

# **Council SUMMONS AND AGENDA**

**DATE:** Thursday 1 December 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:** [23 November 2016]

## **PRAYERS**

Rabbi Kathleen de Magtige-Middleton of Mosaic Reform Synagogue will open the meeting with Prayers.

### **1. COUNCIL MINUTES (Pages 7 - 18)**

That the minutes of the meeting held on 22 September 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:

- (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 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 a question and answer session. The item is allotted 20 minutes.

### **7. APPROVAL OF REASON FOR ABSENCE FOR COUNCILLOR BOB CURRIE AND COUNCILLOR MITZI GREEN (Pages 19 - 22)**

Report of the Monitoring Officer

**8. LONDON BOROUGH OF HARROW PENSION BOARD : ANNUAL REPORT**  
(Pages 23 - 30)

Recommendation I: Pension Board

(2 November 2016)

**9. PENSION BOARD - REVIEW OF TERMS OF REFERENCE** (Pages 31 - 40)

Recommendation I: Pension Board

(2 November 2016)

**10. INFORMATION REPORT - REMUNERATION PACKAGES OF £100,000 OR GREATER** (Pages 41 - 46)

**11. 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 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.

**12. 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) **Standing against discrimination, racism and crime Motion**

To be moved by Councillor Mrs Chika Amadi and seconded by Councillor Graham Henson:

“Harrow Council is concerned about the increasing levels of discrimination, racism and violent crime in London. Even though the number of times Londoners have been stopped for “stop and search” fell by 28% in 2015-2016, black people are six times more likely to be stopped than white people.

Undoubtedly, Harrow has been declared the safest borough in London, but a lot more work will need to be done in order to ensure equality and safety for all residents of our very diverse

Borough, making Harrow and London a better place for all our communities.

Harrow Council welcomes Mayor Khan's commitment to the restoration of real neighbourhood policing as the top priority for the Met, and that the Police and Crime Plan 2017-2020 will focus on neighbourhood and local policing; keeping children and young people safe; tackling violence against women and girls; tackling violent extremism, terrorism and hate crime; and ensuring an effective Criminal Justice System.

Harrow Council instructs the Council Leader and the Chief Executive to write to Sophie Linden, London's Deputy Mayor for Policing and Crime, expressing their support towards the proposed Police and Crime Plan 2017-2020 and call for any future plans to also focus on reducing discrimination and hate crime."

(2) **Fair funding Motion**

To be moved by Councillor Kareema Marikar and seconded by Councillor Adam Swersky:

"Harrow Council is concerned about the constant decrease in Governmental funding that the Borough is receiving. This funding is not adequate for the growing pressures that the Council is facing; despite its efforts the Council continues to face unprecedented demands upon its budget leading to an estimated budget pressure of £8m in 2016/17. The homelessness crisis is causing a pressure of £2.5m due to the combined impact of a shortage of affordable accommodation in London, rapidly increasing rents in the private rented sector and the impact of welfare reforms placing increased pressures on household incomes. The pressure against the Adults and Children's budgets is estimated at £5m largely as a result of the pressure of social care placements, front line staffing costs and special needs transport. In the Local Government Finance Settlement for 2016/17 the revised allocation methodology for Revenue Support Grant saw the Council lose £6.4m in grant funding meaning Harrow Council fared the 6<sup>th</sup> worst in London.

Harrow Council instructs the Council Leader and the Chief Executive to write to and work with London Councils and the LGA in order to make the case for a fairer funding settlement for the Borough."

(3) **Need for greater understanding of the implications of the administration's regeneration plans Motion**

To be moved by Councillor Barry Macleod-Cullinane and seconded by Councillor Susan Hall in accordance with Council Procedure Rule 18.1.1:

*“This Council notes:*

- That the administration’s regeneration plans will include up to £356m of new borrowing, which would more than double the Council’s debt.
- That, at an assumed 2% interest rate, the interest charges alone on this new debt will cost the Council an additional £7 million a year from the Council’s already under-pressure Revenue budget.
- That, to put this additional £7 million in interest payments into perspective, the voluntary sector budget is around £1.45 million – and, after years of cuts, the administration is proposing to cut it again in the coming financial year.
- That, when the administration brought the report outlining its regeneration plans to September’s Council, the guillotine fell, preventing all Members from discussing the regeneration plans and their financing and implications for the borough and our residents.

*This Council believes:*

That any decision of such magnitude, with huge financial implications for the Council’s budget and potential to force additional cuts to other services, should be fully discussed by all members in Full Council.

*This Council resolves:*

That Council’s decision of September 22 2016 to agree “the additional capital budgets for 2017/18, 2018/19 and 2019/20 be approved and added to the Capital Programme” be reversed.

