony Seymour, Lynda Seymour, Stanley Sheinwald, Yogesh Teli, Mark Versallion, Simon Williams and Stephen Wright wished to be recorded as having voted against the decision].

### **37. MOTION - MAGISTRATES' COURT**

- (i) At Item 13(3) on the Summons, the Council received a Motion in the names of Councillors Chris Mote and Susan Hall in the following terms:

“This Council notes that, as part of proposals recently put forward by the Ministry of Justice to reorganise magistrates' and county court services in London, Harrow Magistrates' Court is recommended for closure.

This Council believes it is in Harrow's best interests for Harrow Magistrates' Court to remain open, and therefore instructs the Chief Executive to prepare, in conjunction with all political groups, a robust response as part of the Ministry of Justice consultation process”.

- (ii) There was an amendment proposed in the names of Councillors Bill Stephenson and Zarina Khalid, which sought to amend the Motion to read as follows:

“Council notes with deep concern the proposal by the Justice Department to cut 103 Magistrates Courts and 54 County Courts including the closure of Harrow Magistrates' Court.

Council believes it is in Harrow's best interest and in the best interests of justice for Harrow Magistrates' to remain open.

Council welcomes the initiative in setting up an officer working group to draft a strong response to the Justice Department's consultation paper which will be considered by the Partnership Board of Harrow Strategic Partnership on July 22.

Council instructs the Chief Executive to write to the three Harrow MPs and the Brent and Harrow London Assembly member to seek their support in opposing the closure of Harrow Magistrates' Court and on a cross-party basis to take any further measures such as seeking meetings with ministers, holding meetings, promoting petitions to further these ends”.

- (iii) Upon a vote, the amendment was carried.
- (iv) Upon a vote, the substantive Motion, as amended, was agreed.

**RESOLVED: That the substantive motion, as amended and set out at (ii) above, be adopted.**

### **38. MOTION - 2M**

**RESOLVED: That the Motion at Item 13(2) of the Summons stand referred to the next meeting of Cabinet, as being a matter within the remit of the Executive.**

### **39. MOTION - KENTON ROAD**

- (i) In accordance with Rules 14.6 and 14.7, the Council received a Motion in the names of Councillors Yogesh Teli and Vina Mithani in the following terms.

“This Council notes that the removal of the right turning from Kenton Road into Kenton Lane has proven unpopular with residents, and that a petition on this issue was presented to the Mayor of London by Cllrs. Teli, Mithani and Zeid in March 2010. The removal of the turning has resulted in increased congestion and a larger number of vehicles travelling down the narrower back roads.

This Council therefore pledges to work with Brent Council – who maintain responsibility for the junction – to ensure that the right-turn is reintroduced, and to liaise with Transport for London to ensure that it is swiftly implemented once Brent has agreed to its reintroduction”.

- (ii) There was an amendment proposed in the names of Councillors Bill Stephenson and Phillip O’Dell, which sought to amend the Motion to read as follows:

“This Council notes that the removal of the right turning from Kenton Road into Kenton Lane has proven unpopular with residents, and that a petition on this issue was presented to the Mayor of London by Cllrs. Teli, Mithani and Zeid in March 2010.

This Council requests that the Chief Executive write to the Mayor of London regarding what action has been taken.”

- (iii) Upon a vote, the amendment was carried.
- (iv) Upon a vote, the substantive Motion, as amended, was agreed.

**RESOLVED: That the substantive motion, as amended and set out at (ii) above, be referred to the Executive.**

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the meeting closed at 10.15 pm).

**LONDON BOROUGH OF HARROW**

**COUNCIL – 8 July 2010**

**29. Public Questions**

**1. Questioner:** Pravin Seedher

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

**Question:** “Do you intend to follow the previous Conservative administration’s financial strategy to work with the new government on the proposals laid out in their budget to achieve a Council Tax freeze for Harrow in 2011/12?”

**Answer:** In the emergency budget on 22 June the Chancellor announced that the Government will help councils to freeze or reduce Council Tax in 2011/12.

It is not at all clear how this will be funded, if at all. Assuming that grant funding is provided to support councils if there were a Council Tax freeze, then we would of course, welcome the support and benefit to residents. However, the previous Conservative green paper which was mentioned in the Cabinet’s budget papers in February, suggests that there would be a freeze for two years. There has already been some back tracking on that commitment and the green paper also said the measure would be funded entirely in savings on central government advertising consultancy and now, there are references to removing ring-fencing. This may suggest, or almost certainly suggests, more of the burden and if not all of it, will fall on councils.

If the funding comes via formula grant then there is a risk that authorities that are below the grant floor, like Harrow, and other authorities will not see any benefit of this. Finally, if this is simply a one-off grant funding then it would mean a bigger Council Tax in 2012/13 to keep the services going or even more savings having to be made. Until we see the precise details of what is being proposed, I think we should reserve judgement.

**Supplemental Question:** What steps did the Labour group take in the previous four years in terms of helping Harrow to get a better grant

settlement from the then Labour Government?

**Supplemental Answer:** We fully supported the campaign for a better grant settlement for all outer London boroughs as compared to inner London boroughs. We were supported by our two local Labour MPs.

