

# CABINET

## 19 MARCH 2015

Record of decisions taken at the meeting held on Thursday 19 March 2015.

**Present:**

**Chair:** \* Councillor David Perry

**Councillors:**

* Sue Anderson	* Graham Henson
* Simon Brown	* Varsha Parmar
* Margaret Davine	* Sachin Shah
* Keith Ferry	* Anne Whitehead
* Glen Hearnden	

**In attendance:**

Richard Almond	Minute 142
Susan Hall	Minute 142
Barry Macleod-Cullinane	Minute 142
Janet Mote	Minute 142

\* Denotes Member present

### 139. Apologies for Absence

None received from Members of Cabinet.

### 140. Declarations of Interest

**RESOLVED:** To note that the following interests were declared:

Agenda Item 10 – Voluntary and Community Sector: Outcome of Consultation on Funding and Recommendations for Funding 2015-16

Councillor Sue Anderson declared non-pecuniary interests in that she was a member of the Centre for ADHD and Autism Support, National Autistic Society and a Friend of the Harrow Association of Disabled People. She also declared that the following organisations were based in the Ward she represented: Mind in Harrow, EACH Counselling Centre, Harrow Church

Housing Association, Harrow Mencap and Harrow Shop Mobility. She would remain in the room whilst the matter was considered and voted upon.

Councillor James Bond, who was not a member of Cabinet, declared a non-pecuniary interest in that he was a member of North Harrow Community Partnership. He would remain in the room to listen to the discussion and decision making relating to this item.

Councillor Simon Brown declared a non-pecuniary interest in that he was a member of the North Harrow Community Partnership. He would remain in the room whilst the matter was considered and voted upon.

Councillor Janet Mote, who was not a member of Cabinet, declared a non-pecuniary interest in that she was a member of the North Harrow Community Partnership. She would remain in the room to listen to the discussion and decision making relating to this item.

Councillor Anne Whitehead declared a non-pecuniary interest in that she was a trustee of the Harrow Law Centre. She would remain in the room whilst the matter was considered and voted upon.

#### **141. Petitions**

**RESOLVED:** To note that the following petitions had been received:

1. **Petition: Improper Use of a Property on Elms Road**  
Councillor Pritesh Patel submitted a petition signed by 80 residents with the following terms of reference:

“We are concerned that a property on Elms Road is being utilised as a hostel to house individuals who have been released on bail. As yet, it is unclear as to the extent to which Harrow Council is aware of its use.

We have experienced several incidents of anti-social behaviour with frequent instances of noise disturbance and fighting late at night. There has been excessive litter in and around the property as well as criminal damage caused to adjacent properties.

The police have been called on numerous occasions to deal with the multiple disturbances by residents at this property and despite having made a number of complaints to the Council, no corrective action seems to have taken place to address the issue. Needless to say, the impact of such behaviour is devastating on the local residents.

Elms Road is a quiet, peaceful and safe residential road and we would like it to stay that way. We ask the Council to investigate the reports of anti-social behaviour and to put a stop to the disturbances and nuisance caused by its occupants.”

**RESOLVED:** That the petition be referred to the Corporate Director of Environment and Enterprise and the Portfolio Holder for Environment, Crime and Community Safety.

2. **Petition/Open Letter: Please save the Bob Lawrence Library and Open Letter relating to Bob Lawrence Library-Petition Against Closure of all 4 Libraries**

Angela Hook presented a petition containing additional signatures against the closure of Bob Lawrence Library with the following terms of reference:

“We, the undersigned residents would like the local authority to keep the library open at its present location 6-8 North Parade, Mollison Way, HA8 5QH.”

She also presented an open letter containing additional signatures in relation to ‘Bob Lawrence Library – Petition Against Closure of all 4 Libraries’. In addition, she presented a letter from Uma Kumaran, prospective Labour candidate for Parliament in 2015, supporting, inter alia, the calls of ‘Save the Bob Lawrence Library’ Campaign to keep the library open in its current location and urging the Council to consider the ‘Save Bob Lawrence Library’ group’s proposals to keep dialogue open with the group and local residents to find a way to keep the library open.

**RESOLVED:** That the petition and letters be considered as part of the discussion and decision-making on Agenda Item 11 – Library Strategy 2015-2018.

3. **“Just Say Sorry” Cllr. Barry Kendler**

Farah Sadiq, Bob Lawrence Library Campaigner, presented a petition signed by a number of people with the following terms of reference:

“The Bob Lawrence Library Campaign would like Cllr. Barry Kendler to “Just Say Sorry” for all his Rude, Abrasive & Factually incorrect remarks.”

She also presented a ‘box’, including contents.

