

Council (Council Tax) SUMMONS AND AGENDA

DATE: Thursday 26 February 2015

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: [18 February 2015]

PRAYERS

His Grace Srutidharma Das, Mayor's Chaplain, will open the meeting with Prayers.

1. COUNCIL MINUTES (Pages 9 - 24)

That the minutes of the meeting held on 13 November 2014 and of the Extraordinary meeting held on 22 January 2015 be taken as read and signed as correct records.

2. DECLARATIONS OF INTEREST

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

3. 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.

4. PETITIONS

To receive any petitions to be presented:

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

5. 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 3.00 pm two clear working days prior to the day of this Meeting. Any such questions received will be tabled.

6. PETITIONS (Pages 25 - 30)

In accordance with the Council's Petition Scheme, a petition containing more than 2,000 signatures will be considered/ debated by full Council. The following Petitions meet the threshold of signatures needed to engender a Council debate.

A representative of the petitioners will read the terms of the petition on behalf of the petition signatories. There is a period of one minute allocated to present. A period of ten minutes is permitted for Members to debate the Petition terms and issues.

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

(a.) FUNDING TO THE VOLUNTARY SECTOR

A petition containing over 2,000 signatures has been received from MIND in Harrow in relation to funding to the voluntary sector and has the following terms:

“Please do not cut funding for Age Concern, Citizens’ Advice Bureau, MIND in Harrow, Harrow Association for the Disabled & other voluntary organisations.”

(b.) SAVE THE BOB LAWRENCE LIBRARY

A petition containing over 2,000 signatures has been received and has the following terms:

“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.”

An Open letter from the Bob Lawrence Library Campaign Team and a petition from children attending Stag Lane Junior School had also been received by Cabinet and referred to Council for consideration alongside the aforementioned petition.

(c.) RAYNERS LANE LIBRARY CLOSURE

A petition containing over 2,000 signatures has been received from students of Nower Hill School and residents and has the following terms:

“We, the undersigned, deplore the proposed closure of Harrow Libraries, particularly that of Rayners Lane, which serves a densely populated area with very few facilities. This Library does excellent work with students and pre-school children and serves as a hub for its diverse community. The loss of this resource would be destructive to the life of the area.”

(d.) SAVE OUR LIBRARY - NORTH HARROW LIBRARY

A petition containing over 2,000 signatures has been received and has the following terms:

“We, the undersigned, ask Harrow Council to reconsider the proposal to close North Harrow Library. Closure will have a serious detrimental effect on the local community. It will also lead to a further decline of the North Harrow Town Centre.”

(e.) BROWN BIN 'GARDEN TAX'

A petition containing over 2,000 signatures has been received and has the following terms:

“Harrow Council’s Labour administration recently announced, as part of their budget proposals, that residents could face a £75 charge for the collection of their brown waste bins. The bins, which are currently used for garden and food waste, would change to being for garden waste only – and would be

collected once a fortnight for a £75 per year fee. We believe this proposal is an unreasonable 'garden tax' on Harrow residents, who already pay the third highest council tax in London, and who should reasonably expect waste collection to be included in their bills. The proposal is also unfair on low income households, and will likely have a disproportionate impact on elderly and disabled residents.

We the undersigned therefore petition the administration/Council to drop their plans for a £75 brown bin charge.”

7. LEADER AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

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

8. CORPORATE PLAN 2015-2019 (To Follow)

Recommendation I : Overview and Scrutiny Committee
(24 February 2015)

Recommendation II: Cabinet
(19 February 2015)

9. FINAL REVENUE BUDGET 2015/16 AND MEDIUM TERM FINANCIAL STRATEGY 2015/16 TO 2018/19 (To Follow)

Recommendation I : Cabinet
(19 February 2015)

10. TREASURY MANAGEMENT STRATEGY STATEMENT INCLUDING PRUDENTIAL INDICATORS, MINIMUM REVENUE PROVISION POLICY STATEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2015/16 (To Follow)

Recommendation I : Cabinet
(19 February 2015)

11. CAPITAL PROGRAMME 2015/16 TO 2018/19 (To Follow)

Recommendation I : Cabinet
(19 February 2015)

12. HOUSING REVENUE ACCOUNT BUDGET 2015/16 AND MEDIUM TERM FINANCIAL STRATEGY 2016/17 TO 2018/19 (To Follow)

Recommendation I : Cabinet
(19 February 2015)

13. STANDARDS COMPLAINTS PROCEDURE (Pages 31 - 46)

Recommendation I: Governance, Audit, Risk Management and Standards Committee
(26 January 2015)

14. PETITION SCHEME (Pages 47 - 60)

Report of the Director of Legal and Governance Services

15. 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.

16. MOTIONS

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

(1) **E-Cigarettes Motion**

To be moved by Councillor Adam Swersky and seconded by Councillor Anne Whitehead:

“Harrow Council moves to tackle the explosion of e-cigarette usage across the Borough.

E-cigarettes are a promising and effective tool to help smokers quit. However, they are also a highly addictive nicotine-based product, with a range of chemicals whose impact on “vapers” has not yet been properly researched.

E-cigarettes, which have been prominently advertised in St Ann’s Shopping centre and will soon be promoted on TV screens nationwide, have risen dramatically in popularity recently, with 2.1 million users in the UK alone. This equates to over 7,000 users in Harrow. Sales of e-cigarettes quadrupled in 2013, an exponential rate of growth for a product that is as addictive as heroin or cocaine.

