

CABINET MINUTES

22 NOVEMBER 2012

Chairman: * Councillor Thaya Idaikkadar

Councillors:

| | |
|-------------------|-------------------|
| * Bob Currie | * Phillip O'Dell |
| * Margaret Davine | * David Perry |
| * Keith Ferry | * Sachin Shah |
| * Mitzi Green | * Bill Stephenson |
| † Graham Henson | |

**In attendance:
(Councillors)**

| | |
|-------------------------|------------|
| Husain Akhtar | Minute 529 |
| Marilyn Ashton | Minute 529 |
| Susan Hall | Minute 529 |
| Barry Macleod-Cullinane | Minute 529 |
| Paul Osborn | Minute 529 |

* Denotes Member present

† Denotes apologies received

524. Arrangement of Agenda

The Leader of the Council received Cabinet's approval to vary the order of the agenda and bring items 12, 'Whitchurch Playing Fields', and 9, 'School Organisation' forward due to public interest. He added that both the public and Councillor questions relating to items 12 and 9 would be answered prior to the consideration of the substantive items. Thereafter, the meeting would revert to the order of business set out on the agenda.

The Leader confirmed that public and Councillor questions which did not relate to any substantive items on the agenda would be answered following consideration of item 9.

The Leader stated that, before the next Cabinet meeting, he would reflect on the time that had previously been allowed for the asking and answering of

public questions. He reserved his right to limit the time to 15 minutes for future meetings of Cabinet.

525. Declarations of Interest

Agenda Item 8 – London 60+ Card Motion

Councillor Janet Mote declared an interest in this item in that she was the holder of a London 60+ Card. She would remain in the room to listen to the debate on this item.

Agenda Item 9 – School Organisation

Councillor Paul Osborn declared a non-pecuniary interest in this item in that he was a governor of Norbury School and Roxbourne Infant and Junior School.

Councillor Barry Macleod-Cullinane declared a non-pecuniary interest in this item in that his sister was a teacher at Hatch End High School.

Councillor Husain Akhtar declared a personal interest in this item due to his interest in education matters and that he was Chair of Governors at Grange School.

Councillor Marilyn Ashton declared a non-pecuniary interest in this item, as she was a governor of Park High School. She would remain in the room to listen to the debate on this item.

Councillor Christine Bednell declared an interest in this item in that she was a governor of Vaughan Primary School.

They would remain in the room to listen to the debate on this item.

Agenda Item 11 – Climate Change Strategy

Councillor Bill Stephenson declared a personal interest in this item in that his daughter had had insulation put into the loft to her home by the Council. He would remain in the room whilst the matter was considered and voted upon.

Agenda item 12 – Whitchurch Playing Fields

During the course of the meeting, Councillors Camilla Bath and Lynda Seymour declared an interest in this item. They would remain in the room to listen to the debate on this item.

526. Minutes

RESOLVED: That the minutes of the meeting held on 11 October 2012, be taken as read and signed as a correct record.

527. Petitions

Petition regarding No 6 Hereford Gardens

Councillor Chris Mote presented a petition, signed by 24 people, with the following terms of reference outlined in brief below:

“We the undersigned residents of Hereford Gardens wish the Planning Department to take positive action regarding the ongoing “building/use” of No. 6 Hereford Gardens.”

The petition was accompanied by a letter setting out, in detail, the residents’ concerns with regard to the property in question.

RESOLVED: That the petition be received and referred to the Corporate Director of Environment and Enterprise and the Portfolio Holder for Planning and Regeneration.

528. Public Questions

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

1.

Questioner: Stephen Lewis

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: What is your view on the outcome of the saga regarding the development of the Whitchurch Pavilion and Playing Fields?

Answer: Thank you for your question Mr Lewis. I am sorry but I cannot agree with your use of the word ‘saga’.

There have been three previous Cabinet reports and extensive public consultation with local residents since the commencement of the Whitchurch Playing Fields project in November 2008.

On 26 March 2012 the Whitchurch Consortium organised a public meeting at Whitchurch School which was very well attended by local residents.

At this forum a comprehensive overview of the Consortium’s proposals was provided, together with an opportunity for residents to ask questions and raise concerns.

On 12 May 2012, the Whitchurch Consortium organised a Fun Day which was also very well attended by local residents. This event was intended to provide a good example of a typical event day and, importantly, to provide extensive information on the Whitchurch Consortium’s proposals for the site.

The Whitchurch Consortium also established a dialogue

committee which I understand has met on two occasions so far.

In addition, the Whitchurch Consortium undertook extensive door-to-door consultations in the locality.

The outcome of this engagement was reported to Cabinet, in detail, at our meeting on 20 June 2012.

The Corporate Director's report clearly set out the many and various concerns that had been raised by residents and all residents can be assured that this administration has understood the issues that you have raised with us.

Importantly, the June Cabinet report also advised that a petition containing 1,265 signatures supporting the Whitchurch Consortium's proposals had also been compiled during the door-to-door engagement.

Although the process for selection of the Council's preferred bidder, the wide ranging engagement with local residents and the negotiations in respect of commercial terms has been time consuming, I am confident that the outcome will result in fabulous new facilities for our community.

I am therefore very pleased that this administration has persevered with these proposals, despite early difficulties and criticism and I am convinced that the proposal will become a hugely successful and well supported sports and leisure facility which will be used extensively by the residents of our Borough for many years to come.

Our careful approach and in particular, our concern for the views of local residents, has ensured that:

- the best partner for the development and operational management of the Playing Fields has been selected;
- the reasonable concerns of local residents have been openly debated in public forum, carefully and comprehensively considered by this Cabinet and will be safeguarded through the lease terms and the statutory Planning and Licensing processes;
- superb new sports and leisure facilities, and most importantly, high quality outdoor sports pitches, will be available for our sports men and women, boys and girls, to develop their skills, perhaps even going on to represent Harrow and their country in

future world class competitions, in particular the Olympics.

The Service Level Agreement which has been negotiated with the Whitchurch Consortium will provide for extensive, low cost access for disadvantaged and protected groups within our community.

