

Council SUMMONS AND AGENDA

DATE: Thursday 22 September 2016

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: 14 September 2016

PRAYERS

Dr Vinod Kapashi, Spiritual Leader, Kenton Temple, will open the meeting with Prayers.

1. COUNCIL MINUTES (Pages 7 - 14)

To agree that the minutes of the Annual meeting held on 19 May 2016 be taken as read and signed as a correct record.

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 by:

- (i) a representative of the petitioners;
- (ii) a Councillor, on behalf of petitioners;
- (iii) 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 and Chairs 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. 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 questions from Members of Council. The item is allotted 20 minutes.

7. LONG SERVICE AWARD - COUNCILLOR CHRISTINE BEDNELL

To make a presentation to Councillor Christine Bednell, marking 45 years' service on Harrow Council which she completed in May 2016.

8. COMMUNITY SAFETY PLAN (Pages 15 - 18)

Recommendation I: Cabinet
(24 May 2016)

9. REGENERATION PROGRAMME 2016-2020 (Pages 19 - 22)

Recommendation I: Cabinet
(24 May 2016)

10. YOUTH JUSTICE PLAN (To Follow)

Recommendation I: Cabinet
(15 September 2016)

11. TERMS OF REFERENCE OF THE CORPORATE PARENTING PANEL (Pages 23 - 26)

Recommendation I: Cabinet
(14 July 2016)

12. CONSTITUTIONAL AMENDMENTS (Pages 27 - 36)

Report of the Monitoring Officer.

13. INFORMATION REPORT - DECISIONS TAKEN UNDER URGENCY AND SPECIAL URGENCY PROCEDURE (Pages 37 - 44)

Report of the Monitoring Officer.

14. INFORMATION REPORT - REMUNERATION PACKAGES AND SEVERANCE PAYMENTS OF £100,000 OR GREATER (Pages 45 - 52)

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 Chair 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 Chair to whom the question is to be put has been obtained and the Director of Legal and Governance Services has been advised of the content by 12 noon on the day of this 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 15, to be moved and seconded by the Members indicated:

(1) **Condemn Racism, Xenophobia and Hate Crimes Motion**

To be moved by Councillor Georgia Weston and seconded by Councillor James Bond:

“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. We, the London Borough of Harrow, condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

The London Borough of Harrow will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in the London Borough of Harrow that they are valued members of our community.”

(2) **Southern Rail Motion**

To be moved by Councillor Barry Kendler and seconded by Councillor Graham Henson:

“This Council supports the Mayor of London, Sadiq Khan, in his bid to persuade HM Government to move Southern Trains into TfL – London Overground - and requests that the chief executive and the leader of the council write to the government minister responsible stating our support and take any other action necessary in support of the bid.”

(3) **Mental Health Challenge Motion**

To be moved by Councillor Adam Swersky and seconded by Councillor Varsha Parmar:

“This council notes:

- 1 in 4 people will experience a mental health problem in any given year.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.

This council believes:

- As a local authority we have a crucial role to play in

improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.

- Mental health should be a priority across all the local authority's areas of responsibility, including housing, community safety and planning.
- All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.

This council resolves:

- To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, Mental Health Providers Forum, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.
- We commit to appoint an elected member as 'mental health champion' across the council.
- We will seek to identify a member of staff within the council to act as 'lead officer' for mental health.

The council will also:

- Support positive mental health in our community, including in local schools, neighbourhoods and workplaces.
- Work to reduce inequalities in mental health in our community.
- Work with local partners to offer effective support for people with mental health needs.
- Tackle discrimination on the grounds of mental health in our community.
- Proactively listen to people of all ages and backgrounds about what they need for better mental health.
- Sign up to the Time to Change pledge"

(4) Childhood Obesity Motion

To be moved by Councillor Anne Whitehead and seconded by Councillor Kiran Ramchandani:

"The Council Notes

- Harrow welcomes a sugar tax on soft drinks but is disappointed this will not be enforced for 2 years, and will not apply to sugary foods.
- Harrow is disappointed that the strategy has been considerably watered down from the 'draconian measures' promised by the Government.
- Harrow is also disappointed that nothing is to done to

control the advertising of junk food on family television.

The Council Believes

- That the two years producers have to reduce sugar in soft drinks is too long.
- That a responsibility deal for producers to reduce sugar in processed foods will not work, and many of the more responsible food manufacturers would have preferred regulation to create a level playing field.
- That the Government has failed our children. 21% of Harrows year 6 children; predominately poorer children, are obese, and the Governments obesity strategy is far too little to be of benefit to our children.
- That the local NHS cannot afford the burden of costs caused by obesity in Harrow.

The Council Resolves

- To continue to support Harrows residents through our Public Health team to help support residents to make healthier choices for diet and exercise.
- For the Leader and the CEO to write to Government expressing Harrows concern at the lack of a robust obesity strategy and ask for this strategy to be re-introduced and include more robust regulation.
- The Council to continue to lobby government to improve the obesity strategy.”