This Council congratulates the efforts of Transport for

London to extend its ban of smoking to e-cigarettes, and welcomes the cautionary approach taken by cities such as New York. This is in line with the WHO's recommendations to ban e-cigarette smoking in public places and in work places.

To avoid a new generation of young people in Harrow becoming hooked on nicotine, this Council resolves to take action against the proliferation of e-cigarettes for uses other than to stop smoking.

To this end, we call on the Director of Public Health and other Council officers to:

- Robustly enforce the ban on sales of e-cigarettes to under-18 year olds
- Remove any advertising of e-cigarettes on Harrow Council property and include a ban on e-cigarette advertising in the Council's policy on acceptable advertising, with the exception of adverts providing information on appropriate use at points of sale

Take all appropriate steps to discourage the use of e-cigarettes for any purpose aside from to quit smoking tobacco. Smoking prevention campaigns, particularly those targeted at children and young people should include warnings about the addictive properties of e-cigarettes and the significant unknown health risks."

17. DECISIONS TAKEN UNDER URGENCY PROCEDURE BY PORTFOLIO HOLDERS, LEADER AND DEPUTY LEADER, AND USE OF SPECIAL URGENCY PROCEDURE (Pages 61 - 66)

Report of the Director of Legal and Governance Services

18. EXCLUSION OF PRESS AND PUBLIC

To resolve that the press and public be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of confidential information in breach of an obligation of confidence, or of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Title</u>	<u>Description of Exempt Information</u>
26.	Information Report – Remuneration Packages and Severance Payments of £100,000 or Greater	Information under paragraphs 1 and 3 (contains information relating to any individuals and the financial or business affairs of any particular person, including the Authority holding that information).

19. INFORMATION REPORT - REMUNERATION PACKAGES AND SEVERANCE PAYMENTS OF £100,000 OR GREATER (To Follow)

Report of the Divisional Director of Human Resources, Development and Shared Services.

Data Protection Act Notice

The Council will audio record items 5 and 15 (Questions with Notice) and will place the audio recording on the Council's website, which will be accessible to all.

[Note: The questions and answers will not be reproduced in the minutes.]

COUNCIL MINUTES

13 NOVEMBER 2014

- Present:**
- * Councillor Ajay Maru (The Worshipful the Mayor)
 - * Councillor Krishna Suresh (The Deputy Mayor)
- Councillors:**
- | | |
|--|---|
| <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).

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COUNCIL EXTRAORDINARY MINUTES

22 JANUARY 2015

- Present:**
- * Councillor Ajay Maru (The Worshipful the Mayor)
 - * Councillor Krishna Suresh (The Deputy Mayor)
- Councillors:**
- | | |
|--|---|
| <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.

59. DECLARATIONS OF INTEREST

The Mayor invited appropriate declarations of interest.

Item 2 – Review of the feedback on the Council Tax Support Scheme (CTS) consultation and consideration to retain existing scheme for 2015/16 and beyond

Councillor Richard Almond declared an interest as he was appointed to the Citizens' Advice Bureau.

Councillor Chika Amadi declared an interest in that she had been a member of the scrutiny challenge panel.

Councillor Josephine Dooley declared an interest in that she had been a member of the scrutiny challenge panel.

Councillor Pamela Fitzpatrick declared an interest in that she was a Director of Harrow Law Centre and had been a member of the scrutiny challenge panel.

Councillor Ameet Jogia declared an interest in that a family member was in receipt of Council Tax Benefit.

Councillor Barry Macleod-Cullinane declared non-pecuniary interests in that he had chaired the scrutiny challenge panel and worked for the Citizens' Advice Bureau.

Councillor Chris Mote declared an interest in that his brother was in receipt of the Disability Living Allowance and Council Tax Benefit.

Councillor Janet Mote declared an interest in that her brother-in-law was in receipt of the Disability Living Allowance and Council Tax Benefit.

Councillor Lynda Seymour declared an interest in that a family member was in receipt of Council Tax Benefit.

Councillor Krishna Suresh declared an interest in that his mother was in receipt of Council Tax Benefit.

Councillor Adam Swersky declared an interest as he was appointed to the Citizens' Advice Bureau.

60. REVIEW OF THE FEEDBACK ON THE COUNCIL TAX SUPPORT SCHEME (CTS) CONSULTATION AND CONSIDERATION TO RETAIN EXISTING SCHEME FOR 2015/16 AND BEYOND

RESOLVED: That the current Council Tax Support Scheme continue in 2015/16 and in following years, unless and until a decision was taken to replace or alter the scheme at annual review.

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, O'Dell, Parekh, Varsha Parmar, Primesh Patel, Perry, Ramchandani, Robson, 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, Mithani, Moshenson, Chris Mote, Janet Mote, Noyce, Osborn, Mina Parmar, Pritesh Patel, Rabadia, Stevenson, Thakker and Wright.

61. ROBERT DEANS

Members expressed their gratitude and paid tribute to Robert Deans, Macebearer and Chauffeur, for his work and support during his many years of service with the Council. Members stood in appreciation.

62. PAUL NAJSAREK

Members expressed their thanks to Paul Najsarek, Interim Head of Paid Service, for his work and commitment during the previous twelve months.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 7.54 pm).

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COUNCIL
26 FEBRUARY 2015

CABINET MINUTE EXTRACTS
PETITIONS

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CABINET

11 DECEMBER 2014

Record of decisions taken at the meeting held on Thursday 11 December 2014.