Supplemental Question: Can you tell us how the report demonstrates the safeguarding of public concerns and why did officers refuse to meet residents before submitting the report?

Supplemental Answer: Our Corporate Director met you on one occasion and there have been many meetings and phone calls, including extensive consultation. I do not think you are justified in saying that they have not met you.

2.

Questioner: Mr A J Pais

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: The proposed development at the Whitchurch Playing Fields site will undoubtedly give rise to further nuisance to local residents from increased traffic, noise and anti-social activities. Given that the already planned increase in pupil intake at Stanburn School and a likely increase in numbers at the Whitchurch School will make the traffic situation much worse even before the Whitchurch Playing Fields project makes the situation simply unbearable.

Whilst the local residents accept that some improvements to the site are necessary, why has the Council not carried out any studies or assessments regarding traffic, noise and anti-social behaviour problems that would be generated by this project in the surrounding streets and why has the Council not sought to listen to the concerns of the local residents and take their views into account?

Answer: Mr Pais thank you for your question.

As I said in my response to Mr Lewis and as has been made clear at previous Cabinet meetings, the issues associated with increased traffic, noise, and any other potential adverse impacts which may arise from the operation of a modern sports and leisure facility on the Whitchurch Playing Fields site will be most carefully considered as part of the formal Planning and Licensing processes.

I am sorry but I cannot accept your view that the Council 'has not sought to listen to the concerns of the local residents and to take their views into account'.

There has been substantial engagement with local residents and there has also been much engagement with some residents at previous meetings of Cabinet.

Through this previous engagement, this Administration, in particular all of the Members of Cabinet, have been able to gain a comprehensive understanding of the concerns of local residents, in particular those whose homes immediately adjoin the site and also the strong interest and support for a new, modern, sports and leisure facility that has also been expressed by other residents.

We will do everything possible, working with the Whitchurch Consortium, to ensure that all potential adverse impacts are carefully and properly identified and managed through the Planning and Licensing processes.

These processes are fully transparent with all decisions being made at meetings which are open to the public, with officer reports that are available to residents from the Council's website.

It is very important that we plan today to ensure that our sports men and women, boys and girls, are able to access high quality, modern, sports and leisure facilities.

Our Borough is growing. We need to recognise that growth is a positive thing and we, the entire community, need to work together, to embrace opportunities to improve the facilities essential to the life of our Borough in the future.

Supplemental Question:

I beg to differ with what you have initially said about consultations having taken place. At a fully packed building in the Whitchurch School, all the local residents gathered together, put their hands up, bar three, all of them were against this project.

I accept that there are some improvements necessary in this place. I have not seen a questionnaire that you have sent around which listed all the questions and we could have written down our concerns. There has been nothing of the sort. You keep talking about a so-called consultation document carried out by the developer. Obviously, they are going to, if at all, frame the questions as it suits them.

The Council has already given permission to Barnet

Football Club to play league matches at Prince Edward Playing Fields. Just a few hundred yards from this site. This in itself will create vastly increased traffic on match days and there is no way you could deny that fact.

My question is not going to make sense without me reading this. The traffic going towards Broadwalk in Edgware already backs up halfway to Prince Edward Playing Fields, even on working days.

We know that the Council has chosen to ignore the views of the local residents, but why has the Council failed to carry out a comprehensive assessment of traffic, parking and anti-social behaviour problems. Can the Portfolio Holder tell us whether they have consulted other agencies such as Police, Fire Brigade, Highways Agency and local establishments? Will the Council postpone its decision until this is done properly?

Supplemental Answer: The things you mention – traffic, noise, will be part of the planning process. You would be consulted again by the Planning Department independently and you will have an opportunity to respond to it. The decision will then be made in public. You could attend the Planning Committee to listen and make your comments and then the Planning Committee will make the decision.

3.

Questioner: Graeme Neale

Asked of: Councillor Mitzi Green, Portfolio Holder for Children, Schools and Families

Question: The Vaughan School travel plan says that they currently have 5 cycling spaces available. It also says in at least 4 places of the dangers of cycling to the school and for that reason they do not have a cycling policy.

Why is it therefore that the new plans show an increase in cycle spaces from 5 to 30?

Answer: Thank you Mr Neale.

I am sure that Vaughan Primary School, like all Harrow schools, takes road safety and green travel plans very seriously. The school is active in promoting walking and the school travel plan shows that 80% of pupils walk to school. The school provides places to its local community as demonstrated by just over 0.6 of a mile being the furthest distance offered for a school place for September 2012. This included the increased intake of 90 pupils.

The Council expects that the school will keep the travel plan under review as the school expands. In due course, the Planning Committee may also have a view about the school's current travel plan, as indeed they did have recently in the applications for expansion at Glebe Primary School and Stanburn Schools.

The plans for the proposed building works at the school seek to improve existing movement around the site and include provision of additional cycle racks to promote safe use for travelling at the beginning and end of the school day. It is our intention to reduce car travel and to promote safe travelling.

Mr Neale: Sorry, so why are you increasing it from 5 to 30 when there is no demand and they are not encouraging cycling because that was what the question was? The statistics and the plans say that teachers do not cycle. The school has not got a cycling policy

Cllr Green: As I have said before Mr Neale, we are encouraging children to come to school other than by car and by providing extra spaces this will encourage them to do that.

Mr Neale: It is quite clear from the travel plan that there are existing concerns and safety issues at the school which can only get worse by expanding the school numbers. I have raised this question before and have heard nothing to allay my fears concerning the safety. When will I know exactly how these safety issues, including the management of the additional foot flow, the increased traffic and the parking requirements are going to be dealt with as they are certainly not covered by the current travel plan?

Cllr Green: As I explained to you before when we had the Council meeting, when it comes to travel around schools there is difficulty experienced by every single school in the Borough.

4.

Questioner: Mrs Rosalyn Neale

Asked of: Councillor Mitzi Green, Portfolio Holder for Children, Schools and Families

Question: How can a Council which got the original projections so wrong regarding the number of school places needed be expected to produce an accurate figure of how much the redevelopment of these schools will cost?