*** 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 22 SEPTEMBER 2016

MINUTES

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COUNCIL (ANNUAL) MINUTES

19 MAY 2016

Present: * Councillor Krishna Suresh (The Worshipful the Mayor)
* Councillor Mrs Rekha Shah (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 * Ajay Maru * 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-Levy * 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 Reverend Matthew Stone, Mayor's Chaplain & Rector of St John The Evangelist, Stanmore.

163. ELECTION OF MAYOR

RESOLVED: That Councillor Mrs Rekha Shah be elected Mayor of the London Borough of Harrow for the Municipal Year 2016/17.

164. ELECTION AND INVESTITURE OF DEPUTY MAYOR

RESOLVED: That Councillor Margaret Davine be elected Deputy Mayor of the London Borough of Harrow for the Municipal Year 2016/17.

165. APPOINTMENT OF CHAPLAIN

The Mayor confirmed to Council that she had appointed the following as her Chaplains for her Mayoral Year:

Jain - Vinod Kapashi

Hindu - His Grace Srutidharma das, Temple President of Bhaktivedanta Manor Hare Krishna Temple

Christian – Father James Power, Priest of Borough Church of St Mary's & Harrow School

Jewish – Rabbi Kathleen de Magtige-Middleton, Mosaic Reform Synagogue

Muslim - Professor Imam Hafiz Muhammad Akram, Harrow Central Mosque & Masood Islamic Centre.

166. CIVIC FUNCTIONS

RESOLVED: That the dates of the Civic Functions be noted.

167. APPOINTMENT OF LEADER OF THE COUNCIL

Councillors Sachin Shah and Susan Hall were each proposed and seconded for the position of the Leader of the Council.

Councillor Barry Kendler moved that the question be now put. This was carried.

Upon being put to the vote it was

RESOLVED: That Councillor Sachin Shah be appointed as Leader of the Council.

168. DECLARATIONS OF INTEREST

The Mayor invited appropriate declarations of interest.

Item 14 – London Regeneration Fund Grant

Councillor Susan Hall declared a pecuniary interest in that she ran a business in Wealdstone and that the proposals would directly affect her business. She would leave the Chamber for the consideration and voting on this item.

169. PROCEDURAL MOTIONS

There were no procedural motions.

170. COUNCIL MINUTES

RESOLVED: That the minutes of the meeting held on 25 February 2016 be taken as read and signed as a correct record.

171. RECOGNITION OF LONG SERVICE - COUNCILLOR CHRISTINE BEDNELL

RESOLVED: That

- (1) the Council acknowledge Councillor Christine Bednell's 45 years' service as a Member for Harrow Council in May 2016;**
- (2) the Council of the London Borough of Harrow do hereby record their appreciation of the 45 years' service by Councillor Christine Bednell to the London Borough of Harrow and for these words to be engrossed on vellum, framed and publicly presented to Councillor Bednell at the Council Meeting in September 2016;**
- (3) the milestone of achieving 40 years' service by a Councillor in future will be brought to the attention of the Mayor and the Leader of the Council by the Director of Legal and Governance Services for consideration on a case by case basis as to whether a scroll should be presented to the Councillor.**

172. CABINET AND COMMITTEE MEMBERSHIPS

Councillor Sachin Shah moved an amendment to the recommendations. This was seconded by Councillor Keith Ferry.

Councillor Keith Ferry moved that, in accordance with Council Procedure Rule 16.2, the question be now put. This was seconded by Councillor Barry Kendler and was carried. Upon being put to the vote the amendment was carried.

RESOLVED: That

- (i) it be noted that Councillor Keith Ferry was the Deputy Leader of the Council;**

- (ii) it be noted that the Councillors appointed to Cabinet with the identified portfolios, as contained in the report, be noted;
- (iii) the terms of reference for the Portfolio Holders attached at Appendix A to the report be agreed for inclusion in the Council's Constitution;
- (iv) the determination of the allocation of places on the Council's Committees contained in the report and in accordance with the 'political balance' rules in the Local Government and Housing Act 1989 be agreed and Members be appointed to them, in accordance with the notification from Political Groups;
- (v) the establishment and terms of reference of all of the Council's Committees and other bodies contained in Appendix B to the report be agreed;
- (vi) the establishment and terms of reference of all of the Cabinet Advisory Panels and Consultative Forums, as set out in Appendix C, be agreed;
- (vii) the first sentence of Article 7 of the Council's Constitution be amended to read as follows:

"The Leader may appoint a maximum of 4 non-executive members of cabinet from the voluntary sector and from elected Members;"
- (viii) it be noted that the Leader of Council appointed Councillor David Perry as a non-executive member of Cabinet.

