

COUNCIL MINUTES

13 NOVEMBER 2014

- Present:**
- * Councillor Ajay Maru (The Worshipful the Mayor)
 - * Councillor Krishna Suresh (The Deputy Mayor)
- Councillors:**
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| <ul style="list-style-type: none"> * Ghazanfar Ali * Richard Almond * Mrs Chika Amadi * Jeff Anderson * Sue Anderson * Marilyn Ashton * Mrs Camilla Bath * June Baxter * Christine Bednell * James Bond * Michael Borio * Simon Brown * Kam Chana * Ramji Chauhan * Bob Currie * Niraj Dattani * Margaret Davine * Jo Dooley * Keith Ferry * Ms Pamela Fitzpatrick * Stephen Greek * Mitzi Green * Susan Hall * Glen Hearnden * Graham Henson * John Hinkley * Ameet Jogia * Manjibhai Kara * Barry Kendler * Jean Lammiman * Barry Macleod-Cullinane | <ul style="list-style-type: none"> * Kairul Kareema Marikar * Jerry Miles † Mrs Vina Mithani * Amir Moshenson * Chris Mote * Janet Mote * Christopher Noyce * Phillip O'Dell * Paul Osborn * Nitin Parekh * Ms Mina Parmar * Varsha Parmar † Primesh Patel * Pritesh Patel * David Perry * Kanti Rabadia * Kiran Ramchandani * Mrs Christine Robson * Lynda Seymour * Aneka Shah * Mrs Rekha Shah * Sachin Shah * Norman Stevenson * Sasi Suresh * Adam Swersky * Bharat Thakker * Antonio Weiss * Georgia Weston * Anne Whitehead * Stephen Wright |
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- * Denotes Member present
- † Denotes apologies received

PRAYERS

The meeting opened with Prayers offered by His Grace Srutidharma Das.

34. THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014

RESOLVED: That Council Procedure Rule 26 to be suspended to enable the recording or photographing or broadcasting of any part of the meeting.

35. COUNCIL MINUTES

RESOLVED: That the minutes of the Extraordinary meeting and Ordinary meeting held on 24 July 2014, be taken as read and signed as correct records.

36. DECLARATIONS OF INTEREST

The Mayor invited appropriate declarations of interest.

Item 12 – London Pensions Collective Investment Vehicle

Councillor Barry Macleod-Cullinane declared a non-pecuniary interest in that he was an employee of London Councils Limited.

Item 21 – Motions – Northwick Park Hospital

Councillors Chris Mote and Janet Mote declared non-pecuniary interests in that their daughter was a nurse at Northwick Park Hospital.

Item 20 – Questions with Notice

Councillors James Bond and Georgia Weston declared non-pecuniary interests in that they were members of the Friends of Pinner Park Farm.

37. MAYOR'S ANNOUNCEMENTS

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

38. PROCEDURAL MOTIONS

RESOLVED: That

- (1) the tabled amendment in respect of item 13 – Approval of an updated set of Financial Regulations be dealt with at the item concerned;

- (2) **the tabled amendments in respect of item 21 – Motions (1) and (2) be dealt with at the items concerned;**
- (3) **in accordance with Council Procedure Rule 15.1.1, Paragraph 6.1 of the Council’s Petition Scheme be suspended to allow for a 20 minute debate on item 7 – Petition – Harrow Arts Centre.**

39. PETITIONS

The Mayor announced that two petitions in relation to the Harrow Arts Centre had been received and would be considered at item 7 on the agenda.

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

- (i) Petition submitted by Councillor Stephen Greek containing 136 signatures stating “We the undersigned, petition Harrow Borough Council to maintain the current levels of service provided by the Children’s Centres. These are key to supporting children’s development across the borough. Failing to maintain this service will have a long term impact on individual children and their families. The loss of this service will also have long term financial implication for Harrow Council. We think that this should be prioritised at the expense of other areas of the council’s budget, outside of Children’s Services.”

[The Petition stood referred to the Portfolio Holder for Children, Schools and Young People].