**RESOLVED:** That the petition be taken as an objection to the proposed closure of the Bob Lawrence Library and that it be noted that the Leader of the Council would respond to the petition.

**142. Questions**

Such public and Councillor questions as were received were responded to and any recording placed on the Council’s website. Councillor questions 9-35 were not reached at Cabinet and the Councillors would be provided with written responses which would be placed on the Council’s website.

**143. Key Decision Schedule - March to May 2015**

**RESOLVED:** To note the contents of the Key Decision Schedule.

**144. Progress on Scrutiny Projects**

**RESOLVED:** To note the progress made on scrutiny projects.

**145. Capital Expenditure - Reference and Report from Scrutiny Challenge Panel**

**RESOLVED:** That

- (1) the Director of Finance and Assurance submit a report responding to the recommendations of the Challenge Panel to the April 2015 Cabinet meeting;
- (2) cross-party representation in line with the Cabinet/Scrutiny protocol be invited to address the April Cabinet meeting.

**146. The Funding Challenge - Saving £75m from the Council's Budget - Reference and Report from Scrutiny Challenge Panel**

**RESOLVED:** That

- (1) the Director of Finance and Assurance submit a report responding to the recommendations of the Challenge Panel to the April 2015 Cabinet meeting;
- (2) cross-party representation in line with the Cabinet/Scrutiny protocol be invited to address the April Cabinet meeting.

**147. Petitions Referred to Cabinet by Council on 26 February 2015**

**148. Save the Bob Lawrence Library - Petition(s) Referred to Cabinet by Council on 26 February 2015**

**RESOLVED:** That the reference and the petition be considered as part of the discussion and decision-making on Agenda Item 11 – Library Strategy 2015-2018.

**149. Rayners Lane Library Closure - Petition(s) Referred to Cabinet by Council on 26 February 2015**

**RESOLVED:** That the reference and the petition be considered as part of the discussion and decision-making on Agenda Item 11 – Library Strategy 2015-2018.

**150. Save Our Library - North Harrow Library - Petition(s) Referred to Cabinet by Council on 26 February 2015**

**RESOLVED:** That the reference and the petition be considered as part of the discussion and decision-making on Agenda Item 11 – Library Strategy 2015-2018.

**151. Hatch End Library - Petition(s) Referred to Cabinet by Council on 26 February 2015**

**RESOLVED:** That the reference and the petition be considered as part of the discussion and decision-making on Agenda Item 11 – Library Strategy 2015-2018.

**152. Funding to the Voluntary Sector - Petition(s) Referred to Cabinet by Council on 26 February 2015**

**RESOLVED:** That the reference and the petition be considered as part of the discussion and decision-making on Agenda Item 10 – Funding to the Voluntary Sector.

**153. Brown Bin 'Garden Tax' - Petition(s) Referred to Cabinet by Council on 26 February 2015**

**RESOLVED:** That the reference and the petition be noted.

**RESOLVED ITEMS**

**154. Determination of Community School Admission Arrangements - Academic Year 2016/17**

**RESOLVED:** That

- (1) the Community School Admission arrangements be determined without any further changes to the proposed arrangements and schemes other than the mandatory changes that needed to be made due to the introduction of the new School Admission Code on 19 December 2014;
- (2) the amendments to the Fair Access Protocol (FAP) in line with comments received from schools be noted and the Fair Access Protocol be approved to start from the Summer Term 2015.

**Reason for Decision:** There was a statutory requirement under the School Standards and Framework Act 1998 for admission authorities to determine admission arrangements by 15 April in the determination year (i.e. by 15 April 2015).

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

**155. Voluntary and Community Sector: Outcome of consultation on funding and recommendations for funding 2015-16**

Having considered the reference and petition elsewhere on the agenda, it was

**RESOLVED:** That

- (1) a reduction in funding to the Voluntary Sector from the Adult Social Care budget, as outlined in paragraph 2.2 Option B of the report, be approved;
- (2) a reduction in the funding of Discretionary Grants, as outlined in paragraph 2.2 Option C of the report, be approved;
- (3) a reduction in the funding of Community Festivals, as outlined in paragraph 2.2 Option D of the report, be approved;
- (4) the Corporate Director of Community, Health and Wellbeing, following consultation with the Portfolio Holders for Adults and Older People, Community, Culture and Resident Engagement and Finance and Major Contracts, be authorised to:
  - implement the recommendations outlined in paragraphs 2.2 Options B, C and D of the report, including agreeing how the reduction outlined in Option B would be allocated;
  - to identify corporate contingencies to cover the period of April - June 2015, in conjunction with the Section 151 officer and as outlined in paragraph 2.2 Options B and C of the report.