*This Council further resolves:*

That the administration should not bring its regeneration plans back to full Council until the plans have been brought to scrutiny and all Members feel that they have been fully briefed on all the implications of the administration’s regeneration plans for the Council, borough and our residents and feel able to fully contribute to an informed discussion of those regeneration plans.”

#### **\* Data Protection Act Notice**

The Council will audio record items 5 and 11 (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.]

This page is intentionally left blank

# **COUNCIL 1 DECEMBER 2016**

## **MINUTES**

This page is intentionally left blank



# COUNCIL MINUTES

## 22 SEPTEMBER 2016

**Present:**

- \* Councillor Mrs Rekha Shah (The Worshipful the Mayor)
- \* Councillor Margaret Davine (The Deputy Mayor)

**Councillors:**

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

\* Denotes Member present  
† Denotes apologies received

## PRAYERS

The meeting opened with Prayers offered by Imam Hafiz Muhammed Akran, Harrow Central Mosque.

### 179. COUNCIL MINUTES

**RESOLVED: That the minutes of the Annual Meeting held on 19 May 2016 be taken as read and signed as a correct record.**

### 180. DECLARATIONS OF INTEREST

The Mayor invited appropriate declarations of interest.

#### Item 4 – Petitions

Councillor Mrs Chika Amadi declared a non pecuniary interest in that she was an Edgware ward councillor. She would remain in the Chamber for the consideration of this item.

Councillor Barry Kendler declared a non pecuniary interest in that he was an Edgware ward councillor. He would remain in the Chamber for the consideration of this item.

Councillor Nitin Parekh declared a non pecuniary interest in that he was an Edgware ward councillor. He would remain in the Chamber for the consideration of this item.

#### Item 9 – Regeneration Programme 2016-2020

Councillor Mrs Chika Amadi declared a non pecuniary interest in that she worked in Wealdstone and her husband had a business in Wealdstone. She would remain in the Chamber for the consideration of this item.

Councillor Susan Hall declared a non pecuniary interest in that she owned a business in Wealdstone. If the interest became pecuniary she would leave the Chamber for the consideration and voting on this item.

#### Item 16 – Motions – Southern Rail Motion

Councillor James Bond declared an interest in that he was employed by Transport for London. He would remain in the Chamber for the consideration and voting on this item.

#### Item 16 – Motions – Mental Health Challenge Motion

Councillor Richard Almond declared an interest in that he worked with patients detained under the Mental Health Act. He would remain in the Chamber for the consideration and voting on this item.

Councillor Jeff Anderson declared an interest in that family members had received treatment for a mental health issue. He would remain in the Chamber for the consideration and voting on this item.

Councillor Sue Anderson declared an interest in that she was employed in the mental health sector, had in the past received treatment for a mental health issue and a family member had received treatment for a mental health issue. She would remain in the Chamber for the consideration and voting on this item.

Councillor Graham Henson declared an interest in that his wife was employed in the mental health sector. He would remain in the Chamber for the consideration and voting on this item.

Councillor Kareema Kairul Marikar declared an interest due to working in the mental health sector and her involvement with PULSE community health. She would remain in the Chamber for the consideration and voting on this item.

Councillor Chris Mote declared an interest in that his daughter was employed at Northwick Park Hospital and as a result dealt with patients who had mental health issues. He would remain in the Chamber for the consideration and voting on this item.

Councillor Janet Mote declared an interest in that her daughter was employed at Northwick Park Hospital and as a result dealt with patients who had mental health issues. She would remain in the Chamber for the consideration and voting on this item.

Councillor Adam Swersky declared an interest in that he was employed in the mental health sector. He would remain in the Chamber for the consideration and voting on this item.

## **181. PROCEDURAL MOTIONS**

- (i) The Mayor drew Council's attention to a tabled motion in relation to Boundary Commission Proposals. Upon being put to the vote, it was agreed that the motion was urgent.
- (ii) The Mayor also drew Members' attention to three tabled amendments.
- (iii) Having asked whether there were any further Procedural Motions, Councillor Keith Ferry moved that item 16, Motions, be considered following item 7, Long Service Award to Councillor Christine Bednell. The motion was duly seconded by Councillor Sachin Shah. Upon being put to the vote it was carried.

## **182. PETITIONS**

In accordance with Rule 10, the following petitions were presented

- (i) Petition submitted by children from Stag Lane School in relation to litter containing 750 signatures.

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

- (ii) Petition submitted by Herbie Crossman, as a representative of the residents of Worple Way and High Worple, in relation to the proposed change of use of 107 Worple Way containing over 257 signatures.