- (ii) Petition submitted by Councillor Chris Noyce containing 18 signatures of residents of West Avenue, Pinner stating “We the undersigned residents of West Avenue, (north end) Pinner, request that Harrow Council implement parking controls in our street. Recently, due to controlled parking in the adjacent avenues, West Avenue is becoming congested with commuters parking to avoid station car park costs and on occasions passengers for Heathrow have left vehicles for extended periods of time (up to six weeks). Inconsiderate parking has resulted in disruption to council refuse collection and the inability for verge cleaning and grass cutting to be carried out. There is also a high possibility of reduced or no access for emergency vehicles to parts of the street. It is often very difficult for residents to gain access to their own driveways as parked cars obstruct access. As a result of the above points, we ask that you consider implementing controlled parking in our street”.

[The Petition stood referred to the Portfolio Holder for Environment, Crime and Community Safety].

40. PUBLIC QUESTIONS

To note that no public questions had been received.

41. PETITION - HARROW ARTS CENTRE

In accordance with Council's Petition Scheme, Council received two petitions containing over 2,000 signatures as follows

- (i) Petition submitted by the Hatch End Association containing approximately 6,000 signatures stating "We the undersigned wish to object in the strongest terms to any plans that Harrow Council may put forward to close the Arts Centre in Hatch End. We call upon Harrow Council to retain the existing Arts Centre as a centre of excellence for delivering the Arts, Education, Sport & Leisure to all the residents of Harrow."
- (ii) Petition submitted by U3A containing approximately 5,300 signatures stating "We, the undersigned, are deeply concerned by the proposal from Harrow Council's administration to close Harrow Arts Centre. The Arts Centre is a vital part of Harrow's community; as a venue for performances all year, a hub for tuition and training in the arts, and a meeting place for many local groups and voluntary organisations. Petition Harrow administration against closing the Arts Centre – Harrow's cultural asset."
- (iii) Debate was held on the content of the petitions.

RESOLVED: That the petitions be referred to the Overview and Scrutiny Committee for consideration.

42. LEADER AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

- (i) The Leader of the Council, Councillor David Perry, introduced the item highlighting the achievements, challenges and proposals since the last ordinary meeting;
- (ii) Other Members of the Council spoke and/ or asked questions of the Leader of the Council which were duly responded to.

43. APPOINTMENT OF CHIEF EXECUTIVE (HEAD OF PAID SERVICE)

RESOLVED: That Mr Michael Lockwood, Director of Policy and Finance, Local Government Association, be appointed to the post of Chief Executive (Head of Paid Service) of the London Borough of Harrow, with effect from a date to be determined and in accordance with the terms and conditions governing Chief Officer posts.

Roll call Vote (In Favour of the Motion): Councillors Ali, Amadi, Jeff Anderson, Sue Anderson, Borio, Brown, Currie, Dattani, Davine, Dooley, Ferry, Fitzpatrick, Green, Hearnden, Henson, Kendler, Marikar, Miles, Noyce, O'Dell, Parekh, Parmar, Perry, Ramchandani, Robson, Aneka Shah, Mrs

Rekha Shah, Sachin Shah, Sasikala Suresh, Krishna Suresh, Swersky, Weiss and Whitehead.

Against the Motion: Councillors Almond, Ashton, Mrs Bath, Baxter, Bednell, Chana, Chauhan, Greek, Hall, Hinkley, Jogia, Kara, Lammiman, Macleod-Cullinane, Moshenson, Chris Mote, Janet Mote, Osborn, Parmar, Pritesh Patel, Rabadia, Seymour, Stevenson, Thakker and Wright.

Abstain: The Worshipful The Mayor Councillor Ajay Maru, Councillor Georgia Weston.

44. AMENDMENTS TO THE COUNCIL'S PAY POLICY STATEMENT 2014/15

RESOLVED: That the revised Pay Policy Statement 2014/15 be agreed for publication on the Council's website.

45. PENSION BOARD - DRAFT TERMS OF REFERENCE

RESOLVED: That

- (1) the terms of reference of the Pension Board be agreed;
- (2) authority be delegated to the Director of Finance and Assurance, following consultation with the Portfolio Holder for Finance and Major Contracts, to make any changes to the terms of reference required following the latest Department for Communities and Local Government consultation;
- (3) authority be delegated to the Director of Legal and Governance Services, following consultation with the Portfolio Holder for Finance and Major Contracts, to make any consequential amendments to the Constitution if changes are made to the terms of reference as a result of the Department for Communities and Local Government's current consultation exercise.