**Reason for Decision:** The Council had to make significant budget cuts across all services in 2015-16 and beyond. The Medium Term Savings Strategy identified a budget reduction of £0.550m from services commissioned by the Council from the Voluntary Sector and the deletion of £0k for community festivals.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

#### **156. Library Strategy 2015-2018**

Having considered the references and petitions elsewhere on the agenda, it was

**RESOLVED:** That

- (1) the Harrow Library Strategy 2015-18 at Appendix 1 and as outlined in paragraph 6.2 of the report, be approved including the closure of four libraries, Rayners Lane, Bob Lawrence, North Harrow and Hatch End;
- (2) authority be delegated to the Corporate Director of Community Health and Wellbeing, following consultation with the Portfolio Holder for Community, Culture and Resident Engagement, to implement the Strategy as identified in paragraph 6.2 and Appendix 1 (paragraphs 6 and 7) of the report, subject to due consideration of final community management proposals for Bob Lawrence and North Harrow libraries;

- (3) authority be delegated to the Corporate Director of Environment and Enterprise, following consultation with the Portfolio Holder Business, Planning and Regeneration to make any necessary property disposals including the ending of leases and support the proposals for the regeneration of library buildings as outlined in paragraph 6.2 of the report;
- (4) authority be delegated to the Corporate Director of Community Health and Wellbeing, following consultation with the Portfolio Holders for Community, Culture and Resident Engagement and Finance and Major Contracts, to negotiate and agree any necessary variations to the library management contract with Carillion Integrated Services Ltd and to authorise a sealing of the agreement.

**Reason for Decision:** To enable the delivery of the Harrow Library Strategy to modernise Harrow's public library service and reduce the number of library buildings in Harrow to meet the budget reductions identified in the Medium Term Financial Strategy for 2015-16 and beyond.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

#### 157. Deferred Payments Policy

**RESOLVED:** That

- (1) the interim Deferred Payment Policy, set out in Appendix 1 to the report, including the proposals around the discretionary elements of the policy, to apply pending the outcome of the ongoing consultation exercise, be noted;
- (2) the Consultation Document set out in Appendix 2 of the report be noted;
- (3) the Portfolio Holder for Adults and Older People, following consultation with the Corporate Director of Community, Health and Wellbeing, be delegated the power to sign off the final policy, subject to the outcome of consultation.

**Reason for Decision:** To meet the requirements of the Care Act 2014 which required the Council to offer Deferred Payment arrangements to all eligible service users to avoid them having to sell their property to pay for their care costs.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

## 158. Pinner Road Conservation Area

**RESOLVED:** That

- (1) the representations received to public consultation on the proposal to introduce a new Pinner Road Conservation Area at Appendix 2 to the report and the Council's response to the individual comments made at Appendix 2 be noted;
- (2) it be noted that the proposed boundary of the Pinner Road Conservation Area had been amended since consultation to include the garages to Capel Gardens;
- (3) the designation of the Pinner Road Conservation Area be approved.

**Reason for Decision:** As part of the ongoing programme to review the borough's heritage, part of Pinner Road, Pinner was identified as an area of high quality architecture and layout, with mostly locally listed and listed buildings, and has been assessed as worthy of Conservation Area status. Public consultation was largely supportive of the proposal and raised no objections. The incorporation of this area as one of Pinner's Conservation Areas will ensure the area was covered by the Council's adopted Pinner Conservation Areas Supplementary Planning Document (SPD) (adopted December 2009).

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

## 159. New Homes Bonus London Enterprise Panel (NHB LEP) Top Slice Funding Grant Agreement

**RESOLVED:** That authority be delegated to the Corporate Director of Environment and Enterprise, following consultation with the Portfolio Holder for Business, Planning and Regeneration, to enter into the funding agreement with the Greater London Authority (GLA).

**Reason for Decision:** Grant funding would promote business growth, address skills gaps, and deliver apprenticeships to make a positive difference for Harrow's businesses, families, vulnerable residents and communities.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

## **160. Adoption of the Harrow Biodiversity Action Plan**

**RESOLVED:** That the Harrow Biodiversity Action Plan (BAP), attached as Appendix 1 to the report, be approved.

**Reason for Decision:** To allow the BAP to become the Council's Strategy for managing biodiversity in the borough. It would form a material consideration in the determination of relevant planning applications both at Planning Committees and appeal proceedings. The BAP would also provide useful guidance to relevant Council departments when dealing with issues relating to nature conservation, biodiversity and sustainability.

**Alternative Options Considered and Rejected:** None.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

## **161. Arboricultural Services**

**RESOLVED:** That

- (1) the Tree Strategy be approved for adoption;
- (2) the activity outlined in the Strategy be noted;
- (3) authority be delegated to the Portfolio Holder for Environment, Crime and Community Safety to make amendments to the Strategy.