[The petition stood referred to the Portfolio Holder for Business, Planning and Regeneration].

- (iii) Petition submitted by Councillor Chris Noyce, on behalf of the residents of Worple Way and High Worple, in relation to the proposed change of use of 107 Worple Way containing over 257 signatures.

[The petition stood referred to the Portfolio Holder for Business, Planning and Regeneration].

- (iv) Petition submitted by Councillor Ameet Jogia on behalf of the residents of Whitchurch Gardens in relation to parking in Whitchurch Gardens containing 47 signatures.

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

### **183. PUBLIC QUESTIONS**

To note that one question from a member of the public had been received and responded to, and the recording of this question and the answer given had been placed on the Council's website

### **184. LEADER AND PORTFOLIO HOLDERS' ANNOUNCEMENTS**

- (i) The Leader of the Council, Councillor Sachin Shah, 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.

### **185. LONG SERVICE AWARD - COUNCILLOR CHRISTINE BEDNELL**

Council had previously agreed, by Resolution 192 on 18 July 1985, that Members who completed 25 years' service with the Council be presented with framed, illuminated copy resolutions of appreciation. Councillor Christine Bednell had completed 45 years' service as a Member of the Authority in May 2016, and her resolution of appreciation had been adopted by Council on 19 May 2016.

The Mayor, Councillor Mrs Rekha Shah, on behalf of the Council, now formally congratulated Councillor Bednell and presented her with a framed, illuminated copy resolution to mark her long service achievement. Councillors Marilyn Ashton, Sue Anderson, Mrs Camilla Bath, James Bond, Simon Brown, Susan Hall, Jean Lammiman, Janet Mote, Christopher Noyce, Pritesh Patel and Sachin Shah spoke in appreciation of Councillor Bednell's service.

Councillor Bednell returned thanks for her presentation.

## **186. MOTIONS**

Further to the procedural Motion previously agreed, at item 16 the Council received four Motions and one urgent Motion:

- (i) Motion in the names of Councillor Georgia Weston and Councillor James Bond. The tabled amendment was voted upon but not carried.

### **“Condemn Racism, Xenophobia and Hate Crimes Motion**

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.”

Upon a vote, the Motion was agreed.

**RESOLVED: That the Motion set out at (i) above be adopted.**

- (ii) Motion in the names of Councillor Barry Kendler and Councillor Graham Henson. The tabled amendment was voted upon but not carried.

### **“Southern Rail Motion**

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.”

Upon a vote, the Motion was agreed.

**RESOLVED: That the Motion set out at (ii) above be adopted.**

- (iii) Motion in the names of Councillor Adam Swersky and Councillor Varsha Parmar. The tabled amendment was voted upon and was carried.

### **“Mental Health Challenge Motion**

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, who shall produce an annual written report to the council of his or her achievements in that role and appear on invitation before the Overview and Scrutiny Committee to answer questions thereon.
- 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”

Upon a vote, the Motion was unanimously agreed.

**RESOLVED: That the Motion set out at (iii) above be adopted.**

- (iv) Motion in the names of Councillor Anne Whitehead and Councillor Kiran Ramchandani.

### **“Childhood Obesity Motion**

#### **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 be 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 Harrow's year 6 children; predominately poorer children, are obese, and the Government's 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 Harrow's 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 Harrow’s 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.”

Upon a vote, the Motion was agreed.

**RESOLVED: That the Motion set out at (iv) above be adopted.**

- (v) Urgent Motion in the names of Councillor Graham Henson and Councillor Sachin Shah.

**“Urgent Motion - Boundary commission proposal**

Harrow Council is concerned about the new parliamentary boundaries announced on September 13, which are proposed by the Boundary Commission for England. We believe that the new boundaries will divide our cohesive communities and do not take into consideration the increased voter registration prior to the European Union referendum.

Harrow Council instructs the Council Leader and the Chief Executive to write to the Boundary Commission with detail around how their proposals will affect Harrow’s diverse and cohesive communities.

Harrow Council encourages councillors and members of the public to respond to the consultation and attend the public meeting organised by the Boundary Commission, that is due to take place in Kenton Hall on October 24 and 25.”

Upon a vote, the Motion was agreed.

**RESOLVED: That the Motion set out at (v) above be adopted.**

## **187. COMMUNITY SAFETY PLAN**

**RESOLVED: That the Community Safety Strategy 2016-19 be endorsed and adopted.**

## **188. REGENERATION PROGRAMME 2016-2020**

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

**Roll Call Vote (In Favour of the Motion):** Her Worshipful the Mayor Councillor Mrs Rekha Shah, Councillors Ali, Mrs Chika Amadi, Jeff Anderson,



Sue Anderson, Borio, Brown, Dattani, Davine, Dooley, Ferry, Hearnden, Henson, Kendler, Marikar, Maru, Miles, O'Dell, Parekh, Varsha Parmar, Primesh Patel, Perry, Ramchandani, Mrs Christine Robson, Sachin Shah, Krishna Suresh, Sasikala Suresh, Swersky, Weiss and Whitehead.