173. APPOINTMENT OF CHAIRS TO COMMITTEES

RESOLVED: That the following Councillors be elected as the Chairs of the relevant Committees:

Governance, Audit, Risk Management and Standards	Councillor Antonio Weiss
Health and Wellbeing Board	Councillor Sachin Shah
Licensing and General Purposes	Councillor Krishna Suresh
Overview and Scrutiny	Councillor Jerry Miles
Planning	Councillor Keith Ferry
Pension Fund	Councillor Nitin Parekh

174. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

RESOLVED: That the Outside Body appointments for the Municipal Year 2016/17 be approved, as set out on the supplemental summons.

175. SCRUTINY ANNUAL REPORT 2015-16

RESOLVED: That the Scrutiny Annual Report 2015/16 be endorsed.

176. LONDON REGENERATION FUND GRANT

RESOLVED: That the following new projects be funded through the London Regeneration Fund and other external funding in 2016/17 to 2019/20 Capital Programme:

- **Artisan Workspace £0.66m;**
- **Creation of a public Town Square in Wealdstone in £1.165m.**

177. EQUALITIES VISION AND OBJECTIVES

RESOLVED: That the 'Vision' for Equalities be endorsed and the revised Corporate Equality Objectives and the Action Plan to support these, Appendix 1 to Cabinet report refers, be agreed.

178. DATES OF COUNCIL MEETINGS 2016/17

RESOLVED: That the dates of the following Council meetings be confirmed:

22 September 2016
1 December 2016
23 February 2017
18 May 2017 (Annual)

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 8.46 pm).

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**COUNCIL
22 SEPTEMBER 2016**

**CABINET
RECOMMENDATION
(24 MAY 2016)**

RECOMMENDATION I

COMMUNITY SAFETY PLAN

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CABINET

24 MAY 2016

Record of decisions taken at the meeting held on Tuesday 24 May 2016.

Present:

Chair: * Councillor Sachin Shah

Councillors:

* Sue Anderson	* Varsha Parmar
* Simon Brown	* David Perry
* Keith Ferry	* Kiran Ramchandani
* Glen Hearnden	* Mrs Christine Robson
* Graham Henson	† Adam Swersky

Non-Executive Member: * David Perry

In attendance:

Susan Hall	Minute 378
Barry Macleod-Cullinane	Minute 378

* Denotes Member present

† Denotes apologies received

RECOMMENDED ITEMS

382. Community Safety Strategy

Having noted the reference from the Overview and Scrutiny Committee, it was

Resolved to RECOMMEND: (to Council)

That the Community Safety Strategy 2016-2019 be endorsed and adopted.

RESOLVED: That the Portfolio Holder for Environment, Crime and Community Safety be authorised to make minor amendments to the draft

report, in conjunction with Harrow Community Safety Partnership, Safer Harrow, for presentation to the Council meeting in September 2016.

Reason for Decision: To endorse the Partnership's Community Safety Strategy 2016-2019 and adopt it as Harrow Council's Community Safety Plan.

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.

**COUNCIL
22 SEPTEMBER 2016**

**CABINET
RECOMMENDATION
(24 MAY 2016)**

RECOMMENDATION I

**REGENERATION PROGRAMME 2016-
2020**

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CABINET

24 MAY 2016

Record of decisions taken at the meeting held on Tuesday 24 May 2016.

Present:

Chair: * Councillor Sachin Shah

Councillors:

* Sue Anderson	* Varsha Parmar
* Simon Brown	* David Perry
* Keith Ferry	* Kiran Ramchandani
* Glen Hearnden	* Mrs Christine Robson
* Graham Henson	† Adam Swersky

Non-Executive Member: * David Perry

In attendance:

Susan Hall	Minute 378
Barry Macleod-Cullinane	Minute 378

* Denotes Member present

† Denotes apologies received

RECOMMENDED ITEMS

381. Regeneration Programme 2016-2020

Having considered the confidential appendices, it was

Resolved to RECOMMEND: (to Council)

That the additional capital budgets for 2017/18, 2018/19 and 2019/20 be approved and added to the Capital Programme.

RESOLVED: That

- (1) expenditure against the 2016/17 regeneration capital budget of £16.655m, approved by Council in February 2016, in line with the breakdown set out in Appendix 1 to the report, be approved;
- (2) the capital budgets for the Regeneration Programme in years 2017/18, 2018/19 and 2019/20, as set out in summary form in the report and broken down in Appendix 1 to the report in detail be approved and Council be recommended accordingly;
- (3) the decision to enter into agreements for the provision of quantity surveying services, contractual advice and administration services and clerk of works services at a combined value of no more than £6m be delegated to the Chief Executive, following consultation with the Portfolio Holders for Business, Planning and Regeneration and Community, Culture and Resident Engagement and the Portfolio Holder for Finance and Commercialisation;
- (4) the decision to purchase land, as set out in Appendix 2 to the report, be delegated to the Chief Executive following consultation with the Portfolio Holders for Business, Planning and Regeneration, Community, Culture and Resident Engagement and Finance and Commercialisation;
- (5) the decision to appropriate the sites in the Regeneration Programme for planning purposes be delegated to the Chief Executive, following consultation with the Portfolio Holders for Business, Planning and Regeneration, Community, Culture and Resident Engagement and Finance and Commercialisation.

