

CABINET MINUTES

17 OCTOBER 2013

Chairman: * Councillor Susan Hall

Councillors:

* Kam Chana	* Janet Mote
* Tony Ferrari	* Paul Osborn
* Stephen Greek	* Simon Williams
* Manji Kara	* Stephen Wright
* Barry Macleod-Cullinane	

**Non Executive
Non Voting
Councillors:**

* Graham Henson	* David Perry
* Thaya Idaikkadar	

In attendance: (Councillors)	Mano Dharmarajah	Minute 698
	Asad Omar	Minute 698
	William Stoodley	Minute 698

* Denotes Member present

[**Note:** The items were taken in the order set out on the agenda. However, as was customary, the minutes are set out in the following order: Formal Business; Recommendations to Council on substantive items; Discussions and decisions on the remaining substantive items.]

693. Apologies for Absence

None received.

694. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Items 10(b), 10(c) and 12 – Report from the Accessible Transport Review, Regeneration in North Harrow – Replicating the lessons in other parts of the borough, and Youth Justice Plan 2013-14

Councillor Graham Henson declared non-pecuniary interests in that he had been a Member of the Overview and Scrutiny Committee when these items had been considered and referred to Cabinet. He would remain in the room and take part in the discussions relating to these items.

Councillor Paul Osborn declared non pecuniary interests in that he had been the Chairman of the Overview and Scrutiny Committee when these items had been considered and referred to Cabinet. He would remain in the room whilst the reports were considered and voted upon.

Councillor Stephen Wright declared non-pecuniary interests in that he had been a Member of the Overview and Scrutiny Committee when these items had been considered and referred to Cabinet. He would remain in the room whilst the reports were considered and voted upon. He added that he had also been a member of the Accessible Transport Scrutiny Review Group.

Councillor Kam Chana declared non-pecuniary interests in that he had been a Member of the Overview and Scrutiny Committee when these items had been considered and referred to Cabinet. He would remain in the room whilst the reports were considered and voted upon.

Councillor Tony Ferrari declared non-pecuniary interests in that he had been a Member of the Overview and Scrutiny Committee when these items had been considered and referred to Cabinet. He would remain in the room whilst the reports were considered and voted upon.

Agenda item 10(c) - Regeneration in North Harrow – Replicating the lessons in other parts of the borough

Councillor Janet Mote declared that she was a Councillor for Headstone North. She would remain in the room whilst the report was considered and voted upon.

General Interests

Councillor Barry Macleod-Cullinane declared that he had previously served on the Overview and Scrutiny Committee. He would remain in the room whilst all the reports on the agenda were considered and voted upon.

Councillor Yogesh Teli declared that he was Scrutiny Lead Member for Environment and Enterprise and that there were 3 items on the agenda relating to this area. He would remain in the room to listen to the debate on these items.

695. Minutes

RESOLVED: That the minutes of the meetings held on 18 July and 12 September 2013 be taken as read and signed as correct records.

696. Petitions

(1) Controlled Parking Zone in Leathsail Road - Petition

Councillor Thaya Idaikkadar presented a petition signed by 13 residents of Leathsail Road and Corbins Lane with the following terms of reference:

“We, the undersigned, being residents of Leathsail Road request the Council to create a full time Controlled Parking Zone on Leathsail Road.”

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

(2) Controlled Parking Zone in Whitmore Road – Petition

Councillor Simon Williams presented a petition signed by approximately 46 residents with the following terms of reference:

“We, the undersigned, recognising that parking in the area has become congested to the point where safety is becoming compromised petition Harrow Council to introduce controlled parking in Whitmore Road between Bessborough Road and Porlock/Treve Avenue.”

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

697. Public Questions

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

1.

Questioner: Raksha Pandya, Mind in Harrow

Asked of: Councillor Barry Macleod-Cullinane, Deputy Leader and Portfolio Holder for Adults and Housing

Question: We want to ask about the developments at the Bridge Mental Health Day Centre, what is being done by Rethink Mental Illness, the new provider, to address the concerns raised by Mental Health Service Users, such as lack of staffing, particularly for 1:1 support, the sudden loss of personal budget funded groups, the lack publicity for the service particularly for people who lost their service at Marlborough Hill and marginalised groups such as BMER communities?