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

**Abstain:** Councillors Chris Noyce and Georgia Weston.

**189. YOUTH JUSTICE PLAN**

**RESOLVED:** That the Youth Offending Partnership Youth Justice Plan 2015-2018 be approved and the comments of the Overview and Scrutiny Committee be noted.

**190. TERMS OF REFERENCE OF THE CORPORATE PARENTING PANEL**

**RESOLVED:** That the revised Terms of Reference be included in the Council's Constitution and any changes in Panel membership arising be agreed.

**191. CONSTITUTIONAL AMENDMENTS**

**RESOLVED:** That

- (1) the existing terms of reference and membership for the Standing Advisory Council on Religious Education (SACRE) be replaced with the proposed new terms of reference and membership set out in Appendix 1 to the report;**
- (2) 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 be agreed;**
- (3) the addition to the responsibilities of the Portfolio Holder for Environment, Crime and Community Safety be noted;**
- (4) the changes to the constitution made by the Monitoring Officer since the last meeting of Council be noted.**

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

**RESOLVED:** That the reports detailing decisions taken under the urgency, special urgency and urgent minor matters procedures be noted.

**193. INFORMATION REPORT - REMUNERATION PACKAGES AND SEVERANCE PAYMENTS OF £100,000 OR GREATER**

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

**194. QUESTIONS WITH NOTICE**

To note that thirteen questions from Councillors to the Leader of the Council and Portfolio Holders had been received and that a written response would be provided and placed on the Council's website.

**195. PROCEDURE FOR TERMINATION OF MEETING**

At 10.23 pm, during the consideration of item 16 – Motions, Councillor Paul Osborn moved that the guillotine be extended until the after the completion of item 9 – Regeneration Programme 2016-2020. This was seconded by Councillor Barry Macleod-Cullinane. Having been put to the vote this was lost.

**RESOLVED:** That the provisions of Rules 9.2 and 9.3 be applied as set out above.

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

**COUNCIL  
1 DECEMBER 2016**

**APPROVAL OF REASON FOR ABSENCE FOR  
COUNCILLOR BOB CURRIE AND  
COUNCILLOR MITZI GREEN**

This page is intentionally left blank

## **REPORT FOR: COUNCIL**

---

<b>Date of Meeting:</b>	1 December 2016
<b>Subject:</b>	Approval of reason for absence of Councillor Bob Currie and Councillor Mitzi Green
<b>Responsible Officer:</b>	Hugh Peart, Monitoring Officer
<b>Exempt:</b>	No
<b>Wards affected:</b>	Roxbourne and Kenton East
<b>Enclosures:</b>	None

### **Section 1 – Summary and Recommendations**

This report sets out a request received from the Labour Group seeking approval of the reasons for absence of Councillor Bob Currie and Councillor Mitzi Green.

#### **Recommendations:**

**That Council approves the reasons for absence of Councillor Bob Currie and Councillor Mitzi Green under section 85(1) of the Local Government Act 1972 and grants them a dispensation from the requirement to attend a meeting of the Council until 18 May 2017 (Annual Council).**

## Section 2 – Report

Section 85(1) of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months to attend any meeting of the authority, he/she shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.

Due to a serious health condition, Councillor Mitzi Green may not be able to attend Council on 1 December 2016 and there is a risk of the statutory provisions applying.

Councillor Bob Currie also has a serious health condition and, whilst he attended Council on 22 September 2016, he may not be able to attend future meetings.

For the reasons outlined above, it is proposed that both Councillors be granted a dispensation from the requirement to attend a meeting of the Council until 18 May 2017 (Annual Council).

### Financial Implications

There are no financial implications with this report.

### Risk Management Implications

The risk is that Councillors Currie and Green, if the Council does not approve the reason for absence, will cease to be members of the Authority.

