

# Cabinet

# Minutes

## 16 February 2023

Record of decisions taken at the meeting held on Thursday 16 February 2023.

**Present:**

**Chair:** Councillor Paul Osborn

**Councillors:** David Ashton Pritesh Patel  
Marilyn Ashton Norman Stevenson  
Hitesh Karia  
Jean Lammiman

**Non-Executive  
Cabinet  
Member:** Thaya Idaikkadar  
Kanti Rabadia

**Non-Executive  
Voluntary  
Sector  
Representative:** John Higgins

**Joined Virtually  
(Councillors)** Hitesh Karia Jean Lammiman

**In attendance  
(Councillors):** Peymana Assad For Minute 100  
Simon Brown For Minute 98  
Stephen Hickman For Minute 100  
Eden Kulig For Minute 100  
David Perry For Minute 96-116  
Natasha Proctor For Minute 100  
Sasi Suresh For Minute 98

## 96. Apologies for Absence

Apologies for absence were received from Councillor Stephen Greek, Portfolio Holder for Performance, Communications and Customer Experience.

## 97. Declarations of Interest

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

### Agenda Item 13 – Public Space Protection Order - Consultation on a new Borough wide order

Councillor Jean Lammiman, Portfolio Holder for Community and Culture declared a non-pecuniary interest in that she was the Chair of West House and Heath Robinson Museum Trust. She remained in the meeting while the item was discussed and agreed upon.

Councillor Paul Osborn, Leader of the Council and Portfolio Holder for Strategy declared a non-pecuniary interest in that he was the Council representative on the West House and Heath Robinson Museum Trust. He remained in the meeting while the item was discussed and agreed upon.

### Agenda Item 16 – Milton Road

Councillor Kanti Rabadia, Non-Executive Cabinet Member, declared a pecuniary interest in that he was a Member of the Harrow Strategic Development Partnership Board. He left the meeting while the item was discussed and agreed upon.

## 98. Petitions

The following petitions were received:

- (1) From Councillor Sasi Suresh, on behalf of Priory Way residents, containing 99 signatures, requesting the Council to introduce a 20mph speed restriction and other traffic calming measures.
- (2) From Councillor Simon Brown, on behalf of Pinner Park Avenue residents, containing 28 signatures, requesting that the Council improved road safety and introduced traffic calming measures.
- (3) From Mr Martin Scott, on behalf of Manor Way residents, containing 81 signatures, requesting introduction of full-width speedbumps or similar traffic calming measures supported by the re-introduction of the 20mph speed limit.

**RESOLVED:** That the petitions be referred to the Traffic and Road Safety Advisory Panel and the Corporate Director of Place for consideration and response.

**99. Public Questions**

**RESOLVED:** To note that one public question had been received and responded and the recording would be made available on the website.

**100. Councillor Questions**

**RESOLVED:** That the Councillor Questions were responded and the recording would be made available on the Council's website.

**101. Key Decision Schedule March - April 2023**

**RESOLVED:** To note the contents of the Key Decision Schedule for the period March to April 2023.

**102. Progress on Scrutiny Projects**

**RESOLVED:** To receive and note the current progress of the scrutiny reports.

**Recommended Items**

**103. Corporate Plan 2023 - 2026**

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

That

- (1) the new Corporate Plan for 2023-26 be approved;
- (2) the Acting Corporate Director of Resources, following consultation with the Leader of the Council, be authorised to make any minor amendments to the plan as necessary prior to the matter going to Council.

*[Call-in does not apply to the decision above as it is reserved to full Council.]*

**RESOLVED:** That

- (3) a report be received in the first quarter of 2023/24 outlining the key performance indicators for each of the priorities with their targets for the 2023/24 year; and
- (4) a quarterly performance report be received which would track the delivery against the three Corporate Priorities, which will be based on the key performance indicators the Flagship Actions and the Corporate Plan Delivery plan, as set out in Appendix 1 to the officer report.

**Reason for Recommendation:** To set part of the policy framework for the council.

**104. Final Capital Programme 2023/24 to 2025/26**

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

That

- (1) the Capital Programme, as detailed within Appendix 1 to the officer report, be recommended to Council for approval.

