

# CABINET MINUTES

## 14 MARCH 2013

**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:** Susan Hall Minute 603  
**(Councillors)** Barry Macleod-Cullinane Minute 603

\* Denotes Member present

### 599. Declarations of Interest

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

Agenda Items 8 and 12 – Determination of Community School Admission Arrangements, Academic Year 2014/15 and Provision of Building Cleaning Services for Schools and Corporate Priorities

Councillor Kam Chana declared a non pecuniary interest in that he was a governor of Canon Lane Junior and First School, should any reference be made to the School. He would remain in the room to listen to the debate on the items.

Councillor Barry Macleod-Cullinane declared a non-pecuniary interest in that his sister was a teacher at Hatch End High School and there was a tangential link to one of the two reports. He would remain in the room to listen to the debate on the items.

Councillor Christine Bednell declared a non-pecuniary interest in that she was a governor of Whitmore High School and Vaughan Primary School. She would remain in the room to listen to the debate on the items.

Councillor Bill Phillips declared a non-pecuniary interest in that he was a governor of Whitmore High School. He would remain in the room to listen to the debate on the items.

Councillor Thaya Idaikkadar declared a non-pecuniary interest in that he was governor of Welldon Park Junior School. He would remain in the room whilst the matters were considered and voted upon.

Councillor Mitzi Green declared a non-pecuniary interest in that she was a governor of Kenmore Park Infant and Junior School. She would remain in the room whilst the matters were considered and voted upon.

#### **600. Minutes**

**RESOLVED:** That the minutes of the meeting held on 14 February 2013, be taken as read and signed as a correct record.

#### **601. Petitions**

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

#### **602. Public Questions**

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

1.

**Questioner:** Anne Molloy

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

**Question:** In view of the fact that it is proposed to disregard the wishes of the majority of clients presently living in 4 Gordon Avenue and 66 Woodlands Drive, expressed during the consultation process, can you please explain in convincing detail how you now intend to provide complex, client-led care requiring specially trained carers from the disparate funds which will incur extra administrative costs and still hope to make savings?

**Answer:** Thank you very much for your question.

I am sorry that you feel we have disregarded the wishes of residents. We are all committed to the same aim in terms of quality of care, I believe.

We are committed to client led services, which is why

we will be undertaking detailed support planning with each of the residents. Ultimately though, we need to make sure that we deliver this effectively and achieve value for money across the whole piece of the review.

We will make sure that all placements we agree meet the residents' needs in full and will achieve savings by working with individual residents to identify accommodation and support options which are tailored to their needs.

**Supplemental Question:** Margaret had already expressed a wish to stay where she is and I think that at this juncture, her being moved is just going to cause problems for her and I envisage mental health issues such as depression. It does say in your consultation that regardless of what the people have said, that is all to do with equity and money, that you are moving them.

**Supplemental Answer:** There is an element of equity and we are doing the whole review expecting to get better value for what we spend on the whole of that residential estate. That means all the different residences.

In fact, we will make sure that we work with individuals. Now someone just saying "I do not want to move" would not be in itself satisfactory. I understand how people, especially people that are getting a bit older, do not like change very much but we have a number of residences here and by using them effectively, will provide better value. It is about some savings, I have to admit that but we will get better value for all the people we support by looking at it across all the residential provision and not having so many residences that are doing a number of things for different groups of people and that is the basis on which we have been doing it.

It has not been driven by cost. It certainly has not been done in a knee-jerk reaction to anything. We have been planning to do this review across all the residential provision for the learning disabled for some time. It was in our last two Medium Terms Financial Strategies (MTFSs). So it is not because the Council has been pressured by cuts this year that we have suddenly thought we would do this. We have been planning and thinking for a long time the best way to use the residential units we have got for the best value for as many as people as possible or for as many of the people that are needing residential care as possible.

So I mean, I was going to say this, probably in response to one of the later questions from your family but I will

say it now. I would be very willing to meet with you and members of your family and the social worker who has done the assessment and look at it. It is about the assessments of the needs of the people that we have to find residential care for and as I say, I well understand whatever we are doing, we come across people who do not want to change and I do understand that but we have a duty to use public money and the public resources as well as we can to support a number of people across the piece.

2.

**Questioner:** Yvonne Lee, on behalf of Harrow Mencap

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

**Question:** In principle Harrow Mencap support the Review of Learning Disability Services and feel that the services need to be fit to respond to future need. However we are concerned about the piecemeal nature of these consultations and reviews will the Council have an overarching strategy to meet the needs and aspirations on people with learning disabilities in a holistic way?

**Answer:** Thank you very much for your question.

I do not think we have a piecemeal approach. I think we used to do strategies for all sorts of things, as you know and all groups of people.

I think now we have the JSNA and, as you know, that has been distilled, the Joint Strategic Strategy for Health and Wellbeing and the learning disabled are fully covered in that and are one of our priorities.

So, I do not think it is piecemeal. I understand we did day services first and now we are doing residential but it would have been very difficult to do them alongside and of course the day services people, were engaged a lot in our steering group, so, if that is what you are thinking, that was separate.

**Supplemental Question:** My supplementary kind of explains why, because it is not joined up and we think it is going to have a really detrimental effect and if I give an example.

