

Council SUMMONS AND AGENDA

DATE: Thursday 3 November 2011

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 26th October 2011

PRAYERS

The Mayor's Chaplain, Sri Srutidharma Das, will open the meeting with Prayers.

1. COUNCIL MINUTES (Pages 1 - 40)

That the minutes of the extraordinary and ordinary meetings held on 7 July 2011 be taken as read and signed as a correct record.

2. DECLARATIONS OF INTEREST

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

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

5. PETITIONS

To receive any petitions to be presented:

- (i) by a representative of the petitioners;
- (ii) by a Councillor, on behalf of petitioners; or
- (iii) by 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 members 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 ordinary meeting, followed by a question and answer session. The item is allotted 20 minutes.

8. RECOMMENDED CONSTITUTIONAL CHANGES (Pages 41 - 50)

Report of the Constitution Review Working Group.

9. RESIDENTS' ENGAGEMENT STRATEGY AND REVIEW OF THE TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM (Pages 51 - 58)

Recommendation I: Cabinet
(8 September 2011)

10. CABINET DECISION MAKING PROTOCOL AND AMENDMENTS TO THE FINANCIAL REGULATIONS (Pages 59 - 108)

Recommendation II: Cabinet
(18 October 2011)

11. 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 the 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.

12. MOTIONS

The following Motions have been notified in accordance with the requirements of Rule 15, to be moved and seconded by the Members indicated:-

(1) Riots

To be moved by Councillor Nana Asante and seconded by Councillor Mitzi Green:

“This Council wishes to place on record its thanks to all those staff in Children's Services for all that they did to ensure that Harrow remained unaffected during the unrest in August. This includes those Youth Workers who went out on patrols with police and those who worked with the young people themselves. This was building on a bedrock of work that is carried out throughout the year by working with and engaging young people. We thank them for all that they did and continue to do in spite of the challenging financial times we find ourselves in.

This Council wishes to acknowledge the positive way in which Harrow Police works closely with the Council. This Council notes

that close partnership working through the Harrow Partnership was a factor in preventing riots in Harrow. This Council wishes to place on record its thanks to Harrow Police for effective preventative work which saved the borough's businesses from potential destructive loss and disruption and helped confirm Harrow's place as a safe borough.

This Council notes that the challenges created by the riots will not be tackled by moralising, but by sustained investment in jobs supported by an economy whose recovery is not hamstrung by the steepest spending cuts since World War 2.

This Council instructs the Chief Executive to write to:

- The Borough Commander and thank him and his officers for their safety they provided to Harrow residents and businesses.
- The Secretary of State for Communities and Local Government and urge him to make available more funds to buttress Cross Sector Partnership and for the exceptional work in Education and Youth Services that takes place in Harrow .
- The Treasury citing the commendable work of Harrow Police and Harrow's Youth Workers and urge that specific funding should be set aside to fund the exemplary youth and partnership work going on in Harrow."

(2) **Pensions**

To be moved by Councillor Graham Henson and seconded by Councillor Krishna Suresh:

"This Council notes that the LGPS is a sustainable, good quality pension scheme that benefits from being funded and locally managed. It is valuable to employers and employees alike.

This Council is concerned by proposals announced by the Chancellor in the last CSR to impose an extra 3.2% contribution tax on scheme members, increasing scheme average member contributions from 6.6% to 9.8% and notes that none of the additional revenue will go towards improving the financial security of the scheme and that in addition, research indicates that 40-50 per cent of affected members may opt out of the scheme as a result of this policy, thereby undermining the viability of the largest pension scheme in the UK.

Current Government proposals are not a genuine attempt to make the schemes more sustainable, they are a cash grab by the Treasury, imposing an additional tax on workers.

This Council notes that public service workers have suffered an ongoing pay freeze, widespread redundancies and cuts and closures of many vital services on which our communities rely.

This Council further notes that the LGA wrote to the Chancellor on 16 February 2011 to express concerns that mass opt-outs would be both undesirable and damaging to the scheme – Council shares these concerns.

This Council is disappointed that the Government has failed to negotiate fully and openly with the Trade Unions and regrets that the Government's intransigence has increased the possibility of industrial action –

This Council notes that the trade unions and community groups have agreed to organise local and national protests in support of public services, jobs and pensions.

Council agrees to support the work of the Trade Unions in raising awareness of this issue and local government employees in defending their pension scheme.

This Council resolves to ask the Chief Executive to write to the Chief Secretary to the Treasury and the Secretary of State for Local Government to express Council's concerns and urge the Government to rethink their proposals.