*[Call-in does not apply to the decision above as it is reserved to full Council.]*

**Reason for Recommendation:** To enable the Council to have an approved Capital Programme for 2023/24 to 2025/26.

**105. Final Revenue Budget 2023/24 and Medium-Term Financial Strategy 2023/24 to 2025/26**

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

That

- (1) the 2023/24 budget be recommended for approval, being mindful of consultation results, to enable the Council Tax for 2023/24 to be set;
- (2) the Model Council Tax Resolution 2023/24 be recommended to Council for approval as set out in Appendix 11 to the officer report;
- (3) in accordance with Section 38 (2) of the Local Government Finance Act 1992, the Chief Executive be instructed to place a notice in the local press of the amounts set under recommendation 2 above with a period of 21 days following the Council's decision.
- (4) the Medium-Term Financial Strategy, set out in Appendix 2 to the officer report, be recommended to Council for approval;
- (5) the 2023/24 Members Allowance Scheme, set out in Appendix 12 to the officer report, be recommended to Council for approval;
- (6) the 2023/24 Annual Pay Policy Statement, set out in Appendix 13 to the officer report, be recommended to Council for approval;
- (7) the Capital Receipts Flexibility Strategy, set out in Appendix 14, be recommended to Council for approval.

*[Call-in does not apply to the decisions above as they are reserved to full Council.]*

**RESOLVED:** To note

- (8) the balanced budget position for 2023/24 and 2024/25 and the estimated budget gap of £6.321m to £13.143m for 2025/26 largely due to the uncertainty of the Social Care Grant;
- (9) the intention to increase Council Tax by 2.99% in 2023/24;
- (10) the intention to increase Council Tax by a further 2% in 2023/24 in respect of the Adult Social Care Precept;
- (11) the 2023/24 budgets for Schools and Public Health as set out in Appendices 6 & 7 to the officer report;
- (12) the proposal to increase funding to Additionally Resourced Mainstream Units by 10% (within the High Needs Block);
- (13) the proposal to provide additional funding for pupils with Education, Health and Care Plan (EHCP) in mainstream schools of 3.4%.
- (14) the assumed funding for the protection of social care 2023/24 through the Better Care Fund.

**Reason for Recommendation:** To ensure that the Council set a balanced budget for 2023/24.

**106. Housing Revenue Account Budget 2023-24 & Medium-Term Financial Strategy 2024-25 to 2025-26, Housing Revenue Account Capital Programme 2023-24 to 2027-28 and HRA Business Plan**

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

That

- (1) the Housing Revenue Account Budget for 2023/24 and the Housing Revenue Capital Programme as set out in Appendix 1 and 6 to the officer report, be approved.
- (2) the proposed average weekly rent for general needs and sheltered accommodation of £132.00 and £113.52 for 2023-24 respectively as set out in paragraph 32 and Appendix 2 to the officer report, be approved;
- (3) the proposed average weekly rents for affordable and shared ownership properties of £197.49 and £210.64, which reflect increases of 7% in line with the national rent policy for social housing, be approved;
- (4) a five-year Housing Revenue Account (HRA) Capital programme of £181,228,214 made up of £52,965,240 planned investment, £54,617,799 Building Council Homes for Londoners (BCHfL), £212,249

Grange Farm phase 3, £2,615,000 Grange Farm Infrastructure, £70,817,926 Homes for Harrow Phase 2 as set out in paragraphs 59 to 65 Appendix 6 to the officer report, be approved;

- (5) the HRA 30-year Business plan and assumptions as set out in Appendices 7 and 7a to the officer report, be approved;
- (6) the flexibility under the Governments Rent Policy, to allow void properties to be re-let at formulae rent plus 5% and 10% for general needs and sheltered properties respectively, be approved;
- (7) the proposed average weekly general need service charge of £8.22 and sheltered services charges of £16.95 per week, be agreed, noting that the charges proposed reflect the outcome of the service charge review as set out in paragraph 38 and Appendix 2 to the officer report;
- (8) the proposed average weekly services charges for affordable and shared ownership properties of £15.86 and £8.91 respectively as set out in Appendix 2 to the officer report, be approved;
- (9) an average weekly facility charge of £30.77 for sheltered properties be agreed, noting that the charges proposed reflected the impact of significant increases in utility costs;
- (10) an average weekly heating charge for general needs properties of £18.77, be approved;
- (11) an increase of up to 7.5% to water charges as set out in paragraph 40 and Appendix 4 to the officer report, be approved;
- (12) weekly parking spaces and garage charges of £10.16 and £15.55 respectively as set out in paragraph 39 and Appendix 3 to the officer report, be approved;
- (13) a 10% increase to the 2022/23 hourly hire charges applied to Community Halls as set out in Appendix 5 to the officer report, be approved;
- (14) the use of Section 106 Affordable Housing contributions held by the Council for the purpose of providing affordable housing as part of the Council funding for the development of this 100% affordable housing scheme, be approved;

*[Call-in does not apply to the decisions above as they are reserved to full Council.]*

**Reason for Recommendation:** To ensure the viability of the HRA and the proposed HRA capital programme for 2023-24 and the Medium-Term Financial Strategy (MTFS) for 2024 -25 to 2025-26.