Answer: Thank you for your question.

Before I start to answer, I would like to just to affirm that myself and the administration are very much committed to making sure that mental health is not forgotten about and so if there are opportunities to meet and discuss this and to make sure where your concerns are being raised, that we listen and see what we can do to address them. I am happy to either meet later or set up a meeting via email to actually go through some of these concerns.

I am advised that Rethink Mental Illness took over their contract to The Bridge in June 2013.

The implementation has been overseen by a Day Care Services Steering Group and that includes representatives from The Bridge, from Harrow User Group, Harrow Rethink Support Group and various others. We are also trying to make sure that we meet widely with the Council, Harrow NHS and CNWL NHS Trust which is primarily around the mental health support services. We also want to make sure there are updates with regards to The Bridge and that these are distributed.

I understand that Rethink recently presented at the Harrow User Group's and we are awaiting feedback. They have confirmed to the Council that it is going to be a fully staffed service and there are going to be permanent members by the end of October.

Given those commitments, we also need to make sure that that is carried through and you have my personal guarantee that I will be overseeing this and making sure that officers drive it forward. In the transition period, Rethink have been using staff from elsewhere and that is understandable but we want to see a more permanent focused team on Harrow.

The people who used Marlborough Hill in the past were fully informed of that change and have been helped through that transition. If that has not been the case or if people feel they need further assistance, please let me know and we can see what we can do to assist.

In relation to Personal Budgets, I think they are important but then they are actually something separate to this and so we need to just disentangle that item out a little bit and make sure that we are giving support where it is required and needed.

Supplemental Question: In relation to developments at The Bridge Day Centre, would you agree that Rethink Mental Health Illness should not be using The Bridge as a vehicle for their own promotion as an organisation, which appears to be the case at the moment, and they should be putting more of the Council funded resources into engaging currently marginalised individuals to benefit from this service? For example, at the moment there is no information in the whole building about services other than Rethink.

Supplemental Answer: I think that is a valid concern to raise and it is something I will certainly look into. I believe that if you have got a range of services available, they should be signposted so that people can find what is most appropriate to them. The whole idea about personal budgets you have raised is to give users real choice and control on what is appropriate for their lives, their services and their caring needs.

Now if we have got a contractor who is just promoting themselves and provide a very narrow set of options, that may not be the right thing for a number of the clients going there. I want to make sure that we have as wide a choice as possible because everyone of us is different, everyone's needs are slightly different and we need therefore to make sure that the widest range of services are available, signposted so that we can get the right level and the appropriate support where we need it. So perhaps we can include that as part of our discussions.

2.

Questioner: Manisha Ahya

Asked of: Councillor Barry Macleod-Cullinane, Deputy Leader and Portfolio Holder for Adults and Housing

Question: For the Council commissioned Transforming Mental Health Personalisation contract being delivered by NDTI, how may Mental Health Service Users have been involved to feedback their experiences of mental health personal budgets in Harrow and how many organisations in relation to their contracted target?

Answer: Thank you for your question.

Unfortunately, I do not actually have those figures available because the project is still underway and the final figures have yet to be collated. As soon as they are, I will make sure that they are widely disseminated so that people can understand the numbers and the

uptake. We also need to ensure that the people taking up these services are happy with what is being provided and that it is meeting their needs.

I will be very happy to meet with you with any concerns you have about this.

Supplemental Question: What is the total contract value of the project paid to NDTI to date and therefore what is the current cost to Harrow for each person consulted and would you, as a Portfolio Holder, regard these as good value for money?

Supplemental Answer: I do not have that data to hand but if I may come back to you within the next few days with exact details. I am keen to make sure that we have value for money.

Once we have seen the numbers who are taking it up, against the amount of money that has been assigned to this contract, we will be looking carefully at it because the Council's got a very limited pot of money. We need to make sure that that money is put into the right places to support as many people as possible to get the best outcomes as we can. If we are putting large amounts of money and not really affecting anyone's lives materially better, then that is a real concern. So I will make sure that we feed that back to you and report back at the next Cabinet meeting with this information.

