

# CABINET MINUTES

## 20 JUNE 2012

<b>Chairman:</b>	* Councillor Bill Stephenson	
<b>Councillors:</b>	† Bob Currie	* Thaya Idaikkadar
	* Margaret Davine	† Phillip O'Dell
	* Keith Ferry	* David Perry
	* Brian Gate	* Sachin Shah
	* Graham Henson	
<b>In attendance: (Councillors)</b>	* Marilyn Ashton	Minute 432
	* Susan Hall	Minute 432
	* Barry Macleod-Cullinane	Minute 432
	* Paul Osborn	Minute 432

- \* Denotes Member present
- † Denotes apologies received

### 431. Public Questions

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

2.

**Questioner:** Anton Ganesan, Cub Scout Leader  
(asked by Councillor Stephenson)

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety  
(answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts)

**Question:** "I am a Cub Scout Leader with 1st Stanmore Scout Group and am very supportive of the Consortiums.

Plans to regenerate the Playing Fields and provide facilities to young people to become better citizens.

I was rather disappointed that some elderly people do not want a facility like this for young people to use that will keep them away from wasting their time.

My question to you is: Why a project like this has taken such a long time to materialise and why it is still dragging on?

If you ask any young people and people who work with young people whether they want such a facility the answer will be YES. I am in scouting for a long time and in UK for more than 20 years and I hope my expectations are reasonable."

**Answer:** Firstly, I can easily understand why the young people that you represent would be supportive of our plans for the Whitchurch Playing Fields site.

Although a substantial proportion of Harrow is made up of open space, only a relatively small amount of this is available for publicly accessible sports pitch use and, unfortunately, many of these pitches are not of the quality that our local sports men and women, boys and girls require, or expect, in the 21<sup>st</sup> Century.

The cost of establishing and maintaining high quality sports pitches is substantial. During these exceptionally difficult economic times it has become even more difficult for the Council to directly fund the development of essential sports infrastructure.

So the Council has turned to private sector partners to see if they can provide the resources to enable us to ensure that our residents can have access to high quality modern sports facilities.

So one of the reasons these things take so long is because of the need to ensure that everyone has a chance to have their say.

Assuming that Cabinet this evening decides to commission the Whitchurch Consortium to take the project forward, I will ensure that the detailed planning process is undertaken in a robust way.

It is crucial that we do not rush this next phase, rather

that we get it right and, as part of this, that we ensure the widest possible involvement in the formal consultation process which will be undertaken by the Council's Planning and Licensing Services.

3.

**Questioner:** Eddie Morris

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety  
*(answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts)*

**Question:** "As a Scout Leader of the 1st Stanmore Scout Group, we are very supportive of the Consortiums plans to regenerate the local playing fields as through our consultation with them we have been excited by their plans to enhance local wildlife habitats, ecology and biodiversity on site. Not only would this be good for wildlife but it would also provide the local Schools and Nurseries with a much needed educational resource.

Can the Council recommend a local expert that could work with the Consortium to enhance this offer?"

**Answer:** The Council employs its own ecologist within the Planning Department, who alongside a landscape architect is responsible for overseeing our programme for biodiversity enhancement across the borough, as part of the Green Grid.

Given that the Council's ecologist may be expected to advise the Planning Service in the determination of a planning application for the site in due course, in this case I would suggest that the Whitchurch Consortium contact the Harrow Nature Conservation Forum who are already working hard to improve the ecological assets of the borough.

I will ensure that the Whitchurch Consortium's manager and Harrow Nature Conservation Forum are put in touch with each other as soon as possible.

I am really encouraged by your Scout Group's interests in this important matter and if I can provide you with any assistance as you develop your own plans please do not hesitate to contact me.

**Supplemental Question:** I have seen the playing fields being neglected and at last someone is actually planning to do something and it seems very sad that a lot of people are against. My question is could this be supported by the Council

because obviously it is a very good plan to do?

**Supplemental Answer:** Thank you for your support. I will do everything we can for you.

4.