**107. Treasury Management Strategy Statement including Annual Investment Strategy for 2023/24 and Capital Strategy for 2023/24**

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

That the Treasury Management Strategy Statement for 2023/24 be recommended for approval, including:

- Prudential Indicators for the period 2023/24 to 2025/26;
- Minimum Revenue Provision Policy Statement for 2023/24, as set out in paragraph 2.17 and Appendix C to the officer report;
- Annual Investment Strategy for 2023/24, as set out in Appendix F to the officer report;
- Annual Capital Strategy, as set out in Appendix G to the officer report).

*[Call-in does not apply to the decision above as it is reserved to full Council.]*

**Reason for Decision:** To promote effective financial management relating to the Authority's borrowing and investment powers contained in the Local Government Act 2003, and the following supporting regulations and guidance:

- the Local Authorities (Capital Finance and Accounting) Regulations 2003 (as amended);
- the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code and Treasury Management Code of Practice 2021;
- Department for Levelling-up, Housing and Communities (previously Ministry of Housing, Communities and Local Government) Investment and Minimum Revenue Provision (MRP) Guidance 2018.

**Resolved Items**

**108. Approval to consult on the Draft Tall Buildings ('Building Heights') Supplementary Planning Document (SPD)**

**RESOLVED:** That

- (1) the draft Tall Buildings ('Building Heights') Supplementary Planning Document, attached as Appendix 1 to the officer report, be approved for public consultation;
- (2) the Chief Planning Officer, following consultation with the Deputy Leader of the Council and Portfolio Holder for Planning & Regeneration, be authorised to consider and agree any minor amendments to the draft Supplementary Planning Document prior to consultation, and consultation arrangements.

**Reason for Decision:** The Tall Buildings ('Building Heights') SPD would provide further guidance to the current Harrow Local Plan and ensure new development would not harm suburban Harrow.

## **109. Neighbourhood Community Infrastructure Levy (NCIL) Review - outcomes and recommendations for Cabinet approval**

**RESOLVED:** That

- (1) the report and options set out in Appendix 1 to the officer report be noted;
- (2) the recommended options set out in Section 5 of the officer report be approved; and
- (3) the Chief Planning Officer, following consultation with the Leader of the Council and the Portfolio Holder for Planning and Regeneration, be authorised to implement the recommendations and develop and agree any additional detailed processes and procedures required to do so.

**Reason for Decision:** The current Neighbourhood Community Infrastructure Levy (NCIL) process was adopted in 2017 and no review has been undertaken during the intervening five years. The new ward boundaries from May 2022 necessitated as a minimum that the NCIL balanced against the previous ward boundaries were re-allocated to the new ward boundaries. The report and appendices to the officer report provided an overview of options considered and recommendations to Cabinet to implement and adopt the new process.

## **110. Adoption of revised Local Development Scheme (LDS)**

**RESOLVED:** That

- (1) the revised Local Development Scheme (LDS) as set out in Appendix 1 to the officer report, be approved; and
- (2) it be agreed that the scheme take effect from 25 February 2023, subject to call-in.

**Reason for Decision:** Under the Planning and Compulsory Purchase Act 2004 (as amended), the Council had a statutory duty to maintain an up-to-date LDS. The revised LDS would fulfil the requirement under the Localism Act 2022 to update the LDS every three years.

## **111. Highways Investment Programme**

**RESOLVED:** That

- (1) the Highways Infrastructure Asset Management Plan, be approved;
- (2) the 2022/23 allocation of £6m approved for highways infrastructure improvements to progress the delivery of the Highways Infrastructure Asset Management Plan for 2022/23 and the agreed allocation (via the Capital budget setting process) of a further £5.5m for 2023/24, be noted;



- (3) the Director of Environment, following consultation with the Portfolio Holder for Environment & Community Safety, the Director of Finance and the Director of Legal & Governance Services, be authorised to procure contractors to carry out the infrastructure improvement works in accordance with the approved programme for carriageways and footways set out in Appendix 1 and 2 to the officer report; and
- (4) it be noted that future capital investment from 2024/25 and beyond would be considered through the Council's budget setting process.

**Reason for Decision:** To ensure that the Council had an effective Highway Infrastructure Asset Management Plan and associated delivery programmes that ensured the effective management and optimisation of the Council's allocated capital budget.