This afternoon, I sat in a review of somebody who has been reviewed for their day services for a personal budget which we support. They live at Woodlands

Drive. You are making a huge decision tonight about her possible future. That was not considered at all in terms of her possible day care needs. So while you review things separately and you are not looking at the whole impact because obviously what somebody is doing during the day and where they are living, they are interjoined and what their needs are going to be.

**Supplemental Answer:** I understand your point and I know that you well understand how we have been introducing personalisation across the whole service and that focuses on people's individual needs.

One of the things that has concerned me a lot during the Day Services Review and that is one of the reasons I am really pleased we have gone to a different provider, is that there was a lot of people being discharged from hospital without being given any information around day services. So, I do see your point and I am sorry it was not mentioned if that was a review of a particular person's needs because day care, of course, is very important. I well appreciate that but I really think we need to link things together and it is not that I am saying we are not, but I do not think writing a strategy is necessarily the answer. It is bringing things together and working on individual needs in the round, I think.

3.

**Questioner:** Christine Osborne

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

**Question:** ***Re: Report for Cabinet, Strategic Review of Learning Disability Accommodation***

In the above report for Cabinet, one of the reasons given for not utilising any empty space left by moving respite services to an alternative site for long-term residential care is that it would make the service too big. The report states: "In best practice terms a ten-bedded residential home for people with learning disabilities is considered to be rather large."

Will you be applying this best practice in identifying alternative accommodation for those residents of Gordon Avenue and 66 Woodlands Drive for whom a move to elderly care is proposed?

**Written Answer:** The Council will be following best practice by working with each resident and their family and carers to identify

accommodation options to meet their needs. We will do this sensitively, and considering their wider, as well as accommodation needs.

The question of the appropriate size for a care home is influenced by the type of needs that they are set up to support. Care homes that support people with complex needs or challenging behaviour, benefit from being smaller. On the other hand, services that support frailer people with high levels of personal care can benefit from being larger and able to accommodate larger staff teams with a range of skills and specialities.

4.

**Questioner:** Bernadette Michell

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

**Question:** Why is the Council referring to a cost comparator for residential services for general residential care for older people, rather than the cost for residential care for (older) people with learning disabilities; and what difference would using the correct comparator make to the weekly cost per resident figures that the Council have put forward in the consultation?

**Answer:** Comparators can be helpful to act as a guide to what you are doing and as a starting point for understanding costs and obviously we need to do that. However, what really matters is the way we meet each individual's needs and that is what we have tried to focus on.

The comparator information in the paper was put in to demonstrate the substantial difference that when we looked at the review of all the different residents, between the cost of residences. So it was for that purpose and I think that through our individual support planning with the people who will be changing their residential places, I hope, we will be able to provide well for everybody's needs.

**Supplemental Question:** I too hope that you will be able to provide well for everybody's needs. I was alarmed when I saw that comparator because the weekly costs are so low and it made me think that you must think that an ordinary care home for the elderly will provide as good a service as the excellent care that is currently provided at Gordon Avenue and 66 Woodlands Drive by specialist staff.

Do you think that a care home for the elderly that does

not provide specialist care for people with a learning disability will enable you to fulfil your legal obligation to meet the assessed needs of adults with a learning disability?

**Supplemental Answer:** I do believe we will find solutions that do cater for people's needs for each of those people. I do not think necessarily, that a large home for the elderly would be the right place necessarily for a getting older, learning disabled person but we will have to try very hard to find suitable placements where they can have some specialist care. That is what we are going to be doing because each person has had an Individual Needs Assessment and each person will have a support plan and we will be working through those very, very carefully.

Now there are not any larger homes in general for the learning disabled or for older learning disabled. It is a really good and happy story that so many people with learning disabilities are now living much longer. So, I am aware of that as a problem and there are many specialist cases where we need to find something for people and we have to look very hard to get the right fit.

All I can say is that we are going to try our very best to get the right fit for people and I did say to Ms Molloy that I am willing to meet with her and her family and I am willing to meet with anyone who just wants to talk about what we are doing and how we are doing it.

5.

**Questioner:** John Osborne

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

**Question:** Why is the Council making a decision to close or drastically change services in advance of undertaking detailed individual needs assessments and risk assessments for each service-user that addresses the impact of such a major change upon that service user.

**Written Answer:** An assessment or review of needs is vital to ensuring that any services we offer fully meet the needs of each resident. I am pleased to confirm that we have carried out individual assessments of need during the consultation.

I will be very happy to ask the Social Worker involved to meet you to discuss the assessment of your aunt if you

would find this helpful.

The Council takes seriously its responsibility to undertake detailed assessments of needs and risks and to incorporate these into a support plan for each resident affected by the review. The assessments that have been undertaken have added to the understanding of individual needs that the Council has through the delivery of these services.

The Council has a duty to use resources in the most effective way for the whole community. In doing this we have looked at the services we provide, as well as the needs of those who use them, to identify whether they represent the most effective way of meeting needs.

6.

**Questioner:** Andrew Osborne

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

**Question:** ***Re: Report for Cabinet, Strategic Review of Learning Disability Accommodation***

The Council's documentation makes repeated reference to arranging services that offer individuals the best opportunity to reach positive outcomes; where it is established that current service provision already offers the best opportunity to reach positive outcomes, will the council still take steps to insist on an alternative that offers less than best outcomes?

