

CABINET MINUTES

17 NOVEMBER 2011

Chairman: * Councillor Bill Stephenson

Councillors:

* Bob Currie	* Graham Henson
* Margaret Davine	* Thaya Idaikkadar
* Keith Ferry	* Phillip O'Dell
* Brian Gate	* David Perry
* Mitzi Green	

In attendance:	Marilyn Ashton	Minute 298
(Councillors)	Barry Macleod-Cullinane	Minute 298
	Janet Mote	Minute 298
	Anthony Seymour	Minute 298

* Denotes Member present

294. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10b – Servicemen Housing – Motion referred to the Executive by Council

Councillor Bob Currie declared a personal interest in that he was an ex-serviceman. He would remain in the room whilst the matter was considered and voted upon.

Councillors Chris Mote declared a personal interest in that he was an ex-serviceman. Councillors Chris and Janet Mote declared prejudicial interests in that their son was a serviceman in receipt of a war pension and could be eligible under the terms of the Motion. They would leave the room whilst the matter was considered.

295. Minutes

RESOLVED: That the minutes of the meeting held on 18 October 2011 be taken as read and signed as a correct record.

296. Petitions

RESOLVED: To note that no petitions had been received.

297. Public Questions

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

1.

Questioner: Neil Smith

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

Question: "At the Cabinet meeting on 18th October it was decided that 'All existing holders of the Discretionary Freedom pass will be reviewed against the new criteria with a view to effecting cancellations by 31st March 2013 for those not meeting the new criteria'. What is the earliest date that reviews for the Discretionary Freedom pass will be completed and cancelled for those who not eligible?"

Answer: It is anticipated that the review against the new policy will commence in early May 2012 and be completed by October 2012. Officers hope to send out first notifications of cancellation around October/November 2012, with final reminder notification of cancellation in February/March 2013, informing those not eligible that their pass will no longer be valid from 1 April 2013. So the cancellation itself will be from 1 April 2013 but people will know earlier.

This will allow the authority to plan in advance to ensure that the contractor carrying out the assessments can schedule sufficient additional resources so that additional work does not affect performance targets regarding the day to day work they carry out in Harrow. You will recall that the contractor has a number of other reforms that we have put through. We want to make sure that they are getting them all right before we put this before them.

Supplemental Question: When will the Community Mental Health Teams be trained in the new criteria for the Discretionary Freedom Pass and also, for the medical evidence that must be provided for the National Disabled Freedom Pass as there continues to be confusion within the Community Mental Health Teams about the two passes?

Cllr Stephenson: A similar question was asked before, and if there is any doubt or worries about these matters, could you please take this up the Directorate? We would hope with the training for the contractor that we will have full understanding of that and will be working very closely with our colleagues, partners and you, who are concerned with mental health.

2.

Questioner: Amarinder Vadera

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

Question: "How much funding has been approved from the Transformation fund specifically Mental Health personal budgets assessments to implement the new contribution policy?"

Answer: £200,000 has been allocated from the Transformation Fund and that will be to provide additional capacity to undertake financial assessments, review people's needs and introduce Personal Budgets where necessary but this sum will cover all service users, not just those with mental health.

Supplemental Question: We have been informed by CNWL NHS Foundation Trust that there are currently 800 mental health service users eligible who are likely to be substantial and critical and therefore likely to be eligible for a Personal Budget. We have been told that approximately 250 people will have a Personal Budget by March 2012 which has been described as full uptake, however, this is only 33% of people who have taken a Personal Budget.

From national research, this is half of the national uptake. Can the Portfolio Holder explain why so few eligible mental health service users have been able to exercise choice and control over their care?

Supplemental Answer: We have been working very hard to make sure that those of our mental health service users who want a Personal Budget or come forward, are assessed for them. This £200,000 is in actual fact to reassess people

who are already getting services, so that we can introduce the contributions policy.

We will continue to try to raise the mental health numbers of people who have Personal Budgets because obviously it is of great use to them and it improves their wellbeing and we will do as much as we can. It does not actually follow on, in one sense, from your question because that is not going to be particularly raising the numbers.

Now, I do not know about the 800 that CNWL say. I do not know that as a number that will be substantial or critical but when we assess people, if we find they are substantial or critical, they will be offered a Personal Budget and we will carry that forward.

3.

Questioner: Moni Bhachu

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

Question: "As the Leader of the Council, how much further savings are you requiring the Adult Social Care Directorate to make in order to meet its budget targets for the next financial year?"