74. Petitions

RESOLVED: To note that

- (1) petition (a) below be received and considered with the report on 'Draft Revenue Budget 2015/16 and Medium Term Financial Strategy 2015/16 to 2018/19' at item 14 on the agenda;
- (2) in relation to petition (a) below, in accordance with the Petition Scheme, the petition, once validated, would be referred to Council;
 - (a) **Petition: Funding to the Voluntary Sector** – Jaqueline Hooper, MIND in Harrow, presented a petition signed by 2,097 people with the following terms:

“Please do not cut funding for Age Concern, Citizens’ Advice Bureau, MIND in Harrow, Harrow Association for the Disabled & other voluntary organisations.”

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CABINET

15 JANUARY 2015

MINUTE EXTRACT

97. Petitions

(1) **Petition: Save the Bob Lawrence Library**

Mr Anuj Chitroda, presented a petition signed by some 5,000 people with the following terms:

“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.”

RESOLVED: That the petition be received and, once validated, be referred to Council.

(2) **Petition: Rayners Lane Library Closure**

Councillors Chris Noyce and Krishna Suresh presented a petition signed by 734 students of Nower Hill School as well as 1,555 adults with the following terms:

“We, the undersigned, deplore the proposed closure of Harrow Libraries, particularly that of Rayners Lane, which serves a densely populated area with very few facilities. This Library does excellent work with students and pre-school children and serves as a hub for its diverse community. The loss of this resource would be destructive to the life of the area.”

RESOLVED: That the petition be received and, once validated, be referred to Council.

(3) **Petition: Save Our Library – North Harrow Library**

Mr Kamal Shah presented a petition signed by 2,797 people with the following terms:

“We, the undersigned, ask Harrow Council to reconsider the proposal to close North Harrow Library. Closure will have a serious detrimental effect on the local community. It will also lead to a further decline of the North Harrow Town Centre.”

RESOLVED: That the petition be received and, once validated, be referred to Council.

(4) Bob Lawrence Library – Petition Against Closure

Angela Hook presented an ‘Open Letter’ from the Bob Lawrence Library Campaign Team, signed by 24 people representing schools, community and charity organisations, authors and elected community leaders, outlining the community values of the Library by making specific reference to educational values and its provision as a Community Centre and Social Hub.

RESOLVED: That the ‘Open Letter’ be received and assimilated with the petition at (1) above which was being referred to Council.

(5) Save Bob Lawrence Library – Safe Learning Zone

On behalf of the children of Stag Lane Junior School, Nikhil Dev, a Year 2 pupil, presented a petition consisting of 140 letters in the form of drawings, including posters, explaining why the Bob Lawrence Library should be saved and kept open, including the learning values that the library provided.

RESOLVED: That the petition be received and be received and assimilated with the petition at (1) above which was being referred to Council.

COUNCIL
26 FEBRUARY 2015

**GOVERNANCE, AUDIT, RISK MANAGEMENT
AND STANDARDS COMMITTEE
RECOMMENDATION
(29 JANUARY 2015)**

RECOMMENDATION I

STANDARDS COMPLAINTS PROCEDURE

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GOVERNANCE, AUDIT, RISK MANAGEMENT AND STANDARDS COMMITTEE MINUTES

29 JANUARY 2015

Chair: * Councillor Antonio Weiss

Councillors: * Barry Macleod-Cullinane * Nitin Parekh
* Kairul Kareema Marikar (3) * Primesh Patel
* Amir Moshenson * Bharat Thakker

* Denotes Member present
(3) Denotes category of Reserve Member

41. Standards Complaints Procedure

The Committee considered a report which set out proposals to revise the procedure relating to complaints against Councillors.

The Head of Legal Services presented the report and made the following points:

- the Council had a statutory obligation to have a Code of Conduct for Councillors and a procedure for dealing with complaints against Councillors;
- as part of the proposal looking at achieving efficiencies for Committee and its processes, it had been proposed to streamline the complaints process against Councillors;

- the new proposals involved a strengthening of the filter processes by extending the power to rule out complaints which were frivolous and which were more than 6 months old;
- the Assessment and Hearing Working Groups and the Assessment and Hearing Review Sub-Committees would be abolished and replaced by a Standards Working Group which would make recommendations to the Monitoring Officer. The Standards Working Group would retain an Independent Person as its Chair;
- where there was a disagreement between the recommendations from the Standards Working Group and the Monitoring Officer following a local hearing, this would be referred to the Committee for determination;
- the Independent Persons of the Committee had been consulted on the proposals and were in agreement with them.

During the discussion on this item, the Head of Legal Services responded to a number of issues raised and reported the following:

- the punctuation correction would be made;
- the term 'Political Group' would be clarified within the proposed model procedure;
- there were very few sanctions available to the Standards Working Group if a Member was found to have breached the Code of Conduct;
- it was a local decision as to whether local hearings were conducted in public or not. Under the previous legislative regime, the presumption was that these meetings were held in public;
- if Independent Persons were to be retained as chairing meetings to deal with complaints, these had to be in a format of working groups. Independent Persons were not able to make formal decisions under the current legislation. This is why in order to retain this structure, the Monitoring Officer made formal decisions having considered the recommendations of the Working Group. It was important to note that under the current system, the Monitoring Officer had not yet disagreed with recommendations from the Assessment and Hearing Working Groups;
- there was no objection if the Committee wished for a report to be presented back to it in circumstances where the Monitoring Officer disagreed with recommendations made by the Standards Working Group;
- the terms of reference for the Standards Working Group would be presented to a future meeting of the Committee;

- investigations into complaints were usually conducted by officers, but could also be performed by individuals external to the Council if appropriate.