**Written Answer:** The Council will work with each of the affected residents to ensure that their needs are fully identified and that through support planning we are able to identify services to meet their needs and support them to achieve outcomes.

I am committed to ensuring that Officers take every step to ensure that whilst services need to change, these changes will put the residents first and will support them through the changes.

## 603. Councillor Questions

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

1.

**Questioner:** Councillor Susan Hall

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

**Question:** Could you provide the dates of all Neighbourhood Champion training sessions you have personally attended since April 2012?

**Answer:** Thank you Susan.

I have attended a number of Neighbourhood Champion training sessions but neither I nor the officers have specific dates of my attendance.

**Supplemental Question:** We all have diaries we can all look down. To say you have been to some is not an answer. I keep asking you questions but constantly you are unable to give any answers, despite the fact that you have had a few days in which to do this.

Given the numbers of Champions are plummeting, do you take responsibility for not leading this initiative correctly?

**Supplemental Answer:** I totally agree with you Councillor Hall.

The number of Neighbourhood Champions, like the economy, is flat lining. Perhaps it was the fault or the problem of the original Portfolio Holder who set such a high target of trying to reach 2,000 Champions.

We will be working with our partners and probably review how to cover each street in the London Borough of Harrow.

2.

**Questioner:** Councillor Susan Hall

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

**Question:** What new initiatives and policies do you plan to introduce to improve the 'clean, green and safe' performance indicators?

**Answer:** Because we are in such a drastic financial situation, not

of our making, there will be no new initiatives.

What we will intend to do, is to work with our communications team to publicise exactly how we are going to keep the borough clean, green and safe.

**Supplemental Question:** I just wondered what plans you had got in place to actually keep the borough clean and green and safe, as per your manifesto and as per what all of your residents want to see.

Have you got any ideas on what you might be able to do other than talk to the communications team?

**Supplemental Answer:** Yes, can I remind Cabinet Members, it was only a few days' ago that we had the no ideas opposition.

3.

**Questioner:** Councillor Susan Hall

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

**Question:** The Leader recently announced a policy of not charging for road closures on June 2<sup>nd</sup>. How much funding has been put aside for this, and what do you expect the take-up to be?

**Answer:** The work associated with the waiving of fees for the Big Lunch is being contained within existing budgets.

Average figures for the Diamond Jubilee celebrations suggest a take-up for around an average of ten.

**Supplemental Question:** And have we allowed extra funding to clean those streets up afterwards? Is that coming out of the same budget?

**Supplemental Answer:** No, it will not be taken out of the same budget. It will be met from the street cleaning budget.

4.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Thaya Idaikkadar, Leader of the Council and Portfolio Holder for Property and Major Contracts  
*(Answered by Councillor Graham Henson, Portfolio Holder for Performance, Customer Services and Corporate Services)*

**Question:** The majority of your 'united and involved; listening and leading' performance indicators have shown a decline over the last year.

What do you plan to do in order to remedy this?

**Answer:** Thank you for asking what we are planning to do by way of continuing to build upon our platform as a listening Council. You raise the subject of our latest performance indicators for our priority of 'united and involved communities: A Council that listens and leads' and I would like to make a few comments briefly on the results:

On one particular critical question within the tracker is 'The Council Takes Account of residents' views when making decisions'. The best the Council achieved between October 2008 and March 2010, you will remember that time, you were in the Cabinet, was a net agree figure of '0%'. The worst figure was '-14%'. Since June 2011, which was the first survey since the May 2010 election, the lowest score has been '7%' and the best score '18%'.

You are right though about one thing, that a number of measures in this area are under some pressure and I would like to take a few moments to talk through what we have done and what we will do.

During our budget consultation in the run up to setting our two-year balanced budget last month, we ran a Let's Talk Stakeholder event in December with a wide range of Harrow residents in attendance, where we covered the difficulties we faced in terms of making the serious service reductions given the cuts being passed onto us by the coalition government.

We talked at the event about a potential rise in Council Tax and what that rise would help fund and most of the attendees recognised the need to do this, even though in these hard economic times they would prefer the Council not to raise Council Tax.

As you are aware, we subsequently made the decision to raise Council Tax and I think we as a Council communicated our message well and residents understood.

Our community cohesion indicators are also performing well, showing we are united as a community in Harrow. This is even more important given the ever growing diversity in Harrow, with 139 different languages spoken

and being the second most religiously diverse borough in the UK.

In terms of what we plan to do, we will continue to run our innovative Let's Talk campaigns. We will continue with our schemes to build on the many great activities our residents commit to every week and month, such as becoming a Neighbourhood Champion, or a carer for our more vulnerable residents and we will continue to consult with our residents on those issues most important to them.

We need to recognise that these are tough times economically and given the significant funding cuts being made by the government and the financial pressures we will continue to face as more and more cuts are pushed onto local government, it is important that we continue the debate with residents about how they can help us to reduce costs by doing something for their community. Under this administration, this is exactly what we will continue to do.

**Supplemental Question:**

If you look on page 332 it points out that Council takes account of residents' views when making decisions, involvement tracker 43% last year, down to 31%, a below percent for those who feel they can influence decisions affecting their own area 34%, now down to 26%. They are all dropping down. We even had questions from members of the public tonight about "the piecemeal nature of consultations". People do not feel that the Council listens to those consultations it carries out. They do not feel that they are being empowered to take control of those things. Right across the piece, from Whitchurch Playing Fields and the pavilion there in my Ward, to Vaughan School and so on, the bodged nature of that planning consultation and involvement with the residents.