Answer: Again, when we were setting the budget all Directors have been given set indicative saving targets for 2012/13, but these are being reviewed in the light of latest information on demographic figures and other pressures. The PCT transfer monies will be used to support current levels of care and, of course, we must take into account all the reforms the government are putting into place which put pressures on Adult Social Care and other parts of the Council.

Supplemental Question: How will the £2.4 million from the NHS Section 256 Agreement be used to offset the required savings for the Adult Social Care budget next year 2012/13.

Supplemental Answer: As we set the budget we take all things into consideration, including all the pressures on the different Directorates and that is one of things, when we set the draft budget, we are going out to consult on.

298. Councillor Questions

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

1.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bob Currie, Portfolio Holder for Housing

Question: "You said at October's Cabinet meeting that the expected income of the Housing Revenue Account budget for the next three years is of concern because, in your words, 'the government is going to stop subsidies to housing.' Can you confirm which subsidies from the government to the HRA will cease, and what the Council expects the likely financial position in the HRA will be when the changes do come in?"

Answer: As you know the subsidy system that relates to the HRA is about to change. It is shifting from a subsidised system of accounting to a system of self financing. Historically, Harrow contributes approximately £7 million to the national pot which is then redistributed to Local Authorities around the country. The government requires us to buy ourselves out of the arrangement and to do this we will need to increase the amount of debt we have by approximately £85 million. Servicing this debt will be less than the amount we used to pay into the national pot by about £2 million per annum. The government has delayed giving us the final level of debt so these figures are our current best estimate.

Whilst I think Harrow will benefit from this in the short term, my concerns are:

1. Deciding on the best interest rates and the time we will need to pay back the debt. The delay in providing the final figures is also making our planning difficult.
2. Benefit reforms may make it harder for tenants to pay their rents and rental income will be critical to pay back the debt.

Officers are working to get the best deal for the future of the HRA and I am sure they will manage it well. Members will understand why I expressed concern at the last Cabinet. Clearly this is one of the most important decisions for Harrow tenants and we have to get it right.

A supplemental question asked was considered to be a repeat of the main question by the Leader of the Council and was therefore not answered.

2.

Questioner: Councillor Anthony Seymour

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

Question "Can you confirm that the one hour free parking will be retained in North Harrow following the decision of Cabinet of 18th October 2011 to implement the Parking Review?"

Answer: It is not possible at the moment to make any specific site by site confirmations until further consultation has taken place.

Supplemental Question: You appear to confirm that in fact it would be retained, although you are not very clear in an email to Councillor James Bond, my Ward colleague, on 28 October in response to a query from the Chairman of the Traders' Association. Can you clarify this email response which appears to confirm that it would be retained?

Supplemental Answer: The email from Councillor Bond was under the impression that the Cabinet decision from last time gave authority to the Council to change all the parking charges in all of the zones and I was reassuring him that the one hour free parking in North Harrow would not disappear overnight. As I have indicated, we are going to have further consultation on the charging regime throughout the borough.

3.

Questioner: Councillor Anthony Seymour

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

Question: "Can you confirm that free parking will be retained in Headstone Lane shopping area following the decision of Cabinet of 18th October 2011 to implement the Parking Review?"

Answer: As reported under Question 2, it is not possible to make specific site specific confirmations until the statutory consultation has taken place.

Supplemental Question: Would you not agree with me that if you decide to implement parking charges for the first time in Headstone Lane that will be disastrous for the area, bearing in mind the deep economic recession we are in?

Supplemental Answer: Yes, I completely agree that this government has placed the country in deep economic recession but the items on the agenda show how this authority is taking up the baton to support local businesses, and to access funding into those District Centres and other businesses.

4.

Questioner: Councillor Janet Mote

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

Question: "Could you please confirm how the North Harrow portion of the Outer London Fund, received from the Mayor of London, Boris Johnson, has been spent so far and what the rest will be spent on?"

Answer: As a result of the superb application made by Harrow Council to the Mayor for the Outer London Fund Round One Funding for North Harrow, we were very pleased to be awarded £360,000.

(Cllr Keith Ferry, Portfolio Holder for Planning, Development and Enterprise) Approximately £41,000 has been spent to date as follows:-

- £14,000 on Town Centre Management
- £12,000 on Marketing and Promotion, in particular, the festive lights
- £13,000 on the first part of the parking bays project
- £2,000 on Environmental Improvements.