**Questioner:** Mrs Vrinda Guha  
*(asked by Councillor Bill Stephenson)*

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety  
*(answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts)*

**Question:** “As a former pupil and later a teaching assistant at Whitchurch First School, I have watched the grounds and the pavilion gradually fall into a very poor state. There have been incidents of vandalism, drug dealing and other criminal activity happening in the school car park and the derelict pavilion. Only last month the side of the school was set fire to causing thousands of pounds of damage. Therefore, I think it is great that the Whitchurch Fields Consortium plans to regenerate the local playing fields and construct a new pavilion, secure the grounds and provide free use for the school children.

How is the Council going to help the Consortium in tackling the criminal and antisocial behaviour currently blighting the site?”

**Answer:** It is disappointing to hear of the unfortunate incidents at the Whitchurch School and Playing Fields site.

Site security will be a key feature of the Whitchurch Consortium’s proposals for the new facility.

It will be vitally important that effective security is maintained, in particular when our youngest residents are using the new Centre.

Additionally the security arrangements need to manage customers using the facility, in particular those attending hospitality based events, to ensure that any rowdy behaviour is stopped in its tracks and, importantly, to minimise disruption to residents adjoining the site both during events and also during the arrival and departure phases.

The Council works with the Metropolitan Police Service, as part of the Safer Harrow Partnership, to maintain Harrow’s position as one of the safest boroughs in

London.

Where there are outbreaks of anti-social behaviour, the Partnership can put in place targeted action depending on the particular circumstances.

5.

**Questioner:** Shyama Gauri Sodha  
(*Questioner did not turn up so question was not asked*)

**Asked of:** Councillor David Perry, Portfolio Holder for Community and Cultural Services  
(*to be answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts*)

**Question:** "I am a local resident to the Whitchurch Playing Fields and teach art on Saturday at The Sai School of Harrow in Stanburn School. I am happy that the Whitchurch Fields Consortium proposals are not only concentrating on sports alone and providing facilities for art, music and drama too.

How is the Council going to support the Consortium in providing this facility for local clubs and schools?"

**Written Answer:** Through the Whitchurch Playing Fields project, the Council is endeavouring to enable the development of much needed, high quality, modern sports and leisure facilities.

The Council can only bring these developments to fruition, in partnership with other organisations.

The Whitchurch Consortium has already undertaken a substantial amount of work to bring together sports clubs and community groups, who are interested in working with them, to help the establishment of the new facility.

Assuming that the Consortium is now formally commissioned to take this exciting project forward, the Council will do everything that it can to facilitate links with all relevant groups and organisations, to ensure the success of this really exciting project.

I am sure my colleague, Councillor David Perry, Portfolio Holder for Community and Cultural Services, will do all that he can, through his Directorate, to ensure that the right people are brought together, so that we can all have something to celebrate, not just when we open the new facility but for many years to come.

6.

**Questioner:** Jyotsna Dey  
(*Questioner did not turn up so question was not asked*)

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety  
(*to be answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts*)

**Question:** “As an elderly resident living in Stanmore, I am encouraged by The Whitchurch Fields Consortium's plans to enhance and increase wildlife by creating a nature reserve and a garden area. Not only would this be good for the local Schools but it would provide somewhere for elderly members of the community to enjoy.

Can the Council recommend a local expert that could work with the Consortium to enhance this aspect?”

**Written Answer:** Thank you for your encouragement for the Whitchurch Consortium's proposals.

The Harrow Nature Conservation Forum could provide the expert advice required at this stage.

I think this is an appropriate approach, and I will do what I can to help facilitate this contact and the involvement of the members of Harrow Nature Conservation Forum.

7.

**Questioner:** Mr Thomas Moran  
(*Questioner did not turn up so question was not asked*)

**Asked of:** Councillor Keith Ferry, Portfolio Holder for Planning and Regeneration  
(*to be answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts*)

**Question:** “I am an immediate resident of the Whitchurch Playing Fields and aware of the current traffic issues. The Consortium's plans to mitigate this by having increased grasscrete parking spaces, cycle racks, shuttle services and pedestrian entrances will go a long way to addressing these issues, but how will the Council work collaboratively with The Consortium to address the traffic issues further?”

**Written Answer:** I am acutely aware of the concerns that have been raised by residents who live in very close proximity to the Playing Fields, regarding traffic related issues.

