

Council

SUMMONS AND AGENDA

DATE: **Thursday 18 July 2019**

TIME: **7.30 pm**

VENUE: **Council Chamber, Harrow Civic Centre,
Station Road, Harrow, HA1 2XY**

All Councillors are hereby summoned to attend the Council Meeting for the transaction of the business set out.

A handwritten signature in black ink, appearing to read "HP", located below the summons text.

Hugh Peart
Director of Legal and Governance Services

Despatch Date: [Wednesday 10 July 2019]

Useful Information

Meeting details:

This meeting is open to the press and public.

Directions to the Civic Centre can be found at:
<http://www.harrow.gov.uk/site/scripts/location.php>.

Filming / recording of meetings

The Council will audio record Public and Councillor Questions. The audio recording will be placed on the Council's website.

Please note that proceedings at this meeting may be photographed, recorded or filmed. If you choose to attend, you will be deemed to have consented to being photographed, recorded and/or filmed.

When present in the meeting room, silent mode should be enabled for all mobile devices.

Meeting access / special requirements.

The Civic Centre is accessible to people with special needs. There are accessible toilets and lifts to meeting rooms. If you have special requirements, please contact the officer listed on the front page of this agenda.

An induction loop system for people with hearing difficulties is available. Please ask at the Security Desk on the Middlesex Floor.

Summons publication date: Wednesday 10 July 2019

PRAYERS

His Holiness Shri Rajrajeshwar Guruji, Founder and Spiritual Leader of the International Siddhashram Shakti Centre, will open the meeting with Prayers.

1. COUNCIL MINUTES (Pages 13 - 18)

That the minutes of the Annual meeting held on 16 May 2019 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. STATEMENT BY THE CHAIR OF THE GOVERNANCE, AUDIT, RISK MANAGEMENT AND STANDARDS COMMITTEE

8. COMMUNITY SAFETY PLAN (To Follow)

Recommendation I : Cabinet
(11 July 2019)

9. YOUTH JUSTICE PLAN (To Follow)

Recommendation I : Cabinet
(11 July 2019)

10. 2 YEAR BUDGET STRATEGY 2020/21 TO 2021/22 (To Follow)

Recommendation I : Cabinet
(11 July 2019)

11. APPOINTMENT OF CO-OPTEE TO THE PENSION FUND COMMITTEE (Pages 19 - 22)

Recommendation I : Pension Fund Committee
(26 June 2019)

12. CONSTITUTION UPDATE (Pages 23 - 50)

Report of the Director of Legal and Governance Services

13. INFORMATION REPORT - DECISIONS TAKEN UNDER THE URGENT ACTION PROCEDURE - COUNCIL (Pages 51 - 54)

14. INFORMATION REPORT - DECISIONS TAKEN UNDER THE URGENCY PROCEDURE - EXECUTIVE (Pages 55 - 58)

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 content has been advised to the Director of Legal and Governance Services by 12 noon on the day of the Council Meeting.

Any such questions received will be tabled.

16. MOTIONS

The following Motions have been notified in accordance with the requirements of Council Procedure Rule 15, to be moved and seconded by the Members indicated:

(1) **Harrow Council recognises working definition of Islamophobia Motion**

To be moved by Councillor Peymana Assad and seconded by Councillor Kiran Ramchandani:

“While the drive to tackle hate and discrimination in all its forms continues, there has been a disappointing normalisation in the media and in politics of some forms of hate in recent times, Islamophobia being one of them. As a diverse and vibrant borough where Muslims make up over 12% of the population, it is important that the Council signals its seriousness in tackling all forms of hate and discrimination against residents, and members of wider society. Following an extensive consultation, the All Party Parliamentary Group (APPG) for British Muslims has formulated a working definition of Islamophobia as:

- *Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness*

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism, and claims of a demographic ‘threat’ posed by Muslims or of a ‘Muslim takeover’.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the ‘Ummah’ (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations the right to self-determination.
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, e.g. loyalty tests.
- Using the symbols and images associated with classic

Islamophobia (e.g. Muhammed being a paedophile, claims of Muslims spreading Islam by the sword or subjugating minority groups under their rule) to characterize Muslims as being ‘sex groomers’, inherently violent or incapable of living harmoniously in plural societies.

- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

This list is not exhaustive but forms guidelines to recognise markers of Islamophobia in today’s context.

Harrow Council resolves:

1. To formally adopt the working definition of Islamophobia as formulated by the APPG for British Muslims.
2. That the Council Leader and the Chief Executive write to Rt Hon James Brokenshire MP, the Secretary of State for Housing, Communities and Local Government, to request that HM government also supports the adoption of this definition of Islamophobia.”