The remaining £319,400 will be allocated as follows:-

- £44,000 on Town Centre Management
- £80,000 on Marketing and Promotion
- £195,000 on Improving Access.

I am sure that you will agree with me that the festive lights and in particular, "The Event" on 31 October, have been a wonderful success and that you will want to join me in thanking everyone who has contributed in any way to the improvements that we have already seen.

Supplemental Question: From the outcome of last Thursday of the North Harrow Area Additional Parking Bays consultation, are the islands in Cambridge and Northumberland Roads to be removed and parking bays put in?

Supplemental Answer: We discussed that with the relevant officers and the Portfolio Holder for Environment and Community Safety last Friday and we decided to listen to the residents and not go ahead with removing the central islands in those two roads and the replacement with traffic platforms.

That faced us with a bit of a quandary in that we thought by not doing that work we would have to hand back approximately £110,000 but we have spoken to the Greater London Authority and they have agreed that we can, subject to this being confirmed in writing, use that money to improve the Cambridge Road car park.

Cllr Janet Mote: I would just like to say on behalf of the residents of Headstone North and North Harrow, we are absolutely delighted. Thank you very much.

5.

Questioner: Councillor Marilyn Ashton

Asked of: Councillor Keith Ferry, Portfolio Holder for Planning, Development and Enterprise

Question: "What impact do you hope the Draft Planning Enforcement Policy will have on the number of enforcement cases taken on by the Council?"

Answer: The Council is committed to ensuring that its planning enforcement service is both effective and consistent in its approach. Breaches of planning control cause distress and anxiety to all.

In accordance with good practice and the needs of users for increased information and to support the Councils actions when, regrettably, formal action is required to resolve breaches, this new policy is part of the ongoing commitment to deliver a robust and effective enforcement service.

The Council investigates some 750 or so complaints against unauthorised works every year. This leads to around 50 formal enforcement notices per year.

In recent years, the Council has also sought to pursue prosecutions for breaches of planning control and to undertake direct action where works have not been

regularised.

Whilst it is difficult to quantify the likely impact on complaints arising from this policy, the much more comprehensive information contained in this document and the proposed introduction of categories of investigation, will go some way towards reducing the burden of administering and providing information on the enforcement process to both those responsible for breaches and those who are affected by them.

The policy is also expected to assist Magistrates and the Courts in understanding the approach followed by the Council to support effective prosecution.

The impact of the policy, if adopted, will be monitored and cases reported annually to the Planning Committee in the normal way.

Supplemental Question: I notice and welcome the recognition in the report on page 338 in the introductory paragraph, formulation of this policy was a long term process stretching back to the recruitment of the current Director of Planning nearly three years' ago, during our administration.

Would you therefore not agree with me that more recognition of the many good legacies you have inherited from our administration would be welcome?

Supplemental Answer: Maybe.

6.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: "Regarding Whitchurch Pavilion and Playing Fields; with report and tendering processes that began in November 2008 and January 2009 respectively, and with the economic downturn since then, are you confident that these processes have sufficiently captured all potential bidders, and that the public consultation process has been robust enough given the passage of time?"

Answer: The world wide recession became obvious in April 2008. Regionally economic conditions are now not that different to those prevailing at the commencement of this project in November 2008.

You will be aware that in November 2009 the two consortia who were selected as part of a marketing exercise, were advised that the Council wished to suspend the Whitchurch Playing Fields Project.

However the consortia have remained committed to the Council's objectives and I am endeavouring to demonstrate good faith to the original short listed bidders to determine if an appropriate solution can now be delivered.

The Harrow Rugby Club Consortium and the Whitchurch Consortium conducted external consultation with public presentations on 24 June and 1 July 2009.

I fully accept that the product of these consultations, given the passing of time can only now be used as useful background.

This important project is intended to benefit the entire Community of Harrow and as such can only be delivered by working in partnership, in particular with local residents.

Cabinet will determine tonight which of the shortlisted bidders should be selected to take forward the detailed planning and if appropriate, the delivery of this project.

The amended recommendations for this project make absolutely clear that the first task of our selected partner will be to undertake effective consultation and engagement, in particular with local residents and local Ward Councillors.

The administration is absolutely committed to serving all communities and promoting sports in the borough. That is our manifesto commitment. Doing nothing is not an option. If the former administration had made a decision before April 2010 then one of the bidders would have been operating today. Because time is short and, as you may not have time to ask all the questions, I will give you this assurance. During the process of agreeing the SLA I will fully involve all Councillors, regardless of their party, local residents and other interested parties. Let us work together to deliver the best to our residents.