The Whitchurch Consortium are required to submit a detailed planning application before taking forward proposals and when these further details are received by the Council, a comprehensive review of the traffic and parking issues, will be undertaken by specialist officers, as part of the Council's assessment of the application. It is at this stage that the Council will determine if traffic management interventions are required.

In respect of existing parking pressures in the area, I am advised that a review of parking in the vicinity was conducted earlier in the year, and a detailed consultation on the introduction of "at any time" waiting restrictions at junctions along Wemborough Road, is scheduled as part of the Council's work programme.

8.

**Questioner:** Rebecca Anne Bishop  
*(Questioner did not turn up so question was not asked)*

**Asked of:** Councillor Keith Ferry, Portfolio Holder for Planning and Regeneration  
*(to be answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts)*

**Question:** "As a resident of Stanmore I have been following the tender process for the playing fields quite closely. I am very interested with The Consortium's idea to give start-up businesses the opportunity to be involved in running different aspects of the site and would be keen to run the cafe part or catering side. I would like to know how is the Council going to support the Consortium through the planning phase to avoid delay and help local residents setting up businesses in partnership with The Consortium?"

**Written Answer:** Quite rightly the focus of the project has been on the sports and leisure opportunities and the concerns of local residents.

You raise a really important issue, which is about the opportunities for growth in our local economy if this project can be taken forward to completion.

This project is also about the establishment of long term partnerships. Clearly a partnership between the Council and the Whitchurch Consortium, but also a partnership

between the Consortium, its customers, local residents, its suppliers, and the many sports clubs, community groups and schools, whose use of the new facilities, is vital to ensuring the long term success of the project.

As part of the partnership with the Council, we will be working with the Whitchurch Consortium to maximise the opportunity for local companies. I will also be looking to ensure that available jobs, in particular for our younger residents are clearly promoted within the borough and I will also want to ensure that the available jobs provide good quality training and career development opportunities.

The Council's Economic Development Officers, will be available to advise the Consortium on engagement with, and the involvement of local businesses.

If you let me have your contact details, I can pass these onto the Consortium, and I am sure that they will be in touch with you.

Good luck with the development of your catering business.

9.

**Questioner:** Raymond Read

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Planning and Regeneration  
*(answered by Councillor Idaikkadar, Portfolio Holder for Property and Major Contracts)*

**Question:** "Following conversations with Councillors, in particular Councillor Navin Shah, their responses make me think that the decision to allow this development in the playing fields will go ahead and will be rubber stamped. What assurances are there that the interests of immediate local residents will be protected from the effects of increased traffic, and nuisance from the many visitors to the pavilion late into the evenings and weekends and all day events?"

(There will be constant pressure on the lives of local residents 24/7)."

**Answer:** Firstly, I wish to make clear in the most robust way possible, that no aspect of this project will be 'rubber stamped'.

I hope you agree that this evening's report has

presented a reasonably balanced view of the issues and concerns which have been raised by local residents in particular.

The planning process is a formal regulatory function which is quite independent of the day-to-day or commercial business management functions of the Council.

If commissioned to take this project forward the Whitchurch Consortium will be required to submit a detailed planning application to enable the new facilities to be established. The Planning Committee will determine the application at a public meeting. Planning officers will undertake formal consultation with residents and the product of this consultation will be reported in an impartial and objective way to the Councillors, who are Members of the Planning Committee.

Additionally, the Licensing Committee will consider any application submitted to it quite independently of all other Council functions and public consultation will also be required as part of this process.

As part of its applications, the Whitchurch Consortium will need to demonstrate how they will act to manage any identified adverse impact for the local community.

Having considered all material issues the Planning and / or Licensing Committees may place conditions to ensure appropriate management of the new facility and to minimise impact for residents.

The officer report makes clear that the commercial negotiations relevant to this project will be reported to a future meeting of Cabinet for formal approval. This is another example of the care that the Council is taking in respect of this important and sensitive matter.

I would like to assure all residents that there will be no rubber stamping on any issue relevant to this matter. There will only be the most careful consideration of all material issues at each point in the decision making process.

**Supplemental Question:**

This is just another extra lot of traffic and extra development that is in the area amongst lots of other developments. We cannot ignore the fact that Stanburn School, which is next door, is going to have quite a large increase in pupils. Is it going to be considered by alongside this application? There is a large amount of traffic going to be created by that.