## **112. Public Space Protection Order - Consultation on a new Borough wide order**

**RESOLVED:** That

- (1) the content of the draft Public Spaces Protection Order (PSPO) set out in Appendix 1 to the officer report be noted and an 8-week consultation on this be agreed; and
- (2) the outcome of the consultation, along with any resulting changes to the draft PSPO, be brought back to Cabinet and considered for adoption.

**Reason for Decision:** The PSPOs would allow direct action against low level anti-social behaviour, with the benefit of being able to issue fixed penalty notices for breaches, if appropriate.

## **113. Environmental Enforcement: Procurement of a Tri-Borough contract**

**RESOLVED:** That

- (1) procurement of a tri-Borough third party on-street enforcement contract be approved;
- (2) the Corporate Director of Place, following consultation with the Portfolio Holder for Environment & Community Safety, be authorised to review and agree the suite of tender documentation;
- (3) the Corporate Director of Place, following consultation with the Portfolio Holder for Environment & Community Safety and the Portfolio Holder for Finance and Human Resources, be authorised to finalise the award of the contract, including finalisation of the contract documentation and entering into the contract; and
- (4) the Corporate Director of Place, following consultation with the Portfolio Holder for Environment & Community Safety and the Portfolio Holder

for Finance and Human Resources, be authorised to extend and/or vary the current memorandum of understanding with the collaborating Boroughs, or enter into a new memorandum of understanding or similar arrangement with the collaborating Boroughs.

**Reason for Decision:** The tri-Borough on-street enforcement contract would provide a consistent approach across the three neighbouring boroughs and allow better collaboration around delivering improved contract performance and benefit local environmental and social economic outcomes.

#### **114. Penalty Charge Notice (PCN) Banding change**

**RESOLVED:** That

- (1) the consultation of parking account holders and residents, during spring 2023, on moving all Harrow parking Penalty Charge Notices to the higher Band 'A' penalty rate, be approved;
- (2) the Corporate Director of Place be authorised to consider the outcome of the consultation process and, subject to the outcome of the consultation, apply to the Transport and Environment Committee of London Councils to seek approval to implement the proposed change to have a borough wide Band A level for penalty charge notices in the borough of Harrow and support any subsequent application for approval to the Mayor of London and the Secretary of State for Transport; and
- (3) subject to the outcome of the consultation and approval process, the Corporate Director of Place be authorised to give effect to the proposed banding changes for penalty charge notices in the London Borough of Harrow, including amending the current traffic management orders.

**Reason for Decision:** To provide a greater deterrent for motorists that contravene parking regulations and improve parking compliance across the borough, in line with surrounding borough charges.

#### **115. Milton Road**

**RESOLVED:** That

- (1) the commencement of construction of the Milton Road scheme through the Harrow Strategic Development Partnership (HSDP) be approved;
- (2) the final cost position and risk sharing approach for the development of the scheme through the HSDP, be approved; and
- (3) an amended planning application reducing the height of the scheme to a maximum six stories be made by the HSDP.

**Reason for Decision:** The recommendations enabled the Milton Road scheme to progress delivering 36 units of affordable housing including wheelchair homes, housing for rent and shared ownership properties.

## 116. Q3 Revenue & Capital Budget 2022-23

**RESOLVED:** That

- (1) the revenue and capital outturn positions as set out in paragraphs 1.2 to 1.4 of the officer report, be noted;
- (2) the proposed additions and amendments to the Capital Programme as set out in paragraphs 3.31 to 3.36 of the officer report, be agreed;
- (3) the Council's Trading Update as detailed in Appendix 3 to the officer report, be noted; and
- (4) the payment of £500k to the London Borough of Camden in full and final settlement of the Council's overage obligations in respect of The Hive as set out from paragraph 2.55 of the officer report, be agreed.

**Reason for Decision:** To report the 2022-23 financial forecast position at Q3 and to provide an update on trading company performance.

**[No conflict of interests were declared or dispensations granted in relation to the above items.]**

(Note: The meeting, having commenced at 6.30 pm, closed at 9.15 pm).

Proper Officer

Publication of decisions:	<b>17 February 2023</b>
Deadline for Call-in:	<b>5.00 pm on 24 February 2023</b> <b>(Please note that Call-in does not apply to all decisions).</b> To call-in a decision please contact:  Mwimanji Chellah via email: <a href="mailto:mwimanji.chellah@harrow.gov.uk">mwimanji.chellah@harrow.gov.uk</a>
Decisions may be implemented if not Called-in on:	<b>25 February 2023</b>