

# CABINET MINUTES

## 11 OCTOBER 2012

**Chairman:** \* Councillor Bill Stephenson

**Councillors:**

* Bob Currie	* Thaya Idaikkadar
* Margaret Davine	† Phillip O'Dell
* Keith Ferry	* David Perry
* Mitzi Green	* Sachin Shah
* Graham Henson	

**In attendance:** Susan Hall Minute 508  
**(Councillors)** William Stoodley Minute 508

\* Denotes Member present

† Denotes apologies received

### 500. Opening and Closing Remarks - Leader of the Council

The Leader of the Council, in opening the meeting, said that due to a recently acquired medical condition, he had not been able to Chair last month's Cabinet meeting. It was the first Cabinet meeting he had missed and was grateful to Councillor Idaikkadar, his Deputy, for chairing the September Cabinet meeting and for taking over several of his other functions.

The Leader of the Council added that independent of his medical condition, he had intended to stand down as Leader but that his condition had hastened this process and that this meeting would be his last Cabinet meeting. He thanked residents, partners, Council staff, Councillors from all political parties for their best wishes.

The Leader of the Council stated that it had been a great privilege and honour to chair Cabinet where there had been much change and good progress, culminating in the "Best Achieving Council of the Year" award. The Leader thanked his Cabinet colleagues for their work, support and trust. He thanked

Michael Lockwood, Chief Executive, who he stated was immensely respected and liked. He also thanked the Corporate Directors and staff who were working in difficult and challenging times. The Leader paid tribute to all the work behind the scenes by Democratic and Electoral Services, guardians of the dignity of Cabinet and meetings in general, and the clerk to Cabinet for all her work, in particular, as a stalwart guardian of all that Cabinet did.

In concluding the business on the agenda, the Leader of the Council thanked representatives of the local press, colleagues from the Trade Unions, various Councillors, both past and present, for attending and staying until the end of the meeting.

The Deputy Leader of the Council took this opportunity to pay a tribute to the outgoing Leader of the Council. The Deputy Leader stated that Councillor Stephenson was highly regarded, not just by the Labour Group but also by the opposition and other independent Councillors in Harrow. He was committed and passionate and that his attention to detail was legendary. It was difficult not to be impressed by Councillor Stephenson's knowledge, experience and dedication to Harrow and this job which he delivered with charm. He hoped that the Council would continue to benefit from his experience and wise counsel even from the backbenches.

The Deputy Leader added that he had never heard a negative comment about Councillor Stephenson's performance and work ethics. Most people would say that he had improved Harrow Council, he was sincere in his beliefs and the Council should feel immensely proud of the achievements under him. The Deputy Leader wished Councillor Stephenson and his family well for the future and hoped that the family would have more time to visit art galleries and enjoy the finer things in life.

Councillor Susan Hall, Leader of the Conservative Group, said that she was sad that Councillor Stephenson was standing down as Leader due to poor health and she hoped that he would be back. Councillor Hall added that she would miss their interactions and political exchanges. She wished Councillor Stephenson well and hoped that he would continue to play a big part in politics, as he was a 'big politician'.

On behalf of the staff of Harrow Council and his management team, Michael Lockwood, Chief Executive, wished Councillor Stephenson well for the future. He added that, from a staff perspective, they had enjoyed working with him and that he had always acted and treated staff with the utmost integrity, dignity and respect which had been appreciated by all and that he had been supportive of staff in what was a difficult environment. The Chief Executive added that there was always more we could all do as an organisation, there were challenges ahead but that he hoped that Councillor Stephenson would reflect back with some pride and satisfaction of the progress the organisation had made under his leadership. He wished Councillor Stephenson good health and remarked that the residents of Headstone South would now benefit even more from his input, knowledge, experience and advice.

The Leader of the Council thanked all for their kind words and best wishes. He added that he would not be retiring, but that he was going back to his

grass roots. He would be keeping an eye on his colleagues and even calling the opposition every now and again when they got things right. He added that Harrow was lucky with its politics and the way political parties conducted themselves. There were arguments and robust debate but, as the former Leader of the Council, David Ashton, had said to Councillor Stephenson “we agree on about 95% of the things”.

Councillor Stephenson stated that it had been a privilege, honour and pleasure to serve Harrow as Leader of the Council. He added that he loved Harrow where he had lived half of his life and had wanted to make it a better place.

#### **501. Statement by the Leader of the Council**

The Leader of the Council announced that he wished to make a statement to Cabinet, as follows:

“Following serious allegations, Councillor Brian Gate had resigned from his post as Cabinet Member for Children, Schools and Families and had been temporarily replaced by Councillor Mitzi Green. The Labour Group would choose a permanent successor at some time in the near future. I would like to welcome Councillor Green back to Cabinet. She has a wealth of experience having previously been the Council’s Cabinet Member for Children’s Services up until last May.

Given that there was an ongoing police investigation, any comments about these allegations during this evening’s meeting would be wholly inappropriate and I ask every Member and any Councillors or members of the public asking questions to bear that in mind.”

#### **502. Apologies and Welcome**

The Leader of the Council submitted Councillor O’Dell’s apologies, as he was attending an awards ceremony in which the new Mollison Way/Ellement Close had been shortlisted for an award.

The Leader welcomed Caroline Bruce, Corporate Director for Environment and Enterprise, to her first Cabinet meeting.

#### **503. Arrangement of Agenda**

The Leader announced that, with Cabinet’s agreement, he would be taking the following items after agenda item 6 in the order set out below:

Agenda Item 19(a) and 21 – Public Realm Integrated Services Model:Business Case – referral by Call-in Sub-Committee;

Agenda Item 14 – Response to Scrutiny Review of Private Rented Sector Housing in Harrow’.

**RESOLVED:** That the order of the agenda be amended.

#### 504. Declarations of Interest

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

Agenda Item 10 – Special School SEN Placements Planning Framework

Councillor Graham Henson declared a personal interest in that he was a governor of Alexander School, which was mentioned in the report. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 12 – Shared Public Health Service Target Operating Model

Councillors Chris and Janet Mote declared interests in that their daughter was a paediatric nurse. They would remain in the room to listen to the debate on this item.

#### 505. Minutes

**RESOLVED:** That the minutes of the meeting held on 13 September 2012, be taken as read and signed as a correct record.

#### 506. Petitions

**RESOLVED:** To note that the following petitions had been received:

1. Warrington Road – Resurfacing and Repaving

Councillor David Perry presented a petition signed by 93 residents with the following terms of reference:

“We the undersigned residents of Warrington Road urge Harrow Council to resurface the roads and pavements in Warrington Road. The reason why we believe the roads and pavements in Warrington Road need resurfacing are as follows:

- the pavements are cracked and uneven along both sides of the street. This makes it very hazardous for pedestrians;
- the road surface is in need of repair;
- there is extraordinary high camber, which scrapes and damages the underside of cars when pulling into driveways;
- the surrounding roads have all received repairs works and Warrington Road has not had any repairs for many years.

We urge Harrow Council to take immediate action.”

**RESOLVED:** That the petition be received and referred to the Corporate Director of Environment and Enterprise and the Portfolio Holder for Environment and Community Safety.

2. Durley Avenue, Pinner – Relocation of residents at 38 Durley Avenue  
A local resident, Ms Jenkins, presented a petition signed by 120 residents with the following terms of reference:

“We the undersigned residents of Durley Avenue, Pinner, hereby call upon Harrow Churches Housing Association and Harrow Council to relocate the residents at No. 38 Durley Avenue, Pinner, to a more appropriate location for the occupation of No. 38 to return to a normal domestic dwelling.

This is vitally important to put an end to the persistent anti social behaviour of the tenants at No. 38 Durley Avenue which has occurred since No. 38 was converted, and to safeguard the interests of residents of Durley Avenue, many of whom are elderly or are families with young children.”

**RESOLVED:** That the petition be received and referred to the Corporate Director of Community, Health and Wellbeing and the Portfolio Holder for Adult Social Care, Health and Wellbeing.

#### 507. Public Questions

**RESOLVED:** To note that the following public questions had been received:

1.

**Questioner:** Mrs Rosalyn Neale

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families  
*(Answer provided by Cllr Stephenson, the Leader of the Council)*

**Question:** Regarding the Vaughan School Expansion, can you please advise which specific house numbers and streets were advised of the consultation meetings in January 2012 and July 2012?

