

# CABINET

## 20 JANUARY 2016

Record of decisions taken at the meeting held on Wednesday 20 January 2016.

**Present:**

**Chair:** \* Councillor David Perry

**Councillors:**

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

**In attendance:**

Richard Almond	Minute 309
Marilyn Ashton	Minute 309
Stephen Greek	Minute 309
Susan Hall	Minute 309

\* Denotes Member present

### 305. Welcome

On behalf of Cabinet, the Leader of the Council welcomed Tom McCourt, Corporate Director of Community, to his first Cabinet meeting.

### 306. Apologies for Absence

None received from Members of Cabinet.

### 307. Declarations of Interest

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

Agenda Item 11 – Harrow Cycling Strategy 2015-2018

Councillor Barry Macleod-Cullinane, who was not a Member of Cabinet, declared a non-pecuniary interest in his endeavour to become a keen cyclist. He would remain in the room to listen to the discussion and decision-making on this item.

Agenda Item 16 – Draft Harrow Weald Conservation Areas Supplementary Planning Guidance

Councillor Stephen Greek, who was not a Member of Cabinet, declared a non-pecuniary interest in that he had submitted objections in writing on this item. He would remain in the room to listen to the discussion and decision-making on this item.

**308. Petitions**

**RESOLVED:** To note that no petitions had been received.

**309. Questions**

Public and Councillor questions accepted were responded to and any recording placed on the Council's website. Councillor questions 6 to 15 were not reached at Cabinet and the Councillors would be provided with written responses which would be placed on the Council's website.

**310. Key Decision Schedule - January to March 2016**

The Leader reported that a report on the 'Calculation of Business Rates Tax Base for 2016-2017' was considered at the December 2015 Cabinet Meeting and that the item on 'Project Infinity' had been deferred.

**RESOLVED:** That the Key Decision Schedule be noted.

**311. Progress on Scrutiny Projects**

**RESOLVED:** That the report be noted.

**RESOLVED ITEMS**

**312. Future Delivery of Arts and Heritage Services**

Having considered the confidential appendix, it was

**RESOLVED:** That

- (1) the transfer of the Council's arts and heritage services and assets, outlined in paragraph 2.1 of the report, as appropriate, to a charitable trust, Cultura London, on 4 April 2016 or other specified date, under an agreement for a period of 25 years be approved;
- (2) the decision to grant leases to Cultura London of such Council properties as the charity may occupy for the purpose of the

performance of the services for a period of 25 years at a peppercorn rent be approved;

- (3) the drafting of the Heads of Terms for those leases between the Council and Cultura London, for the delivery of Council arts and heritage services to Cultura London, as set out in paragraph 4.1 of the report, be delegated to the Corporate Director of Community following consultation with the Director of Legal and Governance Services, the Portfolio Holder for Community, Culture and Resident Engagement and the Deputy Leader and Portfolio Holder for Business, Planning and Regeneration, having had due regard to the best interests of the Council and subject to a full satisfactory title investigation being undertaken of the Harrow Arts Centre and Headstone Manor sites;
- (4) the Corporate Director of Community, following consultation with the Portfolio Holder for Community, Culture and Resident Engagement, the Deputy Leader and Portfolio Holder for Business, Planning and Regeneration, the Director of Legal and Governance Services and the Director of Finance, be authorised to:
  - conclude and give final approval to sign the lease(s) and Heads of Terms and/or the final Service Level Agreement for the provision of services as outlined in the report
  - novate any existing contracts for the supply of services to Cultura London
  - enter into further discussions with Cultura London as required to allow for mobilisation and a start date of 4 April 2016 or other specified date;
- (5) a revenue subsidy of £431k for 2016-17, representing the short fall on the business plan of £396k for the year, and thereafter of £60k per annum from 2017-18, in relation to the Harrow Museum, to 31 March 2021, with an additional one-off £35k in 2016-17 for implementation costs, be provided subject to the Council's budget setting processes and approval of the Medium Term Financial Strategy (MTFS) in February 2016.
- (6) the Director of Finance, in conjunction with the Corporate Director of Community, following consultation with the Portfolio Holders for Community, Culture and Resident Engagement and Finance and Major Contracts, the Deputy Leader of the Council and Portfolio Holder for Business, Planning and Regeneration, be authorised to authorise a loan of up to £1m for Cultura London for the delivery of physical improvements to Harrow Arts Centre at a fixed cost on terms to be agreed with the Director of Finance as outlined in paragraph 8.3 of the report, and if 90% of the identified capital fundraising had not been realised by July 2016, then the project be paused for the Council to review its position.

**Reason for Decision:** To transfer services and assets from Harrow Arts Centre, Harrow Museum and Harrow Music Service to the Charitable Trust Cultura London to ensure the sustainable delivery of cultural services in Harrow whilst delivering savings for the MTFs following Cabinet's approval in May 2015 to the setting up of a Charitable vehicle for the delivery of arts and heritage services at Harrow Arts Centre, Harrow Museum and Harrow Schools Music Service.