46. LONDON PENSIONS COLLECTIVE INVESTMENT VEHICLE

RESOLVED: That the Council

- (1) become a shareholder in a private company limited by shares which will be incorporated to be the Authorised Contractual Scheme Operator (the "ACS Operator") of the Collective Investment Vehicle;
- (2) contribute £1 to the ACS Operator as initial capital;
- (3) delegate to the Chairman of the Pension Fund Committee authority to act for the Council in exercising its rights as a shareholder of the ACS Operator and to authorise the Vice

Chairman of the Pension Fund Committee to act in his absence and;

- (4) agree to join the London Boroughs' "Pensions CIV Joint Committee" to be formed under Section 102 of the Local Government Act 1972 and to delegate to such Joint Committee those functions necessary for the proper functioning of the ACS Operator, including the effective oversight of the ACS Operator and the appointment of Directors.**

47. APPROVAL OF AN UPDATED SET OF FINANCIAL REGULATIONS

RESOLVED: That

- (1) the revised Financial Regulations, as detailed at Appendix 2 of the report be agreed, in place of the existing Financial Procedure rules in the Constitution;**
- (2) the Constitution be amended to allow for Cabinet to make additions to the Capital Programme as outlined in paragraph 4.8 of the report.**

48. REVISION OF THE CONTRACT PROCEDURE RULES

RESOLVED: That the revised Contract Procedure Rules be agreed and adopted.

49. LOAN TO HB PUBLIC LAW LTD

RESOLVED: That

- (1) HBPL be added to the counter party list;**
- (2) the limit of over 24 months investment be increased from £10m to £10.5m;**
- (3) the Loan of £100,000 to the HB Public Law Ltd be approved.**

50. ADDITION TO CAPITAL PROGRAMME OF EXPENDITURE FUNDED BY GRANT RECEIVED BY THE COUNCIL TO DELIVER INSULATION WORKS IN PRIVATE HOMES UNDER THE TERMS OF THE GREEN DEAL COMMUNITIES FUND

RESOLVED: That the expenditure of £1, 357,100 capital grant funding on energy efficiency improvements in private homes as approved by Cabinet on 10 April 2014 be added to the Capital Programme for 2014-15.

51. COMMUNITY SAFETY PLAN

RESOLVED: That the Community Safety Plan be adopted.

52. HARROW YOUTH OFFENDING PARTNERSHIP YOUTH JUSTICE PLAN 2014-15

RESOLVED: That the Harrow Youth Offending Partnership Youth Justice Plan 2014-15 be approved.

53. RECOMMENDED CONSTITUTIONAL CHANGES

RESOLVED: That the proposed constitutional changes outlined in the report be approved and adopted and added to the Constitution where appropriate.

54. QUESTIONS WITH NOTICE

Councillor questions as were received were responded to and any recording placed on the Council's website. Those questions not reached would be responded to in writing and placed on the Council's website.

55. MOTIONS

RESOLVED: That the Motion at (i) below be adopted.

(i) "Northwick Park

This council notes:

- Northwick Park's A & E department has been put under pressure with the closure of Central Middlesex and Hammersmith A & E's, and it has been reported that Northwick Park Hospital was short of 100 beds.
- Northwick Park Hospital provides vital support for the local community and serves our residents across Harrow.
- This is a time of change and opportunity for healthcare in North West London with the recent announcement that Ealing and Harrow NHS trusts have merged to become London North West Healthcare NHS Trust.
- Harrows' CCG funding allocation is disproportionately low compared to other CCG's in London. Moreover, Harrow CCG is expected to have a programme of cost reductions at comparable

levels to CCGs in surplus which further exacerbates these financial inequalities.

- Harrow faces serious health challenges in the near future with winter coming and rates of diabetes in the Borough far exceeding that of the national average.
- The Conservative Government reforms to the NHS have been damaging to the local health service, and led to an increase of waiting times at Northwick Park Hospital.
- The weekday closure of the hugely popular Alexandra Avenue polyclinic is a further major cause of the big rise in A and E admissions.