**Answer:** The school wrote to all parents to inform them of the consultation meetings in January 2012 on the proposed expansions and details were included on their website. A letter to the neighbours of Vaughan Primary School was also delivered – the properties that border the school in Dorchester Avenue and Blenheim Road and properties on both sides of The Gardens. The numbers are:

- Dorchester Avenue 1-57 odd only
- The Gardens 1-49 odds
- Blenheim Road 121-135 (adjacent to school property).

Letters were also addressed to commercial properties:

- Newsagents - Local express
- Tesco
- West Harrow Garage
- Carwrights
- Petals
- TPP Property

The school wrote to all parents to inform them of the July meetings, so this was the July consultation. Letters from the Council were delivered by Keepmoat to the following addresses:

- Dorchester Avenue Nos 1-65
- Blenheim Road Nos 121-141 odd and 126 -136 even
- The Gardens Nos 1-51 odd and 48- 60 even.

**Supplemental Question:** I notice that the numbers for the first meeting are different to the numbers of the second meeting, which is surprising.

My second question is, in the document entitled 'Primary School Expansion Programme' dated April 2012, available on the Council's website, it says "the letter sent to the expansion schools on 11 January asked schools to distribute the consultation paper and the response.

So I made reference to this document on the Council website which says "the letter sent to the expansion schools on 11 January asked schools to distribute the consultation paper and the response form to the school community as widely as possible and to arrange consultation meetings". In an email to us from the Head of Service-Education Strategy & School Organisation, he says "In January all primary schools did a mail drop to local residents in Dorchester Avenue, Blenheim Road and The Gardens and also spoke to local businesses and asked them to display information in windows about consultation meetings on 25 and 26 January." Having spoken to the majority of these businesses, not one recalls such a request or discussion.

Could this be why the responses in relation to Vaughan School, I am just referring to the Cabinet minutes of 4 April, were so low? Why was this low response not queried and surely, in the light of this, the planning application should not proceed any further until a proper consultation is undertaken?

**Supplemental Answer:** I am not going to be able to answer all that in detail but I can explain and I asked the same question, why different numbers were consulted, why businesses were not consulted in the second phase? So I can give you some explanation.

Consultation during January related to the school expansion was prior to the Cabinet decision to publish statutory notices. At statutory consultation, the Council complies with the guidance from the Department for Education. It includes the school, parents, governors, schools likely to be affected, diocesan boards, neighbouring local authorities and so on. During this consultation local residents that border the school site were also notified of the consultation by the school, as were some local businesses. This is not included in the guidance. They did not have to do it but it was considered to be reasonable, in addition to the parents who are also local residents. The house numbers were provided by the school but they have also indicated that both sides of The Gardens were sent letters.

The meeting in July was held as part of the completion for planning application submission, so it is a different form of consultation and the consultation with the community forms part of the planning application. There is no specific definition of community though the approach was similar, the school community and the local residents were invited to a meeting in July. Letters were delivered by the Council, not the school and a second meeting was then held in September for those residents that requested a further meeting.

Still at the planning application, there will be formal 21 days' statutory consultation undertaken by the Planning Department which usually notifies residents that border a proposed development as a general approach. A wider circulation is going to be undertaken and is undertaken for larger developments. The Education Department is working with the Planning Department to ensure that a wider circulation takes place during the statutory consultation. So there is still some more consultation to do. If you could bring the details, perhaps we can have a meeting and discuss this aspect. I hope that gives you the reasons why the two/three numbers are different.

2.

**Questioner:** Aakta Patel

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** At the Cabinet meeting last month in relation to a question about what the preventative mental health day services are going to consist of, you stated quote', The actual content of the service and the full range of activities will not be made public until a provider is in place" unquote.

The Harrow User Group want to give more input to shape the content of services to be provided at the Hub before they are imposed on mental health service users. What specific plans have you to include mental health service users in the design and development before the Hub is set up?

**Answer:** A written answer will be provided due to the absence of the questioner.

**Written Answer:** Firstly, I would like to clarify the point that you have quoted. Part of the selection process for a new provider will be for them to explain the way that they will work with people to achieve outcomes. These answers will help to decide how the Hub will work in the future and this is why we will not be able to say beforehand exactly how the service will operate.

A Steering Group oversees the Mental Health Day Services Project. That Steering Group includes several Harrow User Group representatives, as well as other service users, who work alongside carers and Council staff. The group has looked at and commented extensively on the proposals and plans for change.

Harrow User Group representatives meet the Head of Commissioning and Partnerships regularly, where issues or ideas around day services are raised.

Harrow Council and Harrow Mind ran a workshop on 8 October 2012 to look at how changes will impact BME communities. Harrow User Group was invited and several representatives attended.

Engagement sessions about the Hub service, which will be based at The Bridge, have taken place and will continue to happen at appropriate intervals with users of The Bridge and other services.

The Council is looking at options for involving users in the procurement of any services and will take proposals on this to the Steering Group and Harrow User Group for comment.

3.

**Questioner:** Alan Brown

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** You have committed to include the views of a wide range of mental health service users in addition to those of the Day Services Steering Group. We would like details about the specific services in addition to the Hub which you will be asking a provider to implement and the community-based services which will be needed to ensure that mental health service users are enabled to recover a full life through personalisation?

**Answer:** A written answer will be provided due to the absence of the questioner.

**Written Answer:** We have committed to supporting the development of a market of services for people to choose with their personal budget. This means that rather than dictating what services are available we will work together with service users and providers to ensure that people have choices about the sort of support they receive.

In addition to the Hub services from the Bridge there will also be a range of groups and activities being run at the building. These will be provided by a range of organisations. Many of these activities will be funded through personal budgets.

We are examining how we can make sure the groups which currently operate effectively are supported to continue. We will also work with the Steering Group and other colleagues to enable organisations to develop new services, or promote existing services, which people can buy with their personal budgets.

Some groups and activities will be in the specification for the Hub, but most of those funded through Personal Budgets will be developed by independent organisations to meet the needs and requests of service users with Personal Budgets in Harrow.

4.

**Questioner:** Mark Gillham, Mind in Harrow

**Asked of:** Councillor David Perry, Portfolio Holder for Community and Cultural Services

**Question:** Are you aware that the Outcomes Based Grants process, while sensible in many respects, will have the unintended consequence of ending any face to face drop-in services offered by Harrow CAB from April 2013, a disaster for thousands of Harrow residents and particularly those most at risk of debt and poverty because of the economic downturn?

**Answer:** The proposal that is to be brought forward on Outcomes Based Grants process is a competitive one and, at this stage, we do not know which organisations may be successful in securing grant funding against any of the outcomes.

However, Harrow Council recognises that residents will need increasing levels of support with the impact of the Welfare Reform Act which is why we included an outcome around helping residents to overcome poverty, worklessness and homelessness, which includes advice services. We continue to have a constructive dialogue with Harrow Citizens' Advice Bureau (CAB). This has included an Open Book Review of their financial position and Harrow CAB drawing funding from a range of sources for their work. I do not think that you can draw the conclusion that what happens in the grants process will have the consequences you suggest.

We will continue to work the Citizens' Advice Bureau constructively for the benefit of local residents through grant funding or any other projects.

**Supplemental Question:** I welcome what you have said, that you are making every effort to ensure that the service remains open, the face to face service and also that the Council and the Cabinet is committed to continuing the services that are most needed during this economic downturn and particularly because of the Welfare Reform Act.

My question is, can you confirm that the services will remain open if Harrow CAB submits an application which admittedly is dependent upon the quality of the application, that is successful through the grants process because my understanding at the moment is even, in the best case scenario, if they are funded to the full amount, the face to face drop-in service would still

not be financially viable?

**Supplemental Answer:** By way of some background on that, if the funding which they were successful in achieving last year and what is maximum available in that outcome which we have put in there as we have talked about the worklessness and poverty etc, is around the same figure.

Now all I can reiterate to you, as someone who cares a lot about this area, is in reiterating some of the points I made in the initial answer, we are working with them in every way possible.

There are a few other options in order to help Council officers to help them with a way forward should they find difficulties ahead. This administration definitely sees the service they provide as key and whilst I do not want to go into detail of the situation we are facing and the predicament of some of the less well off in our society, we will be there to support them and hopefully CAB will be part of the process.