## Section 3 - Statutory Officer Clearance

Name: Dawn Calvert	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 11 November 2016		
Name: Hugh Peart	<input checked="" type="checkbox"/>	Monitoring Officer
Date: 18 November 2016		



## Section 4 - Contact Details and Background

### Papers

**Contact:** Alison Atherton, Senior Professional Democratic Services, Tel: 020 824 1266. Email: [alison.atherton@harrow.gov.uk](mailto:alison.atherton@harrow.gov.uk)

**COUNCIL  
1 DECEMBER 2016**

**PENSION BOARD  
RECOMMENDATION  
(2 NOVEMBER 2016)**

**RECOMMENDATION I**

**LONDON BOROUGH OF HARROW  
PENSION BOARD : ANNUAL REPORT**

This page is intentionally left blank



# PENSION BOARD MINUTES

## 2 NOVEMBER 2016

<b>Chair:</b>	* Mr R Harbord	
<b>Board Members:</b>	* Councillor Kiran Ramchandani	Employer Representative - London Borough of Harrow Scheme Members'
	* Gerald Balabanoff (VC)	Representative - Pensioners
	* Sudhi Pathak	Employer Representative - Scheduled and Admitted Bodies
	John Royle	Scheme Members' Representative - Active Members

\* Denotes Member present

### RECOMMENDED ITEMS

#### 64. London Borough of Harrow Pension Board: Draft Annual Report to Council 2016

The Board received a report of the Director of Finance which advised of the need to prepare a report on their work for consideration by Council.

The officer reminded the Board that an initial draft report had been considered at the previous meeting. A revised draft had subsequently been prepared for consideration.

**Resolved to RECOMMEND:** (to Council)

That the London Borough of Harrow Pension Board Annual Report, attached at Appendix 1, be approved.

This page is intentionally left blank

DRAFT

**LONDON BOROUGH OF HARROW PENSION BOARD  
ANNUAL REPORT TO COUNCIL 2016**

**Background**

The Board was set up by 1 April 2015 in accordance with the requirements of the Public Service Pensions Act 2013.

The Act provides for the membership to be of equal numbers of “employer representatives” and “member representatives”. In addition we have an Independent Member.

Our Terms of Reference require us to present a report on our work to the Full Council once a year.

**Meetings**

We held our first meeting on 25 June 2015 and Richard Harbord and Gerald Balabanoff were appointed as Chair and Vice-Chair respectively for the remainder of the 2015-16 Municipal Year.

We have subsequently met on four occasions.

All five members of the Board have attended all except one of the meetings and Richard and Gerald were re-appointed to their posts on 28 June 2016.

Themes arising during the year were:

Role and Terms of Reference

At our first meeting we were provided with considerable background information on our establishment, role and Terms of Reference.

We understand our role and are generally happy with the generic nature of the Terms of Reference. However, our view is that we should meet more than twice a year and that the periods of office of the various members be staggered to avoid the potential loss of too much experience at one time.

The issue of payment to the Council officer who is a member of the Board and the level of payments to non-Council members were raised.

Knowledge and Understanding of the Local Government Pension Scheme

At our first meeting, we were advised of the knowledge and understanding of the Local Government Pension Scheme required of members of the Board as set out by the, then, Shadow Advisory Board.

To assist in our understanding we have been provided with a large amount of information about the Scheme, usually with an officer's commentary, including:

- Annual Report and Accounts
- Guide to the Local Government Pension Scheme
- Governance Compliance Statement
- Statement of Investment Principles
- Funding Strategy Statement
- Reports from the Fund Actuary

Reference to specific training is made below.

#### Relationship with Pension Fund Committee

At each meeting, the Board have been advised of the agendas of, and decisions taken by, the Pension Fund Committee at its recent meetings. Our views have, in turn, been reported to the Committee. The Board has also been explicitly invited to attend the Committee meetings and the training sessions held prior to each meeting.

Both the Board and the Committee have emphasised the importance of maintaining good relationships between the two bodies. The Chairs of the Committee and the Board have met and our Chair has been invited to speak at the Committee.

A recurring theme throughout the year has been legal advice that members of the Board are not entitled to remain at the Committee's meetings when exempt papers are discussed even though Board members are expected to abide by the Council's Code of Conduct. A compromise was eventually reached whereby Board members could see all exempt papers other than those involving personal information of officers.

#### Annual Report and Financial Statements

At various of our meetings we have been invited to consider the Annual Report and Financial Statements for the last two years together with their various attachments and the reports of the Auditor. The areas in which we expressed particular interest have been:

- Actuarial assumptions
- Employer contributions
- The prospect of the funding deficit being recovered in 20 years
- The performance of the Fund and the way it is discussed in reports to facilitate the scrutiny process

We have received reports and presentations from the Actuary at each of our meetings in 2016.

### Investment and Management Expenses

We reviewed in detail the management expenses of the Fund and requested benchmarking details.

### Benchmarking and key performance indicators

We have shown particular interest in benchmarking and key performance indicators.

At our meeting on 2 November 2015 we reviewed the self-assessment key performance indicators provided on a pro-forma for the LGPS Scheme Advisory Board.