A Member proposed that the report be deferred until the next meeting of the Committee to allow some of the changes requested to be made and for the Terms of Reference to be presented to the Committee. This was not agreed.

It was then proposed that the recommendations be delegated to the Chair and Vice-Chair for determination. The Head of Legal Services clarified that delegations could only be made to an Officer in consultation with the Chair. This proposal was not agreed.

Resolved to RECOMMEND: (to Full Council)

That

- (1) the new procedure for dealing with complaints against Councillors, as amended by the Committee and contained in Appendix 1 to these minutes be agreed;
- (2) a new Standards Working Group be established;
- (3) the Assessment Working Group and the Hearing Working Group be disbanded;
- (4) the Assessment Sub-Committee and Hearing Review Sub-Committee be disbanded;
- (5) the delegations to the Monitoring Officer, as contained in Appendix 2 to these minutes be agreed;
- (6) the Constitutional amendments contained in Appendix 2 to these minutes be agreed.

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Introduction

1. This note lets you know how to make a complaint that a member of Harrow Council has breached the Council's code of conduct.
2. The Code of Conduct can be found in the Council's constitution at <http://www.harrow.gov.uk/www2/documents/s117835/Part%205A%20Code%20of%20Conduct%20for%20Councillors.pdf>

How to make a complaint

3. Complaints must be made in writing. You can use the online form or send your complaint by post or email to:

The Monitoring Officer
Civic Centre
PO Box 2
Station Road
Harrow
HA12UH

Email: standards.monitoringofficer@harrow.gov.uk

4. You should specify what particular provision of the code of conduct you believe have been breached and the details of what happened.
5. If you want to keep your name and address confidential, please indicate this. There is a space provided for this purpose on the complaint form. If you choose to remain confidential we will not disclose your name and address to the member against whom you make the complaint, without your prior consent. However, please provide us with your name and contact details so we can acknowledge your complaint and keep you informed of progress.
6. The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.
7. The Monitoring Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of the progress of your complaint.
8. If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to refer the matter to the Police and other regulatory agencies.
9. If you are willing for your complaint to be dealt with by way of mediation then this option will be given to you if the Monitoring Officer feels that this is appropriate.

The Independent Person

10. This note refers to the Independent Person. This is someone appointed by, but independent of, the Council whose role is to carry out certain functions in relation to

complaints against members. The Council is required by law to have at least one Independent Person.

Stage 1 - filtering

11. The Monitoring Officer in consultation with the Independent Person is able to filter out complaints that:

- do not fall within the code of conduct;
- are considered to be frivolous or vexatious;
- are about events which took place more than 6 months' prior to the receipt of the complaint by the Monitoring Officer, unless there are exceptional circumstances; and/ or
- do not merit further investigation on public interest grounds.

12. The public interest test referred to above involves taking into account factors including the seriousness of the complaint, the cost of investigating and hearing the complaint and the sanctions available.

13. The member complained about will be told about the complaint and asked for their comments in writing at this stage. The member also has a right to consult the Independent Person. You may also be asked for further information about your complaint.

Stage 2 – consideration by the Standards Working Group

14. If your complaint is not filtered out, it will be considered by the Standards Working Group (SWG). This is an advisory group each meeting of which will be made up of one member from each political group on the Council at the time and an Independent Person who will chair the meeting. Its role is to make recommendations to the Monitoring Officer. Meetings held at this stage will always be held in private.

15. The SWG will consider the complaint and make one of the following recommendations to the Monitoring Officer:

- that the matter should proceed no further either on the grounds that there is no breach of the Code or that it is not in the public interest to proceed; or
- That the matter cannot be determined on the facts available and should be investigated and come back before the SWG for further consideration; or
- That there is a breach of the Code of Conduct and that a sanction should or should not be applied. If it recommends that a sanction should be applied then it should specify the sanction (see paragraph 30 below).

16. The Monitoring Officer will consider the view of the SWG and will decide which of the options above should be followed. If he/she decides that an investigation should take place the matter will progress to stage 3.

Stage 3 - investigation

17. The Monitoring Officer will appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator.

18. The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see, and who the Investigating Officer needs to interview.
19. The Investigating Officer would normally also write to the member against whom you have complained and provide him/her with a copy of your complaint, and ask the member to provide his/her explanation of events, and to identify what documents s/he needs to see and who s/he needs to interview.
20. At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.
21. Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer.

Stage 4 – consideration of investigation report

22. The Monitoring Officer will put forward the investigation report to the SWG for consideration. The Group will decide whether to recommend to the Monitoring Officer that a local hearing should be held to consider whether it appears that there has been a breach of the Code of Conduct. Alternatively, the SWG may recommend, on the basis that there is no evidence of a failure to comply with the Code of Conduct, that the Monitoring Officer write to you and the member concerned, notifying you that s/he is satisfied that no further action is required, and give you both a copy of the Investigating Officer's final report.
23. The Monitoring Officer will consider the recommendation of the SWG and make a decision.