#### 508. Councillor Questions

**RESOLVED:** To note the following Councillor Questions had been received:

1.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families  
*(Answer provided by Cllr Stephenson, the Leader of the Council)*

**Question:** You state that the Council's top corporate priority is "the protection of vulnerable children". Can you therefore confirm how much of the Transformation and Priority Initiatives Fund has been spent on Youth Offending and Safeguarding services?

**Answer:** I gave a written answer to Councillor Paul Osborn at the last Cabinet meeting which gives the complete answer to the question you are asking which is set out on page 20 of the Cabinet papers.

The criteria for spending from the Transformation Priority Initiatives Fund, as agreed at the June 2011 Cabinet were:

- Invest to Save initiatives based on appropriate business case;

- other transformation initiatives, these might include for example, but not limited to, initiatives to research or a potential transformational savings opportunity;
- initiatives to further cultural change, improve communications or consultation;
- one-off priority actions or initiatives;
- payment to redundancy courses associated with restructuring and transformation savings initiative.

Any bid would have to satisfy one of these criteria. Because of the difficulty in the financial situation there were a number of bids for funding from the TPIF last year and these were put on hold because we were worried about the budget in-year for 2011. These were reviewed when the outturn of the financial year for 2011/12 was known. Only one Directorate wished to continue with its proposal and that turned out to be a capital bid. No money from TPIF was spent on Youth Offending and Safeguarding Services but any bids from this area will be very welcome for this year and, of course, there are other possible sources of funding for this important activity.

**Supplemental Question:** I do hope that you are not going to talk out these questions Leader because all of these questions on Children's Services and Safeguarding are extremely important, not only to us Councillors but to everybody in the borough.

Given then that the protection of vulnerable children is your number one priority, are you going to be putting more substantial funds in there to protect this service?

**Supplemental Answer:** First of all, we are having the Commissioning Panels and we will be deciding what is going to be put in but I am very pleased to know, not only because I am the Leader, I make it my position to know what is happening; that both Youth Offending and Safeguarding have both been allocated additional budgets to deal with demographic growth and support development of their services. Where possible, the service has also, as all other services must be, look to deliver efficiencies which have been reprioritised to fund the ongoing improvement programme and transformation work, such as delivery of the new operating model.

Children's Services have benefited from the accommodation refurbishment and will also benefit directly from the introduction of Mobile and Flexible Working which is being funded centrally. I hope that helps you to understand that we put money in last year and we were looking to see what we can do this year. I remind you of the very difficult financial situation this Council and other Councils find themselves in. I do not like the position we are in but we will do our best.

2.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families  
*(Answer provided by Cllr Mitzi Green, Interim Portfolio Holder for Children, Schools and Families)*

**Question:** Would you not agree that the findings of the recent OFSTED inspection into Safeguarding services have been somewhat sanitised in the report presented to Cabinet tonight?

**Answer:** The Ofsted report is published on the Ofsted website and the Cabinet report includes a direct link to the report. It is not hidden from the public or Members. Officers have a responsibility to provide a context and balance that is proportionate to the issues raised. We are very open about the challenges we face.

The report presented to Cabinet provides a detailed improvement plan addressing all the recommendations from the inspection.

Safeguarding is our top priority. The changes that are put in place through the new operating model are leading to greater self-evaluation and transparency, for example, the development of the robust quality assurance process. The challenge provided by a proper, functioning quality assurance process enables us to have a productive dialogue with Ofsted during the inspection about the risks and areas for improvement.

**Supplemental Question:** The Inspection report has 23 mentions of lack of clarity, focus and coherence and 12 mentions of delay and drift. These terms are used almost to define Harrow's problems but there is precious little mention of them in the report. Are you not concerned about findings within the report and are you not ashamed that they are not reflected in this Cabinet report tonight?

**Supplemental Answer:** We are always deeply concerned about provision made for children and the safeguarding of children and vulnerable children in this borough. We have addressed, we believe, the findings of the Ofsted report in our improvement plan and we will be following that improvement plan.

3.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families  
*(Answer provided by Cllr Mitzi Green, Interim Portfolio Holder for Children, Schools and Families)*

**Question:** The IYO/CJJ Inspection of Harrow's Youth Offending Service describes it as 'very disappointing', with 'substantial improvement required' being the kindest grade awarded. Similarly, the OFSTED report into Safeguarding makes repeated references to 'drift', a 'lack of clarity' and mentions 'insufficient focus'. The impression these reports give is one of systematic failure across Children's Services. Does such failure not warrant significant action being taken, and certainly more than just a desire to 'raise our game' and 'raise the bar'?

**Answer:** Significant action has taken place both before and after the inspections. Before either inspection took place it had been recognised that the previous service structure needed modernising and challenging.

The Corporate Director uncovered and recognised the significant challenges the Directorate faced in delivering a good service to children and families prior to the Ofsted inspection. The new operating model was designed to create a structure to bring about significant cultural change and sustained improvement. Inspectors acknowledged this in the Ofsted report. The report states:

*'The local authority has a clear vision of how it aims to improve the safety of Harrow's children ... This vision is being delivered through its new operating model which is based on a thorough analysis and understanding of the key issues for children's services.'*

We are bringing a learning culture to the Directorate. Further change has taken place since the inspection. Change that does not compromise safeguarding takes skill and time to embed. So recruitment of senior staff to

take these changes forward is one of the important steps and this is taking place.

The appointment of a new Divisional Director for Targeted Services will take place at the end of this month. There are two new service managers in Safeguarding, a new service manager for Quality Assurance and a new service manager for Commissioning. Three new team managers have been recruited in the Safeguarding and Looked After Children Teams and a new Youth Offending Manager is in place.

**Supplemental Question:** As you will be aware, a presentation was sent out to Councillors with the Inspection report and had a section entitled 'What did we learn from the inspection?'. The first three things were:

- we were commended for putting together a smooth programme for inspectors;
- we know ourselves well; an open and transparent culture;
- recognition that we are on a journey and keen to learn and innovate.

Why was point one on that list not "we are not good enough and must do better"? How can you not say that there is a chronic problem when this is the sort of lesson you think we will learn from such a devastating report?

**Supplemental Answer:** We are aware of the weaknesses in service. We are addressing the weaknesses in the service and we take none of it lightly. We are working towards the successful conclusion.

4.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families  
*(Answer provided by Cllr Mitzi Green, Acting Portfolio Holder for Children, Schools and Families)*

**Question:** Can you clarify why the Youth Offending report is coming to Cabinet now, when the referred-to inspection report was published in December 2011?

**Answer:** The Youth Offending report is coming to Cabinet now within the context of the Youth Justice Plan which we

are required to produce annually. The findings of Her Majesty's Inspectorate were published in December 2011 and an improvement plan has been put in place and is being monitored by a multi agency YOS Improvement Board which includes representatives from the Youth Justice Board. The improvement plan addresses all of the nine recommendations arising from the inspection together with additional recommendations that we have put in place which recognise the need to ensure we have a skilled and competent YOT workforce which is of course central to the improvements we need to achieve.

There has been a complete overhaul of the management of the team and we are also deploying sector led improvement partners to ensure that our management team is well supported in addressing our workforce development challenges.

**Supplemental Question:** The Inspection report says very clearly that four weeks after the publication of the report, the Council was expected to present an improvement plan. Why on earth do you think that, in your transparent administration, this is not warranted to come to Cabinet to tell us all what was going on? Why on earth has it waited ten months?

**Supplemental Answer:** Apparently this is standard with Ofsted inspections. Ofsted want every single week in this borough for schools and various services, so that is why it has not been presented.

The Youth Improvement/Youth Justice Plan, which is required to be produced annually, has not been produced for years, not prior to our administration and probably not during the previous administration. We are now producing it during this administration and it has come to Cabinet and will be going to Council.

5.

**Questioner:** Councillor William Stoodley

**Asked of:** Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Business Transformation and Communications

**Question:** Please could you tell me when the police cube in St. Anne's Shopping Centre was erected and how often has it been used since then?

**Answer:** The building was conceived and put in place by the previous administration. It became operational in July 2010 after some delay in opening caused by the connection problems for power and water. The Metropolitan Police has indicated they only make low level use of this facility to support their local team.

However, the exciting developments being proposed for the regeneration of the town centre mean that we are discussing the future of this structure and making arrangements for excellent town centre police fit for purpose.

I am afraid this has been a waste of public money to no useful purpose and indeed, to the detriment of the town centre. As far as I am concerned the sooner we get rid of this ugly excrescence, the better.