Can you say what you are doing to put that right because what you just explained does not address the reality of it, which is people feel less empowered and less listened to, despite your claims to be a listening Council?

**Supplemental Answer:**

I would like to remind you that last year we had the highest level of consultation this borough has ever undertaken, across all the Directorates within the Council. Also, when you look at it, we have listened to a number of consultations - in Children's Services, Adult Services, and more recently within Community & Cultural Services resulting in changes to the budget.

If you did not come in with a pre-prepared supplementary question, you would listen to the first part of the answer, which says that the involvement tracker has improved in the last few years compared to the one when you were in the Cabinet.

Of course things go up and down. Even though it has gone down, it is still a vast improvement on when compared to when you were in administration. Also, within the Let's Talk campaign we managed to widely consult with the residents of Harrow. It is the most wide ranging consultation that has ever taken place outside of the Council Tax Benefits Scheme. So we are quite proud of the consultation process we have taken. We do listen to the outcomes of the consultation but we have to make final decisions based on the financial envelope that has been pushed upon us by a savage government that we have in place at the moment.

5.

**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 vast number of health problems associated with smoking, what are you and your administration doing to promote no smoking?

**Answer:** Smoking prevalence is relatively low in Harrow compared to national averages and other London boroughs. However, it is still a large problem causing many preventable deaths and illnesses.

We have a coordinated and comprehensive approach to tobacco control in the borough. The tobacco strategy in Harrow aims to reduce the smoking rate amongst young people, to motivate and assist every smoker to quit and to protect our families and communities from tobacco-related harm.

Our stop smoking services are available in most pharmacies in Harrow, through a few local GP surgeries and through specialist advisers in community locations, secondary care, and workplaces.

Within the Council, the Occupational Health service promotes the Health matters website which is accessible to all staff and provides information on how they can stop smoking.

From a regulatory perspective, Council officers enforce the “No Smoking” legislation in pubs, clubs, restaurants and other establishments, by ensuring appropriate signage is displayed at buildings and that owners and customers are observing the rules, ensuring compliance has been incorporated into the Council’s routine visits to businesses.

A lot of educational and enforcement work has been done with the increasing use of Shisha and similar pipes. This is a particular concern amongst certain demographics, in particular young Asian / North African and Arabic populations.

The Council’s enforcement work goes hand in hand with promotional activity; advising and guiding businesses and customers on the reasons for the smoking ban and the benefits to health.

Promoting the clinical and overall health benefits of no smoking has historically been the remit for the PCT, including smoking cessation projects targeting specific demographics through workplaces, GP surgeries and special no smoking clinics. With this aspect of the PCT’s work transferring to the Council there is a real opportunity for Environmental Health staff to work in partnership with clinicians within the Public Health teams to ensure regulation of the smoking ban *and* anti-smoking promotions are co-ordinated to target the most vulnerable demographics and maximise community outcomes.

**Supplemental Question:** As the Leader of the Council and one of the leading Asian Councillors in the country, do you not think it would be good for you to be promoting and encouraging people to give up smoking by yourself not smoking and when you leave the building and entered it today, did you not notice the “Quit Smoking” desk in the foyer as you went out for your daily smoke and will you not convince your colleagues around the Cabinet table to also not smoke in the entry way of the Council?

**Supplemental Answer:** There are 63 Councillors. Out of that, 2 are smokers and those 2 are attending the highest number of Council meetings, so perhaps it is not a bad thing.

Anyway, I thought this is a place to discuss important strategic decisions rather than my preferences but you are right, I do agree with that. All the smokers including me will agree, we have been trying to give up and we are told never give up giving up. The Prime Ministers in the past set bad examples by smoking cigars.

I can say that drinking is bad. I am a non drinker except for a very few occasions. It is easy for me to ban drinking in the country. Now if your government wants they can say ban cigarettes out of the country. That stops us smoking.

There are people who are overweight. You can say do more exercise, eat less, be fit. We can do all sorts of things. It is up to the individual but overall I agree with what you are saying and I will not give up trying to give up.

*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 Barry Macleod-Cullinane

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

**Question:** Can you explain why the decision was made to reduce the amount put into the Harrow Help Scheme from £250,000 to £100,000 between the draft and final budgets?

**Written Response:** This administration is committed to help those most affected by the cruel and unfair cuts to benefits for some of the poorest people in Harrow. That's why we've created the Harrow Help Scheme. The main aim of which is to help people affected by this Tory government's attacks on the poorest in Harrow.

That is why we wanted to put more resources in to the scheme. Remember this is putting money in. Money that you would not put in. We had hoped to put in £250,000, but due to the government base grant being lower than we expected we were unable to put in as much as we wanted.

This is not a cut. This is an increase in the amount of resources that would otherwise have been available.

7.

**Questioner:** Councillor Barry Macleod-Cullinane

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

**Question:** Can you explain the rationale behind the three-month

residency classification for 'residency' under the Harrow Help scheme?