**Reason for Decision:** To ensure that the Council fulfilled its statutory responsibilities to maintain trees across the borough. To ensure that Members and the public were aware of what level of service would be delivered including additional tree services the Council could offer. To make public how this delivery would be monitored.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

## **162. Harrow School Supplementary Planning Document Consultation**

**RESOLVED:** That the Harrow School Supplementary Planning Document (SPD), attached as Appendix 1 to the report, be approved for public consultation and the public consultation period be extended to five weeks.

**Reason for Decision:** To progress the preparation of an SPD as the most effective way of securing the principle of development for Harrow School's future needs, whilst preserving the special character, heritage and amenity of Harrow-on-the-Hill in line with the adopted Local Plan's Site Allocation for the School.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

**163. Park User Groups - Operational Framework**

**RESOLVED:** That the operational framework be agreed and authority be delegated to the Corporate Director of Environment and Enterprise, following consultation with the Portfolio Holder for Business, Planning and Regeneration and the Portfolio Holder for Environment, Crime and Community Safety, to implement and operate this Framework.

**Reason for Decision:** To fulfil the Council's remit for ensuring the effective management of its assets.

**Alternative Options Considered and Rejected:** None.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

**164. ICT Procurement - Award of Contract**

Having considered the confidential appendices, it was

**RESOLVED:** That

- (1) the analysis and evaluation findings set out in Appendix 1 of the report be noted;
- (2) the appointment of Sopra Steria for the provision of ICT (Information and Communications Technology) Services to enable contract documentation to be finalised expeditiously and to permit an effective transition of the ICT service to enable operational commencement from 1 November 2015 be approved;
- (3) the appointment for an initial term starting on the date of contract signature (which was anticipated to be in April 2015) and ending on 31 October 2020 (therefore representing a period of five years of service provision from the anticipated 'go-live' date of 1 November 2015) with an option, at the Council's discretion, to extend for up to a maximum of a further three years from the end of the initial term, be approved;
- (4) authority be delegated to the Corporate Director of Resources, following consultation with the Portfolio Holders for Performance, Corporate Resources and Policy Development and Finance and Major Contracts, to finalise any outstanding contractual matters;
- (5) the Director of Legal and Governance Services seal the contract on the Council's behalf when the contract documentation had been prepared;

- (6) the use of £2.854m from the Medium Term Financial Strategy (MTFS) Implementation Reserve to fund implementation costs be approved;
- (7) it be noted that the estimated capital required over the five year term of the contract was £3.688m which was significantly under the provision in the current Capital Programme.

**Reason for Decision:** Cabinet approved the re-procurement of the Council's ICT Service on 15 January 2014 with a view to establishing new contractual arrangements from April 2015 and an operational commencement date of November 2015.

Following a comprehensive Competitive Dialogue tender procedure as set out in Appendix 1 of the report, an analysis and evaluation of each bidder's final tender was undertaken. A decision has been made based upon those results.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

#### **165. Strategic Performance Report - Quarter 3, 2014/15**

**RESOLVED:** That the report be noted and Portfolio Holders continue working with officers to achieve improvement against identified key challenges.

**Reason for Decision:** To be informed of performance against key measures and to identify and assign corrective action where necessary.

**Alternative Options Considered and Rejected:** None.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted:** None.

#### **166. Shared Services Developments**

**RESOLVED:** That

- (1) the opportunities which a closer relationship with Buckinghamshire County Council might offer be welcomed;
- (2) the Corporate Director of Resources, following consultation with Portfolio Holders for Performance, Corporate Resources and Policy Development and Finance and Major Contracts, be authorised to execute agreements with Buckinghamshire County Council to give effect to the initiatives detailed in the report.

**Reason for Decision:** To enable Harrow to enjoy the extra capacity and resilience which the initiatives could deliver.

**Alternative Options Considered and Rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.**

(Note: The meeting, having commenced at 6.30 pm, closed at 8.28 pm).

Proper Officer

Publication of decisions:	<b>20 March 2015</b>
Deadline for Call-in:	<b>5.00 pm on 27 March 2015</b> <b>(Please note that Call-in does not apply to all decisions).</b> To call-in a decision please contact: Una Sullivan on 020 8424 1785 or email: <a href="mailto:una.sullivan@harrow.gov.uk">una.sullivan@harrow.gov.uk</a> Vishal Seegoolam on 020 8424 1883 or email: <a href="mailto:vishal.seegoolam@harrow.gov.uk">vishal.seegoolam@harrow.gov.uk</a> Alison Atherton on 020 8424 1266 or email: <a href="mailto:alison.atherton@harrow.gov.uk">alison.atherton@harrow.gov.uk</a>
Decisions may be implemented if not Called-in on:	<b>28 March 2015</b>