Supplemental Question:

Given that the report on page 296 says that Ward Councillors have been consulted and that was clearly not the case, do you not agree that given the fact that the public consultations carried out by the two consortium had enormous problems with them; that residents raised questions at the time that these were

not complete enough; that not all residents local to the Whitchurch Playing Fields had been invited to the presentations; that we really need to revisit this and the idea that we are having open, effective consultation is a joke and that you really do need to make sure that you are talking if you are claiming to be the "Let's Talk" Council.

Supplemental Answer: Absolutely, I agree with you. That is what these changes are all about. I have to apologise for the error on page 296 of the officer report which states that Ward Councillors have been consulted, which should have said that the Ward Councillors were advised.

I understand that the Corporate Director Place Shaping confirmed in a telephone conversation with you that Ward Councillors were only informed of the proposed publication of the report and offered his apology to you for the misleading wording published in the report. However, as stated in my answer to the previous question, wide-ranging consultation is and always has been, an absolute requirement for this project and I give you my personal commitment that this will involve all Ward Councillors and, in particular, the local community.

As an experienced professional, you know that in anything published, the devil is in the small print. In this case it is the SLA. It is far more important that a full consultation is carried out with all the Councillors, local residents and all interested parties to hear the ideas, concerns, etc. I hope you will work with me to achieve this.

The following questions were not reached in the time limit of 15 minutes. It was noted that written responses would be provided and these have been reproduced below:

7.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: "Do you believe there has been sufficient consultation on this matter with local ward Councillors and residents?"

Answer: I have to apologise for the error contained on page 296 of the Officer Report, which states that "Ward Councillors have been consulted."
(as provided under Supplemental

Q6) The wording of the report should read - Ward Councillors were advised of the intention to publish this report, on 10 October 2011.

I understand that the Corporate Director Place Shaping confirmed in a telephone conversation with you, that Ward Councillors were only informed of the proposed publication of the report, and also offered his apology to you for the misleading wording published in the report.

However, as stated in my answer to the previous question, wide ranging consultation is, and frankly always has been, an absolute requirement for this project, and I give you my personal commitment that this will involve all relevant Ward Councillors and in particular the local community.

8.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: "According to paragraph 2.7, there will be deleterious consequences for the site and local residents in terms of traffic, light pollution and noise. What is being done to both assess and address these issues given that, particularly regarding traffic, there is no real way to mitigate cars entering and exiting the site, or spill over from floodlights during the winter?"

Answer: The Whitchurch Playing Fields are a strategically important leisure and recreational asset of approximately 26 acres.

The structure of the development agreement will ensure the best solution can be designed to overcome the various challenges that any significant development will encounter.

This administration is absolutely committed, to doing whatever we can, to encourage and facilitate development of modern sports, leisure and recreational facilities, for the benefit of our entire community.

However, I wish to make absolutely clear, that all development proposals will only be accepted, if we believe they are appropriate and will meet the future needs of our community.

We have a great opportunity to enable superb new

facilities to be developed for our community, at Whitchurch Playing Fields.

I look forward to working with you, to enable these much needed facilities to be developed for our residents.

9.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “What is being done to alleviate the concerns some residents have over flooding in relation to these proposals, given the site is on a designated flood plain – again stated in paragraph 2.7?”

Answer: I am fully aware of the flood plain designation on the site, with the main flood plain area, covering approximately half of the site.

I will make sure that any plans that come forward for this important new development have no adverse impact on the flood alleviation function, of Whitchurch Playing Fields.

10.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “According to paragraph 2.9, the Whitchurch Consortium’s vision is ‘a community sports and social club accessible to all with no barriers to membership.’ Given that financial costs are often a barrier for many of our residents in these economically challenging times, will the Council be insisting on free membership for all Harrow residents?”

Answer: No, the Council will not be insisting on free membership for all Harrow residents.

The Council will work closely with its selected partner to ensure competitive pricing for local residents.

It needs to be accepted, that development costs are anticipated to be in the order of £3M and there will also be substantial annual running costs.

It is intended that an SLA will be developed with the selected partner, in particular to provide clear benefit for local schools and the local community.

It is essential that the Scheme should deliver a sustainable revenue stream to cover, operational costs, maintenance, and investment to secure the ongoing enhancement of the facilities in the future.