2. **Questioner:** Amir Moshneson

**Asked of:** Councillor Phillip O'Dell  
Deputy Leader and Portfolio Holder for Environment and Community Safety

**Question:** "Last Friday my wife chased burglars away from our back garden. From the evidence collected and left in the area, it seems that the burglars spent some time, first trying to get in through the front, and then making their way through several gardens to try and get in through the back. All this was done in broad daylight and on a main street. The previous administration has done quite a bit to improve the crime rates in Harrow including initiatives such as smartwater property marking. What does this administration intend to do in order to improve on personal safety and security and to ensure that our children are not scared to go out to their own gardens?"

**Answer:** I hope Mr Moshneson and his wife are getting over their very traumatic experience of an attempted burglary at their property.

Harrow remains one of the safest places in London to live and work. Locally we have had many successes including the reducing of domestic burglary experienced. The Council intends to continue this work and remains committed to offering smartwater to all local households who request it.

We are also developing our partnership with the Police to tackle the full range of crime related problems that face our residents and continue to develop initiative solutions.

**Supplemental Question:** I am obliged Councillor. Are there any new initiatives that you could propose? Something that perhaps was not done before.

**Supplemental Answer:** Yes, let me explain one of the new initiatives that the council has taken up recently. Last week there was a trend in burglary that was highlighted by our partners in the Police. So the Police and the Council acted quickly by sending out advice to local media, to our network of Neighbourhood Champions and staff, asking that advice be passed onto their friends and neighbours.

**3. Questioner:** Jeremy Zeid

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

**Question:** “After the elections, one of your members is quoted in the Harrow Times stating ‘This is not a surprise, it was on the cards’. Meanwhile in your literature made wildly varying claims of anything from 30 to 50 million Pounds in unspecified shortfalls. Assuming that there is any truth in these claims, why after two months have neither you nor the cabinet consulted on, nor published any substantive findings or plans to steer Harrow safely through the next three years, while the government realising the urgency published in 42 days, a week early?”

**Answer:** The council does face significant funding challenges in the coming years. The funding gaps for the next three years are estimated to be around £50m which will require savings to be made of about 30% of our controllable budget.

The final precise figures will not be known until the autumn when the three year settlement is announced. £50m is a realistic estimate made in the medium term financial strategy presented to February Cabinet and agreed by the Full Council, which you yourself voted for I believe.

The situation has been further exacerbated by the imposition of £4m worth of in-year cuts and reductions in our Local Area Agreement awards. Funding had previously been agreed by the Government, which has now been reneged on. This has an impact right across Harrow, both for ourselves and partners. Furthermore, coming to the 2010/11 budget, there is an ongoing £2m overspend in Children’s Services and the pressure of £1m in Community and Environment.

The Council does face very significant funding challenges in the next few years. The new administration has been working hard with officers to agree plans for how the challenges should be approached. Officers have been working for several years in anticipation of the situation to draw up contingency plans and options. Having carefully considered all these plans, refining, updating, then we will bring our three year plan to the July Cabinet, setting out our proposals to deal with this very difficult financial situation.

**Supplemental Question:** Having read the Labour manifesto promising a “Future fair for All”, we are seeing Adult Services and other frontline services threatened, or at least in headlines. How do you propose to deliver without blowing the balances again and delivering a future, as did the last Government, of “Debt for All”?

**Supplemental Answer:** The debt for Adults & Housing comes from the £1.3m cut arbitrarily imposed by the Government. This was unnecessary because the Office for Budget Responsibility said that Alistair Darling’s predictions for the structural deficit and the deficit were correct. Therefore there was no need for harsh cuts in this year.

We have to live with that. We are having to sort it out. Yes, it will hit frontline services but it is the Conservative/Lib Dem Government which is imposing these cuts on us in-year and it is quite wrong.



## **LONDON BOROUGH OF HARROW**

### **COUNCIL – 8 July 2010**

#### **London Borough of Harrow Petition Scheme**

#### **1. Petitions**

1.1 Harrow Council recognises that petitions can be a good way to highlight issues that people feel strongly about. A petition may be used by people who live, work or study in the borough to formally register a collective request or concern about the Council or its services. We have a duty to consider and respond to all petitions we receive.

1.2 All petitions submitted to the Council will be acknowledged within 15 working days of receipt by the Legal and Governance Services Department, setting out what will happen to the petition. We will treat as a petition anything that is identified as a petition or seems to us intended to be a petition.

1.3 Paper petitions can be sent to:

The Monitoring Officer  
Legal and Governance Services Department  
Harrow Council  
PO Box 2  
Civic Centre  
Station Road  
Harrow HA1 2UH

1.4 E-petitions can be created, signed and submitted online by following [this link](#).

1.5 Alternatively, petitions may be presented at a meeting of the Council, Executive or a committee. Please follow [this link](#) to the Council's Constitution which contains Procedure Rules for the Council, the Executive and the committees. These rules explain the procedure for presenting petitions at meetings of the different bodies.

#### **2. What must a petition include?**

2.1 Petitions submitted to the Council must include

- a clear and concise statement covering the subject of the petition, including the action the petitioners wish to take; and
- the names addresses and signatures of people who support the petition and who live, work or study in the Borough of Harrow. The address given must be a home, work or study address in the Borough.