Stage 5 – Local Hearing by the Standards Working Group

24. At the start of the hearing, the SWG will decide whether or not the hearing should be heard in public with the presumption that it will be heard in public. It will consider whether it is in the public interest to do so.
25. The Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the SWG. The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the SWG as to why he/she considers that he/she did not fail to comply with the Code of Conduct.
26. The SWG, with the benefit of any advice from the Independent Person, will reach a view on whether the member did or did not fail to comply with the Code of Conduct. The Chair will inform the member of this finding and the SWG will then consider what views and findings of fact and recommendations it should make to the Monitoring Officer. If action is recommended, any such recommendations should be in line with the actions available to the Monitoring Officer (see paragraph 30 below).

27. If the Monitoring Officer disagrees with the recommendations he/she may refer the matter back to the SWG for further consideration, stating why he/she disagrees with their recommendations.
28. If, after further consideration by the SWG, the Monitoring Officer still disagrees with its recommendations he/she may make a decision or refer the matter to the Governance, Audit, Risk Management and Standards Committee (GARMSC) for decision.

Stage 6 – Referral to GARMSC

29. If the matter is referred to GARMSC for decision the matter will be considered on the basis of a report setting out the alternative positions of the Monitoring Officer and the Standards Working Group. No evidence will be heard.

What action can the Monitoring Officer or GARMSC take where a member has failed to comply with the Code of Conduct?

30. In the event of a finding that there is a breach of the Code the Monitoring Officer or GARMSC may:
 - Report the decision to the GARMSC (if the Monitoring Officer has made the decision) and then Council for information and place them on the Council's website;
 - Inform the Group Leader (or in the case of an independent member, Council) of a recommendation that a member be removed from any or all Committees or Sub-Committees, or outside body appointments;
 - Inform the Group Leader of any recommendations that the member be removed from the Cabinet, or removed from particular portfolio responsibilities;
 - Remove the member from outside body appointments;
 - Arrange training for the member or, if the decision is made by GARMSC, instruct the Monitoring Officer to do so;
 - Where the breach involves inappropriate use of facilities, withdraw such facilities provided to the member by the Council, such as a computer, website and/or email and internet access; or
 - Exclude the member from the Council's offices or other premises, with the exception of meeting rooms necessary for attending Council, Committee and Sub-Committee meetings; or
 - Censure the member for the breach, in which case the Monitoring Officer will write, (following a request from GARMSC if it has made the decision), to the Member and a press report will be issued.

What happens after the Monitoring Officer or GARMSC have made their decision?

31. As soon as reasonably practicable, the Monitoring Officer shall prepare a formal decision notice and send a copy to you, to the member, make that decision notice available for public inspection and report the decision to the next convenient meeting of the Council. This does not apply to decisions made by the Monitoring Officer to filter out a complaint.

Revision of these arrangements

32. The Council may by resolution agree to amend these arrangements.

Reports to GARMSC

33. If the Monitoring Officer makes a decision contrary to a recommendation of the Standards Working Group that matter should be reported to GARMSC at its next meeting.

Appeals

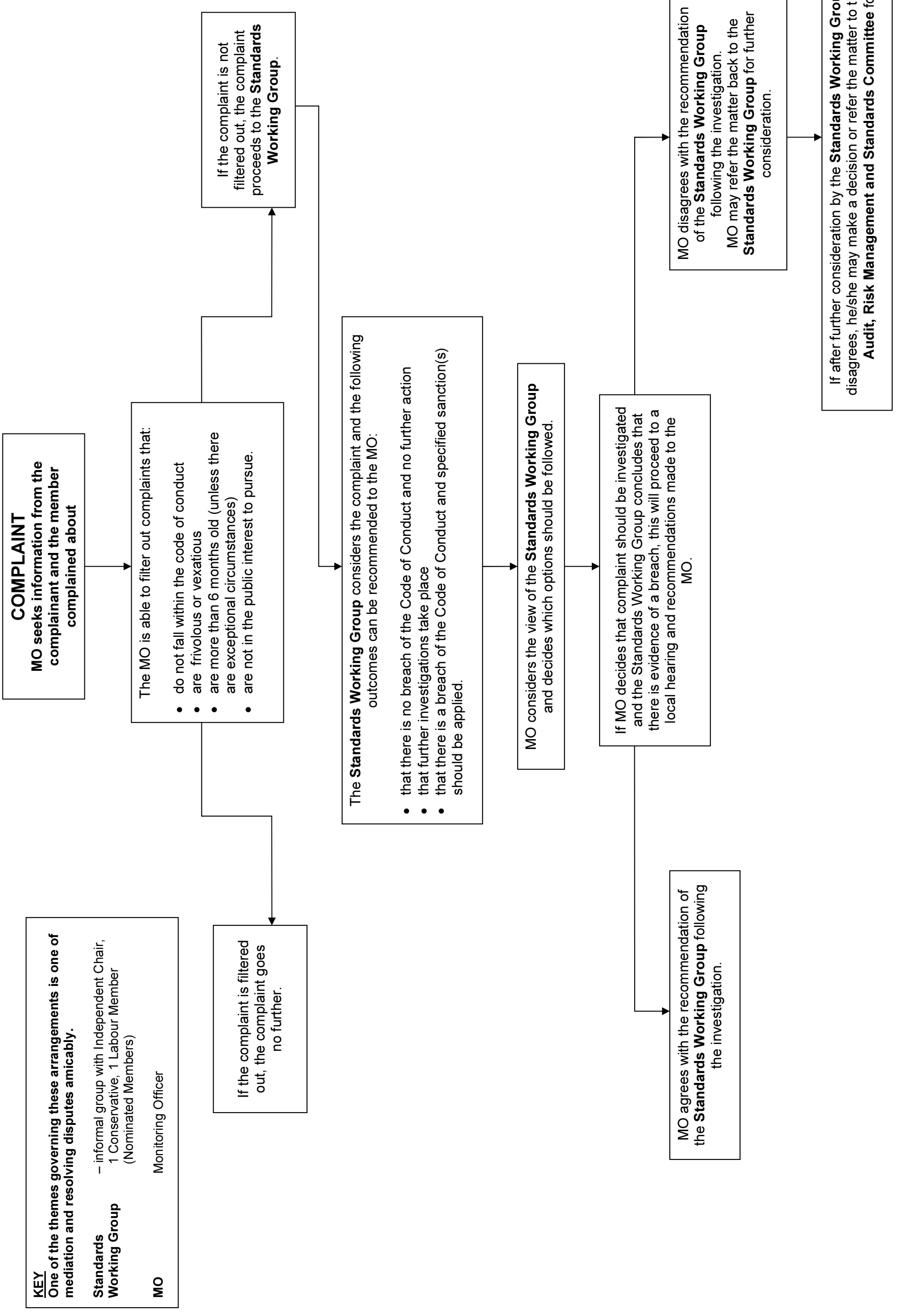
34. There is no right of appeal to the Council in respect of any decision made under this process. A complaint may be made to the Local Government Ombudsman, subject to him/her accepting jurisdiction.