(2) Declaring a Climate Emergency Motion

To be moved by Councillor Sue Anderson and seconded by Councillor Kareema Marikar:

“Council notes that:

- Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1°C from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm), exceeding the 350 ppm deemed to be a safe level for humanity;
- In Harrow, the high level of vehicle usage is a major contributor to poorer air quality and a detrimental effect on our residents’ health;
- The 2018 IPCC report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5°C;
- All governments (national, regional and local) have a duty to limit the negative impacts of climate breakdown, and local governments that recognise this should not wait for their national governments to change their policies. UK local authorities need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;
- Urban areas like Harrow are well placed to lead the world in reducing carbon emissions, as their higher density opens up a range of sustainable transport, buildings and energy opportunities;

- We need to continue to improve air quality, protect against flooding, and ensure our buildings, transport, waste and energy policies are environmentally sustainable.
- Harrow Council has already taken significant steps to reduce carbon emissions in the borough. For example, the council is currently installing electric vehicle charging points at key sites; has recently purchased a new fleet, the majority of which are zero emission electric vehicles; has rolled out food waste recycling to all flats in the borough; advanced a programme of LED street lighting; supported schools to become more energy efficient.

In light of the above, the Council resolves to:

1. Join other councils in declaring a Climate Emergency;
2. Call on the UK Government to provide the necessary powers and resources to make local action on climate change easier;
3. Aim to make London borough of Harrow carbon neutral by 2030, taking into account both production and consumption of emissions;
4. Create a working group of officers and members to urgently review and make recommendations to Council for actions that the local authority can take in order to achieve this target;
5. Continue to work with across London and through the LGA to deliver widespread carbon reductions.”

(3) Proper funding for public services Motion

To be moved by Councillor Graham Henson and seconded by Councillor Adam Swersky:

“Austerity has caused huge damage to communities up and down the UK, with devastating effects on key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people – and the services we all rely on, like clean streets, libraries, and community centres.

The idea that austerity was necessary has been disproved and its architects discredited, not least due to the soaring inequality and divisions they have let fester in the last decade. David Cameron said “we’re all in this together” but spent his time in office forcing cuts on the many while giving handouts to the privileged few. His predecessor Theresa May had to declare that “austerity is over”, despite planning a further £1.3bn of cuts to council budgets over the following year. Chancellor Philip Hammond’s callous remarks: “I reject that there are vast numbers of people facing dire poverty in this country,” show just how blind the

Conservatives are to the havoc they have wreaked upon the country. The race to succeed Theresa May has shown just what a con austerity was, with candidates making fast and loose promises of tax breaks for the richest members of our society, while saying nothing about the impact of cuts to the welfare state and education.

In Harrow, the impact of austerity has been shocking. Already one of the lowest funded councils in London, this government's reckless policies continue to put an unacceptable strain on our finances and cause damage to our residents.

This council notes:

- Over 30% of children in Harrow live in poverty and the inequalities within the borough are staggering, with child poverty rising to 40% in some wards.
- Last year, the Harrow food bank fed over 2617 people, including over 1041 children. Additionally, we have witnessed an increasing number of charities and voluntary groups and places of worship are providing free meals on a more regular basis.
- Since 2010, inequalities in life expectancy have increased in Harrow – men now live seven years longer and women five years longer in the richest parts of the borough compared to the poorest.
- The government has cut the budget of the Metropolitan police drastically, forcing a reduction in officer numbers with fewer 3,000 police officers and 3,000 fewer community support officers now operating in the capital compared to 2010.
- This has led to an explosion in violent crime – last year there were 135 violent murders in the capital, the highest number for 10 years.
- Harrow has also seen an increase in violent crime with knife crime becoming a more frequent occurrence.
- In order to put 1,000 officers back on the streets, the Mayor of London has increased council tax – shifting the burden for policing the capital away from general taxation and onto hard-pressed Londoners.
- The Young Harrow Foundation's Needs Analysis found that 20% of Harrow's young people need mental health support while 17% need help with suicidal thoughts or know someone who needs this help.
- Funding for youth services has been cut by a national average of 34% between 2010/11 – 2017/18, with London suffering the worst cuts in the country.
- This year, a report from the All-Party Parliamentary Group on Knife Crime has found a link between these cuts and the rise in youth violence which we have also witnessed in Harrow.
- The NHS continues to struggle under the financial pressures – in January 2017 the Red Cross warned of a

'humanitarian crisis' in the health service and currently patients are experiencing record waiting times for non-urgent care.

- School funding has fallen by 6.5% per pupil to the year 2019-20.
- Harrow council's government grant has been cut by 97% (£50 million) over the last six years.
- The council is facing further funding gap of £26 million in the next two years.
- On top of these cuts, the council has increased its adult social care spend by 55%, leaving less and less money available for other vital services that our residents rely on.
- Inevitably, it is our residents who suffer these strains, whether it be through reduced services or increased council tax.

This council resolves:

- To call on the incoming leader of the Conservative Party and de facto new prime minister to take responsibility for the terrible human cost of their party's austerity programme and make the necessary investment to properly fund public services."

(4) Motion on high stakes testing in Primary Schools Motion

To be moved by Councillor Pamela Fitzpatrick and seconded by Councillor Maxine Henson:

"Harrow Council welcomes the Labour Party commitment to abolish SATs and other high-stakes testing in primary schools.