Answer: Harrow has a statutory duty to ensure there are sufficient school places for all children. The report before Cabinet today contains the latest projections data.

It is incorrect to suggest that Harrow has got its projections wrong. There are many factors influencing the need for school places and our projections are reviewed and updated each year. Harrow's population is changing as demonstrated by the recent census results. We have a good track record of projecting demand for school places and this has enabled places to be provided for all children, which has not been the case in some other London boroughs.

Harrow Council has agreed and is implementing its strategy to ensure sufficient school places to meet the increasing demand. The projections and the available school places are reviewed annually and adjustments to planning are made accordingly.

The production of estimates for a construction scheme begin as a cost per square metre based on floor area and are developed along with the scheme to eventually arrive at an 'Agreed Maximum Price' based on the detail design for the scheme. Considerable effort is put into establishing the price for the scheme to ensure that our estimates are as accurate as they can be. Clearly there may be issues and changes throughout the life of the scheme including during the construction period, but everything possible is done to minimise this possibility and establish as accurate a price as possible at the outset. Contingencies based on a risk register for known and possible risks are also factored in. This gives us confidence that we have the best possible estimate for the scheme at any given point during the project lifecycle.

Supplemental Question: The fact that new projections show a later and higher peak indicates how wrong projections can be. Is it therefore not a total waste of taxpayers' money to embark on a permanent expansion plan now? Surely it would be better to embark on a temporary expansion plan until more robust demand figures are known?

Supplemental Answer: We believe that our estimates at the moment are as accurate as we can make them.

As I explained to you before, census returns are showing that we have a greatly increased number of Rising 5s, in fact I think we have got about a third more than we did in 2001. So there is a great increased demand for school places.

5.

Questioner: Elizabeth Kaptur

Asked of: Councillor Mitzi Green, Portfolio Holder for Children, Schools and Families

Question: The latest school role projections indicate a higher, and later, peak in demand for additional primary schools. The high level of demand is then predicted to continue with a slight and gradual reduction thereafter.

In the light of this, why you are spending money now when the peak is going to be later, and why are you spending money on a permanent expansion when numbers are predicted to reduce.

Answer: Harrow Council has adopted a strategy to meet the increase in pupil numbers. The strategy aims to secure sufficient primary school places to meet the long term projected demand through the creation of a sustainable level of additional permanent places in expanded schools.

Temporary additional classes, sometimes referred to as bulge classes, will also be opened to meet the projected peak demand without creating surplus permanent capacity that would need to be removed when numbers reduce.

These places need to be planned for and provided so they are available for pupils when required.

The strategy demands a significant expansion programme. Phase 1 of the primary school expansion programme was approved by Cabinet at its meeting in June. The report to Cabinet today brings forward proposals for phase 2 of the programme.

This programme requires funding now so that places are available in line with the demand described in tonight's Cabinet paper and the longer term projections going forward.

Supplemental Question: I do understand how and there are more children brought into the schools and we do need to expand the school but I am bringing here my personal view as probably all the residents around here.

So regarding the Vaughan School expansion, personally I do not agree that the expansion should go ahead unless it is going to be built away from our gardens. That is our personal worry simply because it will be restricting us from

our freedom and privacy in our own gardens.

We built our fences so not to see our neighbours and suddenly a two storey building behind our fences where everybody can see us, simply because the newly built school windows will be facing our gardens plus the morning light will be blocked almost all year round. By having the school built so close obviously to our properties will simply spoil the view from our windows as I showed you on the pictures previously, at previous meetings.

That is my personal view regarding the expansion and I believe most of our residents will share the same view.

Nevertheless, if you do decide that further schools need expanding, what lessons have you learnt from the appalling residents' consultation on Vaughan School that you will incorporate into future consultations?

Supplemental Answer: I have listened to your preamble to your question. Those are planning issues. Those planning issues will be dealt with by the Planning Committee.

We continue to consult with residents wherever possible and we will continue to listen to your views as much as possible. I do understand your concerns.

6.

Questioner: Teresa King

Asked of: Councillor Mitzi Green, Portfolio Holder for Children, Schools and Families

Question: Regarding the six classrooms that back onto the residential properties in Dorchester Avenue - will the windows be opening and if so what consideration has been given to dealing with the inevitable noise that residents will have to endure several times a day as classes change and children settle down for their lessons and are parents aware that these classrooms will be so close to residential properties that people will be able to see inside 6 of the classrooms?

Answer: These are planning matters. These are all questions that should be put to planners and not to myself as part of schools. They will be answered when the question goes to planning.

Supplemental Question: Also, if they do not have open windows it will therefore mean that they will have air conditioning so what are we

going to do to suppress the continued hum of air that will disturb the current peace that the neighbours enjoy?

Supplemental Answer: Again, Ms King this is also a planning question

7.

Questioner: Melanie Lewis

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: Can the Cabinet tell me how soon I can expect to receive confirmation that, in accordance with the Commons Act of 2006/7, Whitchurch Playing Fields has been registered as an Open Space and will never be available for development?

Answer: An application made under the Commons Act 2006 to register Whitchurch Playing Fields as a Town or Village Green was received by the Director of Legal & Governance Services on 16 November 2012.

That application will be reviewed by Legal Services in due course, in accordance with the provisions of the Act and associated regulations, to ensure that it has been validly made and meets the necessary minimum procedural requirements.

If so, the application will be advertised and all those with legal interests in the land, including the Council in its capacity as landowner, will be given the opportunity to object.

Evidence submitted by the objectors and by the applicant will be considered by the Council, in its entirely separate statutory capacity as the relevant registration authority for applications under the Act.

I would emphasise that the decision to allow or refuse the application is not a matter for Cabinet but will be made by a non-executive licensing panel, following appropriate legal advice, as to the merits of the application.

The application will be progressed by the Council, as registration authority, with all reasonable speed but that process will take place independently from the matters in respect of the Council's landholding being considered by Cabinet this evening.