**Written Response:**

Unfortunately it is quite clear that yet again, Councils are being asked to implement ideological cuts from the Tory government. There is not enough money to help everyone and this administration believes our first priority must be those who have lived in Harrow.

This issue of the residency was discussed at a steering group meeting, which includes the large volunteer sector organisations in Harrow. They agreed with the proposals.

We also included a question about it in our consultation. You can see that on page 370 of the Cabinet report.

We asked 'We are proposing to only support Harrow Residents through this scheme. 'Do you see any problem with this decision?'

55% of people who responded felt that we should only support Harrow residents. As a result of feedback from the consultation the exceptional criteria will include people fleeing violence and people leaving residential / institutional care / prison.

This is a pilot and therefore we will continue to monitor access to the scheme throughout this period.

8.

**Questioner:** Councillor Susan Hall

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

**Question:** Could you explain why the amount of school expansion funding received from the Department for Education varied so dramatically - by nearly £9 million - from what the Council expected to receive?

**Written Response:**

The late confirmation by the DfE of the 2013/14 grant allocation meant that the 2013/14 capital programme had to be based on estimates. The estimate assumed that DfE grant allocations would remain at the 2012/13 funding levels. Whilst the DfE have indicated their willingness to fund school expansion there was no certainty about national funding totals or Harrow's share of any funding pot. The experience of previous allocations shows significant variations between authorities and between allocations with limited reasons.

Given this background and the requirement to set a balanced budget it would not have been prudent to assume an increase in funding levels in the capital programme.

The possibility of additional grant income was reflected in the capital budget reported to Cabinet on 14 February 2013. It highlighted the potential need for a further £4.9m of council borrowing to fund the School Expansion Programme if insufficient capital grant is available. It stated that this would reduce if the DfE grant allocation was greater than the £5.1m assumed, which is the case.

9.

**Questioner:** Councillor Susan Hall

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

**Question:** Could you provide an update regarding the intended expansion of Vaughan and Marlborough schools, as these schools have earlier expansion plans than other schools in the programme?

**Written Response:** Vaughan and Marlborough are two of the seven primary sector schools approved for expansion from September 2013. The expansion is therefore planned to be in line with the other schools in the programme. Building programmes are planned at all these schools to ensure sufficient accommodation is available at the schools as pupil numbers increase.

#### **604. Key Decision Schedule March - May 2013**

The Leader of the Council reported that the following items from the Key Decision Schedule had been deferred to April Cabinet:

- Commissioning of Libraries and Leisure Management Services;
- Financial Procedure Rules Update.

Additionally, the Strategic Review of Learning Disability Accommodation did not have any private appendices, as previously advised.

**RESOLVED:** To note the contents of the Key Decision Schedule for March 2013.

#### **605. Progress on Scrutiny Projects**

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

## RESOLVED ITEMS

### 606. Determination of Community School Admission Arrangements - Academic Year 2014/15

Cabinet received a report of the Corporate Director of Children and Families, which set out the responses to the consultation with proposals for the admission arrangements for September 2014. It was noted that the School Admissions Code required admission authorities for Community Schools to consult before determining their admission arrangements.

The Portfolio Holder for Children, Schools and Families drew attention to the changes proposed, such as changes in the medical pupil criterion for all Community Schools and the sibling criteria for Whitmore High School. The Corporate Director outlined the responses received, the majority of which had favoured the changes proposed.

**RESOLVED:** That, having considered the feedback from the consultation on admission arrangements for the 2014/15 Academic Year, the Community School admission arrangements be determined without any further changes to the proposed arrangements and schemes other than the following:

- (a) change to the medical pupil criterion in the Community School admission arrangements to allow priority to children who have had to attend a specific school due to his/her social needs; this would only be in wholly exceptional circumstances and where there was involvement with social services and a supporting letter from a Divisional Director;
- (b) change to the sibling criteria for Whitmore High School to allow sibling priority to pupils on roll and attending the school up to year 11 at the time of the application.

**Reason for Decision:** To determine admission arrangements by 15 April in the determination year (ie by 15 April 2013) in accordance with the School Standards and Framework Act 1998.

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

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

### 607. Third Sector Strategy

Cabinet received a report of the Corporate Director of Community, Health and Wellbeing, which set out the background to a new Third Sector Strategy and identified potential actions for the Council to allow the Strategy to be delivered.

The Leader of the Council invited Steve Porter, Voluntary Sector Representative, and Julie Browne, Chair of the Voluntary Sector Forum, to

address Cabinet. They congratulated the Council for the exemplary support provided to the Voluntary and Community Sector in helping with the refresh of the Strategy, which better reflected the needs of the Third Sector whose 'environment' had changed recently as a result of the financial and social challenges it faced. Essentially, the Strategy was a framework for the delivery of a future partnership working between the Voluntary and Community Sector and various agencies. They added that the Voluntary and Community Sector was proud of the achievement, as it had been able to get together a diverse number of groups with a view to strengthening collaborative working. They thanked all for their assistance and participation in the refresh of the Strategy, which had taken six months to deliver.

#### The Portfolio Holder for Community and Cultural Services

- thanked the Voluntary and Community Sector representatives for their leadership in bringing together the various agencies towards the delivery of a common goal;
- commended the representatives for bringing the refresh of the Strategy forward, which centred around public engagement and the assistance that they required from the Council in this regard;
- recognised that the support requested was a key ingredient to ensuring a strengthened and skilled Sector, which also delivered services to the wider community.