- 2.2 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on our website.
- 2.3 Petitions which are considered by the Monitoring Officer to be vexatious, abusive or otherwise inappropriate will not be accepted or published and no further action will be taken.
- 2.4 If a petition does not follow the guidelines set out above we may decide not to do anything further with it. In that case we will write to you to explain this.
- 2.5 In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss any revised timescale which will apply.

### **3. What will the Council do when it received my petition?**

#### **3.1 Acknowledgement**

- 3.1.1 We will send an acknowledgement to the petition organiser within 15 working days of receiving the petition. The acknowledgement will explain what will happen next and when they can expect to hear from us again.
- 3.1.2 If we think it is appropriate to take the action requested immediately, the acknowledgement will explain this, and the petition will be closed.
- 3.1.3 If another procedure is more suitable for dealing with the petition (for example, if the petition applies to a planning or licensing application, or if the matter is already in the process of being dealt with under another procedure) we will inform the petition organiser of this. We will not take any action on a petition which the Monitoring Officer considers is vexatious, abusive or otherwise inappropriate, and will explain the reasons for this in our acknowledgement of the petition.

#### **3.2 Publication**

- 3.2.1 To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website, except where this would be inappropriate. We will also publish correspondence relating to a petition as appropriate (all personal details will be removed). When a person signs an e-petition they can elect to receive this information by email. We will not send anything which is not relevant to the e-petition, unless the signatory chooses to receive other emails from us.

### **4. What will happen next?**

- 4.1 The next steps will depend on what a petition asks for and how many people have signed it. An officer of the Council will consider the petition initially and decide how to deal with it most effectively. For example, this might involve the officer writing to the petition organiser; undertaking research or an inquiry; or organising a meeting with the petitioners or other interested parties.

- 4.2 If the petition concerns a particular area of Council business, it will usually be referred to the committee or sub-committee or other body that deals with that area and may be considered at a meeting. Committee meetings are usually held in public, so people who are interested in the petition will be able to observe any discussion that takes place.

## **5. Petitions involving partners / other authorities**

- 5.1 If the petition is about something over which we have no direct control (for example the local railway or hospital) we will consider referring the matter to the Executive to take up the matter on behalf of the community with the relevant body. We work with a large number of official partners and where possible will work with these partners to respond to your petition. If we are unable to do this then we will explain why. You can find out more about the services for which we are responsible by following [this link](#).
- 5.2 If the petition is about something that is the responsibility of a different Council we will forward the petition to the other Council, or take other appropriate action, and will notify the petition organiser about what we have done.

## **6. Petitions with over 2000 signatures**

- 6.1 If a petition contains more than 2000 signatures of people who live, work or study in the Borough (the address in the Borough at which they live, work or study must be provided), it will be considered / debated by the full Council, unless it is a petition asking for a senior Council officer to give evidence at a public meeting (see section 7 below). This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although in some circumstances this may not be possible - for example, when the petition is submitted too close to the meeting date, in which case consideration will take place at the following meeting. The petition organiser will be invited to the meeting to present the petition and the petition will then be discussed by Councillors. The presentation must last no longer than one minute and the discussion will last a maximum of 10 minutes.
- 6.2 Following consideration / discussion the Council may refer the petition to the Cabinet, a committee or a Corporate Director to determine the matter, taking into account the views expressed by the Council.
- 6.3 The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

## **7. Officer evidence**

- 7.1 A petition may ask for a senior Council officer to give evidence at a meeting about something for which the officer is responsible as part of their job. The petition must relate solely to the officer's job and not their personal circumstances or character. For example, your petition may ask a senior official to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

7.2 Only staff in the following senior posts may be called to give evidence:

- Head of Paid Service (Chief Executive)
- Assistant Chief Executive
- Director of Legal and Governance Services
- Corporate Director, Finance
- Corporate Director, Children's Services
- Corporate Director, Community and Environment
- Corporate Director, Adults and Housing
- Corporate Director, Place Shaping

7.3 If a petition contains at least 1000 signatures of people who live, work or study in the Borough the relevant senior officer will be called to give evidence in public at a meeting of our overview and scrutiny committee. The committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call a relevant Councillor or invite relevant officers from one or more partner agencies to attend the meeting. Committee members will ask the questions at this meeting, but the petition organiser will be able to suggest questions to the chair of the committee up to three working days before the meeting.

## **8. E-petitions**

8.1 We welcome e-petitions which are created and submitted through our website ([www.harrow.gov.uk](http://www.harrow.gov.uk)). E-petitions must follow the same guidelines as paper petitions set out above. The petition organiser will need to provide us with their name, postal address and email address. They must also decide how long the petition will be open for signature. Most petitions run for 6 months but you can choose for a shorter or longer timeframe, up to a maximum of 12 months.

8.2 When you create an e-petition, it may take up to 10 working days before it is published online and made available for signature.

8.3 If we cannot publish your petition, we will contact you to explain why. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 days of us contacting you, a summary of the petition and the reasons why it has not been accepted will be published under the 'rejected petitions' section of the website.

