

# Leader's Decision Agenda

**Date:** Wednesday 7 June 2023

**Time:** 2.00 pm

**Venue:** Meeting Room 4, First Floor - Harrow Council  
Hub, Forward Drive, Harrow

## Membership (Quorum 1)

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Councillor Paul Osborn

- Leader of the Council and Portfolio  
Holder for Strategy

**Contact:** Nikoleta Kemp, Senior Democratic and Electoral Services Officer  
Tel: 07761 405 898 [nikoleta.kemp@harrow.gov.uk](mailto:nikoleta.kemp@harrow.gov.uk)

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Please:

- (1) Take a Covid 19 test before travelling and do not attend in person if you test positive.
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## Filming / recording

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**Agenda publication date: Tuesday 30 May 2023**

# Agenda - Part I

## Procedural

1. **Declarations of Interest**

To receive declarations of disclosable pecuniary or non-pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub-Committee or Panel;
- (b) all other Members present.

2. **Minutes** (Pages 5 - 8)

That the minutes of the meeting held on 1 February 2023 be taken as read and signed as a correct record.

3. **Petitions**

To receive petitions (if any) submitted by members of the public/Councillors.

4. **Public Questions**

To note any public questions received.

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

**[The deadline for receipt of public questions is 3.00 pm, 2 June 2023. Questions should be sent to [publicquestions@harrow.gov.uk](mailto:publicquestions@harrow.gov.uk)**

**No person may submit more than one question].**

5. **Matters referred to the Executive Member**

In accordance with the provisions contained in Overview and Scrutiny Procedure Rule 23 (Part 4F of the Constitution).

## Report

6. **Funding for Education Health and Care Plans (EHCP) 2023-24** (To Follow)

Report of the Director of Children's Services.

7. **Any Other Urgent Business**

Which cannot otherwise be dealt with.

# Agenda - Part II - Nil

## Data Protection Act Notice

The Council will record the meeting and will place the recording on the Council's website.

**[Note: The questions and answers will not be reproduced in the minutes.]**

Publication of decisions	8 June 2023
Decisions implemented if not Called in	8 June 2023





# Leader's Decision

## Minutes

# 1 February 2023

**Present:**

**Chair:** Councillor Paul Osborn

**In attendance (Councillors):** David Perry For Minute 8 - 14

**8. Declarations of Interest**

**RESOLVED:** To note that there were no declarations of interests.

**9. Petitions**

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

**10. Public Questions**

**RESOLVED:** To note that no public questions had been received.

**11. Matters referred to the Executive Member**

**RESOLVED:** To note that no matters had been referred to the Leader of the Council for consideration.

### Resolved Items

**12. The Mayor of London's Decision to Extend the Ultra Low Emission Zone to the London Borough of Harrow**

The Leader received a report from the Director of Legal and Governance Services on the extension of the Ultra-Low Emission Zone to the London Borough of Harrow from August 2023 and set out the route and possible grounds for challenging it in the High Court.

The Director of Legal and Governance advised that whilst the London Borough of Harrow was formally collaborating with Hillingdon, Bromley and Bexley councils, the process was dynamic and other authorities could join the High Court challenge. He also stressed that the claim must be brought promptly to High Court within 3 months of the decision being challenged and that the deadline for doing so was 24 February 2023.

A Member expressed concern at the process in terms of the late publication of the report and sought clarification on the formal approach of other local authorities, the likelihood of success and the impact on the council budget considering the potential costs associated with the legal challenge.

Having agreed to take any questions from the Member on the tabled confidential Appendix 3 in a Part II session, the Leader agreed that the recommendation set out in the officer report be agreed, subject to the following amendments:

**RESOLVED:** That

- (1) the Director of Legal & Governance Services, **following consultation with the Leader of the Council**, be authorised to issue Proceedings in the High Court against the Mayor of London and Transport for London ('TfL') to challenge the decision made in November 2022 to extend the Ultra-Low Emission Zone ('ULEZ') to the whole of Greater London from 29 August 2023, **taking into account the latest legal advice and the position of other authorities.**

**Reason for Decision:** If Harrow were to issue a legal challenge to the ULEZ decision, it must be submitted by no later than 24 February 2023.

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

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

[Call-in did not apply to the decision above as it had been waived by the Chair of the Overview and Scrutiny Committee for the reasons set out in the Public Notice.]

### 13. Exclusion of the Press and Public

**RESOLVED:** That in accordance with Part I of Schedule 12A to the Local Government Act 1972, the press and public be excluded from the meeting for the following item for the reason set out below:

<u>Item</u>	<u>Title</u>	<u>Reason</u>
14.	The Mayor of London's Decision to Extend the Ultra-Low Emission Zone to the London Borough of Harrow – Appendix 3	Information under paragraph 5 in respect of which a claim for legal profession privilege could be maintained in legal proceedings.

**14. The Mayor of London's Decision to Extend the Ultra-Low Emission Zone to the London Borough of Harrow**

The Leader received a tabled Appendix which set out confidential legal advice. Having responded to questions, it was

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

(Note: The meeting, having commenced at 12.04 pm, closed at 12.26 pm).

(Signed) Councillor Paul Osborn  
Chair

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