11.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “For each of the bids, could you explain how you will guarantee the level of access to the playing fields, currently enjoyed by residents, will be protected?”

Answer: The development proposal will be subject to detailed consultation with local residents and Ward Councillors.

The Whitchurch site is designated as playing fields, which are generally hired out to schools and sports clubs.

I can confirm without hesitation, that there are no public rights of way across the site.

I am sure you will agree with me, how important it is that the site generally, and the new pavilion in particular, is managed in a secure and in a customer friendly way, to ensure that all facilities can be maintained in a safe and good quality condition, and also to ensure the safety and security of all users of the new facility.

12.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “Do you believe that turning a playing field into an artificial pitch is compatible with and promoting of the Council’s green credentials?”

Answer: If we are to increase access and participation to sports, it is essential that recreational facilities are developed to meet current day and future requirements.

To achieve this objective, we need to improve the quality and resilience of pitches across the borough, optimising their use, and meeting the growing expectations of residents, who wish to participate in sporting activities.

The provision of all weather facilities at local centres has the potential to contribute significantly to the reduction of carbon emissions, as it should be possible to reduce car journeys to access these local facilities.

13.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “What has been agreed with the bidders to ensure that the Council is involved with any decision to re-sell/rent/dispose of the Whitchurch lease, to ensure this local amenity isn’t damaged or lost?”

Answer: Firstly, let me be absolutely clear, that this administration has no intention whatsoever, of selling this important site.

The Council’s freehold interest will be protected by lease conditions, restricting the ability of the lessee, to assign the lease without the Council’s consent, with tests to ensure the appropriateness of any proposed assignee.

Additionally, there will be an absolute user clause, which will restrict the use, to sports, leisure, and playing field, together with appropriate ancillary uses.

The approach we are proposing will protect the Council’s interest over the long term and as freehold owner of the land, we will have absolute control over any and all future development.

14.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: “Given the Council’s policy on promoting public health, what message does it send out to have both bidders basing large chunks of their revenue streams on the sale of alcohol, while located next to primary schools?”

Answer: I am absolutely clear in my own mind, that the sale of food and beverages are vital to the financial sustainability of sports, leisure and recreational facilities.

Our clear intention and I think we are agreed on this, is to entrust the development of our new facility to a carefully selected and experienced partner who has been able to demonstrate a successful track record in the management and development of community sport facilities.

My expectation therefore, is that the food and beverage offer, will be entirely complementary to the broader objectives of the community sports facility.

Any decision relating to the sale of alcohol on the site will be carefully considered by the Licensing Committee, taking into account all relevant material considerations

15.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bob Currie, Portfolio Holder for Housing

Question: Can you confirm whether any Harrow residents that have been charged and convicted of any crimes relating to the August riots are Council tenants, and what do you propose to do if this is the case?

Answer: As far as we are aware no Harrow Council tenants have been charged with any crimes relating to the August riots so there are currently no proposals to take any action.

299. Forward Plan 1 November 2011 - 29 February 2012

RESOLVED: To note the contents of the Forward Plan for the period 1 November to 29 February 2012.

300. Progress on Scrutiny Projects

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

RESOLVED ITEMS

301. Project Report - Measuring Up: Harrow Council's Use of Performance Information (Phase 2)

Cabinet received a reference from the Overview and Scrutiny Committee meeting held on 1 November 2011, which had referred the recommendations of the Scrutiny Challenge Panel on the Use of Performance Information.

The Leader of the Council informed Cabinet that the response report to the recommendations would be submitted to the December Cabinet meeting when a representative(s) of the Challenge Panel would be given an opportunity to address Cabinet on the recommendations and officer responses given to those recommendations.

RESOLVED: That the reference be received and the Assistant Chief Executive be requested to submit a response report to the December 2011 Cabinet meeting.

302. Senior Management Structure

Cabinet received an information report of the Chief Executive, which set out proposals for a revised senior management structure to better enable the Council to achieve its strategic objectives.

The Chief Executive explained the rationale behind the proposals, as the Council moved forward in its journey towards achieving its Vision and Priorities in a challenging economic climate. He added that as part of the consultation process, he had met with his Corporate Strategy Board, the Corporate Leadership Group and the Council's Partners and he was grateful for their positive and constructive comments in this regard. He thanked various stakeholders for their contributions to the proposals.