Reason for Decision: To allow the Regeneration Programme to proceed in accordance with Council Strategy.

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.

**COUNCIL
22 SEPTEMBER 2016**

**CABINET
RECOMMENDATION
(14 JULY 2016)**

RECOMMENDATION I

**TERMS OF REFERENCE OF THE
CORPORATE PARTING PANEL**

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CABINET

14 JULY 2016

Record of decisions taken at the meeting held on Thursday 14 July 2016.

Present:

Chair: * Councillor Sachin Shah

Councillors:

* Sue Anderson	* Varsha Parmar
* Simon Brown	* David Perry
* Keith Ferry	* Kiran Ramchandani
† Glen Hearnden	* Mrs Christine Robson
* Graham Henson	* Adam Swersky

Non-Executive Member: * David Perry

In attendance:

Richard Almond	Minute 403
Marilyn Ashton	Minute 410
Ms Pamela Fitzpatrick	Minute 411
Susan Hall	Minute 403
Barry Macleod-Cullinane	Minute 411
Paul Osborn	Minute 403

* Denotes Member present
† Denotes apologies received

RECOMMENDED ITEMS

406. Terms of Reference for Corporate Parenting Panel

Resolved to RECOMMEND: (to Council)

That the revised Terms of Reference be included in the Council's Constitution and that Council also be requested to agree any changes in Panel membership arising.

RESOLVED: That the revised Terms of Reference be approved subject to paragraph 4 being amended to read: 'To consider and regularly review on an annual basis a Corporate Parenting Strategy setting out key priorities and areas of action. The Corporate Parenting Strategy will be submitted to Cabinet and full Council for consideration and decision on approval'.

Reason for Decision: To ensure the Terms of Reference were reviewed and updated in line with good practice and guidelines. To ensure that the Corporate Parenting Strategy was submitted to Cabinet.

Alternative Options Considered and Rejected: None.

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

COUNCIL
22 SEPTEMBER 2016

CONSTITUTIONAL AMENDMENTS

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REPORT FOR: **COUNCIL**

Date of Meeting:	22 September 2016
Subject:	Constitutional amendments
Responsible Officer:	Hugh Peart Monitoring Officer
Exempt:	No
Wards affected:	None
Enclosures:	Appendix 1 – existing and proposed new terms of reference for SACRE

Section 1 – Summary and Recommendations

This report sets out proposals to change the terms of reference of the Standing Advisory Council on Religious Education (SACRE) and to make changes to the Committee Procedure Rules and the Budget and Policy Framework Rules. Council are also asked to note a change to the responsibilities of the Portfolio Holder for Environment, Crime and Community Safety and changes made by decision of the Monitoring Officer since the last meeting of Council.

Recommendations:

Council is requested to:

1. Agree to replace the existing terms of reference and membership for the Standing Advisory Council on Religious Education (SACRE) with the proposed new terms of reference and membership set out in Appendix 1.
2. Agree changes to the Committee Procedure Rules, the Executive Procedure Rules , Article 7 and the Budget and Policy Framework Rules as set out in the report.
3. Note the addition to the responsibilities of the Portfolio Holder for Environment, Crime and Community Safety
4. Note changes to the constitution made by the Monitoring Officer since the last meeting of Council.

Section 2 – Report

1. The Constitutional Review Working Group has considered the proposed changes to the Constitution as set out below and the attached appendix.

Changes to the terms of reference and membership of the Standing Advisory Council on Religious Education (SACRE)