Supplemental Question: First of all the inquiry has to be completely independent and cannot be anyone within the Council, that is the law and secondly, once the application has gone in, nobody may encroach on the land until the inquiry is over.

I understand the inquiry is going to take up to two years, so who is going to inform the Consortium that they have now got a possible two year wait until they can get hold of that land?

Supplemental Answer: Our Legal Department will inform the Whitchurch Consortium and follow the due legal process.

8.

Questioner: Michelle Stern

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: Why hasn't the Corporate Director for Place Shaping met with us, the residents living around Whitchurch Playing Fields, to discuss with us our continuing concerns prior to the submission of the paper for decision by Cabinet on the future of Whitchurch Pavilion and Playing Fields, despite his being directed to do so in writing by the Chief Executive, and does the Leader feel confident, therefore, that the decision being made tonight is really being made on the basis of full and meaningful consultation with local residents?

Answer: Thank you for your question.

A comprehensive report regarding consultation with residents, in respect of this project, was presented to Cabinet by the Corporate Director Place Shaping on 20 June 2012.

A meeting with the representatives of local residents which was attended by a number of Councillors and the Corporate Director Place Shaping, was held in Civic Centre Committee Room 5 at 4.00 pm on Thursday 7 June 2012.

The matter to be considered by Cabinet this evening deals with the commercial formalities relevant to any future partnership between the Council and the Whitchurch Consortium.

I understand that the Corporate Director of Place Shaping wrote to Stephen Lewis, the Co-Chair of the Abchurch Residents' Association on 19 November advising that he

'would be happy to arrange a meeting to discuss concerns and to ensure that engagement with the local community is effective in the future'.

As the Portfolio Holder who has had overall responsibility for this project since May 2010, I am really disappointed that residents continue to express strong concerns regarding the extent and quality of the engagement, in respect of this important project.

I fully accept that your concerns regarding the consultation efforts are presented to us in good faith and I am very keen that we develop our approach with our partner, the Whitchurch Consortium, in a way which, as far as is reasonably possible, meets your needs and expectations.

I would be more than happy to attend the meeting which the Corporate Director of Place Shaping arranges with you and other residents.

Supplemental Question: What was your comment on the Consortium's presentation of 26 March, your personal comment about that?

Ms Stern: I would like to say that taking a petition around, coming from Whitchurch Consortium; that is not consulting local residents, that is just making it up what they feel like. Also, the Fun Day was not for local residents but the Whitchurch Consortium had 'shipped in' to their Fun Day.

We have not been consulted and for you to say anything else is not true. Also, I would like to point out that this is high flood area land. How can it possibly be developed on and how can you sign this contract tonight when it is about to be declared as an open space?

Supplemental Answer: Sorry, you are incorrect.

Any issues will have to be dealt with by the Courts.

9.

Questioner: Raymond Read

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: The report mentions "numerous similar LA schemes" regarding the development of playing field sites. Could you name some of these schemes?

Answer: Mr Read, thank you for your question.

I think you are referring to the statement made in the last paragraph on page 255 of this evening's agenda papers.

I am advised by officers that other examples of long lease agreements to enable inward investment for the development of sports and leisure facilities are in place or in the process of being developed at:-

- Wimbledon Park Sports Centre, Portsmouth
- Patcham Court Farm, Brighton
- Patcham Place, Brighton
- Blake Hall Sports Club, Wanstead
- Copthall Stadium, Mill Hill
- Warren Farm, Southall;

and our very own

- Prince Edward Playing Fields, Edgware

Supplemental Question: Were any of these developments ones where the authority was acting against the wishes of the local residents? Were any of these sites inspected by the Council to see that they are in a similar situation to us here in Whitchurch Playing Fields?

Supplemental Answer: There are several places even in Harrow that are very similar and also there are school halls in Harrow. There are school halls backing onto houses.

Everything will be considered and this is where the Planning Committee will make sure any disturbances to the residents are to a minimum.

Further, the Licensing Panel will make sure appropriate gadgets are available to stop excess noise and sound coming to your properties. If you are disturbed, the Environment Department will come and fit a noise limiter inside your house, with your permission and monitor the noise levels and if they are too high, they will take appropriate action.

10.

Questioner: Joan Penrose

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

Question: Where is Harrow Council's evidence that satisfactory living accommodation is being provided for people with mental illness?

Answer: Thank you for your question Joan.

The Council takes the issue of satisfaction with services very seriously and consistently monitors services to gather evidence about the levels of satisfaction, success as well as to identify issues that need to be addressed.

The Council has a robust system of quality assurance processes in place to make sure people receive higher quality services. We receive information about service user satisfaction through a variety of surveys, so a lot of this is done through monitoring.

As part of our processes, we are now supporting a group of Local Account Representatives. These are people we support and who use our services, including some with mental illness, all of whom are helping us to make sure that services deliver from a user perspective. So they are people within the services themselves that are reporting on them.

CQC still inspect the residential care services we provide and have found them to be compliant in all areas and, in addition, all commissioned services are quality assured at an individual and service level to ensure they deliver high quality and support people to achieve their outcomes.

Our Adult Community Care User survey includes responses from users of social care services with mental illness and will give us evidence on levels of satisfaction with services.

In addition, the Council is reviewing a number of its housing strategies, which will be out for consultation in January. Through this we will be inviting comments in order to make sure that we are able to meet the needs of Harrow's residents and that will include those with mental illness.

Supplemental Question: What links will there be between the Mental Health Service, including the new Day Service and the Council Housing Department, to sort out issues on Council estates around neighbourhood relations, for example, excessive noise?

Supplemental Answer: I think you are asking me about people with mental illness that are living on our estates that are managed by the Housing Services and how those are going to be dealt

with. Are there complaints from the people around?

It would be a question of both looking at the evidence from the service users themselves and if they are being harassed or receiving unpleasantness from other residents, we would have to look at both sides of that question and work together. I would be asking Councillor Bob Currie, Portfolio Holder for Housing, to work with me on that and it would be a question of mediation between the people concerned.