The Chief Executive invited further comments and added that a decision report would be submitted to the December Cabinet meeting which would include the responses received through the consultation process.

The Leader of the Council stated that the consultation had been positive and the proposals were consolidating with a smaller number of Corporate Directors to help further eradicate silo working. He added that the Corporate Directors would have strategic responsibilities and work across and jointly with other Directorates and the Portfolio Holders.

RESOLVED: That the consultation on the proposed revised Management Structure be noted.

Reason for Decision: To note the consultation process and proposals prior to receiving a further report on the final Senior Management Structure on 15 December 2011, following the end of the consultation process together with the responses received. The report to December Cabinet will be a Key Decision and will be reflected in the Forward Plan.

[Call-in does not apply to decisions that have been noted].

303. Progress Update on Modernising Terms and Conditions of Employment

The Portfolio Holder for Performance, Customer Services and Corporate Services set out the progress made with the project on Modernising the Terms and Conditions of Employment of Council staff and briefed Cabinet on the key aspects of the information report.

The Portfolio Holder informed Cabinet that since the matter was reported to Cabinet in March 2011, consultations have been ongoing with staff and trade unions. He added that Harrow Council was taking a different approach to other local authorities whose main aim had been to reduce costs. The Council's approach had been to provide balance and it had chosen a way forward that was part 'giving' and 'taking', as part of its modernising agenda against a background of a two-year pay freeze for public sector staff and an uncertainty on whether a pay award would be agreed for 2012.

Cabinet was briefed on the historical situation and provided with a comparison of the current situation whereby, for the first time in history, the government had introduced a strict incomes policy on public sector pay. Moreover, the cost of living had continued to rise and there were proposals for pension reforms for those working in the public sector. Against this background, the Council was making efforts to ensure that the proposals put forward had an equitable impact on staff at all levels, that the issue of providing a 'living' wage in London was addressed adequately and that pay and benefits were simplified, thereby providing a greater choice to staff.

The Portfolio Holder outlined the four key principles behind the Council's approach, which was to modernise, simplify, reduce cost and give greater choice. Detailed proposals had been put forward to the Unions and the headteachers and that negotiations would end in December with a further report being presented to Cabinet in January 2012 for a decision.

RESOLVED: That the report on Modernising Terms and Conditions of Employment be noted.

Reason for Decision: To note the progress made with the Project and the Key Decision that will be sought at the Cabinet meeting in January 2012.

[Call-in does not apply to decisions that have been noted].

304. North Harrow Parking - Motion referred by Council

The Leader of the Council reported that the original Motion from the Conservative Group had been amended by the Labour Group and approved unanimously in its amended form by Council.

The Leader advised Cabinet that he had received two letters from Conservative Group Members seeking permission to speak under Executive Procedure Rules 20.1.1 and 20.2.1. He was not minded to invite the Members to speak and explain the Motion.

RESOLVED: That the Motion be agreed.

305. Servicemen Housing - Motion referred by Council

The Leader of the Council advised Cabinet that he had received a letter from a Member of the Conservative Group seeking permission to speak under

Executive Procedure Rule 20.2.1. He was not minded to invite the Member to speak and explain the Motion.

RESOLVED: That the Motion be referred to the Corporate Director Adults and Housing.

306. Employed Housing - Motion referred by Council

The Leader of the Council advised Cabinet that he had received a letter from a Member of the Conservative Group seeking permission to speak under Executive Procedure Rule 20.2.1. He was not minded to invite the Member to speak and explain the Motion.

RESOLVED: That the Motion be referred to the Corporate Director Adults and Housing.

307. Reablement - First Year Evaluation Report

Cabinet received an information report of the Corporate Director Adults and Housing, which provided an analysis of the effectiveness of the Reablement Service in terms of both improved outcomes and efficiencies since its establishment in October 2010. It was noted that the new Reablement Service had concentrated on new service users in the first year of its operation and, in the future, Reablement would be extended to existing service users.

The Portfolio Holder for Adults Social Care, Health and Wellbeing provided some background to the inception of Reablement in that, in October 2010, a whole systems review led to the development of a Reablement Service in Harrow. In keeping with the Department of Health's Care Services Efficiency Delivery (CSED) recommendations, Adult Social Care had realigned structures to form a new innovative Reablement Service from within existing resources. Staff and services were moved to create a Reablement provision with a critical additional element of funding received from the Harrow Strategic Partnership.