2. SACRE is a statutory body which the Council must set up under Section 390 of the Education Act 1996 ('the Act'). The Act sets out requirements as to membership so that certain groups are represented on SACRE.
3. The purposes of SACRE are also set out in s.391 of the Act.
4. Under s.392(7) of the Act SACRE may regulate its own proceedings subject to a statutory requirement that each representative group shall have a single vote in deciding any question to be decided by the body.
5. The current terms of reference for SACRE are set out in Part 3A of the constitution. However, they do not cover all the statutory purposes.
6. It is proposed to:
 - a. replace the terms of reference which those set out in Appendix A which reflect as closely as possible the statutory purposes of the body;
 - b. Delete Group E (co-opted members) as the legislation does not provide for such a group although the legislation allows SACRE to co-opt members. At present there are no such members;
 - c. Delete the reference to a Humanist representative under Group D. In practice, this representative has acted as part of Group A and SACRE believe that this is the most appropriate place for this representative. Although Humanism is not a religious denomination, the representation of this non-theistic belief on SACRE has made a valuable contribution to the work of this body over a number of years. As part of Group D this representative has had voting rights and will continue to do so in Group A;
 - d. make clear that the committee procedure rules do not apply to SACRE; and
 - e. Provide for any member who does not attend for three consecutive meetings of SACRE to cease to be a member, unless SACRE approves the reason for non-attendance.
7. SACRE has considered and approves of the proposals. It is intended that if the new terms of reference are approved by Council SACRE will draw up its own constitution which will include the terms of reference and also deal with matters such as election of chair and vice-chair and the quorum.
8. Although there are changes proposed to the provisions set down in the constitution in relation to membership, in practice this does not change the existing membership of SACRE.
9. The existing terms of reference and proposed terms of reference are set out in Appendix 1.

Proposed changes to the Committee Procedure Rules in relation to planning

10. Rules 28 and 29 of the Committee Procedure Rules ('the Rules') are specific to the Planning Committee. Rule 29 contains a procedure on the rights of Applicants and Objectors to speak at Planning Committee.
11. Rule 29.1 restricts the right to applications for planning permission which are being recommended for grant and approval by the Chief Planning Officer and applications for prior approval of the siting and appearance of telecommunications development where the Chief Planning Officer is recommending that prior approval be not required OR that prior approval be required and granted.
12. A situation recently arose where an objector wanted to speak about the modification of a section 106 agreement. It appears that there is no good reason for the exclusion of this type of application and therefore it is proposed to amend Rule 29.1. It is also proposed to amend Rule 29.2 for clarification. The proposed changes are set out below:

'29. Information on the rights of Applicants and Objectors to speak in relation to Applications at the Planning Committee

- 29.1 This procedure applies only to the following applications, which are to be determined by the Planning Committee:
 - 29.1.1 Applications for planning permission, which are being recommended for grant or approval by the Chief Planning Officer.
 - 29.1.2 Applications for prior approval of the siting and appearance of telecommunications development where the Chief Planning Officer is recommending that prior approval be not required OR that prior approval be required and granted.
 - 29.1.3 Applications for the modification or discharge of section 106 agreement obligations
- 29.2 Where the recommendation of the Chief Planning Officer is to refuse an application Applicants and Objectors have no right to speak.'

Proposed change to the Budget and Policy Framework Rules

13. It has come to light that there is an inconsistency between Rule 7 of the Budget and Policy Framework Procedure Rules and the Financial Regulations. The latter allow additions in year to the Capital Programme of up to £500,000 provided certain conditions are met. This is not reflected in the Budget and Policy Framework Procedure Rules and it is therefore proposed to amend those Rules as set out below:

'7. In-year Changes to the Budget and Policy Framework

No changes may be made to the budget or policy framework by the Executive, individual members of the Executive, or officers, or joint arrangements discharging Executive functions except those:-

- (i) which are necessary to ensure compliance with the law, ministerial direction or government guidance;
- (ii) in relation to the policy framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration.
- (iii) permitted under B48 of the Financial Regulations (additions in year to the capital programme).

Article 7 and the Executive Procedure Rules

- 14. Under Article 15 of the constitution, the Monitoring Officer, in consultation with the Head of Paid Service may make minor or administrative changes to the constitution.
- 15. Since the appointment of Councillor David Perry to Cabinet as Non-Executive Member and following a request from the Leader of the Council, the Monitoring Officer exercised that power and made changes to paragraphs 7.14 of Article 7 and paragraph 5.3 of the Executive Procedure Rules. The Constitutional Review Working Group further reviewed that wording and put forward further amendments. The proposed wording is set out below.

Article 7, paragraph 7.14, titled 'Non-Executive Cabinet Members'

- 16. "The Leader may appoint a maximum of 4 Non-Executive Members of Cabinet from the Voluntary Sector and from elected Members. Non-Executive Members of Cabinet may speak but not vote on items before Cabinet in private and public meetings and have commensurate access to documents as full Cabinet Members except for draft Cabinet reports which will be restricted to Portfolio Holders and Non-Executive Members of the majority group".

Paragraph 5.3 of the Executive Procedure Rules

- 17. "The Leader may appoint a maximum of 4 Non-Executive Members of Cabinet from the Voluntary Sector and from elected Members as nominated by their group leaders. Non-Executive Members of Cabinet may speak but not vote on items before Cabinet in private and public meetings and have commensurate access to documents as full Cabinet Members except for draft Cabinet reports which will be restricted to Portfolio Holders and Non-Executive Members of the majority group".