529. Councillor Questions

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

1.

Questioner: Councillor Marilyn Ashton

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

Question: Can you confirm if special allowances are being made for roads with particularly steep gradients, such as Embury Way, in relation to the new gritting regime?

Answer: Thank you for the question.

As you probably recognise, Harrow has traditionally provided a well regarded winter maintenance service.

In times of freezing road conditions, the extent of the Council's response is determined by the anticipated severity of the weather. The response is generally escalated dependent on the prevailing or forecasted weather.

Roads such as Embury Way in extreme weather conditions, snow conditions, will be included in part of our standard routes.

Supplemental Question: So, Embury Way, to the right hand side once you have come up Winscombe Way, is a road that leads onto St John's School and that, I am assuming, is why you have answered it in that way because, otherwise it would be very, very difficult for pupils to be dropped off at school and we could not put any more pressure on Stanmore Hill.

Secondly, the left hand side of Embury Way is the part that does not lead to the school and it is these representations that we have received in Stanmore Park

Ward from those residents, most of whom are elderly, and there are similar cases in Harrow-on-the-Hill and Pinner Wards.

So what I would like is an assurance from you that a little bit of common sense might prevail and some real attention given to some of these most isolated and north facing slopes where people, if they needed medical attention, would never be able to get an ambulance through. It is these kinds of situations that we are particularly anxious about. I would like an assurance that, irrespective of which regime you are using, common sense prevails we allow people safety because there are vulnerable people in these areas.

Supplemental Answer: It is recognised that Harrow's winter maintenance service is well regarded and I think you can seek that assurance. I will be asking that maintenance service to have that common sense approach that you are seeking.

2.

Questioner: Councillor Husain Akhtar

Asked of: Councillor Sachin Shah, Portfolio Holder for Finance

Question: In working out the budget and allocating resources, what specific considerations would be given to the Harrow's changed profile as indicated by the early results of the Census 2011 – examples, please?

Answer: Thank you for your question.

We have known about demographic pressures for some time and have indeed factored it into the budget going back all the way to the last Census. Obviously, this year we had more information. I will always take into account any relevant information, the Census data being just one example.

I am not going to talk in detail about the budget. You will have to wait a little bit longer, as next month you will have the details but you have asked for some examples, so I will give you some.

We have assumed more people will be using residential care and our community based care. We think looking at the data more children will be looked after by us and just before this item, we have been talking about the School Expansion Programme which obviously, the Census data has been part of.

Supplemental Question: Following the Council's commissioning approach which is 4 strands - understand, plan, do and review. What specific resources would be allocated to cater for differing needs of the residents, for example, and you already have indicated that actually, the increase in the age groups which is 0-4, 25-29 and 60+?

Supplemental Answer: As you pointed out, I have mentioned some examples around school expansion and Care for the Elderly. There are more examples in the budget and once you read that you can come back and ask me a more detailed question because I can give you a bit more information next month.

3.

Questioner: Councillor Susan Hall

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: At November's Council meeting, you said 'bold decisions' were to come. With your administration's first draft budget being revealed in December, can you give a sneak peak of the bold decisions it will contain?

Answer: Thank you for the question.

Unfortunately, as the Autumn statement is not out until 5 December, I am not in a position to reveal anything about the budget until then.

However, I am happy to tell you about one area where this Council is taking bold and positive steps to help local residents. I am working very closely with the Portfolio Holder for Housing, Councillor Bob Currie, to push forward our affordable housing agenda. We are working very closely and with great speed with housing and planning to create a supply of new affordable housing and I am very positive that there will be good results to tell you about soon.

This work is being carried out despite the dire financial situation we find ourselves in. The Government's ongoing reduction of local government budgets means this Council has had to reduce its controllable costs over the four years to 2014/15 by 28%.

This Council has a good track record of managing the financial situation. We have identified efficiencies, adopted a more commercial approach, taken advantage

of technologies and delivered services in new and innovative ways. My aim is that we continue with this already successful approach but I have to warn you the depth of the challenging Government budget reductions mean that it will inevitably start to impact on some of the services residents value and trust. We are therefore faced with some very difficult decisions in this year's budget.

Cllr Hall: I attended the White Ribbon Event yesterday. It was an exceptionally good event and, during that event, a very senior Council officer said that a growth figure had been put into the budget on extra Domestic Violence work and that it had been accepted into the budget, which is really good news. I am sure Councillor Margaret Davine was as happy as I am because we are both very passionate about Domestic Violence.

Can you therefore just confirm that this is correct as I heard it in the Council Chamber along with a whole load of other people yesterday? Is it correct?

Cllr Idaikkadar: I will not comment on the budget but there will be growth items, there will be bold decisions but I am not going to tell you what they are until December. I am not going to confirm.

4.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: Given the original tendering exercise for the Whitchurch development took place in 2009, are you confident that in making the decision now based on that tender, it is compliant with all relevant EU and other legislation and regulations?

Answer: Yes, I am entirely confident that all of the decisions taken by this Administration in respect of this important project are compliant with all relevant legislations and regulations.

Supplemental Question: So you are happy that it meets the Public Procurement Miscellaneous Amendments Regulations 2011 and also it complies entirely with the Open Space Regulations in the Commons Act 2006; that you have said so tonight.

Where does the Common Space application leave the decision tonight? Are you going ahead with the decision

or are you going to defer it until after the Common Space application has been decided?

We are trying to clarify it because this is an important legal question. I would like to have advice otherwise we are putting the Council's finances and the interests of the residents at risk. Can we please have a clear statement?

Supplemental Answer: In my own opinion, the developers will not spend any money until the Open Space thing is settled.

The decision will be made today but there will be no further developments until the decision is made. That is my understanding.

5.

Questioner: Councillor Paul Osborn

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: You said at the recent Full Council meeting that you will announce your new Cabinet soon. Can you confirm whether the decisions of this temporary Cabinet will be ratified by the new more permanent Cabinet once you have got around to appointing it?

Answer: Thank you for the question.