Traditionally, reliable benchmarking and comparison information covering all administering authorities has not been available. However, recent Government requirements in the context of the pooling arrangements have necessitated the provision of relatively consistent information from all administering authorities and Harrow's results were considered by us on 28 June 2016.

### Environmental, Social and Governance Issues

The Board supports the Committee's stance in expecting fund managers to adopt appropriate codes of practice and that they be required to provide an explanation when they do not.

## **Training**

In accordance with the requirements mentioned above, on 27 August 2015 the Fund's investment Adviser Aon Hewitt provided an intensive all-day training programme covering the following:

- Governance and Key Legislation
- Actuarial and Funding Matters
- Investment

All members of the Board were able to attend.

## **Conclusion**

The regulations governing Pension Boards were contained in the 2015 Regulations (SI2015/57)

The main provisions are:

“(1) Each administering authority shall no later than 1st April 2015 establish a pension board (“a local pension board”) responsible for assisting it -

- (a) to secure compliance with -
  - (i) these Regulations,
  - (ii) any other legislation relating to the governance and administration of the Scheme and any connected scheme, and
  - (iii) any requirements imposed by the Pensions Regulator in relation to the Scheme and any connected scheme; and
  
- (b) to ensure the effective and efficient governance and administration of the Scheme and any connected scheme.

Essentially the role of the Pension Board is one of Scrutiny and our role is wholly advisory.

The first year has been one of training, understanding the role and scrutinising the arrangements for the actuarial valuation and areas of key interest such as management fees etc.

The Board looks forward to consolidating their performance in the second year and becoming an effective body for scrutiny.

# **COUNCIL 1 DECEMBER 2016**

## **PENSION BOARD RECOMMENDATION (2 NOVEMBER 2016)**

**RECOMMENDATION I**

**PENSION BOARD – REVIEW OF  
TERMS OF REFERENCE**

This page is intentionally left blank



# PENSION BOARD MINUTES

## 2 NOVEMBER 2016

<b>Chair:</b>	* Mr R Harbord	
<b>Board Members:</b>	* Councillor Kiran Ramchandani	Employer Representative - London Borough of Harrow Scheme Members'
	* Gerald Balabanoff (VC)	Representative - Pensioners
	* Sudhi Pathak	Employer Representative - Scheduled and Admitted Bodies
	John Royle	Scheme Members' Representative - Active Members

\* Denotes Member present

### RECOMMENDED ITEMS

#### 65. Review of Terms of Reference

The Board received a report of the Director of Finance which sought views on whether Council should be requested to consider amendments to the Board's terms of reference.

A Board member stated that whilst he had no issue with the terms of reference, which had been based on a model, he was concerned that, at the end of the three year term of the Board membership, there would be no succession and therefore a loss of knowledge. For this reason he suggested that additional members be appointed in April 2017 to ensure a rotation/continuation in membership.

The Board indicated that two meetings per annum was not sufficient in order to carry out their role and that meetings should be synchronised with the Pension Fund Committee meetings. It was agreed that the terms of reference be amended to indicate that the Board would meet at least twice but no more than four times a year.

**Resolved to RECOMMEND:** (to Council)

That terms of reference of the Pension Board, as amended and set out at Appendix 2, be approved and incorporated into the Council's Constitution.

# **LONDON BOROUGH OF HARROW PENSION FUND**

## **PENSION BOARD**

### **TERMS OF REFERENCE**

#### **1) Introduction**

The purpose of this document is to set out the Terms of Reference for the local Pension Board (the Board) of the London Borough Harrow Pension Fund (the Fund).

#### **2) Powers of the Board**

The Board will exercise all its powers and duties in accordance with the law and this Terms of Reference.

#### **3) Role of the Board**

The role of the Board, as defined by sections 5(1) and (2) of the Public Service Pensions Act 2013, is to assist the Administering Authority (London Borough of Harrow) as Scheme Manager in ensuring the effective and efficient governance and administration of the Local Government Pension Scheme (LGPS) including:

- securing compliance with the LGPS regulations and other legislation relating to the governance and administration of the LGPS;
- securing compliance with requirements imposed in relation to the LGPS by the Pensions Regulator; and
- such other matters the LGPS regulations may specify.

The Administering Authority retains ultimate responsibility for the administration and governance of the scheme. The role of the Board is to support the Administering Authority to fulfil that responsibility.

In its role, The Board will have oversight of the administration of the fund including:

- (a) The effectiveness of the decision making process
- (b) The direction of the Fund and its overall objectives
- (c) The level of transparency in the conduct of the Fund's activities
- (d) The administration of benefits and contributions

The Board will provide the Scheme Manager with such information as it requires to ensure that any Member of the Board or person to be appointed to the Board does not have a conflict of interest.