This council believes:

- That the closures of Hammersmith and Central Middlesex A & E departments have directly led to the current pressures on Northwick Park services.
- Harrow's CCG should receive fair funding relative to other CCGs in London.
- Northwick Park is a valuable resource to Harrow and should be protected and supported whenever possible.
- Members will take every opportunity to promote fairer funding for Harrow CCG.

This council resolves:

- To campaign for more CCG funding for Harrow in NHS England's 'Fundamental Review' of CCG allocations.
- That the Head of Paid Service write to Government ministers and NHS England, articulating the disproportionately low funding of Harrows' CCG, and demanding a fairer settlement.
- That the Head of Paid Service write to local MPs and Assembly Members to support Northwick Park Hospital in its role as a community asset and in light of its importance to local residents.
- That we will do all we can to support Northwick Park, as its role as a valuable community asset and in light of its importance to local residents."

RESOLVED: That the Motion at (ii) below be adopted

(ii) "Fairer Grants

This council notes:

- That Harrow Council has to make savings of £75m over the next four years due to cuts being imposed by Conservative Government. This is the equivalent of £850 per household in the Borough.
- Relative to neighbouring Boroughs in North West London Harrow receives a disproportionately small grant; we receive £1,608 per resident whereas neighbouring Brent gets £3,317 - if we got the same as Brent we would be £420m per year better off. We also receive four fifths of the funding allocated to Hillingdon.
- Despite these cuts coming from a Conservative government the opposition has made no attempt to use their influence within their own government to speak up for Harrow, and protect our residents from these cuts.

This council believes

- The unprecedented scale of the £75m of cuts will put enormous pressures on our services and could mean we are unable to fulfil our statutory duties.
- Harrow Council should receive a fair funding from the Conservative Government.
- The Local Conservatives are irresponsible in their failure to lobby their own ministers to get a fairer deal for Harrow.
- The Local Conservatives criticism of the options laid out in the 'Take Part budget' consultation is completely hollow without an admission that is their Conservative government's failure to properly support Harrow Council, in addition to the £75m of cuts being imposed on Harrow, that is leading to these cuts.

This council resolves

- Harrow Council condemns the £75m of cuts imposed by the Conservative Government on Harrow Council and our residents.
- To campaign for a fairer funding grant for Harrow Council from Central government.
- Harrow Council will continue to be open and honest about the scale of the cuts and the damage they could do to our local communities."

RESOLVED: That the Motion at (iii) below be adopted.

(iii) "Councils against Tax Dodging

The council notes:

- It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose
 - three times more to tax dodging than they receive in aid each year – enough to give a basic education to the 57 million children currently missing out.
- The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.
- The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.
- Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.

This council believes:

- As a local authority we have a duty to provide the best possible public services.
- Our ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
- All who benefit from public spending should contribute their fair share.
- The UK must take a lead role in creating a fairer tax system and combating tax dodging.

This council resolves:

- To support the campaign for tax justice, supporting the motion:

“While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies, in developing countries and the UK.”

56. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE - COUNCIL

RESOLVED: That the report be noted.

57. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE BY PORTFOLIO HOLDERS, LEADER AND DEPUTY LEADER, AND THE USE OF SPECIAL PROCEDURE

RESOLVED: That the report be noted.

58. TERMINATION OF MEETING

- (i) At 10.28 pm, in the course of Item 20 (Questions With Notice), a Member moved a proposal that the closure of time for the Council meeting be extended until the conclusion of business on the Summons. Upon a vote, this proposal was not agreed.
- (ii) At 10.30 pm, in the course of the consideration of Item 20 (Questions With Notice), the Mayor advised that the 'guillotine' procedure had come into operation for the determination of the remaining business on the Summons and was applied to Items 20 (Questions With Notice), 21(1) (Motion: Northwick Park Hospital, 21(2) (Motion: Fairer Grants), 21(3) (Motion: Councils against Tax Dodging, 22 (Decisions Taken Under the Urgency Procedure - Council) and 23 (Decisions taken under the Urgency Procedure by Portfolio Holders, Leader and Deputy Leader, and the use of Special Urgency Procedure).

RESOLVED: That the provisions of Rules 9.2 and 9.3 be applied as set out at (i) and (ii) above.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 10.32 pm).