This Labour party is very, very united. It does not matter to us who is in the Cabinet and who is not.

Secondly, we need to consider and concentrate on the budget and achieve a balanced budget. This is not the time to make changes.

Thirdly, we are very democratic. All our Members are elected by group members, which will take time.

Finally, I will take my time and get it right.

Supplemental Question: Can you tell me what engagement any newly appointed Cabinet Members will have had with officers drawing up the budget for next year?

Cllr Idaikkadar: The whole budget is based on commissioning. All the Portfolio Holders are in charge of their Commissioning Panel, so they all have a large input.

I am in charge of all the Corporate Directors. For the

last two-three weeks, I have been spending a lot of time with all my Cabinet Members. We have away days, we have briefings, we are all in it together.

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:

6.

Questioner: Councillor Susan Hall

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

Question: You made a manifesto pledge to increase Harrow's recycling rate to 65% by 2014, but last year the recycling rate fell from the previous two years. Are you confident of still hitting the 65% target?

Written Response: Harrow remains one of the best performing collection services in London for recycling, and once again I extend my thanks to residents for the efforts that they make in sorting the waste.

We have successfully implemented recently a scheme of recycling from flats which has ensured that all residents now have access to the opportunity to recycle.

It is important to set ambitious targets for services to achieve, even already high performing ones and I will continue to press the service to come with innovative ways to reduce the amount of waste being sent to landfill. This supports the Climate Change Strategy refresh that I am launching for consultation tonight.

7.

Questioner: Councillor Paul Osborn

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts
(Answered by Councillor Bill Stephenson, Portfolio Holder for Business Transformation and Communications)

Question: Following the fanfare surrounding the new Terms and Conditions agreement, can you provide a breakdown by department, of the number of Council staff who receive market supplements to their salaries and what the average percentage increase of salary that represents? Can you also give details of any plans to give market

supplements to any additional staff within the next 3 months?

**Written
Response:**

I quite agree with you about the very well deserved fanfare for our groundbreaking deal with our Staff on Terms and Conditions. I am sure you will want to join me in congratulating our Trade Unions for the mature and responsible way they have negotiated this agreement which is unique in London and you will also want to congratulate our Staff in HR who through their persistence, professionalism and hard work managed to get this very good outcome for everyone concerned.

Now to your question which is concerned with Market Supplements which was not a matter for discussion under this agreement. But never mind!

The Council pays market supplements to staff in jobs where our pay rates are lower than those in the wider market, which results in problems recruiting or retaining appropriate staff.

Excluding Schools, the Council employs over 2000 staff and in the 12 months ending 20 November 2012 we made market supplement payments to a total of 18 staff:

9 in the Resources Directorate
5 in Community, Health and Wellbeing
4 in Children and Families
1 in Place Shaping

These market supplement payments represent an average percentage increase in basic pay of 9.7%

In terms of the next 3 months. We are concerned that we need to respond and keep up with the market for Children's Social Workers. The national and regional shortages of Children's Social Workers and Children's Social Work Managers are well reported and a variety of market supplement measures including recruitment bonuses, retention bonuses and market supplement payments are being used across London to recruit and retain these staff. The quality of staff was a key issue raised in the Munro Report and also in the OFSTED Report on safeguarding.

8.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts

Question: As the new Leader, you have identified that one of your priorities is to 'address the housing problem' in Harrow. How will you be working with Councillor Currie, your Housing Portfolio Holder, in order to achieve this, what core strategies have you developed to do as such, and how do you envisage Councillor Currie taking these strategies forward as Housing Portfolio Holder until the end of this administration in May 2014?

Written Response: Thank you for the helpful question and I am really pleased to say that one of the first things I did as Leader was to request, along with Councillor Currie a full briefing from housing and planning colleagues to review how we are taking forward the affordable housing agenda.

Councillor Currie and I are working closely on this and the approach has a number of strands:

Firstly to continue the good work that Housing and Planning have done in maintaining a supply of new affordable housing

Secondly to introduce a number of ideas around providing cash incentives for Council tenants who might otherwise exercise the right to buy and incentives to encourage private landlords to work with us within the Help2Let umbrella. Ideas include encouraging private sector landlords to lease their properties to us and we are also increasing empty property grants to encourage private landlords to let their properties quickly. Much of this work is already underway.

Thirdly, we are submitting a bid under the Mayor's new covenant for a small but creative scheme

Finally, following the Commissioning Panel process, housing and planning colleagues are working to try to unblock a number of stalled developments and as part of this exercise, we are reviewing all available housing land including garage sites. I am aware of the good work that the recent Scrutiny into HRA reform undertook and I am pleased to say that the approach that officers are taking incorporates some of the suggestions from the Scrutiny Panel including ideas like Hidden Homes.

We anticipate that within the next 6 months we will have a complete plan that will run well past the date when you assume the Administration will end.

As you know we are currently working on a very exciting

project, at Stanmore Anmer Lodge. I hope to be able to report, very soon, that we have exchanged contracts with Nottinghill Housing Trust. This project will deliver much needed new homes, and importantly, a premium food store, which I believe will help to secure the vitality and prosperity, of the Stanmore shopping centre, for years to come.

530. Key Decision Schedule November 2012 - January 2013

RESOLVED: To note the contents of the Key Decision Schedule for November 2012 – January 2013.

531. Progress on Scrutiny Projects

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

RECOMMENDED ITEMS

532. Key Decision: Technical Reforms of Council Tax Discounts and Exemptions

Cabinet received a report of the Corporate Director of resources, setting out proposals for Harrow to change its policy with regard to discounts and exemptions currently available to Council Tax payers following legislative changes set in the Local Government Finance Act 2012.

The Portfolio Holder for Finance outlined the proposals that would help raise revenue from 1 April 2013, as follows:

- second home discount of 10% to be amended to 0%;
- changing responsibility of liability for Council Tax on homes that had been re-possessed. This would allow the Council to charge the mortgagee in possession rather than allow a Council Tax exemption;
- abolish exemptions for unoccupied dwellings;
- charging 50% premium on top of the Council Tax on long term empty properties.