Changes by the Monitoring Officer under delegated powers

Terms of reference of the Portfolio Holder

- 18. A reference to *'in dealing with the unnecessary Tory government cuts to Harrow Council'* as set out under the terms of reference of the Portfolio Holder for Community, Culture and Resident Engagement' has been deleted on the basis that the Constitution is not to be politicised. This change has been made by the Monitoring Officer under Article 15 which allows the Monitoring Officer, in consultation with the Head of Paid Service, to make minor or administrative changes to the constitution

Membership of the Health and Wellbeing Board

19. Under Part 3B of the constitution, the Head of Paid Service, Corporate Directors and Statutory Officers may be specifically authorised to take decisions on behalf of the Council in cases of urgency or in relation to minor matters where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council. The officer must consult with the Leader of the Council and the leaders of the political groups or their nominees.
20. In accordance with this procedure the Monitoring Officer made a decision to amend the terms of reference of the Health and Wellbeing Board to increase the number of Members of the Council nominated by the Leader of the Council from 4 to 5. This decision allowed a Conservative member the opportunity to sit on the Board.

Addition to the responsibilities of the Portfolio Holder for Environment, Crime and Community Safety

21. Council are asked to note that the Leader has added responsibility in relation to Fixed Penalty Notices for the Portfolio Holder for Environment, Crime and Community Safety as follows:
22. 'To oversee the development and introduction of "on the spot" fines for littering, fly-tipping, spitting and urinating in public.'

Legal comments

23. The legal requirements in relation to the proposals in relation to SACRE are set out in the body of this report. There are no particular legal requirements in relation to the other items covered in this report.

Financial Implications

24. The proposed change to the Budget & Policy Framework Rules will ensure that Rule 7 of the framework rules is consistent with the Financial Regulations in respect of in-year additions to the Capital Programme.

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.

There are no equalities implications arising from this report.

Council Priorities

An up to date and effective constitution is important in facilitating proper decision-making in the Council so that it can work together to make a difference for Harrow.

Section 3 - Statutory Officer Clearance

Name: Dawn Calvert	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 13.09.16		
Name: Caroline Eccles	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 13.09.16		

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:

Signed decision papers in relation to changes made to the constitution by decision of the Monitoring Officer.

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Priorities	YES

APPENDIX 1

EXISTING TERMS OF REFERENCE FOR STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (SACRE)

STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION

1. To advise the Borough's Teachers and the Manager of the Library Service on the provisions of appropriate teaching resources in support of the Harrow agreed RE syllabus.
2. To assist teachers in RE by devising and making available to them schemes of work and teaching materials based upon the Harrow agreed syllabus.
3. To assist in identifying teachers' in-service needs and in conjunction with the Teachers' Centre and the Advisory and Inspection Service, to arrange appropriate courses for teachers.
4. To make recommendations to the Corporate Director, People on resources deemed desirable for implementing and reviewing the agreed syllabus and in furthering the effectiveness of religious education in Harrow Schools.
5. To call a Standing Conference for reviewing the agreed syllabus of Religious Education from time to time.
6. To approve exemptions from Statutory Regulations on Acts of Worship.

Membership (Total 41 persons)

- (1) Group A - Representatives of Christian and Other Religious Denominations (22)
- (2) Group B - Representatives of the Church of England (3)
- (3) Group C - Representatives of Teachers (6)
- (4) Group D - Representatives of the Local Education Authority (3 Councillors and a representative of the Harrow Humanist Association).
- (5) Group E - Co-opted Members (5)
- (6) Adviser to the Council nominated by the Corporate Director, People.

PROPOSED NEW TERMS OF REFERENCE FOR STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (SACRE)

SACRE is established under section 390 of the Education Act 1996. It is not a formal committee of the Council. The terms of reference and membership are set out below. Under section 392(7) of the Act, SACRE may regulate its own proceedings and hence the Council's committee procedure rules do not apply to SACRE.

Terms of reference

- (1) As requested by the local authority or of its own volition, to advise the local authority on matters connected with:
 - a. religious worship in community schools or foundation schools which do not have a religious character, and
 - b. Religious education, in accordance with the Agreed Syllabus

The matters referred to above include, in particular, teaching methods, choice of materials and teacher training.
- (2) To deal with applications from schools for a determination on whether the statutory requirement for Christian collective worship should apply.
- (3) To determine the manner and form of applications under (2) above.
- (4) To convene from time to time an Agreed Syllabus Conference to review the agreed syllabus. The representative groups on SACRE, other than Group D, may at any time require a review of the agreed syllabus. Each of the three representative groups concerned shall have a single vote on the question of whether to require such a review.
- (5) To publish an annual report as to the exercise of their functions and any action taken by representative groups on the council under (4) above during the preceding year.