(3) Fair Public Transport Fares (Affordable Bus and Tube Fares)

To be moved by Councillor Jerry Miles and seconded by Councillor Sue Anderson:

“This Council condemns the Mayor of London for allowing London Bus & Underground fares to rise sharply over the past four years.

This Council notes that since Boris Johnson was elected in 2008, the cost:

- a single bus ticket is up by 56%, costing Londoners £260 a year more;
- a weekly bus and tram pass is up 47%, costing Londoners £317 a year more;
- a weekly zone 1-4 travelcard up by 23%, costing Londoners £416 a year more;
- a weekly zone 1-6 travelcard is up 22%, costing Londoners £509 a year more.

This Council notes that with the cost of living rising in London, the decision made by Boris Johnson to increase fares again was ill-

judged and unfair to Londoners who need the Mayor to be on their side. The Council further notes that under the Tories, Londoners are less well off with every day that passes.

This Council welcomes the proposal from the Mayoral Labour Party candidate to initially reduce fares by 5%, and then to freeze fares in the following year.

This Council instructs the Chief Executive to write to the Mayor of London urging him to put Londoners first and reconsider the year on year increase which has a serious financial impact on families who are battered by lower wages, a high cost of living and the inability of this Government to promote policies which get the Economy growing.”

(4) NHS Motion

To be moved by Councillor Krishna James and seconded by Councillor Margaret Davine:

“This Council notes with concern that:

- serious issues confront the NHS: reducing the cost base of the NHS by £20bn, whilst forcing through top-down reorganisation carries a high risk of destabilising patient care and the capacity of the NHS to respond to events.
- the changes being proposed accelerate the replacement of a publicly owned and integrated National Health Service by a privatised and fragmented market system. This Council believes that extensive use of markets is inconsistent with our free at the point of need model of health service.
- evidence from attempts at market led reform shows that use of financial competition has not brought about the reforms that were claimed.
- considerable progress was made within the health service over the previous 13 years due to increased investment and targets, not the market system. This Council wishes to point out that the country with the greatest market usage has the highest administrative costs and scores poorly on almost every international comparison of outcomes.

This Council welcomes the responsibility for Public Health being vested in the Local Authority but urges that funding of public health should be increased year on year as a share of total health spending to enable a welcome shift to preventative care and education.

The Council instructs the Chief Executive to write to the Secretary

of State for Health and point out that the scale of reform proposed at a time when £20 billion of cuts are being made will lead to disorganisation, chaos and poorer patient outcomes.”

(5) **Police Cuts – Putting Safety at Risk**

To be moved by Councillor Navin Shah and seconded by Councillor Bill Stephenson:

“Harrow Council deplores the Mayor of London’s policy and actions which attack frontline policing. This Council is particularly concerned about the Mayor’s policy of cutting police numbers which puts Harrow at serious risk of increase in crime and hampers the success of Safer Neighbourhood Teams introduced by Ken Livingstone. The Council notes:

- The Mayor’s hypocrisy in asking the Prime Minister, after the August riots, not to cut police budgets when he himself continues unabatedly to implement cuts in London police numbers;
- That according to the Metropolitan Police Authority, London will lose 1800 police officers by 2013/14;
- The reduction of Safer Neighbourhood Team sergeants in London by 150 this year and 150 next year reducing from 630 to 330;
- The depletion and serious weakening of Safer Neighbourhood teams in Harrow arising from the reduction of 5 sergeants this year and with further reductions next year;
- Harrow’s ability to tackle crime will be seriously reduced by the loss of 34 police officers this year;
- The 18.4% increase in residential burglaries and the 56.3% increase in personal robberies, the rise in snatches and other crime in Harrow.

Harrow Council congratulates Ken Livingstone on his pledge to London and Harrow’s residents to restore police numbers including saving Safer Neighbourhood Teams.

This Council instructs the Chief Executive to write to the Mayor of London informing him of this motion and asking him to rescind the cuts in policing, in particular, to the sergeants in Safer Neighbourhood Teams.

(6) **North Harrow Parking Motion**

To be moved by Councillor Anthony Seymour and seconded by Councillor Janet Mote:

“This Council welcomes the £860,000 received from the Mayor of London’s Outer London Fund to regenerate Harrow’s shopping centres, and extends its thanks to the staff responsible for the successful bid.

This Council further notes that:

- North Harrow has been allocated £360,000 of the Outer London Fund to, among other things, improve parking in the area and install more on street parking spaces, and that this proposal is considered the highest priority for local traders;
- As a result of a decision made by Cabinet on 18th October 2011, the remaining free parking in Harrow is set to be abolished;
- When the North Harrow Safeway closed in 2004, assurances were given that the first hour of parking would be free until a new supermarket was up and running on the site.