It notes that:

- 1) Statutory testing in primary schools has increased since 2010 and is increasing further: by 2020, children will be tested in Reception (the Baseline Assessment), Year 1 (the Phonics Screening Check), Year 2 (SATs), Year 4 (the Multiplication Tables Check) and Year 6 (SATs).
- 2) The pressures of statutory assessment contribute to the crisis of teacher morale, workload, recruitment and retention.
- 3) Tests are focussed on the requirements of school accountability rather than on support for children's learning.
- 4) The pressures of testing in primary schools have a detrimental effect on children's mental health.
- 5) Educational research has demonstrated repeatedly that teaching to the test narrows the curriculum and the educational experience of children, focussing on labelling

not learning.

- 6) The National Education Union has agreed to carry out an indicative ballot of its members to ask for their views about the campaign to abolish high-stakes primary testing and whether they would be prepared to boycott statutory high-stakes tests in primary schools.

This Council believes that the groundswell of support from those who work in primary schools, parents and academics, supported by the More Than A Score campaign, clearly shows that there is major concern across the education sector with the increased testing of primary school pupils.

Harrow Council resolves:

- 1) To express its support for campaigns against the current system of primary assessment, including those organised by teacher unions and More Than A Score.
- 2) To facilitate a meeting of parents, school governors and trade unions to discuss the council's position on these matters and to coordinate a response.
- 3) To lobby the Secretary of State for Education to listen to the growing number of voices who are calling for the abolition of high-stakes testing in primary schools."

(5) No Confidence in Councillor Keith Ferry Motion

To be moved by Councillor Paul Osborn and seconded by Councillor Marilyn Ashton:

"This Council Notes

- Councillor Keith Ferry has been Deputy Leader of the Council and Portfolio Holder responsible for Regeneration since 2014.
- The Red Assurance Report from Internal Audit on the Regeneration Programme on 04/01/19
- The Report by External Consultants on the Harrow Regeneration Programme issued in November 2018
- That the External Consultants found
 - "The overall regeneration objectives set were not sufficiently clear and were not weighted or prioritised. This has resulted in a lack of clarity of the objectives for each project."
 - "a robust overall business plan for the regeneration

- programme was not in place. In addition summary business cases were not in place for each project and therefore the schemes were not being progressed against a clearly defined set of approved objectives or guidelines.”
- “The lack of up to date and robust financial models for each project has resulted in decisions on design, procurement and phasing of development to be taken without knowledge of the financial implications. This has resulted in projects not adequately reflecting the regeneration objectives in particular the delivery of sufficient funding to cover the cost of the HNC and Byron Leisure element.”
- A number of the projects had they continued would have lost millions of pounds for the Council.
 - “The Council has not had or applied an appropriate governance regime for a programme of this size, complexity and risk.”
- That the Internal Audit Report found
 - Whilst the Draft Strategy was agreed by Cabinet for public consultation, the Final Regeneration Strategy was never approved either by Cabinet or an Officer under delegated authority.
 - The Council’s mandatory project management framework was not used.
 - There was no evidence the overall programme was approved by Cabinet or CSB other than as part of the Capital Programme.
 - “The level and extent of financial reporting against individual business cases/projects and the programme overall prior to 2017/18 was as inadequate as it was infrequent, not based on SAP data or reconciled to SAP, did not cover capital and revenue expenditure, did not cover expected return and was not linked to project progress.”
- The decision “Harrow Strategic Development Partnership” taken by Cabinet on 30th May 2019 was called-in and was unanimously referred back to Cabinet by the cross-party Call-in sub-committee due to “the absence of adequate evidence on which to base a decision.”
- Cllr Ferry’s comments that he had a “closed mind” on this subject and the location of the new Civic Centre and had so since 2015 at the Cabinet Meeting that was to

reconsider the “Harrow Strategic Development Partnership” decision.

- The Council has failed in its objective to move into a new Civic Centre by 2019 as set out in the “Harrow Ambition Plan 2020” approved by Council in 2016.
- The efforts of the Opposition Party to engage constructively in this programme.

This Council Believes

- That Councillor Ferry is ultimately responsible for the many failings of the Council’s Regeneration Programme.
- That the Council’s Regeneration Programme has cost millions of pounds and has failed to deliver on any significant Council project.

The Council Resolves

- That it has no confidence in Councillor Keith Ferry as Deputy Leader or Portfolio Holder responsible for Regeneration.”

[Note: In accordance with Council Procedure Rule 15.6.1, this Motion refers to matters within the powers of the Executive. The Leader of the Opposition has indicated that he wishes to exercise his right under this rule that this Motion not stand automatically referred to the next meeting of the Executive but be dealt with as if rule 15.7.1 applies. In debating the Motion, the Council can make no decision on the matter but may make a recommendation or pass comments to the Executive].

*** Data Protection Act Notice**

The Council will audio record items 5 and 14 (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.]