The Divisional Director Adult Social Care informed Members that a pilot had been set up at the beginning of 2010 and the experience and learning gained from it helped to establish the Reablement Service in October 2010. Harrow had developed a cutting edge model, the Reablement Service had resulted in 94% levels of satisfaction and had helped to realise efficiencies through continuous improvements in the process.

In summing up, the Portfolio Holder stated that Reablement had meant that the Council could continue providing services to the vulnerable whilst making cost savings. She was proud of the achievement of the Adults and Housing Directorate, including the positive outcomes for the Reablement Service users.

RESOLVED: That

- (1) it be noted that Harrow's Reablement Service was successfully introduced in October 2010 following a user led development pathway, which has resulted in the unique triageopoly model;
- (2) it be noted that the Reablement Service was on target to meet efficiency targets and had evidenced delivery of improved outcomes.

Reason for Decision: To note progress made since the introduction of the Harrow Reablement Service and the associated improvements in outcomes for adults with social care needs.

[Call-in does not apply to decisions that have been noted].

308. Snow Clearance Challenge Panel Response

The Portfolio Holder for Environment and Community Safety introduced the report and explained why there had been a delay in submitting a full response on the recommendations of the Scrutiny Challenge Panel on Snow Clearance. He added that many of the recommendations of the Challenge Panel had had options which required further investigation, as they had either financial or environmental impact and, possibly, performance issues. Therefore, a measured approach was required.

RESOLVED: To note that a full response to the recommendations of the Scrutiny Challenge Panel on Snow Clearance would be presented to Cabinet on 15 December 2011.

Reason for Decision: To allow officers to fully evaluate and respond to the recommendations.

[Call-in does not apply to decisions that have been noted].

309. Open Spaces Strategy and Action Plan

The Portfolio Holder for Environment and Community Safety introduced the report, which set out the Council's vision for the green spaces in Harrow for the next five years.

The vision had emerged as a result of the audit of the Borough's open space assets and following an assessment of the community's current and future needs. It established what the Council wanted to achieve in the future and how this would be done, the length of time it would take and the resources that would be needed to achieve the goals. The Strategy examined the key issues relating to open space provision in Harrow and set out a detailed Action Plan.

The Portfolio Holder added that green infrastructure added to the quality of the urban built environment and helped to improve the health, wellbeing and quality of life of those living and working in Harrow. It was recognised that the green infrastructure would help deliver key benefits in public health and

wellbeing. Moreover, the Sustainable Development Commission considered that more equal access to green spaces was key to reducing health inequalities between socio-economic groups.

Cabinet was informed that the Strategy recognised the contribution the Third Sector made to the management of green spaces and local decision-making. There was also a realisation for local development partnerships.

A long term direction for open spaces was required and the strategic priorities reflected as part of the vision were to provide quality spaces, which involved maintaining and improving the condition of open spaces; to ensure that open spaces were sustainable, provided places for people to take recreation and that resources were available through innovation; and to promote increased activity through a greater use of open spaces.

In conclusion, the Portfolio Holder stated that the Strategy had examined these key issues and set out an Action Plan which provided specific and measurable actions and an implementation programme. He added that the Strategy would be subject to an annual review and reported to Cabinet.

The Portfolio Holder for Planning, Development and Enterprise outlined the aim of the Strategy which was to make better use of existing resources in a borough that had 25-30% of open space.

The Leader of the Council welcomed the Strategy, and drew attention to the views of the residents which resonated throughout the report. He expressed his appreciation for the feedback received from residents and their participation in the process.

RESOLVED: That

- (1) the Open Spaces Strategy and Action Plan for the period 2012/17 be agreed;
- (2) the Open Spaces Strategy be reviewed and reported annually to Cabinet;
- (3) the Environment and Community Safety Portfolio Holder, in conjunction with the Portfolio Holder for Planning, Development and Enterprise, be authorised to set individual Action Plan targets.

Reason for Decision: To build a framework for the future management and development of open spaces in the borough ensuring that resources are allocated effectively to meet customer needs and Corporate Priorities thereby ensuring best uses of resources and finance. To build on the needs analysis reported in the PPG17 Open Space, Sport and Recreation Study.

310. Whitchurch Pavilion and Playing Fields

Cabinet received a report of the Corporate Director Place Shaping, together with amended recommendations, which set out details of the January 2009 Tender to secure the refurbishment or replacement of the Whitchurch

Pavilion, the maintenance of Whitchurch Playing Fields and the enhanced provision of sports, leisure and community use through a Partnering Development Project with the Council.