Publication of the outcome of complaints

35. The Council maintains information about the outcome of complaints on its website unless the matter is sensitive and the Monitoring Officer therefore believes it should not be made public. The information published in this way in respect of each complaint is:

- a. The member complained about;
- b. The complainant (unless they have asked for their details to remain confidential);
- c. The brief nature of the complaint;
- d. The stage which the complaint finally reached; and
- e. Any sanction applied.

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KEY
One of the themes governing these arrangements is one of mediation and resolving disputes amicably.

Standards Working Group – informal group with Independent Chair, 1 Conservative, 1 Labour Member (Nominated Members)

MO Monitoring Officer

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- Proposed constitutional changes

Article 12, paragraph 12.03 - Functions of the Monitoring Officer

(c) Supporting the Governance Audit Risk Management and Standards Committee in respect of standards and advising on the Code of Conduct

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Governance Audit Risk Management and Standards Committee. He or she will also provide advice to Members of the Council and act as the proper officer to receive complaints of failure to comply with the Code of Conduct. He or she will also make decisions about complaints as set out in the delegations under Part 3B.

Part 3B – Delegations to Officers – Monitoring Officer, paragraph 7

Monitoring Officer	Statutory source of function
<p>7 Key role in framework for local determination of complaints namely to:</p> <p>a. Decide, in consultation with an Independent Person, whether to dismiss complaints that are outside the Code of Conduct, <u>are considered to be frivolous or vexatious, are about events which took place more than 6 months prior to the receipt of the complaint by the Monitoring Officer, unless there are exceptional circumstances and/or do not merit further investigation on public interest grounds.</u></p> <p>b. Decide, taking into account the <u>recommendations of the Standards Working Group following initial consideration of a complaint which of the following options should be pursued:</u></p> <ul style="list-style-type: none"> • <u>the complaint should be investigated.</u> • <u>the matter should proceed no further on the grounds that there is no breach of the Code or that it is not in the public interest to proceed</u> • <u>there has been a breach of the Code and that a particular sanction should be applied</u> • <u>That further information should be supplied to the Standards Working Group</u> <p>c. <u>Appoint an investigator to investigate allegations of misconduct of Members in</u></p>	<p>Sections 28 – 34 Localism Act 2011</p>

- Deleted:** and subject to their agreement
- Deleted:** or
- Deleted:** If agreement with the Independent Person cannot be reached, the decision shall not be taken by the Monitoring Officer but instead be referred to the Assessment Sub-Committee for decision.
- Deleted:** view
- Deleted:** Assessment
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- Deleted:** subject to agreement with its view
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- Deleted:** I

accordance with the Standards framework.

d. Decide, following consideration of an investigation report by the Standards Working Group and taking into account their recommendations, whether a hearing should be held by the Standards Working Group or whether no further action is required.

e. Decide, following a local hearing by the Standards Working Group and taking into account their recommendations, whether to take action against a member on the grounds that he or she has breached the Code of Conduct or to take no action.

f. If he or she feels it appropriate, refer a matter back to the Standards Working Group for further consideration where he or she disagrees with their recommendations following a local hearing

h. If he or she feels it appropriate, refer a matter to the Governance Audit Risk Management and Standards Committee for decision. This can be done where he or she disagrees with the recommendations of the Standards Working Group following a local hearing and further consideration as set out in f. above.

e. Advise Members, officers and the public on the operation of the Code and how alleged breaches should be investigated.

In exercising the delegations under a. ~~c.~~ b. and d. – e to seriously consider the view of the Independent Person or Standards Working Group as appropriate.

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Part 3A

1) Terms of Reference – Governance Audit Risk Management and Standards Committee

Add:

‘On referral from the Monitoring Officer, to decide whether to take action against a member for breach of the Code of Conduct and if so, to decide what action should be taken.’

2) Delete all references to Hearing Sub-Committee and Assessment Sub-Committee.