**Supplemental Answer:** As part of any planning application, they have to submit a Travel Plan and the Planning Committee will consider all traffic impacts during their deliberations and they will make a decision on their own, independent of any other Council officers.

10.

**Questioner:** Mrs Chelsie Cassel

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "I have three children who play football on Whitchurch Playing Fields and consider this site to be unsuitable, as it currently does not have any essential amenities. Our Club, St Joseph's FC, are fined by the Middlesex Football Association each time we have a league match on this site as we do not have any changing rooms.

Harrow Council have not been able to provide such amenities and I understand that this has been due to the lack of finances. Whilst I am happy for another organisation to take over this site as these playing fields are not being maintained and attract unsocial behaviour (such as fires being started in the old pavilion, littering, alcohol, broken glass), my question is:

Will there be adequate toilet facilities, including female and male changing rooms as part of the new proposals?"

**Answer:** Yes, there will most definitely be adequate toilet facilities and changing rooms.

The Council is working to establish a modern sports facility and it is essential that the 'club house' provides superb changing and welfare facilities because this is what our sports men and women, boys and girls, require and expect.

Although the club house will provide a range of ancillary facilities, I know that the Whitchurch Consortium understand that the primary purpose of the building is for the provision of necessary welfare facilities to directly support the use of the outdoor sports pitches.

11.

**Questioner:** Himat Gami

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "The Corporate Director Place Shaping has clearly chosen to ignore the strength of feeling in the March consultation meeting in which the residents were strongly against the proposals. He is recommending these proposals as the Council wants to off-load their responsibility. It's a bit pointless collecting signatures from people who are not going to be affected by the changes. It is rather irrelevant that other sports clubs are in support so long as "it's not in my back yard". We have a massive Harrow Leisure Centre in our Borough and this is adequate.

My question to the Portfolio Holder is how many people are in favour of the proposal whose back garden actually falls into the Whitchurch Playing Fields?"

**Answer:** I cannot agree that the report ignores the views of residents who are against the Whitchurch Consortium's proposals.

The report which Cabinet will consider this evening contains clear and objective summaries of the issues and concerns that have been raised by residents.

On page 247 of the report (the penultimate paragraph) there is a clear statement which reads '... residents immediately adjoining the site are particularly concerned about the adverse impacts that the Whitchurch Consortium's proposal will have for them.'

The same paragraph states that only seventeen signatories from the adjoining streets have shown support for the proposal.

I can quite understand why the residents whose homes are located on the streets immediately adjoining the site are most concerned about this proposal. I am really sympathetic to your views.

However, the Council has to consider the needs of the entire borough. We have a severe shortage of good quality outdoor sports facilities. This project has the potential to improve this situation.

The Council will also do all that it can to ensure that any

adverse impacts for the local community are minimised.

**Supplemental Question:** I still did not hear from your answer how many people from the signatures that were collected, whose back garden falls into the Whitchurch Playing Fields, actually said "Yes"?

**Supplemental Answer:** I have already said in my answer there are seventeen signatures from the adjoining streets.

12.

**Questioner:** Hilla Moshenson

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "In a recent discussion with residents the Whitchurch Consortium boasted that it had visited some 4000 houses as part of its consultation. Given that most houses have more than a single occupancy, the 1200 signatures on the Consortium's petition was obtained from less than 20% of the people the consortium visited, are you willing to accept that the majority of residents in the area object to the consortium's selection as is constantly represented by residents to the Council?"

**Answer:** I accept and fully understand that a significant number of residents in the area are concerned about the Whitchurch Consortium's proposals for the Whitchurch Playing Fields site.

The key issue for the Council is that majority of our outdoor sports pitches are of inferior quality and we need to do everything reasonably possible to provide modern high quality facilities for the entire community of Harrow.

The Whitchurch site is comprised of twenty two acres which has been designated and set aside for sports playing field use.

Our sports men and women, boys and girls, need to be able to develop their skills on good quality pitches. Good quality pitches supported by modern ancillary facilities, will also in my opinion, encourage greater participation in active sport and recreational activities. I hope that you can support the Council's efforts to do everything possible to enable appropriate sports facilities development to be taken forward in an appropriate way, always ensuring due consideration for the impact on local residents.