The Portfolio Holder for Finance added that the revenue raised would be used to provide services for the needy. He was also of the view that some of the proposals would help reduce crime and disorder.

The Portfolio Holder for Business Transformation and Communications welcomed the legislative changes and was briefed on the number of properties in Harrow that the measures would apply to, which he considered to be considerable. He supported the proposals.

Resolved to RECOMMEND: (to Council)

That the discounts and exemptions, as set out in the detailed proposals and summarised in table A, be changed with effect from 1 April 2013.

Reason for Decision: Agreeing the proposed changes to Council Tax discounts/exemptions would result in Harrow generating an extra £1.1m in Council Tax revenue through the application of removal of discounts or exemptions, or the application of a premium on empty homes. The proposals would mean that Harrow, and the major preceptors, would benefit from an increase in Council Tax revenue without Council Tax being increased. This would maximise tax take and support the Council's financial priorities. Harrow's share would be 80% with 20% going to the preceptors (GLA, Fire and Police Authorities).

Alternative Options considered and rejected: As set out in the officer's report.

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

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

RESOLVED ITEMS

533. London 60+ Card Motion

RESOLVED: That the Motion be noted.

Reason for Decision: To respond on the referral from Council.

Alternative Options considered and rejected: To approve the Motion.

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

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

534. School Organisation

Portfolio Holder for Children, Schools and Families introduced the report, which set out the progress made to meet the increased demand for primary school places. The report set out the approach to developing the second phase of the primary school expansion programme, school roll projections and a review of the approach to achieving the Council's preferred model of primary school organisation.

The Divisional Director of Quality Assurance and Service Improvement outlined the key aspects of the 'enabling' report, including the evolving role of local authorities in light of government legislation where Councils were expected to commission rather than provide services. The Divisional Director

added that, in its new strategic role, it was important for Councils to consider how they would ensure sufficient high quality places, promote choice and excellence in education standards the proposal would provide.

The Divisional Director highlighted aspects of the report which described how the first phase of the school expansion programme had progressed, issues with school roll projections and the significant increases in primary school age children, use of the model provided by the Greater London Authority (GLA) to analyse roll projections, including the work carried out with the headteachers on capacity of school sites and guiding principles. She was pleased to report that eight Harrow schools had been accepted into the Primary School Building Programme, which aimed to rebuild those schools in the worst condition nationally, and these schools would also be considered as schools for permanent expansion.

Cabinet's attention was drawn to the strategic approach to school organisation and how this would work. It was noted that there was no intention to change the School Amalgamation Policy and 18 community schools had amalgamated since the policy was agreed. However, since the Amalgamation Policy was agreed, there had been significant changes to education legislation which offered other management and governance arrangements to support continued school improvement and achieve the education benefits of a combine school, including the funding formula.

In noting that the Education Consultative Forum would be also be consulted on school expansion, Cabinet

RESOLVED: That

- (1) the latest school roll projections that indicate a higher and later peak in demand for additional primary school places be noted;
- (2) the implications for additional school places that would be required and the significant pressure on the Council to fulfill its statutory responsibilities to provide sufficient school places be noted;
- (3) the second phase of primary schools be moved to the statutory process for permanent expansion;
- (4) the decision about the final list of schools that should be moved to the statutory process for permanent expansion be delegated to the Corporate Director Children and Families, in consultation with the Portfolio Holder for Children, Schools and Families;
- (5) following the statutory consultations, Cabinet agrees to receive a report in April 2013 to decide the schools about which statutory expansion proposals will be published;
- (6) the approach to reviewing and achieving preferred models of school organisation be approved with a report back to Cabinet in April 2013.

Reason for Decision: To enable the Local Authority to fulfill its statutory duties to provide sufficient school places in its area as part of its strategic role as champion for parents and families, for vulnerable pupils and of educational excellence.

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

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

535. Housing Revenue Account - Changes to Housing Asset Management Capital and Revenue Budgets

Cabinet received a report of the Corporate Director of Community, Health and Wellbeing, which proposed a re-alignment of individual budget lines on the Housing Capital Programme since the receipt of additional information and following the setting of the budget in February 2012. The report also sought approvals for supplementary estimates in the revenue budgets.

The Portfolio Holder for Housing provided a background to the report and explained why the budgets required re-aligning and the risks associated with leaving the budgets as they were. He explained that the latter would make the entire 2012/13 Housing Capital Programme undeliverable and put the Council at risk as it would be unable to take advantage of the procurement savings achieved during the financial year.

The Portfolio Holder commented on aspects of the report, of which the notable points were:

- that the Council was on target to deliver a capital programme in excess of £9m, an increase from the total programme of £6m in 2011/12 and £5m in 2010/11;
- that for the first time in many years, the Council had a five year external decoration programme that would commence before the end of the current financial year;
- savings made in procuring works would be invested in other areas;
- some contracts were being delivered in a different way, for example, improvements to kitchens and bathrooms were being delivered in a single contract. As part of this programme, tenants in sheltered accommodation had a choice between baths and level access showers which would help reduce the need for individual adaptations;
- gas and heating programmes would be combined, £80,000 would be allocated to a fencing programme and £60,000 set aside for garage works would be deferred following a request from the relevant working group.

Members were also made aware of the proposal to increase the allocation for the upgrade of the sheltered warden call scheme, and the proposal to reduce the capital budget for health and safety works which were revenue in nature. Additionally, the proposal to capitalise salaries would allow additional resources to be invested in consulting tenants and leaseholders on major work programmes.

The Portfolio Holder commended the report to Cabinet.

RESOLVED: That the following budgets changes be approved/agreed, as appropriate:

- (1) re-alignment of the Housing Revenue Account (HRA) Capital Programme, as set out in Table 1, paragraph 4.1, of the report;
- (2) a supplementary estimate for revenue funding of works arising from the new health and safety inspection regime to be funded by reduced capital funding costs in the Housing Revenue Account (HRA) of £300k;
- (3) a supplementary estimate for salaries of £70k.