The Leader of the Council referred to an additional tabled document which contained further revisions to the recommendations, which he hoped would help allay some concerns raised by the questioners in relation to the consultation process.

The Corporate Director Place Shaping apologised to Cabinet and Belmont and Canons Ward Councillors for a misleading statement in his report and confirmed that Ward Councillors had not been consulted on the proposals. Instead, they had been advised of the intention to present the report but that this course of action in itself was unacceptable to him. As a result, he had put in place business processes to ensure that such mistakes were not made in the future and that Ward Councillors were fully engaged in processes.

The Portfolio Holder for Property and Major Contracts provided some background to the site since proposals were first put forward in 2008. He added that the site was of strategic significance and that, following a tendering exercise, 12 parties had expressed an interest in the site. He added that only two of those who had tendered, the Harrow Rugby Club and the Whitchurch Consortium, were shortlisted. Various options for the site had been considered, including an option for a lease to a preferred bidder, which was now being recommended to Cabinet.

The Portfolio Holder added that once the decision was made, meaningful consultations would be undertaken with local residents and Ward Councillors and he assured Cabinet that there would be no construction on site unless and until full planning permission had been granted.

The Portfolio Holder for Community and Cultural Services indicated his support for the Whitchurch Consortium, which had provided a sound business case for the development of the site. However, his work with local sports clubs would not stop here as he intended to create a thriving sporting community by engaging with those who had expressed an interest in this site, including other local sports clubs. The Portfolio Holder added that networking was an essential element in creating such a community and he hoped that local sports and rugby clubs would also engage in this process so that passions and experiences could be shared towards a common goal of creating an active community and reviving participation levels. Moreover, as a result of the London 2012 Olympic Games, external funding for sport event programmes had been obtained from Sport England and he urged sports clubs to engage in this process to achieve common goals.

He thanked all those volunteers who worked hard for their clubs and assured them that the Council was committed to help build on capacity to enable local sports clubs to thrive.

The Leader of the Council stated that the decision before Cabinet was challenging and acknowledged that errors in the consultation process had been made. As a result, the matter would come back to Cabinet following the

consultation process for a final decision and he sought approval of the recommendations tabled at the meeting.

RESOLVED: That

- (1) having considered the findings of this report and, in accordance with officer recommendations, the Whitchurch Consortium be selected as the Council's preferred bidder for the purposes of further consultation as set out below;
- (2) the Corporate Director Place Shaping be authorised to:
 - (i) consult Ward Councillors on the proposals put forward by the Whitchurch Consortium;
 - (ii) agree arrangements for the Whitchurch Consortium to present their proposed development plans in a public forum;
 - (iii) place statutory advertisements required in connection with the proposed leasing of the open space land and to consider and respond to any representations received as a result of the above actions;
 - (iv) negotiate the Development Agreement, associated Service Level Agreement and Terms of the Lease;
- (3) note that the consultation results will be reported to Cabinet in due course prior to any final decision and that, in any event, no development shall take place unless and until the Whitchurch Consortium have obtained planning permission.

Reason for Decision: To attract inward investment providing for the Pavilion to be replaced and run in conjunction with substantially improved playing fields for the benefit of the community at large and at no financial cost to the Council.

311. Draft Enforcement Policy and Draft Prosecution and Direct Action Policy

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which sought approval for public consultation on the updated Planning Enforcement Policy and Draft Prosecution and Direct Action Policy, prepared to support the effective operation of the Council's planning enforcement function.

RESOLVED: That

- (1) the Planning Enforcement Policy and Prosecution and Direct Action Policy be approved for the purposes of public consultation for a period of not less than 6 weeks, in line with the Council's Statement of Community Involvement (SCI);

- (2) the Divisional Director Planning, in consultation with the Portfolio Holder for Planning, Development and Enterprise, be authorised to make any minor corrections and adjustments to the documents prior to public consultation, consistent with the objective of ensuring clarity and accuracy of the publication.

Reason for Decision: The revision and updating of the Planning Enforcement Policy is a specific priority in the Place Shaping Service Plan 2011/12 which focuses on the delivery of robust and transparent planning enforcement in Harrow. Publication of an up to date policy will assist in delivery of a transparent and effective planning enforcement service and in meeting the Council's Corporate Priorities as well as best practice in planning enforcement.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.35 pm).

(Signed) COUNCILLOR BILL STEPHENSON
Chairman