COUNCIL
26 FEBRUARY 2015

PETITION SCHEME

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REPORT FOR: **COUNCIL**

Date of Meeting: 26 February 2015

Subject: Petition Scheme

Responsible Officer: Hugh Peart
Director of Legal and Governance
Services

Exempt: No

Wards affected: None

Enclosures: Appendix 1 – Proposed Petition Scheme
Appendix 2 – Proposed changes to the
Constitution

Section 1 – Summary and Recommendations

This report sets out a proposal to amend and simplify the Council's Petition Scheme and to make minor amendments to the Constitution.

Recommendations:

That Council consider and decide whether to approve the proposed revised Petition Scheme and other constitutional changes.

Section 2 – Report

Background

The Petition Scheme is contained in Appendix A to the Council Procedure Rules. It was introduced in July 2010 and has now been reviewed.

The proposed scheme sets out the essential requirements for a petition and how they should be submitted. Petitions with over 2000 signatures are considered at a full Council meeting.

It is also proposed to make some minor amendments to the constitution as shown in Appendix 2.

Financial Implications

No additional financial resources are required.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

Equalities implications

Was an Equality Impact Assessment carried out? No

Council Priorities

The Council's vision:

Working Together to Make a Difference for Harrow

The Petition Scheme allows all those who live, work or study in the borough to set up and /or sign petitions on matters of concern to them.

Section 3 - Statutory Officer Clearance

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 13.02.15		
Name: Caroline Eccles	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 13.02.15		

Ward Councillors notified:	NO
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Section 4 - Contact Details and Background Papers

Contact: Caroline Eccles, Senior Lawyer – Employment and Governance, tel: 0208 424 7580

Background Papers: None.

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Priorities	YES

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London Borough of Harrow

Petition Scheme

1. Petitions

- 1.1 Harrow Council recognises that petitions can be a good way to highlight issues that people feel strongly about. A petition may be used by people who live, work or study in the borough to formally register a collective request or concern about the Council or its services. We will consider and respond to all petitions we receive.
- 1.2 We will treat as a petition anything that is identified as a petition or seems to us intended to be a petition.
- 1.3 Paper petitions can be sent to the address below for the attention of the relevant corporate director as follows:

Post	Functions and areas of responsibility
Corporate Director, Community Health and Wellbeing	Community Care, Mental Health, Health Partnerships, Adults and Elderly People, Housing and Libraries.
Corporate Director, Children and Families	Safeguarding & Family Support, Young People's Services, Special Needs and Education Support, Schools and Colleges
Corporate Director, Environment and Enterprise	Leisure & Cultural Services, Environment Services, Planning, Parking, Traffic, Parks and Open Spaces, Street Cleaning, Conservation, Licensing, Rubbish and Recycling.
Corporate Director, Resources	Finance, Access Harrow, Council Tax, Electoral Registration, Marriages and Civil Partnerships, Council and democracy.

Address:

Harrow Council
Civic Centre
Station Road
Harrow HA1 2XY

- 1.4 Alternatively, petitions may be presented at a meeting of the Council, Executive or a committee. Please follow <http://www.harrow.gov.uk/www2/ieListMeetings.aspx?CId=1092&Info=1&bcr=1> to the Council's Constitution which contains Procedure Rules for the Council, the Executive and the committees. These rules explain the procedure for

presenting petitions at meetings of the different bodies and what will happen to the petitions.

2. What must a petition include?

- 2.1 Petitions submitted to the Council **must** include
- a clear and concise statement covering the subject of the petition, including the action the petitioners wish to take; and
 - the names addresses and signatures of people who support the petition and who live, work or study in the Borough of Harrow. The address given must be a home, work or study address in the Borough.
- 2.2 Petitions should be accompanied by contact details, including an address and telephone number, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.
- 2.3 If a petition does not follow the guidelines set out above we may decide not to do anything further with it. In that case we will write to you to explain this.
- 2.4 In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss any revised timescale which will apply.

3. What will the Council do when it receives a petition?

- 3.1 The relevant department will send an acknowledgement to the petition organiser within 15 working days of receiving the petition. The acknowledgement will explain what will happen next and when they can expect to hear from the department again.
- 3.2 If the department think it is appropriate to take the action requested immediately, the acknowledgement will explain this, and the petition will be closed.
- 3.3 If another procedure is more suitable for dealing with the petition the petition organiser will be informed of this.
- 3.4 No action will be taken on a petition which the relevant Corporate Director considers is vexatious, abusive or otherwise inappropriate, and the reasons for this will be explained in their acknowledgement of the petition.
- 3.5 If the petition concerns a particular area of Council business, it will usually be referred to a committee or sub-committee or other body that deals with that area and may be considered at a meeting. Alternatively, the relevant Corporate Director or Portfolio Holder may respond to the petition. Committee meetings are usually held in public, so people who are interested in the

petition will be able to observe any discussion that takes place. If the petition has over 2000 signatures it will be presented at a meeting of full Council (see section 5 below).

4. Petitions involving partners / other authorities

- 4.1 If the petition is about an issue over which we have no direct control (for example the local hospital) we will consider referring the matter to the Executive to take up the matter on behalf of the community with the relevant body. We work with a large number of official partners and where possible will work with these partners to respond to your petition. If we are unable to do this then we will explain why.
- 4.2 If the petition is about something that is the responsibility of a different Council we will forward the petition to that Council, or take other appropriate action, and will notify the petition organiser about what we have done.