The Board will ensure it effectively and efficiently complies with the Code of Practice on the Governance and Administration of Public Service Pension Schemes issued by the Pensions Regulator. It will help to ensure that the Fund is managed in the same way.

The Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively.

#### **4) Membership**

The Board shall consist of 5 members and be constituted as follows:

- (i) 2 Employer representatives – Administering Authority (1), other scheduled and admitted bodies [ie organisations other than the Administering Authority who, under the regulations, can participate in the LGPS] (1);
- (ii) 2 Scheme Member representatives – active members (1), pensioners (1); and
- (iii) 1 independent member

Elected Members and officers involved in the management and administration of the Fund are not permitted to become Board members.

Only the Employer and Scheme Member representatives will have voting rights.

Each member of the Board will serve for a period of three years, subject to compliance with conditions of appointment. Members will be appointed on a rotational basis with effect April 2017.

The Chair and Deputy Chair of the Board will be elected by the Board at its first meeting and will serve for a period of three years. Should the elected Chair be an Employer representative the Deputy Chair must be a Scheme Member representative and vice versa.

The Chair will ensure that meetings are properly conducted and the decision of the Chair on all points of procedure and order shall be final.

The Board may, with the approval of the Administering Authority, co-opt persons with sufficient skills and experience to advise and support them. Co-optees are not Board members and do not have voting rights.

Each Board Member should endeavour to attend all Board meetings during the year. In the event of consistent non-attendance by any Board Member the tenure of that membership should be reviewed by the other Board members in liaison with the Scheme Manager.

Other than by ceasing to be eligible as set out above, a Board member may only be removed from office during a term of appointment by the unanimous agreement of all other members and with the agreement of the Scheme Manager. Should any member of the Board cease to be a member of the relevant group for which he/she has been appointed he/she will automatically cease to be a member of the Board and the Administering Authority will conduct a replacement process.

## **5) Appointment of Board members**

All Board members will be appointed by Full Council. It is a statutory requirement that the Administering Authority must be satisfied that a person to be appointed as an Employer or Scheme Member representative has the relevant experience and capacity to represent employers or scheme members (as appropriate)

- Administering Authority to nominate one Employer representative
  - The second Employer representative to be nominated by the scheduled and admitted bodies. If more than one is nominated, Council will determine who is to be appointed.
- (i) Scheme Member representatives to be selected through a process administered by the Administering Authority with a recommendation to Council
- (ii) Independent member – applications to be invited by public advertisement with a recommendation by the s151 Officer to Council.

## **6) Standards of conduct and conflicts of interest**

All members of the Board are expected to act in accordance with the Code of Conduct for Councillors where applicable and the Pensions Regulator's Code of Practice. In accordance with s5(5) Public Service Pension Act 2013, a Board member must not have a financial or other interest that could prejudice him/her in carrying out his/her Board duties. This does not include a financial or other interest arising merely by virtue of being a member of the LGPS.

The policy for identifying conflicts of interest is set out in a separate policy document.

## **7) Knowledge and Skills**

Following appointment each member of the Board should be conversant with:

- The legislation and associated guidance of the LGPS
- Any document recording policy about the administration of the LGPS which is for the time being adopted by the Fund

The Administering Authority will provide a training programme which all Board members will be required to attend.

It is for individual Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them, properly, to exercise their functions as a Member of the Board and therefore, must comply with the Board's Knowledge and Understanding and Training Policy.

## **8) Accountability**

The Board will collectively and individually be accountable to the Scheme Manager.

The Board will refer all relevant recommendations and decisions to the Pension Fund Committee of the Administering Authority and, where appropriate, to Full Council. It will present a report on its work to the Full Council once a year.

## **9) Decision making**

Each voting member of the Board will have an individual voting right but it is expected that the Board will, as far as possible, reach a consensus. The Chair of the Board, so long as he/she has voting rights, will have the final deciding vote.

## **10) Quorum**

A quorum will comprise 3 of the 5 members of which at least one shall be an Employer representative and one a Scheme Member representative.

## **11) Meetings**

The Board shall meet at least twice a year but no more than four times.

The Chair of the Board, in consultation with the Administering Authority will prepare an agenda for each meeting of the Board. The administration of the Board will be in accordance with the normal procedures of the London Borough of Harrow.

An extraordinary meeting will be called when the Chair considers this necessary and/or in circumstances where the Chair receives a request in writing by 50% of the voting membership of the Board.

## **12) Publication of Pension Board Information**

The Administering Authority will publish up to date information on the Council's website including:

- The names of the Board member
- The Board's Terms of Reference
- Papers, agendas and minutes of Board meetings.