Membership

Group A – Representatives of Christian and other religious denominations (22)

Group B – Representatives of the Church of England (3)

Group C – Representatives of Teachers (6)

Group D – Representatives of the Local Education Authority (3)

SACRE may also include co-opted members (that is, persons co-opted as members of SACRE by members of SACRE who have not themselves been so co-opted)

Any member who fails to attend three consecutive meetings of SACRE shall cease to be a member of the Council unless, at the third such meeting, SACRE approves the reason for non-attendance.

An adviser nominated by the Corporate Director, People Services shall also be invited to attend meetings of SACRE.

COUNCIL
22 SEPTEMBER 2016

**INFORMATION REPORT - DECISIONS TAKEN
UNDER URGENCY AND SPECIAL URGENCY
PROCEDURE**

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REPORT FOR: COUNCIL

Date of Meeting: 22 September 2016

Subject: **INFORMATION REPORT - Decisions taken under Urgency and Special Urgency Procedure**

Responsible Officer: Hugh Peart – Monitoring Officer

Exempt: No

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

Appendix B – Decisions taken as a matter of special urgency

Section 1 – Summary

This report sets out details of decisions taken under the Urgency and Special Urgency procedure rules by the Leader of the Council since the meeting of the Council on 25 February 2016.

FOR INFORMATION

Section 2 – Report

In accordance with Committee Procedure Rule 46.6 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.

One decision has been taken as a matter of urgency since the Council meeting held on 25 February 2016, details of which are set out in Appendix A.

In accordance with the Access to Information Procedure Rules (Rule 17) 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 been used twice since the last Council meeting on 25 February 2016, details of which are set out at Appendix B.

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 Chair 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

Decisions taken in accordance with the Urgency Procedure

The following urgent decisions have been made since Council on 25 February 2016:

Subject	Decision Maker (Portfolio Holder/Leader/Cabinet)	Reason for Urgency
Investment Portfolio Acquisition	Leader (PHD 007/16)	The Council was negotiating an investment purchase and the vendor required completion within a short timeframe. If the Council could not meet the vendor's timeframe the vendor may have re-marketed the site and the Council may have lost this investment opportunity.

APPENDIX B

Decisions taken in accordance with the Special Urgency Procedure

The following decisions have been made since Council on 25 February 2016:

Subject	Decision Maker (Portfolio Holder/Leader/Cabinet)	Reason for Urgency
The Bridge – Outcome of the Consultation and Decision on Future Provision	Leader (PHD 022/15)	<p>Special Urgency: Access to Information Procedure Rules and paragraph 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012</p> <p>Following an extensive consultation process, the uncertainty around the future use of The Bridge was causing considerable anxiety amongst current users. An immediate decision was required to alleviate this anxiety and it was not in the Council's interests to delay the decision.</p>
Investment Portfolio Acquisition	Leader (PHD 007/16)	<p>Special Urgency: Access to Information Procedure Rules and paragraph 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012</p> <p>The Council was negotiating an investment purchase and the vendor required completion within a short timeframe. If the Council could not meet the vendor's timeframe the vendor may have re-</p>

		marketed the site and the Council may have lost this investment opportunity.
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COUNCIL
22 SEPTEMBER 2016

INFORMATION REPORT –
REMUNERATION PACKAGES AND SEVERANCE
PAYMENTS OF £100,000 OR GREATER

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REPORT FOR: COUNCIL

Date of Meeting:

22 September 2016

Subject:

**INFORMATION REPORT –
Remuneration packages and severance
payments of £100,000 or greater**

Exempt:

No

Enclosures:

None

Section 1 – Summary

This report sets out a summary of the latest remuneration packages and payments on termination of employment amounting to £100,000 or greater approved by the Chief Officers' Employment Panel.

Section 2 – Report

Background

1. The Localism Act 2011 requires Local Authorities to agree and publish an annual Pay Policy Statement.
2. DCLG guidance ('Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011').states that that full Council should be asked to determine whether it wishes to vote on any remuneration package or payment on termination of employment amount to £100,000 or greater.
3. The statutory guidance states: 'Remuneration includes salary, expenses, bonuses, performance related pay, as well as contractual arrangements involving possible future severance payments'. Authorities are required to take account of this guidance when preparing their pay policy statements.
4. The Council delegates authority to the Chief Officers' Employment Panel for determination of any remuneration package of £100,000 or payment on termination of employment amount to £100,000 or greater. Council also agreed that a summary of any remuneration packages or payments on termination of employment amounting to £100,000 or greater approved by the Chief Officers' Employment Panel be reported for information to full Council.

Payments on Termination of Employment

5. The statutory guidance states: *'the components of relevant severance packages ...may include salary paid in lieu, redundancy compensation, pension entitlements, holiday pay and any bonuses, fees or allowances paid'*.
6. Since the last report to Council, the Chief Officers' Employment Panel has approved a severance package for the following post:

Divisional Director Human Resources & Organisational Development

7. In February 2016 Cabinet approved proposals to enter into a shared service with Buckinghamshire County Council for the provision of HR Services to Harrow Council and Buckinghamshire County Council (BCC). The creation of the shared HR Service will deliver £250K (£140k in 17/18 and £110k in 18/19) revenue savings for Harrow and

will support the service in meeting its MTFS savings commitments.