**Supplemental Question:** The response is somewhat vague on the lowness of the usage but nevertheless, in the light of this architectural monstrosity hardly being used since its erection in St Ann's Shopping Centre, do you agree with me that as part of the regeneration programme, it would be an excellent idea to, in conjunction with the Police of course, discuss the replacement of this blight on the St Ann's landscape with a more user friendly, fit for purpose and architecturally appropriate facility?

**Supplemental Answer:** Yes, absolutely.

6.

**Questioner:** Councillor William Stoodley

**Asked of:** Councillor Sachin Shah, Portfolio Holder for Finance

**Question:** I was promised over a year ago by Collections and Benefits Services that the sending of letters warning of court action and/or court summons' would not be sent over the Christmas holiday period, since residents may be away visiting relatives and unable to action the Council's correspondence until their return. With Christmas now fast approaching can you tell me please whether or not this policy has been implemented?

**Answer:** Yes, it has been implemented. No summons will be issued between 20 December and 6 January, and no reminders will be issued between 16 December and 2 January.

Maintaining a high collection rate is important to this

Council, given this government is recklessly cutting our grant while at the same time putting huge cost pressures on the Council.

Collection of Council Tax will continue to face challenging times due to this recession and the government's decision to abolish Council Tax benefit, a benefit that will help some of the poorest people in Harrow to pay their Council Tax.

However, this administration will always ensure that we do what we can to help the most vulnerable paying their Council Tax. As well as not issuing summons and reminders over the Christmas period, the Council will do all it can to help its residents keep up repayments. We advertise instalment dates well in advance and advise residents to use Direct Debit. We have changed the process for use of bailiffs to ensure vulnerable people are treated fairly.

Residents can also sign up for the innovative and award winning 'My Harrow' account allowing them to see when their payments are due. However, there are no policies dictating recovery should not be pursued at a particular time of year. With such a diverse borough with many cultural and religious festivals celebrated, it would not be right to suspend action around Christmas when there are so many other significant festivals across the year.

**Supplemental Question:**

Would you agree that it is very pleasing to hear that this caring and understanding approach with respect to the service of notices, summonses and bailiff collection, with regard to fair treatment to genuine cases, has been implemented by our administration and this completely negates the supplementary question asked of you by Councillor Osborn on this subject at the last Cabinet meeting? By proving that our administration is indeed doing, introducing and implementing all that it possibly and humanely can to protect those vulnerable to the government's cuts and the Secretary of State for Communities and Local Government, Eric Pickles' reckless, thoughtless and uncaring cuts to local authority allocations in particular?

**Supplemental Answer:**

You are absolutely right and I agree that my answer does negate Councillor Osborn's in his comments last month.

It is true that our residents are going to face a tsunami of benefit cuts. We know that 600 of our residents will be hit by a benefits cap and with the government announcing last week they are going to cut another £10

billion out of welfare, some of the poorest and most vulnerable people in Harrow will suffer. This administration will continue to support the most vulnerable against the worst of this government's cuts.

7.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families  
*(Answer provided by Cllr Mitzi Green, Interim Portfolio Holder for Children, Schools and Families)*

**Question:** Given that the OFSTED report raised serious concerns regarding staffing issues in the Safeguarding service, what is being done to make effective improvements to this area of weakness?

**Answer:** We have responded swiftly to the inspection recommendations and taken immediate action to secure improvements in safeguarding as follows:

- a new quality assurance approach has been implemented and is being embedded in practice;
- a new independent Chair of the Safeguarding Board has been appointed;
- the Local Safeguarding Board will be running workshops from November on the learning identified from the inspection and also quality assurance work;
- we are revitalising procedures to make them more accessible to staff;
- our approach to MASH / Thresholds for intervention and CAF are all being reviewed;
- we have introduced a more robust follow-through of legal planning meetings;
- a panel to review and scrutinise children who have been subject to a child protection plan after their second review is being implemented;
- we are redesigning the way we manage child protection conferences by implementing the signs of safety model to be implemented in November;

- we are stabilising the workforce - recruitment to key positions of high quality staff who are able to address and identify poor areas of practice is in process;
- managers are attending workshops to raise awareness on conduct and capability procedures.

In summary, there is a comprehensive strategy in place to address all the areas of improvement and secure good outcomes for children.

**Supplemental Question:** Clearly an awful lot is going on.

Are you not ashamed that you had to have a review over a report in order to do all of these things in the first place?

Surely when safeguarding is so absolutely vital, these things should have been done as a matter of course, as a matter of running a department. Surely you do not have to be given damning reports before you actually put things like that into place. They should come as second nature. It should be done in the first place.

I am appalled. Are you not appalled?

**Supplemental Answer:** I think you are not interested in my answer but I intend to give it to you anyway.

When we took over in 2010, it would have got a much worse report than we have got now. We were £2 million overspent on Children's budgets. We had to make £6 million savings on Children's Services as a consequence of government cuts. As Councillor Shah has just informed us all, we are facing significant challenges both within our population in Harrow and financially.

We have made huge improvements in the two and a half years that we have been in power, with the new operating model. I can assure you that there is a lot of work that has been going on. There is a lot of work that will be going on and we have never given Safeguarding Children less than absolute priority and there is no complacency in this. We are going to continue working at it.

*The following questions were not reached in the time limit of 15 minutes. It was noted that written responses would be provided, which have been reproduced below:*

8.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families

**Question:** The Youth Offending inspection made a total of nine major recommendations for improving Harrow's service. Can you confirm that all nine recommendations have been enacted, and how you intend to monitor their progress?

**Written Answer:** The improvement plan addresses all of the nine recommendations arising from the inspection together with additional recommendations that we have put in place which recognise the need to ensure we have a skilled and competent YOT workforce which is of course central to the improvements we need to achieve.

There has been a complete overhaul of the management of the team and we are also deploying sector led improvement partners to ensure that our management team is well supported in addressing our workforce development challenges.

9.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Brian Gate, Portfolio Holder for Children, Schools and Families

**Question:** Given the small number of responses to the consultation re: the expansion of Vaughan School, and the well-publicised complaints from residents regarding the plans, do you feel that the initial consultation was sufficient?

**Written Answer:** As part of the Primary School Expansion programme, the local authority has undertaken a series of consultations, and reported the outcomes to Cabinet. Proposals for the Vaughan Primary School expansion have been included at each stage:

- There was a borough wide consultation on the expansion programme during autumn 2011 which included the proposed permanent expansion of

Vaughan Primary School. A consultation document was circulated widely to interested parties including schools, governors, neighbouring authorities, diocesan boards etc, and it was published on the Harrow Council website with an on-line response option. Schools also publicised the consultation using their communication mechanisms with parents, websites etc. The outcomes were reported to Cabinet in December 2011 and the statutory process to permanently expand Vaughan Primary School commenced.

- The first stage of the statutory process was a consultation on proposals for Vaughan Primary School. Outcomes were reported to Cabinet in April. Cabinet agreed that Statutory Notices would be published. Responses and comments are invited during this period and a report was presented to Cabinet in June. Cabinet agreed the proposed expansion with effect from September 2013. This completed the statutory process to permanently expand the school.

Before the permanent expansion is implemented additional accommodation is required for all schools in the expansion programme, including Vaughan Primary School. The plans for the new accommodation and buildings are subject to planning permission being granted.

In preparation of the planning applications for schools in the expansion programme, meetings were arranged to engage with the local community to share the plans for the development of the school sites. These meetings were to provide residents with information about the plans and provide an opportunity to ask questions. They were not part of the formal planning application process.

An open meeting was held in July 2012 at Vaughan Primary School. It was designed to give an insight into the proposed project and to provide the opportunity for comments, views and resulting actions to be incorporated into the planning application accordingly. At the request of the local residents who had attended this open meeting, a further meeting on the plans to rebuild Vaughan Primary School was held on 12 September 2012.

The planning application was submitted on the 19 September 2012 and the application is now being processed.

Given the extent of the development on Vaughan Primary School site, the planning department will notify a wider area of residents about the planning application as part of the 21 days statutory planning consultation.

10.

**Questioner:** Councillor Stephen Greek

**Asked of:** Councillor Keith Ferry, Portfolio Holder for Planning and Regeneration

**Question:** Given the recent announcement from the Divisional Director of Planning regarding the reduction in the number of enforcement officers to two, can you clarify why the decision was taken not to provide temporary cover and maintain the level of enforcement provision until the next budget?