## **13) Advice to the Board**

The Board will be supported in its role and responsibilities by the Administering Authority through advice and support as appropriate.

#### **14) Expense Reimbursement**

Each member of the Board and any co-opted persons, excluding elected Councillors of the London Borough of Harrow and Council Officers will be reimbursed at a rate of £445 per annum (exclusive of VAT if payable). All members of the Board and any co-opted persons will be paid “out-of-pocket” expenses when carrying out the functions of the Board including approved training.

#### **15) Definitions**

The undernoted terms shall have the following meaning when used in this document:

<i>Administering Authority</i>	London Borough of Harrow
<i>Board or Pension Board</i>	The local Pension Board for the London Borough of Harrow, Administering Authority for the London Borough of Harrow Pension Fund as required under the Public Service Pensions Act 2013
<i>Board Member</i>	A member of the Board including Employer representatives, Scheme Member representatives and an independent member
<i>Code of Practice</i>	The Pensions Regulator’s [draft] Code of Practice no 14 entitled “ <i>Governance and administration of public service pension schemes.</i> ”
<i>Conflicts of Interest</i>	As defined in the Public Service Pensions Act 2013
<i>Conflicts of Interest Policy</i>	The policy on conflicts of interest as adopted by the Board
<i>Employer Representative</i>	A person appointed to the Board for the purpose of representing employers for the Scheme
<i>Fund</i>	The London Borough of Harrow Pension Fund within the Scheme administered and maintained by the Scheme Employer
<i>Independent Member</i>	A Member of the Board who is neither an Employer Representative nor a Member Representative
<i>Knowledge and Understanding and Training Policy</i>	The training policy as adopted by the Board
<i>LGPS</i>	The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment)

Regulations 2014 and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009.

*Member Representative*

A person appointed to the Board for the purpose of representing members of the Scheme

*Scheme*

The Local Government Pension Scheme as defined under LGPS.

*Scheme Manager*

London Borough of Harrow as administering authority of the London Borough of Harrow Pension Fund

## **16) Interpretation**

Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be resolved by reference to the Scheme Manager.



**COUNCIL**  
**1 DECEMBER 2016**

**INFORMATION REPORT – REMUNERATION  
PACKAGES OF £100,000 OR GREATER**

This page is intentionally left blank

**REPORT FOR: COUNCIL**

---

**Date of Meeting:** 21 November 2016

**Subject:** **INFORMATION REPORT –  
Remuneration packages of £100,000 or  
greater**

**Exempt:** No

**Enclosures:** None

**Section 1 – Summary**

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

**FOR INFORMATION**

## 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.
5. Since the last report to Council, the Chief Officers' Employment Panel has approved a remuneration package for the following post:

### Remuneration Packages

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

#### Divisional Director of Housing

8. The post has been filled since July 2009 on a contractor basis with an

annual cost of £158,818.40 (including on costs and agency admin fee). The post was previously graded at D1 - £81,321 - £95,880 (from 1<sup>st</sup> April 2016).

9. The post was re-evaluated by HR in August 2016 and graded as D2 - £101,767 - £114,459 (from 1<sup>st</sup> April 2016).

10. Benchmarking information was provided to the panel to support their decision making:

<b>London Borough</b>	<b>Pay Scale</b>
Waltham Forest	Director of Housing £101,990 to £110,090 (Currently advertised)
Hackney	Director – Housing Up to £125k
Redbridge	Director of Environment, Housing and Community Services £130,000 - £134,999
Hounslow	Director Housing Max Salary for Grade: £119,159 (1 March 2016)
Ealing	Director of Built Environment Max Salary for Grade £110,910 (April 2016)

11. The panel agreed the remuneration package on 1<sup>st</sup> November 2016 and interviews then took place. A candidate has been successfully appointed.

### **Section 3 – Further Information**

None

### **Section 4 – Financial Implications**

A breakdown of the post funding is provided below:

Housing Revenue Account - 80%  
General Fund – 20%

The element of the post's salary charged to the GF would be c.£27k at the bottom of the scale and c.£31k at the top of the scale. There is a general fund budget provision of £28k. Additional budget would have to be found within existing directorate resources if required.

## **Section 5 – Equalities Implications**

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

Name: Dawn Calvert



Chief Financial Officer

Date: 22 November 2016

## **Section 6 - Contact Details and Background Papers**

**Contact:** Samantha Reilly, HR Business Partner,

[Samantha.Reilly@harrow.gov.uk](mailto:Samantha.Reilly@harrow.gov.uk)

DD: 07860 179558

### **Background Papers:**

Reports to the Chief Officers' Employment Panel: 1<sup>st</sup> November 2016