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

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

### **313. Award of Housing Responsive Repairs Contracts from July 2016**

Having considered the confidential appendix, it was

**RESOLVED:** That the Divisional Director of Housing Services be authorised to award contracts to the contractors named in paragraph 2.9 of the report.

**Reason for Decision:** To proceed with a longer term contract for Housing Responsive Repairs and Maintenance following a retender in compliance with EU Procurement Regulations.

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

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

### **314. Procurement of Projects for 16/17 Housing Capital Programme**

**RESOLVED:** That

- (1) the Divisional Director of Housing Services be authorised to undertake a procurement process for contractors to deliver the following enveloping projects on the 2016/17 Housing Capital Programme:
  - Cowen Ave
  - Buckingham, Whitchurch and Kenilworth House;
- (2) authority to award and to arrange the execution of a contract or contracts with the successful tenderer(s) be delegated to the Corporate Director of Community, following consultation with the Portfolio Holders for Housing and Finance and Major Contracts.

**Reason for Decision:** To comply with the Council's Contract Procedure Rules.

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

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

### 315. Harrow Cycling Strategy 2015 - 2018

**RESOLVED:** That

- (1) the Cycling Strategy, set out at Appendix A to the report, be approved;
- (2) the Divisional Director of Commissioning Services, following consultation with the Portfolio Holder for Environment, Crime and Community Safety, be delegated responsibility to make amendments to the Strategy as required.

**Reason for Decision:** To help plan, develop and deliver a comprehensive and integrated programme and implementation of cycling schemes and supporting activities. To demonstrate a strong commitment to cycling and support external funding bids.

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

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

### 316. School Performance and Standards

**RESOLVED:** That the report be noted.

**Reason for Decision:** To be availed of the performance and standards in state-funded schools in Harrow and the impact of key changes to the way in which schools were now inspected.

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

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

*[Call-in does not apply.]*

### 317. Community School Admission Arrangements - Academic Year 2017/18

**RESOLVED:** That

- (1) the community school admission arrangements for 2017/18 academic year, at Appendix 1 to the report, be approved;
- (2) the community school nursery admission arrangements giving priority to distance and removing priority given by date of birth be approved.

**Reason for Decision:** To adhere to the statutory requirement under the School Standards and Framework Act 1998 for admission authorities to determine admission arrangements by 28 February in the determination year (i.e. by 28 February 2016).

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

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

### **318. Barnet Young People's Substance Misuse Service**

**RESOLVED:** That

- (1) the extension of the Barnet Young People's Substance Misuse Service until 30 June 2016, be approved to allow sufficient time for a Provider to be mobilised;
- (2) a new Barnet Young People's Substance Misuse Service be procured;
- (3) authority for the award of the new contract be delegated to the Director of Public Health, in consultation with the Corporate Director of People and Director of Finance, following consultation with the Portfolio Holders for Finance and Major Contracts and Public Health, Equality and Wellbeing.

**Reason for Decision:** To allow for a contract to be in place.

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

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

### **319. Locally Listed Buildings - Update to Local List**

**RESOLVED:** That

- (1) public consultation on the proposed additions to the list of locally listed buildings in Harrow, provided at Appendix 1 to the report, be approved;
- (2) public consultation on the proposed de-listing of 66 Hutton Lane, and the former George Public House, Marsh Lane, as listed in Appendix 2 to the report, be approved.

**Reason for Decision:** To comply with the National Planning Policy Framework requirement that planning authorities ensured that they made information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible.

To provide locally listed status to those buildings that had local merit and remove it from those that did not help protect Harrow's local historic and architectural interest. To assist the Council to meet its corporate priority that seeks to *'build stronger communities'*.

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

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

**320. Draft Harrow Weald Conservation Areas Supplementary Planning Document**

**RESOLVED:** That

- (1) the representations received in response to the consultation on the draft Supplementary Planning Document (SPD) and the draft minutes from the Planning Policy Working Group meeting held on 7 January 2016, appendix 5 refers, including the Council's responses to these set out in the report be noted;
- (2) the revised Harrow Weald Conservation Areas SPD, attached at Appendix 1 to the report, be approved;
- (3) the proposed Article 4 Directions, as outlined in Appendix 2 to the report, be approved;
- (4) the revised conservation area boundaries, as shown on the maps in Appendix 3 to the report, as well as the change of conservation area name from 'West Drive Conservation Area' to 'Harrow Weald Park Conservation Area', be agreed;
- (5) the local listing of the Harrow Weald Park and Garden, as shown in Appendix 4 to the report, be agreed;
- (6) the Divisional Director of Regeneration and Planning, following consultation with the Portfolio Holder for Business, Planning and Regeneration, be authorised to make typographical corrections and any other necessary non-material amendments to the Harrow Weald Conservation Areas SPD and supporting/accompanying documentation prior to formal publication of the SPD, and to undertake necessary consultation and statutory actions required to implement the agreed recommendations.

**Reason for Decision:** When adopted, the Harrow Weald Conservation Areas SPD would constitute part of the Harrow Local Plan and form a material consideration in the determination of planning applications both at Planning Committees and appeal proceedings. The SPD would also provide useful guidance to relevant Council departments when dealing with issues relating to Harrow Weald Conservation Areas.