8. Establishment of the shared HR service was subject to the completion of an Inter Authority Agreement and involved the transfer of staff to BCC and the creation of a new shared management structure. This would involve the deletion of a number of current management posts at Harrow, including the post of Divisional Director of HR & OD, which would be replaced by a single new post that would lead the shared service for both Councils at divisional director level.
9. There being no other suitable post for which the Divisional Director HR & OD could be considered, the post holder would be redundant and he had a contractual entitlement to a redundancy payment and a statutory entitlement to early payment of his pension and lump sum.
10. In order to facilitate a more effective transfer of the service and minimise the cost of the pensions transfer, all parties agreed that the Divisional Director HR & OD would not transfer to BCC and that subject to completion of the Inter Authority Agreement he would receive a compensation payment equivalent to his redundancy and pension entitlement. In order to protect both Councils from any potential claims under the TUPE Regulations, the termination and associated payments would be encompassed within a settlement agreement.
11. **The Panel approved:** payment of the contractual and statutory payments to which the Divisional Director of Human Resources & Organisational Development would be entitled subject to:
 - a) the completion of the Inter Authority Agreement between Harrow Council and Buckinghamshire County Council which provided for Buckinghamshire County Council to meet at least 50% of the costs of the payments; and
 - b) a settlement agreement being reached between Harrow Council, Buckinghamshire County Council and the officer concerned.
12. Both of the above conditions were met in July 2016, and the cost of the redundancy and the payment received by the officer is set out in the table below:

	Harrow General Fund	Harrow Pension Fund (10%)	Buckinghamshire CC	Total
Redundancy Payment	£26,012	£7,606	£42,440	£76,058
Pension Strain	£46,171	£13,500	£75,330	£135,001
Total	£72,183	£21,106	£117,770	£211,059

In addition the officer had annual leave outstanding for which a payment of £5,791.34 was made.

Remuneration Packages

13. The statutory guidance states: *'Remuneration includes salary, ...expenses, bonuses, performance related pay, as well as contractual arrangements involving possible future severance payments'*.
14. Since the last report to Council, the Chief Officers' Employment Panel has approved remuneration packages for the following posts:

Director of Adult Social Services

15. This post is a Statutory Officer post and the post holder has responsibility for undertaking the statutory role and responsibilities of the Director of Adult Social Services (DASS). The post holder had previously been in receipt of an honorarium of £5,865 p.a. for undertaking additional duties during the establishment of the People Directorate, which ceased on 31 March 2016, and an Emergency Response Officer payment of £193.58 p.c.m. which has also ceased.

Head of Adult Social Care

16. This post reports to the Director of Adult Social Services and is the Council's lead for all Adult safeguarding matters.
17. **The Panel approved:** That, subject to annual review by the Corporate Director, People, in consultation with the Head of HR and OD and the relevant Portfolio Holder, the following market supplements be approved;

£5,865 per annum for the Director of Adult Social Services; and
£11,876 per annum for the Head of Adult Social Care

18. The terms and conditions under which the above market supplement payments will be made are set out below:
- The market supplements will be paid in two equal instalments: 50% in October 2016 and 50% in April 2017.
 - The cost of the proposed market supplements will be met from within the existing Directorate budget and funded from the savings that we will achieve by deleting a post of Head of Service within the adults services division. Even with these increases an overall saving of £90k per annum will be achieved.
 - The payments will only be paid if the employee is in employment and not under notice as at the 30th September 2016 or 31st March 2017 respectively. If the employee's employment has terminated, for whatever reason, or they have given or received notice of termination prior to either of these dates then the respective payment will not be made.
 - The requirement for the payment will be reviewed in April 2017.

Section 3 – Further Information

None

Section 4 – Financial Implications

The remuneration cost for the following posts will be contained within existing directorate budgets:

- Director of Adult Social Services
- Head of Adult Social Care

The cost of the redundancy of the Divisional Director of HR and OD is shared between the Harrow Pension Fund (10%) with the remainder been funded by Buckinghamshire County Council (62%) and Harrow Council (38%). The proportion payable by Harrow will be met from the MTFS Implementation Reserve.

Section 5 – Equalities Implications

Equality Impact Assessments, where appropriate, have been carried out and published.

Name: Dawn Calvert



Chief Financial Officer

Date: 9 September 2016

Section 6 - Contact Details and Background Papers

Contact: Frances Mills, Head of People & Organisational Development

Email: frances.mills@harrow.gov.uk

DD: 01296 382945

Background Papers:

Reports to the Chief Officers' Employment Panel: 14th July 2016 and 4th August 2016.

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