8.4 When an e-petition has closed, the petition organiser will be sent an acknowledgement within 15 working days.

8.5 A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgement and response will also be published on the website. The petition will then be dealt with in the same way as paper petitions.

## **9. How to 'sign' an e-petition**

- 9.1 When you sign an e-petition you will be asked to provide your name, postcode and a valid email address. When you have submitted this information you will be sent an email to the address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

## **10. Reviewing the Council's response to a petition**

- 10.1 If you feel that we have not dealt with your petition adequately, the petition organiser has the right to request that the Council's overview and scrutiny committee reviews the steps taken in response to the petition. The petition organiser should provide a short explanation of the reasons why our response is not considered to be adequate.
- 10.2 The committee will endeavour to consider the request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine that we have not dealt with your petition adequately, it may make recommendations on how to put this right.
- 10.3 Once the review has taken place the petition organiser will be informed of the outcome within 5 working days. The outcome of the review will also be published on our website.

## **11. Alternatives to a petition**

- 11.1 There are other ways in which you can let us know what you think about our actions and decisions that may be more appropriate than a petition. Follow **[this link](#)** to see how else you can have your say.

**Annex B**

**Petition Scheme  
Consequential Constitutional Amendments**

**1. Council Procedure Rules**

The following minor amendments are required:

**Petitions**

**10.1 Presentation of Petitions**

10.1.1 All petitions received shall normally be dealt with in accordance with the Council's Petition Scheme (at Appendix A to these Rules) and will be referred to the appropriate Council Committee or sub-committee, or to the Executive, Portfolio Holder, Advisory Panel or Consultative Forum of the Executive. If the petitioners request that the petition be presented at a meeting of Council this can be done in the following ways:

10.1.1.1 a representative of the petitioners may attend at the time stated for the start of the Council meeting and request to read the petition to the meeting;

10.1.1.2 the petitioners may approach a Councillor and ask the Councillor to read the petition on their behalf;

10.1.1.3 the petitioners may send the petition to the Monitoring Officer and request for the Mayor to read the petition.

Deleted: who will arrange

10.1.2 The person presenting the petition may only read the terms of the petition and may not make any further comments. That person will have one minute to read the terms of the petition unless the Mayor determines that this time limit should be extended or reduced.

**10.2 Notice and Consideration of Petitions**

10.2.1 There is no need for any advance notice to be given of the wish to present a petition to Council but if 7 clear working days notice is given to the Monitoring Officer a note of the petition will appear on the summons for the meeting.

10.2.2 After all petitions have been read they shall stand to be dealt with in accordance with the Petition Scheme and will usually be referred to the appropriate Council Committee, sub-committee or Executive, Advisory Panel, Consultative Forum or

Portfolio Holder. Subject to 10.2.3 Unless the Mayor decides otherwise, no discussion shall take place on any petition.

- 10.2.3 Petitions that meet the criteria set out in Section 6 of the Petition Scheme will be considered by the Council in accordance with the provisions of that Section.

Formatted: Indent: Left: 0 pt, Hanging: 49.6 pt

## **2. Executive Procedure Rules**

The following minor amendments are required:

### **Petitions**

#### **15.1 Presentation of petitions**

15.1.1 All petitions received relating to Executive functions shall be dealt with in accordance with the Council's Petition Scheme (at Appendix A to the Council Procedure Rules) and will normally be referred to the Executive or appropriate Portfolio Holder, Advisory Panel or Consultative Forum. If the petitioners request that the petition be presented at a meeting of the Executive this can be done in the following ways:

15.1.2 a representative of the petitioners may attend at the time stated for the start of the Executive meeting, or prior to an individual Executive member making a decision, and request to read the petition to the meeting;

15.1.3 the petitioners may send the petition to the Monitoring Officer and request for the Leader, Deputy Leader or an Executive Member to read the petition.

Deleted: who will arrange

15.2 The person presenting the petition may only read the terms of the petition and may not make any further comments. That person will have one minute to read the terms of the petition unless the Chair determines that this time limit should be extended or reduced.

#### **15.3 Notice and consideration of petitions**

15.3.1 Save as is mentioned in paragraph 15.1.3 above there is no need for any advance notice to be given of the wish to present a petition to the Executive but if 10 days notice is given to the Monitoring Officer a note of the petition will appear on the agenda for the meeting.

## **3. Committee Procedure Rules**

The following minor amendments are required:

### **Petitions**

## 15.1 Presentation of Petitions

15.1.1 Petitions relating to a function of a Committee or sub-committee shall be dealt with in accordance with the Council's Petition Scheme (at Appendix A to the Council Procedure Rules) and will usually be presented to the appropriate meeting of the Committee or sub-committee. If the petitioners request that the petition be presented at a meeting of a Council Committee or sub-committee this can be done in the following ways:

15.1.1.1 a representative of the petitioners may attend, at the time stated for the start of the Committee or sub-committee meeting, and request to read the petition to the meeting;

Deleted: who will arrange

15.1.1.2 the petitioners may approach a Councillor and ask the Councillor to read the petition on their behalf;

15.1.1.3 the petitioners may send the petition to the Monitoring Officer and request for the Chair to read the petition.