The Portfolio Holder welcomed the strengthened relationship between the Council and the Voluntary and Community Sector during the current adverse economic climate.

The Corporate Director also welcomed the Strategy which had been 'driven' by the Voluntary and Community Sector to reflect their own needs and control their destiny. He explained that there were six areas in which Council support was required and he was pleased to be confirming this support.

The Leader of the Council stated that he was passionate about the Third Sector and thanked the representatives for their exceptional work and new ideas.

#### **RESOLVED:** That

- (1) the Third Sector Strategy be noted;
- (2) the delivery of the actions listed in paragraph 2.3.2 of the report to support the delivery of the Third Sector Strategy be endorsed.

**Reason for Decision:** To demonstrate commitment and support for the Strategy.

**Alternative Options Considered and Rejected:** Not commit to delivering any actions to support the Third Sector Strategy.

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

#### **608. Strategic Review of Learning Disability Accommodation**

Cabinet received a report of the Corporate Director of Community, Health and Wellbeing, setting out the proposals which involved the reconfiguration of six residential care services provided by the Council for people with learning disabilities.

It was noted that, as part of the review, extensive consultation had taken place with service users, families, advocates and staff working within the services. The report explained that the aim of the review was to deliver a modernised service that offered improved outcomes and value for money whilst ensuring that local needs were met in the most effective way possible based on national policy guidance and best practice.

The Portfolio Holder for Adult Social Care, Health and Wellbeing stated that the review process had not been rushed and a great deal of time had been spent on it, as it had been important to strike a balance between the resources the Council had for residential provision against the needs of those that the Council supported. The Portfolio Holder added that this balance was needed otherwise fewer people would be provided for. She added that:

- the review process had commenced in June 2011 and that the consultation process had commenced in September 2011 for a period of 12 weeks;
- the recommendations being proposed were at a strategic and shape level, with a view to shaping the changes for all of the different residences rather than for individuals;
- the proposals were intended to remodel a number of the services, de-register one and move respite care from Bedford House to Gordon Avenue;
- the changes would be challenging and would impact on a number of vulnerable people;
- users and carers had been consulted with advice and advocacy being provided to support them thereby giving every service user an opportunity to engage in the process. Staff had also been consulted;
- opposition to the proposed changes was expected, and it was appreciated that the process would be distressing for users who potentially would need to move homes.

The Portfolio Holder explained that the Council had listened to people and considered the requirements of the Equalities Act in reaching its conclusions. She commended the report to Cabinet, which she considered to be

comprehensive and was proud of, and made a minor amendment to recommendation 1 in that it ought to make reference to paragraph 2.5 of the report rather than 2.5.3.

The Portfolio Holder for Finance was supportive of the detail provided in the report and made reference to the equality impacts contained within the report to which Cabinet needed to give due regard. He congratulated the Portfolio Holder for Adult Social Care, Health and Wellbeing and officers for a comprehensive report.

**RESOLVED:** That

- (1) the new Service Model, described in section 2.5 of the report, which specifically involved the following changes to services be agreed:
  - A. Bedford House** - work to achieve separation between the long-term residential, respite and day services at Bedford House. Work with the Council's Estates Department to identify a longer term option for the efficient use of Bedford House. This may include the potential sale of the building and the purchase of an alternative building which met the needs of the long-term residents in a high quality environment;
  - B. Gordon Avenue** - change the model of the service and identify a choice of alternative housing options for the service users living at the Home. To use the service as a Residential Respite provision in the future. In addition, to increase the use of alternative respite options including Harrow Shared Lives Service and communicate the range of options to families and service users;
  - C. Woodlands Drive** - change the model of the service and identify a choice of alternative housing options for the service users living at the Home;
  - D. Southdown Crescent** - de-register the service and support people to live in a supported living environment;
  - E. Roxborough Park** - maintain and develop the current model of the service delivering high quality care to people with complex autism and severe challenging behaviour. This would mean that some people who do not have complex autism and severe challenging behaviour who currently lived at the Service might be supported to move to alternative provision that met their assessed eligible needs.
- (2) the Corporate Director for Community, Health and Wellbeing, in consultation with the relevant Portfolio Holders, be authorised to agree the future model and use for Woodlands Drive with the vacant building being considered for young adults in transition who needed support to remain close to home.

**Reason for Decision:** To enable local residential service provision for adults with learning disabilities that responded to current and future demand for specialist residential services. To contribute between £600k-£1m to the achievement of Medium Term Financial Strategy savings of £2.275m in relation to residential care. To consider whether there were any residents who might be supported to live more independently.

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

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

**609. Revisions to the Climate Change Strategy Action Plan and Delivering Warmer Homes HECA report following public consultation**

The Portfolio Holder for Environment and Community Safety introduced the report, which set out the comments received following public consultation on the draft strategies and the Council's response. He added that the final versions of the documents, as submitted, required Cabinet's approval.

The Portfolio Holder outlined the purpose of the Climate Change Strategy and the Delivering Warmer Homes Report, including the obligations it placed on the Council and its community, whilst outlining the funding arrangements. He added that the documents would be submitted to the Secretary of State for Energy and Climate Change, and drew attention to the recent changes to the CRC Scheme resulting in the removal of emissions from schools from the Council's responsibility. Moreover, allowances would need to be bought for all other emissions, including street lighting. He explained that the RE:FIT programme would help reduce emissions.