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

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

### 321. Social Value Policy and Initiatives

**RESOLVED:** That the Council's Social Value Policy be approved.

**Reason for Decision:** To ensure the principles of the Public Services (Social Value) Act 2012 were further embedded into Council decision-making.

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

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

### 322. Calculation of Council Tax Base for 2016-2017

**RESOLVED:** That

- (1) Band D equivalent number of taxable properties be calculated as shown in accordance with the government regulations;
- (2) the provision for uncollectable amounts of Council Tax for 2016-2017 be agreed at 2.25% producing an expected collection rate of 97.75%;
- (3) subject to resolutions (1) and (2) above, a Council Tax Base for 2016-2017 of **82,000** Band D equivalent properties (being 83,887 x 97.75%) be approved, allowing for payment in lieu of Ministry of Defence properties.

**Reason for Decision:** To fulfil the Council's statutory obligation to set the Council Tax Base for 2016-2017.

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

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

*[Call-in does not apply. The Chairman of the Overview and Scrutiny Committee had waived call-in due to the urgency of the matter for the following reason:*

*The Authority had to formally calculate the Council Tax Base for 2016-2017 and pass this information to precepting authorities by 31 January 2016. The tax base has to be set between 1 December 2015 and 31 January 2016.*

*The Tax Base could not be submitted to Cabinet any earlier as its contents were dependent on announcements in the Comprehensive Spending Plan (CSP) and also in the grant settlement. As it was necessary to declare the Council Tax base by the end of January, the Call-in process could seriously prejudice the Council's or the public interest as the Call-in period finished at 5.00 pm on 28 January and the Greater London Authority (GLA) would therefore need to be formally notified of the formal Council Tax Base calculation no later than 5.00 pm on 29 January 2016.]*



### **323. External Fees and Charges 2016/17**

**RESOLVED:** That

- (1) the Fees and Charges, appendices 2 to 5 refer, be implemented from April 2016, except those fees and charges included for noting/information only;
- (2) the Director of Finance and relevant Corporate Directors, following consultation with the relevant Portfolio Holders, be authorised to amend fees and charges in year.

**Reason for Decision:** To ensure the Council set a schedule of fees and charges for 2016/17.

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

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

### **324. Treasury Management Strategy Statement and Annual Investment Strategy: Mid-Year Review 2015-16**

**RESOLVED:** That the Treasury Management mid-year review for 2015-16 be noted.

**Reason for Decision:** To promote effective financial management and comply with the Local Authorities (Capital Finance and Accounting) Regulations 2003, other relevant guidance and the Council's Financial Regulations. To be availed of Treasury Management activities and performance.

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

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

*[Call-in does not apply as the decision was noted.]*

### **325. Procurement Shared Services**

**RESOLVED:** That

- (1) the Business Case set out in Appendix 1 to the report be noted;
- (2) the creation of a Procurement Shared Service, with Harrow Council as the Lead Authority, be approved;
- (3) the cost sharing arrangement set out in the financial section of the report be approved;

- (4) a delegation from Brent Council and Buckinghamshire County Council of their procurement functions under section 101 of the Local Government Act 1972 be accepted;
- (5) subject to the delegations, the Corporate Director of Resources and Commercial, following consultation with the Portfolio Holder for Finance and Major Contracts, be authorised to:
  - agree the terms of and execute an Inter Authority Agreement which reflected the principles outlined in the report;
  - implement a Shared Procurement Service in accordance with that Agreement.

**Reason for Decision:** To enable the Council to meet its Medium Term Financial Strategy (MTFS) savings targets of £290k in 2016/17 and 2017/18 and put in place a mechanism to achieve further savings of £180k in 2018/19. To allow the development of a resilient and cost effective procurement and commercialisation service which provided improved support to these Councils at a reduced cost.

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

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

### **326. Resolution from the Employees' Consultative Forum**

Report WITHDRAWN by the Corporate Director for submission to a future meeting.

### **327. Calendar of Meetings**

**RESOLVED:** That the Calendar of Meetings for the Municipal Year 2016/17 be approved, subject to a few minor amendments to be circulated by Democratic Services as soon as possible.

**Reason for Decision:** To facilitate the planning and forward commitments of Members and officers. To allow the room booking arrangements to be put in place at the earliest opportunity.

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

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

(Note: The meeting, having commenced at 6.31 pm, closed at 7.52 pm).

Proper Officer

Publication of decisions:	<b>21 January 2016</b>
Deadline for Call-in:	<p><b>5.00 pm on 28 January 2016</b></p> <p><b>(Please note that Call-in does not apply to all decisions).</b></p> <p>To call-in a decision please contact:</p> <p>Vishal Seegoolam on 020 8424 1883 or email: <a href="mailto:vishal.seegoolam@harrow.gov.uk">vishal.seegoolam@harrow.gov.uk</a></p> <p>Alison Atherton on 020 8424 1266 or email: <a href="mailto:alison.atherton@harrow.gov.uk">alison.atherton@harrow.gov.uk</a></p>
Decisions may be implemented if not Called-in on:	<b>29 January 2016</b>