15.1.2 The person presenting the petition may only read the terms of the petition and may not make any further comments. That person will have one minute to read the terms of the petition unless the Chair determines that this time limit should be extended or reduced.

## 15.2 Notice and Consideration of Petitions

15.2.1 There is no need for any advance notice to be given of the wish to present a petition to a Committee or sub-committee but if seven clear working days notice is given to the Monitoring Officer a note of the petition will appear on the agenda for the meeting.

## 4. Overview and Scrutiny Terms of Reference

The additional of the following power of the Overview and Scrutiny Committee is required:

...

13. 'to call senior officers to give evidence in response to petitions and/or to review the actions taken by the Council in response to petitions in accordance with the Council's Petition Scheme'.



**LONDON BOROUGH OF HARROW**

**COUNCIL – 8 July 2010**

**35. Questions With Notice**

**1. Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Margaret Davine  
Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** “Can you provide a statement about Harrow PCT’s financial situation and its impact on the Council, the voluntary sector and our residents.”

**Answer:** The financial position of NHS Harrow has changed considerably during the last couple of months since April. At their last Board meeting there was a deficit of £26.2m, with a savings plan of £18.3m in place and sector support of £7.9m which is non-recurring and non returnable. That would leave £1.8m not allocated savings to find. That is the position as it was at the last Board meeting and we will see how far they have got next time.

This is still a very serious situation and I do appreciate that. Our Corporate Directors of Adults & Housing and Finance have tried unsuccessfully to get details of the savings proposed so as to assess the likely impact on the Council, voluntary sector and residents but I will be seeking more information. I have a meeting on Monday in order to inform our planning and I know that the Corporate Director of Adults and Housing also is going to a meeting next week.

It is true there are disputed amounts between NHS Harrow and the Council and I will ensure that meetings are held to address this and make sure that the impact on residents is minimised. I am sure we all know that when partners get into difficulties that it is very important that we work them, sit down and talk with them so that we can reach amicable solutions which will help both sides. So the last thing we need is starting talking again about cost shunting. I have lived through that before and seen shutters go up and things become more difficult rather than get resolved.

Everyone in this Chamber knows that all authorities and partner organisations, including ourselves are facing

enormous financial challenges but that makes it more important that we work together. As Portfolio Holder, I will be seeking to bring partners together to build a consensus for the benefit of residents and our community. As you know, Councillor Stephenson, as Chairman of Harrow Partnership Board has already invited NHS Harrow to attend the special meeting of the Board on 22 July to explain its current financial situation. This should enable further clarity on the potential impact of the PCT position on the Council, voluntary sector and residents.

**2. Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Bob Currie  
Portfolio Holder for Housing

**Question:** "What is the Portfolio Holder doing to ensure that Harrow obtains the maximum benefit from the new Government's devolution agenda"

**Answer:** I am aware that the planned Decentralisation and Localism Bill is designed to provide council and neighbours with greater control over important services' decisions.

As Portfolio Holder for Housing I welcome any measure that gives residents greater control. Even though this Bill will not be presented to Parliament until the autumn, officers have been looking at the implications from recent papers and speeches and are working to ensure that the Housing Ambition Plan is implemented in the way that gives residents a greater say in how things are done.

I am aware of suggestions likely to end up on the Bill, for example providing existing social tenants with a share in their properties in return for good behaviour and the desire to develop new affordable housing through community led delivery models.

Clearly there are many more suggestions likely to materialise in the Bill and I will ensure that each and every one of the ideas is given due consideration and discussed with residents before making a decision on how we should proceed to ensure that Harrow Council and its residents obtain maximum benefits.

**Supplemental Question:** Can the Portfolio Holder give us one example of how the Housing Ambition Programme, which was being developed before this Bill being mooted, is going to have to be altered in order to accommodate the new proposals coming through from Government.

**Supplemental Answer:** As I explained, the Bill does not come before Parliament until autumn. Once I get more information on what the Bill is entitled, then I will respond.

3. **Questioner:** Councillor Susan Hall

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

**Question:** “Your manifesto states that you intend to promote and facilitate the building of a new function hall to replace Byron Hall. What sort of consultation, feasibility study and research do you intend to conduct into this pledge, and has a timetable been established for it?”

**Answer:** The ambitions set out within our manifesto are intended to provide a long-term vision for the development of our Borough and in particular, the development of essential community facilities.

The Area Action Plan during the course of this year will provide the basis for the research, feasibility and most importantly, the arrangements for the consultation regarding the development of the modern, high quality community facility.

To answer to your question, consultation will be wide-ranging research and feasibility work will be effective and we will ensure that all new facilities are developed in a way which will ensure their long-term success and viability.

**Supplemental Question:** Can you tell me how you are going to pay for any of that?

**Supplemental Answer:** Once we do the feasibility and we have more information, we will of course release the information. I am not going to say anything now.

4. **Questioner:** Councillor Susan Hall

**Asked of:** Councillor Phillip O’Dell  
Deputy Leader and Portfolio Holder for Environment & Community Safety

**Question:** "In your manifesto, you promised to sign up to the 10:10 Charter; a pledge to reduce the Council's carbon emissions by 10% in 2010. What progress has been made in signing up to 10:10?"