**Written Answer:** The unexpected announcement of the departure of one of the three remaining enforcement officers from the Council comes at a time when the Council is facing significant income challenges arising from the uncertainty at national level over the planning system. This has seen a material reduction in the number of planning applications – particularly following the coalitions statement on the proposed extension of permitted development rights, amongst other things.

Whilst the impacts of these external factors on income are being managed within the budget, the decision not to fill this role was taken by the Divisional Director as part of a prudent approach to vacancy management within the service. I was consulted by the Divisional Director and agreed to this approach. The service will review the position on a monthly basis, and take appropriate action, if necessary, to ensure that the integrity of the planning service is maintained.

The Planning Service is currently concluding a round of recruitment to its permanent resource to replace existing agency cover in development management. This will provide, an opportunity, if required, to address the potential impact of the change in the enforcement team.

11.

**Questioner:** Councillor Simon Williams

**Asked of:** Councillor Graham Henson, Portfolio Holder for Performance, Customer Services and Corporate

## Services

**Question:** Given I'm informed it now comes under your remit, could you please advise me if a decision has been made on what support from a complaints advocacy service patients and carers, who need it, will receive when seeking to make a complaint?

**Written Answer:** A Health complaints advocacy service will be commissioned by Harrow Council from April 2013. The service will replace provision currently made by the NHS.

The Council has considered the costs and benefits of jointly commissioning a London wide service versus seeking a Harrow specific service and the merits of a service with local knowledge and a local presence have proved decisive.

Therefore a Harrow specific service is currently being drawn up and consideration is also being given to opportunities to bring in aspects of Adults and Children's Health complaints advocacy to achieve a more joined up approach.

12.

**Questioner:** Councillor Simon Williams

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** Could you please advise me what break clauses are included in the contract with Barnet Council to provide a shared Public Health Service?

**Written Answer:** The Inter Authority Agreement is currently being developed and we are in dialogue with Barnet Council on the shape of this agreement. One of the areas that we are considering includes the inclusion of a no fault termination clause, which will allow either authority to exit the agreement. If this clause was utilised there would however need to be sufficient notice to allow Harrow as the host authority to disaggregate the shared public health service.

It is anticipated that the initial length of the agreement will be between 3 – 5 years.

13.

**Questioner:** Councillor Simon Williams

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** The report for Cabinet indicates an anticipated reduction of 15% in staff numbers to join the proposed joint Public Health Directorate. Could you please advise me how many staff in Harrow are facing redundancy?

**Written Answer:** The report states that it is expected that the proposed structure is anticipated to achieve a reduction in staffing budget and overhead costs of approximately 15%. This is not the same as a reduction of staffing by 15%.

The achievement of 15% reduction is largely through the removal of vacant posts that are currently held in Barnet, the sharing of the Director of Public Health and also the reduced overhead costs through having only one public health team.

The proposed structure consists of 40 posts. The NHS has indicated that 38 public health staff are impacted by the transfer of public health to local authorities, with the remaining public health staff being transferred to either Public Health England or the NHS Commissioning Board.

The structure is owned by the NHS and is currently under consultation. The matching and appointment process will be a NHS lead process and the NHS will be undertaking an EQIA on the structure.

14.

**Questioner:** Councillor Simon Williams

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** Could you please advise me what measures you have taken to ensure that concerns highlighted by Diabetes UK about the inadequacies and under-reporting of diabetes in Harrow are being addressed and what assurances I can pass on to Diabetes UK?

**Written Answer:** NHS Health Checks programme is provided by the public health team and is offered to people aged between 40-74 who do not already have heart disease, kidney disease, diabetes or stroke.

Harrow started the NHS Health Check programme in January 2012, which was a delayed start compared to most other boroughs.

Harrow's current national ranking has been achieved in just over a two month period compared to other primary care trusts that have been running the programme for a significantly longer period, including the full 12 months.

Since commencing the NHS Health Check programme in Harrow the uptake has been significantly better than the average uptake of 50% across the country and Harrow Public Health are on track to ensuring that all of the eligible population in Harrow are invited to the free NHS Health Check over the 5 year period.

Diabetes in Harrow is high due to the ethnic make up of the population with people from South Asian ethnic origin six times more likely to develop diabetes than the national average. Even so Harrow has some of the best outcomes nationally and has been recognised by the National Audit Office as an exemplar service. Harrow has low numbers of amputations, low hospital admissions and high levels of patient satisfaction with services.

There is also a continuous improvement plan in place and the diabetes care programme also forms part of the integrated care pilot, which is focussing on achieving better working across the difference agencies.

15.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety

**Question:** Can you detail your personal involvement in discussing and working with the unions regarding the PRISM decision?

**Written Answer:** The numerous structured meetings of discussions with staff and the trade unions have been conducted by the managers in Environment, and I have provided a steer on the direction of the project. I have had informal discussions with staff on a number of service visits that I have taken part in, and I have been available to respond to questions at events such as the Environment staff forum held in July.

16.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety

**Question:** I was pleased to see that Harrow's recycling rates have improved somewhat recently, after a two-quarter slump. Can you confirm, however, what the recycling rate is for flats, and what progress has been made regarding the collection of recycling from flats?

**Written Answer:** As explained in my response to a previous question on this subject, there is a seasonal variation in the recycling percentages, and while the annual rate for last year was down slightly on previous years this could not be described as a slump.

The flats recycling scheme was successfully introduced in January and is making the expected contribution to reducing the amount of Harrow waste being taken to landfill. The scheme has added 1% to our level of recycling and Harrow remains one of the top performers in London. The scheme is generating on average an extra 100 tonnes of re-cycleable material per month. On top of this there is an average of 30 tonnes per month of contaminated material being presented in the recycling bins, meaning there is potential for even better results. The flats where the greatest contamination is taking place are being approached by officers in Public Realm to reinforce the messages on how to recycle so that the efforts of the people who want to recycle are not diminished by others.

17.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Graham Henson, Portfolio Holder for Performance, Customer Services and Corporate Services

**Question:** Can you clarify why the Council's new Outlook e-mail system was subject to two significant failures and outages over the last few weeks, and what is being done to prevent this from happening in the future?

**Written Answer:** As you will be aware, although our staff had done an outstanding job in providing support to the Council's 2,500 employees over the previous few years, we inherited an IT infrastructure that had suffered years of

underinvestment, was weak and unreliable to the extent that they were at breaking point.

It is a matter of record that there was no strategic direction and a chronic lack of incremental improvement in the council's IT services.

Even at that time it was recognised that applications were integrated with Novell and Groupwise, which were out of date and contributed towards poor service delivery. Until this is resolved the council continues to face the risk of failure of its core business systems.

The investment we made was to provide a reliable platform to fit the needs of the council moving forwards, to underpin a significant amount of the work of the transformation of the Council for the future, in order that we could close the funding gaps and meet the savage Government led financial challenges ahead.

Capita have done a sterling job in upgrading our systems, especially when faced with the outdated legacy infrastructure, much of which was out of vendor maintenance and supported by ad-hoc third party arrangements

As part of Capita's continuing commitment to transforming the Council's IT infrastructure and the application of industry best practice, Capita have an interim technical solution that allows Groupwise and Microsoft Exchange collaborative working servers to co-exist together and to replicate information, emails, and calendar events. This near unique architecture worked well until Capita applied the latest Microsoft Service Pack to Harrow's Exchange environment. The Service Pack included a number of key fixes to functional issues within Exchange, including specific issues with mails sent from generic mailboxes not appearing in the "sent items" folder which users at Harrow had been experiencing.

The Service Pack was tested successfully on two different test environments, by two different teams - one onsite at Harrow and another at the Capita data centre in West Malling. No issues were identified and based on the system testing the Service Pack was deployed to the live environment on 8 September.

It is now apparent that from this time there were performance issues with the email part of the temporary architecture and that this resulted in some emails not being delivered. These emails were 'stuck' in

Groupwise – a result of the fact that we are currently running two email systems in parallel. However, the Capita team was unaware of the growing problem and no problems were reported by users.

On 20 September whilst undertaking some unrelated work, Capita identified the underlying problem and reported this to the Council. This coincided with the problem worsening to the point where the users began to notice and report significant numbers of undelivered emails.

It was identified that the undelivered emails were being stored in GroupWise and action was taken immediately to begin the manual forwarding of these emails to Exchange. This activity took 6 days to complete. In parallel a work around to resolve this issue was implemented.