The Corporate Director of Environment and Enterprise made an amendment to the responses received and reported that paragraph 2.2.2 of the report be amended to read: "A total of eight responses were received from the public on the Climate Change Strategy and two responses were received on the Delivering Warmer Homes Strategy. Harrow Agenda 21 submitted responses to both consultations. All other responses were from individuals".

The Corporate Director also referred to the contributions received from the Overview and Scrutiny Committee, included with the agenda.

**RESOLVED:** That

- (1) the final draft of the revised Climate Change Strategy Action Plan be approved;
- (2) the final draft of the revised Delivering Warmer Homes (HECA) report be approved;
- (3) the submission of the Delivering Warmer Homes (HECA) report to the Secretary of State for Energy and Climate Change be approved.

**Reason for Decision:** To ensure continued progress in delivery of the Council's Climate Change and Delivering Warmer Homes Strategies.

**Alternative Options Considered and Rejected:** None.

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

**610. Provision of Building Cleaning Services for Schools and Corporate Properties**

The Leader of the Council introduced the report, including a confidential appendix, which set out the procurement process for the provision of five building cleaning contracts in anticipation of the expiry of the current contracts on 31 March 2013. The Leader added that three contracts were for schools and the remaining two related to Council properties. As part of the proposals discussions in relation to the payment of a London Living Wage had been mooted requiring the forgoing of savings.

In commending the report to Cabinet, the Leader highlighted the need to extend negotiations in relation to the contracts for Council properties, including the delegation of those negotiations.

**RESOLVED:** That

- (1) the Schools Building Cleaning Contracts be awarded for a period of 3 years with an option to extend for up to a further 3 years, as follows:
  - contract No. 1 to Contractor A, as set out at appendix A to the report
  - contract No. 2 to Contractor B, as set out at Appendix A to the report
  - contract No. 3 to Contractor C, as set out at Appendix A to the report;
- (2) the Corporate Contracts 4 and 5 not be let under this procurement exercise and that the existing contracts be extended for a period of up to 24 months;
- (3) the negotiation, award and signature of the contract extension in resolution (2) above be delegated to the Corporate Director of Environment and Enterprise in consultation with the Portfolio Holder for Property and Major Contracts;
- (4) should the negotiation approved in resolution 3 above be unsuccessful, the Corporate Director of Environment and Enterprise, in consultation with the Portfolio Holder for Property and Major Contracts, be delegated authority to take whatever action may be required to keep

the service in place; the action being based on the information and evaluation of the tenders provided in Appendix A of the report.

**Reason for Decision:** A full European Union Tendering Exercise had shown that awarding a 3 year contract for three schools' contracts (with an option to extend for up to a further three years) together with extending the existing contracts for Corporate Buildings offered the Council the best combination, best value and ability to review performance, customer satisfaction and price, whilst allowing the Council to further consider the market place and negotiate the most favourable position for the Council.

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

**Conflict of Interest relating to the matter declared by Cabinet:** None.

#### **611. Adoption of Revised Statement of Community Involvement**

The Portfolio Holder for Planning and Regeneration introduced the report, which provided feedback from consultation on the draft revised Statement of Community Involvement (SCI) and recommended that the revised SCI be put forward for adoption, with modifications in response to representations received, to replace the existing SCI. He explained why a change was needed, including the responses received to the consultation which had resulted in the inclusion of the suggestions received.

**RESOLVED:** That

- (1) the representations received be noted, including the Council's response to them, following consultation on the draft revised Statement of Community Involvement (SCI), as set out at Appendix A to the report;
- (2) the revised SCI attached at Appendix B to the report be adopted;
- (3) the Divisional Director of Planning, in consultation with the Portfolio Holder for Planning and Regeneration, be delegated authority to make any typographical corrections and any other non-material changes to the SCI that may become necessary prior to final publication of the SCI;
- (4) the intention to produce a summary leaflet be noted.

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

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

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

## 612. Locally Listed Buildings

Cabinet received a report of the Corporate Director of Environment and Enterprise, which set out the results of public consultation over the proposal to update Harrow's list of Locally Listed Buildings. The report sought approval for adoption of the updated list of Locally Listed Buildings.

The Portfolio Holder for Planning and Regeneration explained that when Grade III national listing had been removed, it was replaced with local listing. The Portfolio Holder added that the updated list which included 35 additions and 2 deletions had been subject to public consultation, including the Local Development Framework Panel. It was proposed that 34 buildings be added and 2 be removed, one because it had been demolished and one because it did not meet the required standard. He added that a guide would be produced which identified Locally Listed Buildings by Ward and Conservations Area.

**RESOLVED:** That the updated list of Locally Listed Buildings, as provided in Appendix A to the report, be adopted.

**Reason for Decision:** To comply with the National Planning Policy Framework requirement that planning authorities ensured that they made information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. To help protect Harrow's local historic and architectural interest and assist the Council to meet its Corporate Priority that sought to 'build stronger communities'.