**Answer:** Harrow Council is committed to making a contribution to combat climate change by reducing carbon emissions of the Council.

The 10:10 campaign is one that has caught the imagination of the country and is providing a strong impetus for individuals and organisations to reduce their carbon emissions. The campaign provides encouragement and practical examples that can be followed by residents, staff as well as the Council.

We are currently calculating our baseline data. That is being undertaken anyway for the National Indicator 185 and we expect to make a formal commitment once this is available.

5. **Questioner:** Councillor Susan Hall

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

**Question:** "How much is the new Government's decision to scrap the Comprehensive Area Assessment (CAA) inspection regime expected to save the Council in compliance and other costs over the course of the next four years?"

**Answer:** The decision to scrap CAA and use of resources should result in a reduction from our audit and inspection fees but we have not been notified of details yet by the Audit Commission.

It is anticipated almost all of the fees will be payable in the current year as most of the work to inform the 2010 assessment had already been completed when the announcement was made.

The total audit and inspection fee for 2010/11 is £527,000. This includes £80,000 for use of resources and £20,000 for the CAA. Much of the use of resources work will still be required to support the Value for Money conclusion in the Council's accounts, so whilst the Council should save some of this £100,000, it is not yet clear how much.

There will be some savings in officer time. It should be noted that many inspection activities, such as those carried

out by Ofsted and CUQSC are expected to continue. Officers have found some of the use of resources inspection very useful and may wish to continue with aspects of it in the future.

6. **Questioner:** Councillor Susan Hall
- Asked of:** Councillor Bill Stephenson  
Leader of the Council and Portfolio Holder for Finance and Business Transformation
- Question:** "What level of reserves does the Audit Commission require Councils to maintain as a percentage of their budget, and what amount in pounds does this mean for Harrow Council?"
7. **Questioner:** Councillor Barry Macleod-Cullinane
- Asked of:** Councillor Bill Stephenson  
Leader of the Council and Portfolio Holder for Finance and Business Transformation
- Question:** "Why, in the June 2010 edition of Harrow People, did you say that "central government cuts mean that we will have to save nearly £50 million over the next three years?"
8. **Questioner:** Councillor Barry Macleod-Cullinane
- Asked of:** Councillor Bill Stephenson  
Leader of the Council and Portfolio Holder for Finance and Business Transformation
- Question:** "When London Assembly Members chair certain public meetings, the GLA conducts surveys of the audience members to gain feedback on the performances of the chairmen. Do you think that such an initiative could have a part to play in the Member Development programme of the Council?"

In respect of questions 6, 7 and 8 which were not answered within the time available for Councillors questions, it was agreed that the relevant Portfolio Holders would provide written responses to the relevant Members and copied to all Councillors.

This page is intentionally left blank

# COUNCIL (EXTRAORDINARY)

## MINUTES

### 7 OCTOBER 2010

- Present:**
- \* Councillor Asad Omar (The Worshipful the Mayor)
  - \* Councillor Mrinal Choudhury (The Deputy Mayor)
- Councillors:**
- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>* Husain Akhtar</li> <li>* Sue Anderson</li> <li>* Nana Asante</li> <li>* Mrs Camilla Bath</li> <li>* Christine Bednell</li> <li>* James Bond</li> <li>* Mrs Lurline Champagnie OBE</li> <li>* Kam Chana</li> <li>* Ramji Chauhan</li> <li>* John Cowan</li> <li>* Bob Currie</li> <li>* Margaret Davine</li> <li>* Mano Dharmarajah</li> <li>* Tony Ferrari</li> <li>* Keith Ferry</li> <li>* Ann Gate</li> <li>* Brian Gate</li> <li>* David Gawn</li> <li>* Stephen Greek</li> <li>† Mitzi Green</li> <li>* Susan Hall</li> <li>* Graham Henson</li> <li>* Thaya Idaikkadar</li> <li>* Nizam Ismail</li> <li>* Krishna James</li> <li>* Manji Kara</li> <li>* Zarina Khalid</li> <li>* Jean Lammiman</li> <li>* Barry Macleod-Cullinane</li> <li>* Kairul Kareema Marikar</li> <li>* Ajay Maru</li> </ul> | <ul style="list-style-type: none"> <li>* Jerry Miles</li> <li>* Mrs Vina Mithani</li> <li>* Chris Mote</li> <li>* Janet Mote</li> <li>* John Nickolay</li> <li>* Joyce Nickolay</li> <li>* Christopher Noyce</li> <li>* Phillip O'Dell</li> <li>* Paul Osborn</li> <li>* Varsha Parmar</li> <li>* David Perry</li> <li>* Bill Phillips</li> <li>* Raj Ray</li> <li>* Richard Romain</li> <li>* Anthony Seymour</li> <li>* Lynda Seymour</li> <li>* Navin Shah</li> <li>* Mrs Rekha Shah</li> <li>* Sachin Shah</li> <li>* Stanley Sheinwald</li> <li>* Victoria Silver</li> <li>* Bill Stephenson</li> <li>* William Stoodley</li> <li>* Krishna Suresh</li> <li>* Sasi Suresh</li> <li>* Yogesh Teli</li> <li>* Mark Versallion</li> <li>* Ben Wealthy</li> <li>* Simon Williams</li> <li>* Stephen Wright</li> </ul> |
|---|--|

- \* Denotes Member present
- † Denotes apologies received

## PRAYERS

The meeting opened with Prayers offered by the Imam Hafiz Muhammad Akram.