Reason for Decision: To enable the 2012/13 Capital Programme to be delivered on time, for savings achieved through procurement to be fully utilised, and to increase the staffing budget to reflect a more accurate apportionment of activities between capital and revenue.

Alternative Options considered and rejected: As set out in the officer report. To leave budgets as they were.

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

536. Key Decision: Climate Change Strategy - Review of Progress 2011/12 and Revised Draft Strategy and Action Plan

The Portfolio Holder for Environment and Community Safety introduced the report, reviewing the progress of the existing Climate Change Strategy and proposals for revisions. He outlined the position in regard to the nine policy areas and set out the options for the future which would be significant as climate change issues would be integrated within the wider workings of the Council with a move away from its concentration within the singles Directorate.

The Portfolio Holder outlined some of the significant achievements, such as the Climate Local Commitment to demonstrate commitment to addressing climate change, and the RE:FIT Programme to retrofit energy efficiency measures in the Council's corporate and school building work. He added that public consultation was intended on the draft Delivering Warmer Homes and, as part of this, the Council would also engage with energy companies to determine the potential for working in partnership on the delivery of the Green Deal. The new schemes would offer opportunities to reduce bills and

enhance the health and wellbeing of Harrow's population. It was noted that additional reports would be submitted in the New Year.

RESOLVED: That

- (1) the progress review on the current Climate Change Action Plan be noted;
- (2) the progress made in reducing emission in 2011/12, as reported under CRC and GHG, be noted;
- (3) the progress of the RE:FIT programme be noted;
- (4) the Climate Local Declaration be signed;
- (5) the proposed draft of the revised Climate Change Action Plan be noted;
- (6) the proposed draft of the revised Delivering Warmer Homes (HECA) report be noted;
- (7) the revised proposals be subject to public consultation, with the results being reported back to Cabinet in March 2013.

Reason for Decision: To ensure continued progress in delivery the Council's Climate Change Strategy and the associated reduction in emissions.

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

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

537. Key Decision: Whitchurch Playing Fields

Cabinet received a report of the Corporate Director of Place Shaping, which set out the outcome of negotiations with the Whitchurch Playing Fields Consortium in connection with contractual arrangements for the proposed development of a Sports and Leisure Complex at Whitchurch Playing Fields.

The Leader of the Council and Portfolio Holder for Property and Major Contracts welcomed the report and the proposals which would provide superb facilities for the residents of Harrow. He drew Cabinet's attention to the obligations and termination rights, associated with the proposed Service Level Agreement (SLA) between the Council and Whitchurch Playing Fields Consortium and the benefits that such an agreement would provide to schools and local organisations. He invited the Corporate Director of Place Shaping to set out the history of the project.

The Corporate Director of Place Shaping informed Cabinet that the project had been initiated in November 2008 culminating in a series of reports to

Cabinet and the choice of a preferred bidder, Whitchurch Playing Fields Consortium, in November 2011. The Corporate Director added that the Consortium was expected to employ and deploy resources to take forward and engage with the public.

The Corporate Director added that, in June 2012, Cabinet received a detailed report providing an appropriate balance of the concerns raised by, including support received from, the wider community. Cabinet was now being asked to determine key commercial matters relating to negotiations with the Whitchurch Playing Fields Consortium. He added that the Council's regulatory process was separate from its responsibility as a land owner and the same applied to its planning and licensing processes, and each could stop the project coming to fruition.

Cabinet was advised that it had authority to decide on the commercial terms and that the application for the site to be designated as a Village Green would be considered separately. The Corporate Director informed Cabinet that a decision in favour would allow the Whitchurch Playing Fields Consortium to compile a planning application; however, it was likely that it would await the determination on the Village Green application prior to making progress on planning processes. He added that the planning and licensing processes would also involve separate and independent consultation.

The Corporate Director outlined the three elements to the recommendation before Cabinet and explained that the lease for 99 years with effect from satisfactory completion of the development works and the SLA would only be completed once the facility had been built by the Whitchurch Playing Fields Consortium. He added that the site would revert back to the Council should the proposal stop at any stage of the process.

The Portfolio Holders for Planning and Regeneration, Business Transformation and Communications, and Community and Cultural Services commended the report to Cabinet on the basis that the Council had an opportunity to open a great sports facility in Harrow and commended the recommendations. They commented as follows:

- planning and licensing processes would be impartial and judicial. The situation in relation to the Whitchurch Playing Fields might alter once these independent processes had been considered;
- Harrow had an abundance of playing fields. However, many of the fields were not 'fit for purpose', especially during the winter months;
- consideration of an application for the Whitchurch Playing Fields to be designated as a Town Green was expected to be completed within six months;
- the Council would be willing to listen to the local residents should they have a separate commercial venture in mind;

- the proposal would provide much needed facilities for the various communities, including schools and people with disabilities, at nil cost to the Council.

The Portfolio Holder for Business Transformation and Communications cited the example of Wood Farm, where those who had initially objected to the proposal to open the land had subsequently welcomed and embraced it. The Portfolio Holder for Planning and Regeneration referred to an article in a local newspaper which stated that the joint Chairmen of Abchurch Residents' Association had stated that they would be delighted to see the fields developed for sport. The question that had arisen was how best the site could be developed.

RESOLVED: That

- (1) having considered the proposed terms which have been negotiated, provisionally agreed and recommended by officers, Option 1 ,set out in the report, be agreed;
- (2) the Corporate Director of Place Shaping, in consultation with the Portfolio Holder for Property and Major Contracts, be authorised to conclude contractual arrangements on the basis of Option 1 and the heads of terms set out in the report.

Reason for Decision: To attract inward investment to establish a modern sports and leisure facility, to include substantially improved playing pitches, for the benefit of local schools and residents and at no direct financial cost to the Council.

Alternative Options considered and rejected: As set out in the officer's report. Option 2 was rejected.

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

(Note: The meeting, having commenced at 7.31 pm, closed at 9.15 pm).

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chairman