**Alternative Options Considered and Rejected:** To take no action.

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

## 613. Proposed Amendment to the Boundary of the Roxborough Park and the Grove Conservation Area

The Portfolio Holder for Planning and regeneration introduced the report, which set out the results of the public consultation, including the Local Development Framework Panel, over the proposal to extend the Roxborough Park and the Grove Conservation Area. He added that the extension to the conservation area would result in some Locally Listed Buildings being brought within the conservation area.

**RESOLVED:** That the extension to the Roxborough Park and the Grove Conservation Area, as shown at Appendix 1 to the report, be approved.

**Reason for Decision:** As part of the ongoing programme to review the borough's conservation areas, the area adjacent to the Roxborough Park and the Grove Conservation Area had been identified and assessed as worthy of Conservation Area status. The incorporation of this area within the Roxborough Park and Grove Conservation Area would ensure that the extended area was covered by the Council's adopted Conservation Area Appraisal and Management Strategy (May 2008).

**Alternative Options Considered and Rejected:** To take no action.

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

**614. Stanmore and Edgware Conservation Areas Supplementary Planning Document**

The Portfolio Holder for Planning and Regeneration introduced the draft Stanmore and Edgware Conservation Areas Supplementary Planning Document, which included the Conservation Area Appraisals and Management Strategies for each individual conservation area. The intention of the Document was to help preserve the character of the areas and approval was being sought for a six week period of public consultation.

**RESOLVED:** That the draft Stanmore and Edgware Conservation Areas Supplementary Planning Document (SPD), attached as appendix 1 to the report, be approved for a six week period of public consultation.

**Reason for Decision:** When adopted, the Stanmore and Edgware Conservation Areas SPD would constitute part of the emerging Local Development Framework. This would form material considerations in the determination of planning applications both at Planning Committees and appeal proceedings. The SPD would also provide useful guidance to relevant Council departments when dealing with issues relating to Stanmore and Edgware Conservation Areas. Before adoption could take place, formal consultation on the SPD was required.

**Alternative Options Considered and Rejected:** Not produce an SPD for the Stanmore and Edgware Conservation Areas.

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

**615. Strategic Performance Report - Quarter 3**

Cabinet received a report of the Assistant Chief Executive, which summarised Council and service performance against key measures and drew attention to areas requiring action.

The Portfolio Holder for Performance, Customer Services and Corporate Services outlined the following key messages:

- the Council was working under an adverse financial climate, as a result of which some major challenges lay ahead;
- huge pressures were being experienced in Housing Services. The Council had done well to maintain the bed and breakfast figures generally and during a shortage of sufficient local housing;

- there had been an increase in the use of the Harrow's libraries, and major improvements had been achieved in relation to Harrow Arts Centre. There had been an increase in participation in sports;
- pressures were also being experienced in Children's Services. The mapping of a child's journey resulting in improvement plans was welcomed. The Hub and Spoke Models in relation to Children Centres were working well;
- customer satisfaction levels in relation to the One Stop Shop were high;
- the provision of a London Living Wage had been implemented by the Council.

The Portfolio Holder recognised that many challenges lay ahead and it was important that these were mitigated before they became serious.

**RESOLVED:** That the report be noted and the Portfolio Holders continue working with officers to achieve improvement against identified key challenges.

**Reason for Decision:** To be informed of performance against key measures and to identify and assign corrective action where necessary.

**Alternative Options Considered and Rejected:** None.

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

#### **616. Approval of the Pilot Harrow Help Scheme**

The Portfolio Holder for Finance introduced the report, which set out the changes to the Social Fund currently delivered by the Department of Work and Pensions (DWP) and the new responsibilities on local authorities to develop Welfare Provision. He added that the report provided feedback from the consultation with Harrow residents and showed how the feedback had informed the development of the Harrow Help Scheme and help shape the Emergency Relief Scheme.

The Portfolio Holder was proud of the proposals, which were designed in partnership with a multi-agency group to help the vulnerable members of the community. He added that the Voluntary and Community Sector would also play a pivotal role in the delivery of the proposals to the needy.

Cabinet was briefed on the outcome of the consultation, principles of the overall Schemes and other measures that could be implemented alongside the Scheme. It was felt that a pilot would help the Council to gain a better understanding of the users and their needs and allow improvements to be made. The Equality Impact Assessments had also helped shape the Schemes.

**RESOLVED:** That

- (1) the one year pilot and principles of the new Harrow Help Scheme be agreed and adopted;
- (2) the one year pilot for the Emergency Relief Scheme be agreed and adopted;
- (3) the eligibility criteria for access to the Emergency Relief Scheme be agreed and adopted.

**Reason for Decision:** The Department of Works and Pension had allocated funding to all local authorities to deliver a local Welfare Provision as a result of the changes to the Social Fund.

The changes to the Social Fund were to be implemented by the end of March and therefore the Council had to have the Emergency Relief Scheme in place by 1 April, 2013 to avoid the risk of a gap in the provision of emergency support to vulnerable people living in Harrow.

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

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

**617. Provision of Building Cleaning Services for Schools and Corporate Properties**

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

**Reason for Decision:** To allow the appendix to be considered in conjunction with the main report at agenda item 12.

**Alternative Options considered and rejected:** As set out under item 12.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation granted:** As set out under item 12.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.50 pm).

(Signed) COUNCILLOR THAYA IDAIKKADAR  
Chairman