Root cause analysis work began and is still ongoing, a number of contributory factors have already been identified, and remedies put in place to mitigate them.

Currently users are still experiencing a delay in delivery of mails both internally and externally of up to one hour. Investigations are continuing into the root cause of these issues, with active, daily involvement from Microsoft (who provided two premium engineers to work with Capita), Harrow engineers, Data Centre engineers and third party consultancies. Various configuration changes have been made to address the issues and these will continue until mail flow is optimised.

Harrow's experience was made considerably worse because of the fact that we are transitioning between systems and that the Exchange and GroupWise replication performance issues resulted in non delivery of emails rather than just a delay.

Given the magnitude of the changes to the Council's IT landscape, a level of disruption is almost inevitable. Rigorous testing will continue to be applied to the programme to minimise this risk.

So far, the root cause work has not identified any process failures. However, when this work is finalised we will review it, to ensure there are no lessons to be applied to the future programme.

We are expecting all the performance issues to improve with the completion of the transition from GroupWise to Exchange. Currently 90% of the users have been

transferred to Exchange, leaving only Libraries, Place Shaping and the Conservative members to be transferred and then GroupWise can be removed from the system. We will then have an industry standard and well supported architecture in place.

Finally, I would like to take this opportunity to thank the staff, from both the Council and Capita, who are working extremely hard to resolve this situation.

**509. Key Decision Schedule - October 2012**

The Leader of the Councillor informed Cabinet that the report relating to 'Climate Change Strategy' had been deferred to November 2012 Cabinet meeting. He added that the item on 'Housing Act 2004 – Charges for Enforcement Action' had been deferred as the matter would be incorporated in the Fees and Charges report.

**RESOLVED:** To note the contents of the Key Decision Schedule for October 2012.

**510. Progress on Scrutiny Projects**

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

**RECOMMENDED ITEMS**

**511. Youth Justice Plan and Youth Offending Improvement Plan following Core Case Inspection of Youth Offending Work**

Cabinet received a report of the Corporate Director of Children and Families, which set out how the Youth Offending Team (YOT) would be resourced and the services that would be available in relation to the statutory primary aim of YOTs to prevent youth offending in the area.

The Portfolio Holder for Children, Schools and Families referred to a Council priority which was the protection of vulnerable children and adults. The report set out the strategic plan to ensure effective outcomes for children and young people who offended or were at risk of offending. She stated that the Plan needed to be submitted to Council for approval.

The Corporate Director of Children and Families referred to the findings of the 2011 inspection of the service, which had been poor, and the plan for securing improvements. The Corporate Director added that the results of the inspection were of great concern as it had placed Harrow below the national and London averages and that major challenges lay ahead.

In order to meet these challenges, a fundamental reorganisation of the Directorate had taken place, a smaller focused Youth Offending Team had been created with a new permanent team and service manager. Extra resources had been allocated to this area and work with the Youth Justice

Board was in place. In addition, representation on the YOT Management Board had been strengthened to ensure robust challenge and scrutiny. Moreover, the relocation of staff into a single site would ensure closer working relationships amongst staff responsible for this area as a whole.

The Corporate Director stated that the challenges that lay ahead had not been underestimated and the trajectory to ensuring progress was contained in the Improvement Plan to help improve outcome for children and young people in Harrow.

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

That the contents of the Youth Justice Plan be agreed and the Plan be recommended to Council for approval.

**RESOLVED:** That the Improvement Plan be agreed.

**Reason for Decision:** Effective delivery of Youth Justice Services was a statutory function. The Council must take political as well as Corporate responsibility for ensuring that rapid improvements were secured.

**Alternative Options considered and rejected:** As set out in the report.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation granted:** None

*[Call-in does not apply to the Recommendation to Council].*

## **512. Key Decision - Harrow Community Infrastructure Levy - Draft Charging Schedule**

The Portfolio Holder for Planning and Regeneration introduced the report, which summarised the comments received to consultation on the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule and the Council's response to these in preparing the Draft Charging Schedule for a further round of consultation prior to submission for Examination in Public.

The Portfolio Holder added that the CIL followed from and in future would replace Section 106 of the Town & Country Planning Act, to support the delivery of strategic infrastructure. The scope of Section 106 would be reduced to addressing site specific requirements only, including affordable housing. He added that local authorities had until 2014 to introduce CIL for strategic infrastructure after which they would not be allowed to continue to use S106 agreements in the same way.

The Portfolio Holder added that the CIL was driven by a viability assessment and that Harrow's charge was determined having regard to this requirement. He added that surrounding boroughs were progressing charges in excess of Harrow.

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

That the Community Infrastructure Levy (CIL) Draft Charging Schedule, at Appendix 1 to the report, be approved for a six week period of public consultation in accordance with the Council's adopted Statement of Community Involvement.

**RESOLVED:** That

- (1) the representations made to the CIL Preliminary Draft Charging Schedule and the Council's response to these at Appendix 2 to the report be noted;
- (2) authority be delegated to the Divisional Director of Planning, in consultation with the Portfolio Holder for Planning and Regeneration, to make any minor changes to the CIL Draft Charging Schedule resulting from the consultation, prior to its submission for Examination in Public.

**Reason for Decision:** To progress with preparing and adopting a CIL Charging Schedule that would enable the Council to charge CIL on new development to help pay for social and physical infrastructure within the borough.

**Alternative Options considered and rejected:** As set out in the report.

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

*[Call-in does not apply to the Recommendation to Council].*

**RESOLVED ITEMS**

**513. Key Decision - Children and Families' Services' Improvement Plan**

The Portfolio Holder for Children, Schools and Families introduced the report, which set out the key issues arising from the Ofsted Inspection of Safeguarding and Looked After Children's Services carried out in May 2012. The report made reference to the setting up of an Improvement Board to secure rapid improvements through an Improvement Plan agreed by all partners.

The Corporate Director of Children and Families referred to the Ofsted Inspection which was cross cutting across all partners and which came at the end of a four year cycle of all local authorities in England. She added that Harrow had been in the final cohort and its performance was judged as adequate. It was noted that a number of local authorities had failed their inspections and were subject to 'intervention'.

The Corporate Director added that challenges had been recognised prior to the inspection. As a result, a New Operating Model had been launched in February 2012, three months before the inspection. In addition, an

Improvement Board had been convened to secure rapid improvements through an Improvement Plan which addressed the 22 recommendations in the Ofsted Inspection report. The multi-agency team had developed robust quality assurance, developed a comprehensive workforce strategy and appointed a new manager for safeguarding. Officers were also working closely with the Councillors, Portfolio Holders and Conservative Group Shadow Portfolio Holders.

Cabinet was informed that relationships in the partnership had improved significantly but that the team was not complacent as much work needed to be done. The Corporate Director introduced Javina Sehgal, Harrow Borough Director of NHS Brent and Harrow PCT, to the meeting.

Javina Sehgal reported that the relationship amongst the partners was robust and the 'direction of travel' was correct. Ms Sehgal welcomed the appointment of an independent Chair which had brought a sharper focus on the work of the Local Safeguarding Children Board. Additionally, health involvement in the Corporate Parenting Panel was also welcomed. She added that the partners had aspirations to move forward with better outcomes for children and with a view to looking at the bigger picture. Improvements were underway but it was acknowledged that there was a long way to go, including the appreciation of the changes in health.

The Chief Executive addressed Cabinet and commended the Children and Families Directorate which provided outstanding schooling in the borough and the adoption service which was the best amongst local authorities. However, the inspection had shown that there was more work to do and the Council was not complacent in this regard. He added that an improvement journey had commenced and actions had been identified to ensure that children were provided with best life chances. The report would be submitted to scrutiny and contributions from other Councillors would be invited.

The Chief Executive added that he would be taking a keen interest in this matter and that this was an issue for the partners who were committed to better outcomes.

The Leader of the Council endorsed the views of the Chief Executive and together they should be seen as 'critical friends' and had introduced a quarterly review meeting on Children's Safeguards to inform himself and the Chief Executive. The Leader added that every local authority was challenged by the inspection and the criteria for evaluating services had been raised considerably in the four-year period and may rise again. He added that partnership working, including cross-party working was essential and invited constructive comments from the partners and Councillors. He commended the Improvement Plan to Cabinet, whilst urging all not to be complacent.