Although I fully appreciate the concerns of residents whose homes are associated close to the site, you have my assurance that the Council will do everything reasonably possible to ensure that disruption and inconvenience is minimised.

I hope that you can understand that our overriding objective is to ensure the provision of good quality sport and leisure facilities for the entire community of Harrow.

**Supplemental Question:** It does sound like you have made up your mind. Why has the Council not actually engaged in the consultation and left it for the bidder to blow its trumpet with figures that are fictitious at best, rather than go out there and listen first hand to local residents. You proclaim to be the Council that listens and are you going to listen tonight because I am not sure that you are from your answer?

**Supplemental Answer:** I do not accept that they do not listen to you. A sports open day, was designed to show people the maximum impact. The pitch was changed by 90° and they were planting more trees to cover the flood light effect. There are so many things they are doing. This is only the beginning. There is a long way to go, then we have to negotiate how we commercially agree on that and they are going to consult you and we are going to consult you on that. We are always going to do our best to make sure any inconvenience caused to you is minimal.

13.

**Questioner:** Jennie Doble, asked by Stephen Lewis

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "I understand that the Council has to get best value for money for Harrow Residents, but surely there are also other Government directives to local Councils, to consult and work with local communities to obtain their views and to take these views into consideration when making decisions.

How do Harrow Council ensure these two directives are compatible and how will you put this into operation in relation to Whitchurch Playing Fields?"

**Answer:** As I have stated in responses to previous question, our overriding objective is to ensure the provision of modern high quality sports and leisure facilities which are

available for use by our entire community.

We have not yet commenced the detailed commercial negotiations relevant to this project. What we have done is concentrated on engagement, in particular with the residents who live closest to the Whitchurch Playing Field site.

In so doing we have been able to obtain a clear and comprehensive understanding of, in particular, local concerns and this feedback will be incorporated within the detailed planning for the development and operation of any new facility.

Our commercial negotiations will be undertaken to ensure that 'Best Consideration' can be demonstrated. In so doing we will aim to strike an appropriate balance between total capital investment, lease term, subsidised access, charging policy and site utilisation.

You will understand that there is a balance to be found between each and all of these elements and crucially impact on the local community will be a key overarching consideration when determining the final agreement.

14.

**Questioner:** J Pais  
*asked by Councillor Barry Macleod-Cullinane*

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "By commissioning Whitchurch Consortium to develop and run the sports and leisure facilities on the site you are committing yourself to granting the necessary licences for liquor and late night entertainment, without which the project would not be viable. The Consortium would not have pursued the project this far without assurances from the Council that the licences are only a formality. Will the contract with Whitchurch Consortium include written guarantees regarding noise, opening hours, light pollution and anti-social behaviour etc. and will the Council withhold the licence, if necessary?"

**Answer:** The Council has given no commitment whatsoever regarding the grant of licences. We cannot do that and it is illegal.

As I stated in my response to Mr Read's question earlier, the Licensing function operates quite independently of all other Council functions.

Assuming that we complete a Development Agreement with the Whitchurch Consortium, a planning application is approved and the development is constructed, there is no guarantee that a licence will be granted automatically.

The Licensing Committee has wide ranging powers of determination from refusal of the licence to granting with conditions.

Assuming that any applications are approved, it is likely that in determining the application that both the Planning and Licensing Committees will impose appropriate conditions. It would be understandable if the Planning and Licensing Committees incorporated conditions, in respect of noise, opening hours, external lighting and anti-social behaviour.

These conditions will be incorporated within the Lease Contract thereby providing the most robust controls possible.

Any person has rights to ask the Council to review a licence at any time if the facility is not being managed in an appropriate way.

**Supplemental Question:** Given the fact, as Mr Pais originally asked in his question about the business case being founded upon the licence function to enable them to hold social functions within the pavilion, there seems to be issues when you go through all the paperwork about security and so forth, extra work that is going to be required; how is the business case stacking up with all these extra costs with the necessity to have a major function hall at the pavilion to fund everything? Have you looked through it and have you looked through the business case to satisfy yourself that, in fact, what they are proposing is not basically a function hall with some community sports but is, in fact, community sports with just merely a bar.