5. Petitions with over 2000 signatures

- 5.1 If a petition contains more than 2000 signatures of people who live, work or study in the Borough (the address in the Borough at which they live, work or study must be provided), it will be considered / debated at a meeting of full Council. The Council will try to consider the petition at its next meeting, although in some circumstances this may not be possible - for example, when the petition is submitted too close to the meeting date, in which case consideration will take place at the following meeting. The petition organiser will be invited to the meeting to read the terms of the petition to the meeting and the petition will then be discussed by Councillors. The presentation must last no longer than one minute and the discussion by councillors will last a maximum of 10 minutes.
- 5.2 Following consideration / discussion full Council may refer the petition to the Cabinet, a committee or a Corporate Director to determine the matter, taking into account the views expressed by full Council.
- 5.3 The petition organiser will receive written confirmation of this decision. This decision will also be published on our website as part of the minutes of full council.

6. E-petitions

- 6.1 We welcome e-petitions which are created and submitted through a website which offers this facility. E-petitions must follow the same guidelines as paper petitions set out above.
- 6.2 It is possible to have the same petition in paper form and e-petition form at the same time, although signatories should only sign one copy of the petition.

7. Alternatives to a petition

- 7.1 There are other ways in which you can let us know what you think about our actions and decisions that may be more appropriate than a petition. Follow http://www.harrow.gov.uk/info/353/complaints-procedure/1794/complaining_about_the_council to see how else you can have your say.

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Proposed amendments to the constitution in respect of the petitions

Executive Procedure Rules

15.3 Notice and consideration of petitions

15.3.1 There is no need for any advance notice to be given of the wish to present a petition to the Executive.

Deleted: Save as is mentioned in paragraph 15.1.3 above t

Deleted: but if 10 days notice is given to the Monitoring Officer a note of the petition will appear on the agenda for the meeting

47.2 Notice and Consideration of Petitions

There is no need for any advance notice to be given of the wish to present a petition to a Panel, Forum, Sub-panel or Sub-forum.

Deleted: Save as is mentioned in paragraph 49.1.1.3 above t

Deleted: but if seven clear working days notice is given to the Monitoring Officer a note of the petition will appear on the agenda for the meeting

Council Procedure Rules

Notice and Consideration of Petitions

10.2 There is no need for any advance notice to be given of the wish to present a petition to Council.

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15.2 Notice and Consideration of Petitions

15.2.1 There is no need for any advance notice to be given of the wish to present a petition to a Committee or sub-committee.

Deleted: but if seven clear working days notice is given to the Monitoring Officer a note of the petition will appear on the agenda for the meeting

Terms of reference of Overview and Scrutiny Committee

The following consequential amendment will need to be made:

Delete –

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

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COUNCIL
26 FEBRUARY 2015

**DECISIONS TAKEN UNDER URGENCY
PROCEDURE BY PORTFOLIO HOLDERS, LEADER
AND DEPUTY LEADER, AND USE OF SPECIAL
URGENCY PROCEDURE**

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REPORT FOR: **COUNCIL**

Date of Meeting: 26 February 2015

Subject: **Decisions taken under Urgency Procedure by Portfolio Holders, Leader and Deputy Leader, and Use of Special Urgency Procedure**

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

Exempt: No

Enclosures: Appendix A – Decisions taken as a matter of urgency

Section 1 – Summary

This report sets out a decision taken under urgency procedure rules by Cabinet, the Leader and Portfolio Holders, and use of the special urgency procedure since the meeting of the Council on 27 February 2014.

FOR INFORMATION

Section 2 – Report

In accordance with Committee Procedure Rule 47.6 set out in Part 4 of the Council's Constitution, any Executive decisions taken as a matter of urgency are reported to the next available meeting of the Council.

Appendix A sets out decisions taken as matters of urgency since the Council meeting held on 13 November 2014.

In accordance with the Access to Information Procedure Rules and paragraph 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the use of the Special Urgency procedure in relation to Executive decisions is to be reported quarterly to Council.

The Special Urgency procedure has not been used since the last Council meeting on 13 November 2014.

Section 3 – Further Information

Where appropriate, Ward Councillors, outside organisations and interested parties were consulted on individual reports considered by Cabinet, the Leader and Portfolio Holders.

Where decisions were deemed urgent, the agreement of the Chairman of the Overview and Scrutiny Committee was obtained that the decision would not be subject to the call-in procedure.

Section 4 – Financial Implications

As per the individual reports to Cabinet, the Leader and Portfolio Holders.

Ward Councillors notified:	YES
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Section 5 - Contact Details and Background Papers

Contact:

Elaine McEachron, Democratic & Electoral Services Manager

Tel: 020 8424 1097

E-mail: Elaine.mceachron@harrow.gov.uk

Background Papers:

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

APPENDIX A

Urgent Decisions

The following urgent decisions have been made since Council on 27 February 2014:

Subject	Decision Maker (Portfolio Holder/Leader/Cabinet)	Reason for Urgency
<p>Future Organisation of Whitchurch First School and Nursery and Whitchurch Junior School</p>	<p>Portfolio Holder for Children, Schools and Families – 18 December 2014</p>	<p>It is in the interests of both schools to have certainty about the future organisation of the schools at the earliest opportunity. Permanent headteacher arrangements need to be secured as soon as possible to ensure continuity of leadership to enhance education standards for the children in the longer term.</p> <p>A final decision about the future organisation of the schools could be achieved by February 2015 if an urgent Portfolio Holder decision is made about whether or not to publish statutory proposals. An urgent decision would enable arrangements to be made before Christmas for publication on the first day of term on 5 January 2015. The outcome could then be reported to February Cabinet for determination.</p>

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