**RESOLVED:** That the post-Ofsted Improvement Plan be agreed.

**Reason for Decision:** To meet the requirements of Ofsted, which was the independent regulator of Children's Services. To take political as well as Corporate responsibility for ensuring that rapid improvements were secured.

**Alternative Options considered and rejected:** As set out in the report.

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

#### **514. Special School SEN Placements Planning Framework**

The Portfolio Holder for Children, Schools and Families introduced the report, which set out the draft Special School Special Educational Needs (SEN) Placements Planning Framework and a series of options to increase capacity in provision for SEN need in Harrow.

The Head of Services (Education Strategy and School Organisation) referred to a former decision of Cabinet to increase places in schools. He added that there was now a need to increase places for children with special needs and a number of options needed to be explored. He informed Cabinet that the results of the consultation on the Framework at appendix A to the report would be reported to Cabinet in Spring 2013 and that it was essential that there was engagement with parents. Cabinet was also informed that recommendation 3 was being proposed due to the 'fast moving landscape' and in anticipation of Free Schools being proposed.

In welcoming the report, the Leader of the Council moved that any delegation should be in consultation with the relevant Portfolio Holder.

**RESOLVED:** That

- (1) the aims and guiding principles for the Special School SEN Placements Planning Framework be agreed;
- (2) to develop options to increase provision in special schools and mainstream schools to meet growing demand, a wide stakeholder engagement and consultation be agreed;
- (3) the Corporate Director of Children and Families, in consultation with the Portfolio Holder for Children, Schools and Families, be authorised to explore opportunities for collaborations with schools, other boroughs and/or a Free School provider to contribute to the increase in provision and submit a Free School application if required by the Department for Education;
- (4) the outcome of the consultation be reported in Spring 2013 for Cabinet to agree its Special School Special Educational Needs (SEN) Placements Planning Framework with a view to bringing forward any necessary statutory proposals.

**Reason for Decision:** To undertake a consultation on proposals to increase provision for pupils with SEN.

**Alternative Options considered and rejected:** As set out in the report.

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

**515. Key Decision - Academy School Conversions**

The Portfolio Holder for Children, Schools and Families introduced the report, which set out to manage future Academy School conversions due to there being cross-Council implications for the conversion process. Academy and Free Schools were part of the government's policy to improve standards and increase choice for parents. There were nine Academies in Harrow and one Free School.

The Portfolio Holder for Property and Major Contracts stated that it was intended to follow the government's model of 125 year lease in transferring school premises. In order to ensure consistency, the previous models would apply.

The Leader of the Council stated that the relevant Portfolio Holder should be consulted when negotiating and entering into a contract for services with Academies.

**RESOLVED:** That

- (1) the Council's Position Statement on Academy Schools and Free Schools be agreed;
- (2) the Corporate Director of Children and Families, in consultation with the Portfolio Holder for Children, Schools and Families, be authorised to negotiate and sign a Commercial Transfer Agreement (CTA) with the school/sponsor in relation to assets, third party contracts, staffing and information transfer when schools convert to Academy status;
- (3) the Corporate Director of Place Shaping, in consultation with the Portfolio Holder for Property and Major Contracts, be authorised to determine the terms of the land transfer based on the model 125 year lease issued by the Department for Education (DfE), including the extent of the school premises and licences for land outside of the lease arrangements;
- (4) the relevant Corporate Director, in consultation with the relevant Portfolio Holder, be authorised to negotiate and enter into contract for services with Academies and out of borough schools in accordance with the Position Statement.

**Reason for Decision:** To ensure that the Council was able to manage conversions efficiently in accordance with the government's policy, it was expected that more schools in Harrow would consider and convert to Academy School status.

**Alternative Options considered and rejected:** As set out in the report.

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

**516. Key Decision - Shared Public Health Service Target Operating Model**

Cabinet received a report of the Corporate Director of Community, Health and Wellbeing, which provided an update on the process and appointment of the Shared Director of Public Health, the development of the shared Target Operating Model, the proposed shared Public Health structure and an update on the development of the Inter Authority Agreement.

The Portfolio Holder for Adult Social Care, Health and Wellbeing added that the three strands to the report also included an 'in principle' decision for Harrow to host the shared Public Health Service when these transferred from the NHS on 1 April 2013. She added that the decision had been predicated on a number of agreed principles regarding the establishment of local public health presence in both Harrow and Barnet Councils and included the protection of local relationships with the Clinical Commissioning Groups, Commissioning Support Units and Public Health provider organisations. It also included the principle that each borough had equal access to the Director of Public Health and public health functions in both boroughs.

The Portfolio Holder explained that the Target Operating Model had been developed by the NHS and agreed with the Councils in accordance with national guidance. She added that the Shared Public Health Team's responsibilities would include leading on health improvement and reducing inequalities, health protection, and public health support to health service commissioning and provide knowledge and intelligence.

The Portfolio Holder added that the NHS had completed an Equality Impact Assessment for the Target operating Model and a further one would be undertaken. The interface between the two Councils and Directorates would help capture and utilise synergies, and an inter authority agreement was being developed. She added that the matter would be reported back to Cabinet in December 2012 or January 2013.

The Corporate Director of Community, Health and Wellbeing outlined the challenges that had been worked through, such as maximising capacity and resources and develop a centre of excellence. He added that the proposals would result in a reduction of 15% back office costs and drew attention to the proposed structure. He thanked the Portfolio Holder for her leadership in the management of the proposal, including Councillor Hart from Barnet Council, Andrew Howe, Director of Public Health, officers from across both Councils, Trina Thompson, Senior Policy Officer, and Carol Yarde, Head of Transformation Community Health and Well Being, for their energy and skills in bringing this project to fruition.

The Leader of the Council agreed with the sentiments of the Portfolio Holder and the Corporate Director. The Leader was of the view that the funding received by both Barnet and Harrow Councils was poor. He added that the government had allocated funding on historical basis rather than on a needs basis.

In summing up, the Leader of the Council thanked everyone for their work in bringing this complex project to fruition, which was a good deal for the people of Harrow. He thanked the Portfolio Holder for her skills in bringing this innovative project to a conclusion.

**RESOLVED:** That

- (1) the agreement for Harrow to host the Shared Public Health Team be noted;
- (2) the appointment of the shared Director of Public Health be noted;
- (3) the Barnet and Harrow Public Health Target Operating Model be approved 'in principle';
- (4) the NHS proposed structure for the shared Public Health Service be noted;
- (5) it be noted that the NHS North West London (NWL) and NHS North Central London (NCL) were consulting NHS Public Health staff on the proposed structure during October 2012;
- (6) the proposed structure for the Shared Service for Harrow Council and Barnet Council be adopted from 1 April 2013;
- (7) authority be delegated to the Portfolio Holder for Adult Social Care, Health and Wellbeing to accept any changes to the structure as a result of the NHS consultation.

**Reason for Decision:** To implement the required transfer of Public Health to Local Government.

**Alternative Options considered and rejected:** None.

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

#### **517. Harrow's Local Account 2011-12**

The Portfolio Holder for Adult Social Care, Health and Wellbeing introduced the report, which set out the main elements of the Harrow Local Account 2011/12. The Portfolio Holder added that the report provided residents with information on the performance of local social care services including details of priorities and outcomes. She added that the Council would support and work with residents to develop the Local Account which would also contribute to the Service Plan.

The Corporate Director of Community, Health and Wellbeing informed Cabinet that quality assurance had developed over a number of years and there was an element of independence attached to it which ensured that the authority was not inward looking and complacent. He referred to the

contributions from partners, such as Harrow LINK, Harrow Mencap, Harrow Age UK and the Citizens' Advice Bureau which had all welcomed the Local Account and he thanked them for their participation.

The Corporate Director added that an independent audit safeguarding practice was in place and where lessons had been learnt. Staff training had been improved and they were looking at more creative ways to enhance local safeguarding services. He added that a number of strands were attached to each area and that the contribution policy had challenged officers due to the sensitivity attached to its implementation. He commended the work done by officers in this area which was a sensitive and difficult process to implement but was pleased to report that there had been few complaints.

He added that the Care Quality Commission continued to carry out some inspection in this area.

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

**Reason for Decision:** To have an overview of Harrow Adult Social Care performance during 2011/ 2012.

**Alternative Options considered and rejected:** None.

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

*[Call-in does not apply to decisions which have been noted].*

**518. Response to Scrutiny Review of "Private Rented Sector Housing in Harrow"**

Cabinet received a report of the Corporate Director of Community, Health and Wellbeing, in response to the Overview and Scrutiny Committee Review of 'Private Rented Sector Housing in Harrow'.