**Supplemental Answer:** I have no idea what the Licensing Panel is going to do. If they say "no alcohol", the agreement may break down. The bidders may simply walk out. We have to operate on the reasonable expectation assumptions which may not work. We just have to wait and see. It is going to be many months before the financial model is refined, revised and see whether it is workable or not.

15.

**Questioner:** Stephen Lewis

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** “In its Cabinet decision to proceed to award preferred bidder status to the Whitchurch Consortium, the Council placed significant emphasis on the soundness of the Consortium's business case. Does the Portfolio Holder continue to believe that Whitchurch Consortium's business case to provide community sports on the playing fields remains viable?”

**Answer:** Assuming that Cabinet commission the Whitchurch Consortium to take the project forward, the necessary detailed commercial negotiations will now commence.

As part of these negotiations the Council will require the Whitchurch Consortium to present a revised Business Plan and to demonstrate that it will be commercially viable over the term of the plan.

Prior to making the decision at Cabinet in November 2011 to appoint the Whitchurch Consortium as the preferred bidder, Council officers had undertaken a financial review. This will be repeated again at various stages until such time as the lease is finally completed.

16.

**Questioner:** Mrs Melanie Lewis

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** “The draft DPD submission that is being considered tonight emphasises that “the site is suitable for community outdoor sports use only” and that “development will be restricted to the minimum necessary to support outdoor sports use, and must not prejudice the role of this site as a flood storage area.” What restrictions are you proposing to limit re-development of the pavilion by the Whitchurch Consortium to prevent it being used as a venue for social events rather than community sports and have you considered the impact of the proposed all-weather pitch on the role of the site as a flood storage area?”

**Answer:** The size and use of the pavilion will be considered at the planning application stage and appropriate conditions applied, to ensure that the proposed development is

consistent with the Site Allocations Development Plan Document and other planning policies relevant for the site.

The Development Agreement and Lease will provide an absolutely clear link with any planning permission. The Lease will also require the Council's explicit approval before any planning permissions are submitted in the future. The Council as Landlord will need to agree that it is prepared to accept the submission of the planning application, prior to any consideration by the Planning Committee.

The layout of the site, including the all-weather pitch, has been developed in discussion with the Environment Agency. Further discussions will be undertaken with the Environment Agency on the location and impact of all of the different components of the proposed scheme prior to the submission of the planning application, to guide the drainage strategy for the site, maintain flood storage capacity and determine any measures that may be required to mitigate the risk of flooding elsewhere.

**Supplemental Question:** Mr Trehern's letter to the Ombudsman does not mention the Environment Agency once. So when is this consultation by the Environment Agency going to take place, when according to the Ombudsman it should have happened some while back. Would you not agree?

**Supplemental Answer:** You mention Mr Trehern's letter which I have not seen, so I cannot respond.

**Andrew Trehern:** There is an ongoing Ombudsman investigation so I think it will be appropriate to maintain the correspondence between the Council.

17.

**Questioner:** Michelle Stern

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "What guarantees can the Council give that this not a commercial development of a bar and function hall masquerading as a sporting facility?"

**Answer:** At pages 145 and 146 of our agenda papers this evening are the site specific references for the Whitchurch Playing Field site, from our proposed Site Allocations, Development Plan Document.

Mrs Lewis' question clearly stated the Planning Policy context for this important sports facility.

I can therefore answer your question with a high degree of confidence that planning permission will only be granted for the development of this site if the Planning Committee is confident that the primary function of the playing field site remains 'outdoor sports use'.

**Supplemental Question:** I would like to ask, given the incompetence of the Consortium's presentation on 26 March and the fact that they run Blake Hall which is in an isolated location and hosts events up to 2.00 am or later, has direct access to 'A' roads and no housing nearby, how do you consider that this a suitable company to be running this very different site and that they are competent to do this?

I hope Harrow Council has reserves in the bank for when residents sue Harrow Council for their neglect of duty to its residents when we are flooded because they have displaced all the water somewhere else.