This Council therefore urges Cllr. Phillip O’Dell, Deputy Leader and Portfolio Holder for Environment and Community Safety, to exempt North Harrow from the Council’s plans to abolish free parking across the Borough. Not to do as such would damage business in the area and dishonour the assurances made.

This Council additionally calls on the Chief Executive, Harrow’s three MPs and its GLA Member, to write to the Mayor of London to convey thanks and gratitude for the Outer London Fund money.”

[Under the provisions of Council Procedure Rule 14.6, it is considered that the subject matter of this Motion refers to matters within the powers of the Cabinet and the Motion should therefore stand referred to its next meeting. However, in accordance with 14.6, the Leader of the Opposition has notified her right to exercise her wish that this Motion, falling within the powers of the Executive, be first debated by Council. The Motion will therefore be subject to debate following the disposal of any Motions falling within the business reserved to Council].

(7) **Servicemen Housing Motion**

To be moved by Councillor Paul Osborn and seconded by Councillor Barry Macleod-Cullinane:

“This Council is proud of the tireless efforts and contributions made by Britain’s servicemen and women, both at home and abroad.

This Council is honoured by Harrow’s history of association with the armed forces, particularly regarding the key role Bentley Priory played in defending our country during the Battle of Britain. In addition, Harrow has conferred the ‘Freedom of the Borough’ upon RAF Stanmore Park and Bentley Priory, the Royal British Legion, 131 Commando Unit, 47 Middlesex Yeomanry Signals and 257 Royal Army Medical Corps.

Furthermore, this Council is aware that many ex-servicemen and women experience difficulty in finding accommodation after their retirement from the armed forces.

This Council therefore pledges to follow the example set by, among others, Windsor and Maidenhead and Birmingham City Councils, in prioritising ex-service personnel within our housing allocation policy.”

[Under the provisions of Council Procedure Rule 14.6, it is considered that the subject matter of this Motion refers to matters within the powers of the Cabinet and the Motion therefore stands referred to its next meeting.

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].

(8) **Employed Housing Motion**

To be moved by Councillor Barry Macleod-Cullinane and seconded by Councillor Susan Hall:

“This Council is of the view that, regarding the allocation of social housing, we have a duty to help those who show responsibility; to support those who contribute to society and their communities most of all. In addition, this Council is of the view that the benefits system should work for working people, not those who could work but choose not to.

This Council notes that Harrow has over 4,000 families at any one time on the waiting list for a council home, and that those who are assessed as homeless are housed on average for five years or more in temporary accommodation.

With waiting lists so long, and with those who work to provide for

their families and contribute to their communities given no advantages within the allocation process, this Council pledges to follow the example set by, among others, Westminster, Newham and Manchester Councils, in giving greater priority those in employment when evaluating tenants for council housing.”

[Under the provisions of Council Procedure Rule 14.6, it is considered that the subject matter of this Motion refers to matters within the powers of the Cabinet and the Motion therefore stands referred to its next meeting.]

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].

(9) Crime in Harrow Motion

To be moved by Councillor Susan Hall and seconded by Councillor Barry Macleod-Cullinane:

“This Council offers its thanks and gratitude to Harrow Police, Council staff, youth workers and all emergency services members who contributed to ensuring that Harrow remained free of rioting and disorder during the London-wide riots in August this year.

This Council further applauds the efforts of our police in keeping Harrow as one of the safest boroughs in London, with some of the lowest crime levels and an 11% drop in overall crime over the past year.

The Chief Executive is instructed to write to Harrow Police to express the gratitude of the Council for their continuing hard work.”

(10) Council Tax Freeze Motion

To be moved by Councillor Barry Macleod-Cullinane and seconded by Councillor Susan Hall:

“This Council welcomes the announcement by the Government that, for the second year running, councils will be provided with financial support to allow them to freeze their council tax rates.

This Council also supports the decision of the Mayor of London, over the last three years, to freeze the Mayoral precept that is collected by councils on behalf of City Hall.

The Chief Executive is instructed to write to the Chancellor of the Exchequer, the Secretary of State for Communities and Local Government and the Mayor of London to express the Council’s support for these policies.”

13. DECISIONS TAKEN UNDER URGENCY PROCEDURE BY PORTFOLIO HOLDERS, LEADER AND DEPUTY LEADER, AND USE OF SPECIAL URGENCY PROCEDURE (Pages 109 - 112)

Report of the Director of Legal and Governance Services.

14. DECISION TAKEN UNDER THE URGENCY PROCEDURE - COUNCIL (Pages 113 - 116)

Report of the Director of Legal and Governance Services.