The Leader of the Council invited Councillor Marilyn Ashton, Chair of the Scrutiny Review Group, to address the meeting. Councillor Ashton referred to the report of the Scrutiny Review Group, which had been non-partisan and she hoped that the recommendations would be useful to any future administrations. She was pleased to learn that all the recommendation of the review Group had been accepted and she thanked Members of the Review group for their sterling work in this area. She thanked Heather Smith, Scrutiny Officer, for her work and support provided to the Review Group

The Chairman of the Review Group added that the report summarised the function and achievements of the Review Group, including how the Council should move forward. She was pleased with the manner in which a Residents' Panel had engaged with the Council and she thanked them for their participation. Councillor Ashton added that there were no easy answers that would ensure that excellent standards were maintained in the private sector rented housing but it was important to ensure that decent standards were maintained. She was of the view that one way to maintain high

standards was through the developers and by applying the Local development Framework and national policies.

The Leader of the Council welcomed the response report to the recommendations of the Scrutiny Review Group. He added that the Review Group's report had been clear, practical and the approach taken had been 'bottom up'. He commended the Chair of the Review Group in her presentation of the report.

The Portfolio Holder for Housing thanked Members and residents of the Review Group for their original recommendations. He added that the report of the Scrutiny Review Group was timely, as the Directorate was finalising its housing strategies. He added that all the recommendations of the Scrutiny Review Group would be taken on board.

The Portfolio Holder added that the Council recognised the importance of the private rented sector in meeting the housing needs in the borough and it was therefore important that standards were improved and poor quality of housing was tackled. He added that due to limited resources, enforcement action had to be directed at tackling the worst conditions, and the Council looked forward to establishing a good relationship with landlords, developers and private tenants. The Portfolio Holder referred to the number of innovative and effective schemes that were already in place and assured Members that the Council would continue to build on these. A priority would also be given to bringing back empty homes back into use or finding housing uses for existing Council assets.

In concluding, the Portfolio Holder thanked the Scrutiny Review Group and officers in the Housing Department for their contributions on this important issue.

**RESOLVED:** That the report be noted and that the Corporate Director of Community, Health and Wellbeing, in consultation with the Portfolio Holder for Housing, be authorised to ensure that the responses outlined in Appendix 1 are included within the draft Housing Strategy and draft Private Sector Housing Strategy to be reported to Cabinet in December 2012.

**Reason for Decision:** To enable the response to be formalised in the draft Private Sector Housing Strategy and accompanying action plan.

**Alternative Options considered and rejected:** None.

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

#### **519. Key Decision - Locally Listed Buildings**

The Portfolio Holder for Planning and Regeneration introduced the report, which proposed changes to Harrow's List of Buildings of Local Historic or Architectural Importance and advised Cabinet of a consultation draft Locally Listed Buildings Supplementary Planning Document (SPD). He drew attention to the proposed additions, including the removal of two, to the list of

locally listed buildings, details of which were set out at appendix 1 to the report.

The Portfolio Holder added that the SPD would be published on the Council's website, and the owners of those buildings presently listed would be informed of the proposals.

The Leader of the Council welcomed the report and the desire to cherish the borough's heritage, which was a manifesto pledge.

**RESOLVED:** That

- (1) the amendments to the List of Buildings of Local Historic or Architectural Importance at Appendix 1 to the report, including the proposed removal of No. 75 Gordon Avenue Stanmore and No. 31 Pinner Road, be approved subject to consultation;
- (2) the draft Locally Listed Buildings Supplementary Planning Document be approved for public consultation.

**Reason for Decision:** To ensure that the Local Historic Environment Record was up to date in accordance with the National Planning Policy Framework. To progress the preparation of a Supplementary Planning Document relating to Locally Listed Buildings as a guide to owners and occupiers, and to inform the preparation of and decisions relating to planning applications for Locally Listed Buildings.

**Alternative Options considered and rejected:** As set out in the report.

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

**520. Key Decision - Proposed Consultation for Amending the boundary to Roxborough Park and the Grove Conservation Area**

The Portfolio Holder for Planning and Regeneration introduced the report on the proposal to extend the Roxborough Park and the Grove Conservation Area, and sought approval to publish the proposed extension to the Conservation Area for public consultation. He added that there was a constant review of the conservation areas with a view to providing additional protection to areas of interest, specifically directed to conversions and repairs.

**RESOLVED:** That, having considered the proposal to extend the Roxborough Park and Grove Conservation Area to include those areas shown on Appendix 1 to the report, the proposed extension to the Conservation Area be approved for public consultation.

**Reason for Decision:** As part of the ongoing programme to review the borough's conservation areas, an area adjacent to the Roxborough Park and the Grove Conservation Area had been identified and assessed as worthy of Conservation Area status. The incorporation of this area within the Roxborough Park and the Grove Conservation Area would ensure the

extended area was covered by the Council's adopted Conservation Area Appraisal and Management Strategy (May 2008).

**Alternative Options considered and rejected:** As set out in the report.

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

#### **521. Key Decision - Revised Statement of Community Involvement**

The Portfolio Holder for Planning and Regeneration introduced the report, which set out a consultation draft revised Statement of Community Involvement (SCI) to provide an updated, replacement SCI for that which was adopted by the Council in 2006. The Portfolio Holder added that a number of changes in legislation since 2006 had meant that a further SCI was required which would be consulted on widely. He added that the updated SCI would assist the Council at various planning stages, including in cases where the Planning Inspector was involved.

**RESOLVED:** That the draft revised Statement of Community Involvement, at Appendix A to the report, be approved for public consultation.

**Reason for Decision:** To ensure that Harrow has an effective, flexible and up-to-date SCI, pursuant to Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).

**Alternative Options considered and rejected:** As set out in the report.

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

#### **522. Urgent Key Decision - Public Realm Integrated Services Model: Business Case - Referral by Call-In Sub-Committee**

The Portfolio Holder for Performance, Customer Services and Corporate Services introduced the report, which set out the decision of the Call-in Sub-Committee held on 1 October following receipt and consideration of Call-in Notices in relation to Cabinet's decision of 13 September on the Public Realm Integrated Services Model (PRISM): Business Case.

The Portfolio Holder added that he had attended the Call-in Sub-Committee meeting on 1 October. He apologised that a normal legal implications paragraph had not been included in the report considered by Cabinet in September. However, legal advice had been included in the Business Case, the report had been signed off on behalf of the Monitoring Officer and the Director of Legal and Governance was present at that Cabinet meeting.

The Portfolio Holder stated that the administration took equality impact assessments seriously and assured that these would be ongoing as the project moved ahead, particularly on how it might impact on residents.

The Corporate Director of Environment and Enterprise referred to the legal advice at appendix 8 to the report and asked Cabinet to confirm the original Cabinet decision. She assured Members that consultations with Portfolio Holder(s) and Unions would continue and that equality impact assessments would be considered at each stage of the process.

The Leader of the Council welcomed the comments of the Portfolio Holder and the Corporate Director. He referred to appendix 4 which set out the original decision of Cabinet and it was

**RESOLVED:** That having considered the legal implications set out at appendix 8 of the report and having reconsidered the decision of the Cabinet meeting held on 13 September 2012 set out in appendix 4 of the report, in relation to the Public Realm Integrated Services Strategy: Business Case, as a result of the decision of the Call-In Sub-Committee, the original Cabinet decision of 13 September 2012 be confirmed.

**Reason for Decision:** In accordance with Committee Procedure Rule 46.8.3, to reconsider the decision within 10 clear working days of a referral by the Call-In Sub-Committee.

**Alternative Options considered and rejected:** To amend the decision.

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

*[Call-in does not apply].*

**523. Urgent Key Decision - Public Realm Integrated Services Model: Business Case - Referral by Call-In Sub-Committee**

Cabinet received a confidential appendix setting out the Business Case for the proposal.

**RESOLVED:** That appendix 8 be noted.

**Reason for Decision:** To allow the appendix to be considered in conjunction with the main report at agenda item 19(a).

**Alternative Options considered and rejected:** As set out under item 19(a).

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation granted:** As set out under item 19(a).

(Note: The meeting, having commenced at 7.32 pm, closed at 9.32 pm).

(Signed) COUNCILLOR BILL STEPHENSON  
Chairman