**Supplemental Answer:** There are two questions there. Whitchurch Consortium did not say they are going to run the facility exactly how they are running in Wanstead. This is a different location; they are going to run it separately. This is the whole idea of this development agreement. The officers and they will sit down and make sure everything is going the right way and that it is appropriate for that location.

#### 432. Councillor Questions

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

1.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and Portfolio Holder for Property and Major Contracts

**Question:** "For an administration which says it values the views of local residents, why are you pressing ahead with awarding the Whitchurch Consortium with the contract to develop Whitchurch Pavilion and Playing Fields, when the paper before Cabinet tonight makes it abundantly clear local residents don't want this to happen?"

**Answer:** The Council has been thinking about opportunities to improve the Whitchurch Playing Fields for many years.

In fact, the background selection of this evening's report clearly states that Cabinet considered the matter in November 2008.

You are also aware of the poor quality of most of our outdoor pitches, and the time has come, even in this challenging economic period, to see what can be done to provide improved facilities for our sports men and women, boys and girls. I really do hope that you can support me in this endeavour.

The Whitchurch Playing Fields is a substantial site and therefore has a borough-wide strategic significance. Given its playing field designation, it is wholly appropriate that we consider this site for development as a modern, high quality, sports and leisure facility.

However, and this is a really important issue for myself and my colleagues on Cabinet, any development of improved sports and leisure facilities which we agree to take forward on this site is only approved once we are entirely satisfied that the disturbance and inconvenience to local residents has been minimised.

The very last thing that we want to achieve is a wonderful new sports and leisure facility at the expense of our local residents' enjoyment of their homes.

As I have said in responses to questions from members of public, the Council has to take a borough-wide view. We will do everything possible to find a good and appropriate balance between the needs of our sports users and local residents.

**Supplemental Question:** Is it not a fact that when the Consortium did present at the public meeting, you described the presentation as flawed and failed to make a case, that there was an outcry at the meeting by the residents about how poor it was. Is it not a fact that residents have repeatedly raised questions, as they have done tonight again, about the impact it will have on their lives. Is it not a fact that the report does not give weight to the residents in the immediate locality.

**Supplemental Answer:** As I said before, we need to look at it Borough-wide. We are not looking at just the local area.

2.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Thaya Idaikkadar, Deputy Leader and

## Portfolio Holder for Property and Major Contracts

**Question:** “In the DPD paper that went to Overview and Scrutiny on the 12th June, it explicitly ruled out any housing being permitted on the Whitchurch Pavilion and Playing Fields site. How is this compatible with the Whitchurch Consortium proposing 24-hour live-in caretaker/security on the site, why haven't you as Portfolio Holder noticed this restriction and ruled this facility out, and what would the impact on the business case be of ruling this facility out?”

**Answer:** I am advised that your question at Overview and Scrutiny Committee related to the Site Allocations Development Plan Document. Your query is recorded on page 8 of the Cabinet Supplemental Agenda 2 which is the reference from Overview and Scrutiny Committee.

I assume that your query relates to the statement on page 252 of the Cabinet papers, under the section ‘Safety and Security’.

The statement reads ‘The Consortium proposes additional security through a 24 hour caretaker living on site and with repairs and upgrading of the existing boundary fencing. There is a further intention to install non intrusive CCTV to facilitate site wide operations.’

The Site Allocations DPD is absolutely clear and I quote from page 146 of this evening's Cabinet papers:

‘The site is currently open space and is an important recreational destination. The site is suitable for community outdoor sports use only. Development will be restricted to the minimum necessary to support outdoor sports use, etc’.

Local residents have raised concerns about anti-social behaviour on the site as it exists today and about ongoing site security, if the Whitchurch Consortium's proposals are implemented.

Clearly the deployment of a site manager or caretaker, who is resident on the site, could be part of a broader security plan as referenced in this evening's Cabinet papers. However, the introduction of a residential unit on the site may be controversial and sensitive from a planning policy perspective.

At this stage as the Cabinet report states ‘The Consortium propose’. That is all we have at this stage – an initial outline suggestion and I understand that other

similar facilities use a similar approach to good effect.

If the Whitchurch Consortium wish to include this proposal as part of their detailed planning application for the site, this will be subject to determination by the Planning Committee.