### 40. EXTRAORDINARY COUNCIL

**RESOLVED:** To note that this Extraordinary Council meeting had been convened in accordance with Rule 3.1.

### 41. DECLARATIONS OF INTEREST

The Mayor invited declarations of interest by Members of the Council in respect of the business on the Summons.

(i) Item 3: IT Service Delivery

Councillors Sue Anderson, Jerry Miles, Lynda Seymour and Mrs Rekha Shah declared personal interests in that they were members of Unison, but considered that they could speak and vote thereon.

Councillors Keith Ferry and Navin Shah declared personal interests in that they were members of GMB, but considered that they could speak and vote thereon.

Councillor Paul Osborn declared a personal interest as he had attended an awards ceremony where the Council had obtained an award. This had been paid for by Capita and was reflected in his register of gifts and hospitality, but he considered that he could speak and vote thereon.

(ii) Item 4: Emergency Planning

Councillor Barry Macleod-Cullinane declared a personal interest in that he was an employee of London Councils, but considered that he could speak and vote thereon.

### 42. COUNCILLOR MITZI GREEN

The Mayor requested Member's join him in sending the Council's best wishes to Councillor Mitzi Green during her recovery from a recent operation.

### 43. PETITION

In accordance with the permission of the Mayor, the following petition was presented:-

#### **Transparency & Openness**

Submitted by Councillor Hall containing 27 signatures of conservative



Councillors, expressing their frustration and their perception that the Council's administration have failed to adhere to standards of transparency, openness and accountability.

**The Petition was noted and taken into account at the relevant item.**

#### **44. IT SERVICE DELIVERY**

- (i) Further to Item 3 on the Summons, the Council received a recommendation from Cabinet held on 14 September 2010. The Recommendation was formally moved by the Portfolio Holder for Performance, Customer Services and Corporate Services.
- (ii) There was an amendment proposed in the names of Councillors Paul Osborn and Barry Macleod-Cullinane, which sought to amend the recommendations to read as follows:
  - “(1) That recommendations 1-3 from Cabinet, as set out in the Summons, are deferred pending the establishment of a cross-party working group (consisting of two Labour Members, two Conservative Members and one Member from neither political group) to review the business case for IT Service Delivery, to ensure its veracity and its suitability for purpose, and report back to Council in February 2011.
  - (2) That Cabinet be advised of this proposal and engages with the working group's progress.
  - (3) That the working group, while considering all options, be advised of Council's preference that if outsourcing the IT service is considered the best option, there should be a process of competitive tendering.”
- (iii) During the debate on this item, Councillor Brian Gate moved a Motion that the question now be put. Upon a vote this Motion was carried.
- (iv) Upon a vote, the amendment at (ii) was lost.
- (v) A further amendment was then proposed in the names of Councillors Richard Romain and Barry Macleod-Cullinane, which sought to amend the recommendations to read as follows:
  - (1) the IT service be transferred to Capita with effect from 1 November 2010, or as soon as possible thereafter, subject to the completion of satisfactory contract negotiations;
  - (2) the Corporate Director of Finance be authorised to finalise and sign the contract in agreement with the relevant Portfolio Holder(s);
  - (3) the virement of £450,000 to cover the additional cost of the contract in 2010/11, as set out below, be approved.

<b>From</b>	<b>To</b>	<b>£000</b>
Earmarked Reserves - BSF	IT Service	400
To be identified	To be identified	50
<b>Total</b>		<b>450</b>

- (vi) Upon a vote, the amendment at (v) was lost.
- (vii) During a further debate on the substantive recommendation, Councillor Brian Gate moved a Motion that the question now be put. Upon a vote this Motion was carried.
- (viii) Upon a request by more than 10 Councillors a roll call vote was held with regard to the substantive recommendation.
- (ix) Upon a vote, the substantive recommendations were agreed.

**RESOLVED: That**

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

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

### **Roll Call Vote:**

**FOR:** Councillors Anderson, Asante, Currie, Davine, Dharmarajah, Choudhury, Ferry, Ann Gate, Brian Gate, Gawn, Henson, Idaikkadar, Ismail, James, Khalid, Marikar, Maru, Miles, O'Dell, Parmar, Perry, Phillips, Ray, Navin Shah, Mrs Rekha Shah, Sachin Shah, Silver, Stephenson, Stoodley, Krishna Suresh, Sasikala Suresh and Wealthy.

**AGAINST:** Councillors Akhtar, Mrs Bath, Bednell, Mrs Champagnie, Chana, Chauhan, Cowan, Ferrari, Greek, Hall, Kara, Lammiman, Macleod-Cullinane, Mithani, Chris Mote, Janet Mote, John Nickolay, Joyce Nickolay, Noyce, Osborn, Romain, Anthony Seymour, Lynda Seymour, Sheinwald, Teli, Versallion, Williams and Wright.