**Supplemental Question:** In terms of the proposal by Whitchurch Consortium to build what they described as a bungalow on the site, probably next door or on top of the Tesco's that they were proposing on the site, could you explain to me, have you gone through the covenants that relate to the land to check whether or not any of this is entirely within their proposals and in keeping with the paper and the decision tonight?

**Supplemental Answer:** Barry, there is no mention of Tesco's anywhere. I have not seen it. There is no mention of a bungalow. What they are proposing, as part of the pavilion there would be some sort of accommodation for the caretaker, related to his job.

This is their proposal only. In the development stages we will look at it again and this is a proposal made some time ago. The Planning Committee has the final authority to say whether they will get planning permission or not.

#### **447. Key Decision - Whitchurch Playing Fields**

Cabinet received a report of the Corporate Director Place Shaping, which provided a comprehensive summary of the consultation and engagement activity which had been undertaken in respect of proposed development of the Whitchurch Playing Fields, since November 2011.

The Portfolio Holder for Property and Major Contracts was of the view that, if approved, the proposal would provide excellent facilities for people of all ages. The Portfolio Holder added that the consultation had been wide and that he was grateful that the site was being considered for development after many years. He added that this was only the second stage of the process and that many other considerations would be necessary before any development on the site could go ahead. Moreover, there were no guarantees that the development would go ahead. He assured that the proposal would not be 'noddled' through without robust and careful consideration. He commended the report to Cabinet.

The Corporate Director Place Shaping stated that the Whitchurch Playing Fields site was of strategic significance to the borough. The Corporate Director explained the consultation process following approval by Council in November 2011 and the feedback received following engagement with residents. He added that all Members of Cabinet had previously received the

petitions received in relation to the proposals, including that organised by the Whitchurch Consortium in support of the proposals.

The Corporate Director added that this was the second stage of the process and that the report was impartial and comprehensive and had captured the key issues made by residents. He was of the view that the proposals would not adversely impact on the residents and that the object had been to manage, mitigate and minimise the impact on both the local community and the borough as a whole. The Council would have failed if the development would result in creating an adverse impact on the community.

The Corporate Director added that, if the proposals were approved, the Whitchurch Consortium would be expected to undertake pre-application consultation prior to the submission of a planning application, which would be considered by the Council's Planning Committee. He added that the planning process was an independent one.

The Portfolio Holder for Children, Schools and Families was of the view that the proposal would create a legacy for future generations and that the young people of Harrow, who often felt that they were not listened to, would particularly benefit from the creation of a sport facility. The Council had an opportunity to develop a facility for families to use, and he expected the various processes to be approved independently.

The Portfolio Holder for Community and Cultural Services stated that a recently conducted survey by the Council had shown that only 15% sport pitches were rated as good or excellent. The proposals from the Whitchurch Consortium would help improve this figure and he alluded on the support received from the various colleges, scout groups and sporting organisations to this investment in the borough during an Olympic Year. The Portfolio Holder added that it was important that the Council listened to the concerns of the local residents but at the same it had a vision to fulfil which was to improve the facilities in the borough. The Planning and Licensing processes were independent and he expected the applications from the Whitchurch Consortium to be analysed with vigour.

The Portfolio Holder for Adult Social Care, Health and Wellbeing referred to a letter of support from Age Concern which would also wish to use the facilities. She added that older and disabled people would also benefit from the proposal.

The Leader of the Council referred to the work that previous administrations had done to bring the Whitchurch Playing Fields into use. He added that further reports would be submitted to Cabinet, including the Development Agreement, and that many issues had to be resolved before the proposals were brought to fruition.

**RESOLVED:** That, having considered the feedback from the consultation and engagement activity summarised within the report:

- (1) the Whitchurch Consortium be commissioned to develop a community sport and leisure facility, at the Whitchurch Playing Fields, subject to agreement in respect of commercial terms;
- (2) it be noted that negotiations in respect of the Development Agreement, associated Service Level Agreement and Lease Terms would now commence, as previously authorised by Cabinet.
- (3) it be noted that the outcome of the negotiations would be reported to Cabinet for final approval.

**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 the Community, at no direct financial cost to the Council.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.51 pm).

(Signed) COUNCILLOR BILL STEPHENSON  
Chairman