**ABSTAIN:** Councillor Bond.

### **45. EMERGENCY PLANNING**

Further to Item 4 on the Summons, the Council received a recommendation from Cabinet held on 14 September 2010.

The Recommendation was formally moved by the Leader of the Council.

**RESOLVED: That**

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

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the meeting closed at 9.13 pm).

This page is intentionally left blank

**COUNCIL**  
**4 NOVEMBER 2010**

**DECISIONS TAKEN UNDER THE URGENCY  
PROCEDURE BY CABINET AND PORTFOLIO  
HOLDERS**

This page is intentionally left blank

## **REPORT FOR: COUNCIL**

---

<b>Date of Meeting:</b>	4 November 2010
<b>Subject:</b>	<b>Decisions taken under Urgency Procedure by Cabinet and Portfolio Holders</b>
<b>Responsible Officer:</b>	Hugh Peart – Director of Legal and Governance Services
<b>Exempt:</b>	No
<b>Enclosures:</b>	None

### **Section 1 – Summary**

This report sets out decisions taken under urgency procedure rules by Cabinet, and use of the special urgency procedure since the meeting of the Council on 8 July 2010.

**FOR INFORMATION**

## Section 2 – Report

In accordance with Committee Procedure Rule 47.6 set out in Part 4 of the Council’s Constitution, any Executive decisions taken as a matter of urgency are reported to the next available meeting of the Council. There have been two Executive decisions taken as a matter of urgency since the Council meeting held on 8 July 2010:

Meeting and date	Subject	Reason for urgency
Cabinet meeting 15 July 2010	Creation of a Major Developments Panel	An early meeting of the Panel was required to confirm the approach to be adopted in a master planning exercise for the Harrow and Wealdstone Intensification Area, which needed to commence as soon as possible to ensure that the Corporate Plan Flagship Action – to prepare an Area Action Plan for the Heart of Harrow by December 2010 - was achieved.
Cabinet meeting 14 September 2010	Building Regulations Charging Scheme	The Scheme had to be implemented by 1 October 2010 at the latest, or the Council would be in breach of the associated legislation. Due to a delay in publishing the legislation and associated guidance, it was not possible to produce the Scheme and report to Cabinet any earlier.

In accordance with the Access to Information Procedure Rules set out in Part 4 of the Council’s Constitution, the use of the Special Urgency procedure in relation to Executive decisions is to be reported quarterly to Council. The Special Urgency procedure was used once since the Council meeting on 8 July 2010. This was for a key decision relating to the Provision of Care in the Extra Care Setting of Richards Close (Ewart House). This decision was taken by the Deputy Leader of the Council at a Portfolio Holder Decision meeting on 10 August 2010.

## Section 3 – Financial Implications

There are no financial implications.



## **Section 4 – Corporate Priorities**

Corporate priorities are included in the individual reports to Cabinet and the Deputy Leader.

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 26 October 2010		

## **Section 6 - Contact Details and Background Papers**

### **Contact:**

Pauline Ferris, Democratic & Electoral Services Manager

Tel: 020 8424 1269

E-mail: pauline.ferris@harrow.gov.uk

### **Background Papers:**

Council's Constitution/Portfolio Holder Decision meeting  
report/Cabinet agenda

This page is intentionally left blank

**COUNCIL**  
**4 NOVEMBER 2010**

**URGENT DECISIONS ON MATTERS RESERVED  
TO COUNCIL**

This page is intentionally left blank

## **REPORT FOR: COUNCIL**

---

**Date of Meeting:** 4 November 2010

**Subject:** **URGENT DECISIONS ON MATTERS RESERVED TO COUNCIL**

**Responsible Officer:** Hugh Peart – Director of Legal and Governance Services

**Exempt:** No

**Enclosures:** None

### **1. Summary**

1.1 In accordance with the delegations to Chief Officers, the Leaders of each of the Political Groups on the Council were consulted on the following urgent decisions, which were approved on behalf of the Council, as all required action prior to this meeting:

**(i) Appointment to the Reserve Forces and Cadets Association for Greater London**

Councillor Mark Versallion was appointed as a Reserve Member to The Reserve Forces and Cadets Association for Greater London. The issue was agreed as a matter of urgency to ensure effective Council representation on the above named Outside Body.

**(ii) Appointment to Harrow Agenda 21**

Councillor Susan Hall was removed as a Member from Harrow Agenda 21 and Councillor Ramji Chauhan was appointed as a Council nominee to Harrow Agenda 21. The issue was agreed as a matter of urgency to seek and ensure a replacement nomination to ensure effective Council representation on the above named Outside Body.

**(iii) Appointment to Harrow Association of Voluntary Service**

Councillor Zarina Khalid was removed as a Member from the Harrow Association of Voluntary Service. Councillor Bill Phillips was appointed as a Council nominee to the Harrow Association of Voluntary Service. The issue was agreed as a matter of urgency to seek and ensure a replacement nomination to ensure effective Council representation on the above named Outside Body.

**FOR INFORMATION**

**Contact:**

Pauline Ferris, Democratic & Electoral Services Manager

Tel: 020 8424 1269

E-mail: pauline.ferris@harrow.gov.uk

**Background Papers:** Urgent Decision Forms