3.

Questioner: Carol Martin

Asked of: Councillor Tony Ferrari, Portfolio Holder for Finance
[Written response provided by Councillor Susan Hall, Leader of the Council and Portfolio Holder for Community Safety and Environment]

Question: In the Harrow Observer dated 10th October you stated that the last Conservative administration had rejected the idea of not locking the parks in Harrow because of the impact it could have on residents who live nearby and enjoy using them. You went on to say that the Conservative Group will ensure parks are kept locked for as long as the Conservative Group are in control of the Council.

The Council Leader, Councillor Susan Hall, has stated that the Conservative priorities will be to make Harrow cleaner, safer and fairer.

In order to ensure fairness across the whole of Harrow, will Cllr Ferrari please advise when the gates on the

parks in Roxbourne, which were removed under a previous conservative administration, will be reinstated and when they will be locked?

At the request of the questioner, the following written response was provided.

Written Response:

The Conservative Administration is committed to reinvesting the potential savings from the proposal to cease park locking to allow the service to continue at its' current level. The Park Locking service is managed by the Council and is operated in partnership with the Police and residents groups.

The service locks car parks, cemeteries and parks based on target information supplied by residents and the Police. Priority parks are defined by those either in a sensitive area, suffering raised anti-social behaviour, having a history of ASB or are capable of being effectively secured. Currently the Council locks a third of our Parks and Open Spaces.

I am aware of two parks in the Roxbourne area which are missing a gate. Roxbourne Park, a park where we lock the car park only which has a missing hand gate to one of the entrances, the gate was damaged two years ago by contractors working on the adjacent railway land. I will ask officers to look into a possible replacement for this gate, given the circumstances surrounding its removal.

A five bar gate at Newton Ecology Park was stolen 4-5 years ago, this park has Permissive Rights for free access and the gate is not essential.

To ensure fairness intelligence of anti-social behaviour is monitored and where we are aware of changing patterns of behaviour locking priorities are adapted to ensure the most effective service for the residents of Harrow.

4.

Questioner: Adolphus Pais

Asked of: Councillor Barry Macleod-Cullinane, Deputy Leader and Portfolio Holder for Adults and Housing

Question: The previous administration proposed the development of Whitchurch Playing Fields which was flawed in so many aspects and was opposed by the majority of residents in the area and by all the Councillors of

Belmont Ward and good many other Councillors of the current administration. Now that there has been a change of administration and the current administration is not compelled to pursue the flawed development for which there is no support among the residents, why does the current administration not withdraw the Council's objection to the Village Green Application and register this land as a Village Green notwithstanding the outcome of the Inquiry?

Answer: Thank you for your question.

As you know, my colleagues, including the Leader, and I have been concerned by the proposals and have lobbied for and campaigned against the proposals on Whitchurch Consortium over, not just a few days, few weeks, few months but several years.

We are unfortunately in a process where there is an Inquiry to establish whether or not it is a Town & Village Green. We think that it is the prudent course of action to let that Inquiry run its course because if it is established as a Town & Village Green, then that will instantly block any transfer to Whitchurch Consortium. If the outcome is different, we will be looking again at what is the most appropriate thing going forward.

We need to understand there is an Inquiry in process and I understand that we ought to be following that until such time the Inquiry makes a decision one way or another.

Mr Pais: Did I understand that right that you actually said if the decision goes against the Village Green application, you would let that project go forward as it is?

Cllr Macleod-Cullinane: We would very much have to look again at that situation. Things have changed. I have made arguments all along that there did not seem to be a change in the economic case that the transfer to the Consortium was being based on. I think there are a lot of issues around it and would like to look again at that point – that is my personal view. At the moment, the Council has got a process and it should be followed through and that is where we will be waiting to see what the outcome of the Village Green application is and then taking a view at that point.

Supplemental Question: The residents well understood that the current administration in opposition supported the Village Green application. Indeed, the current Deputy Leader, you in particular, strongly supported and defended the

application in front of the Inspector as you have just said yourself, on behalf of the residents of the constituency.

Has there been a change of heart on this matter and if so, why? Does the Council have alternative plans for this site and does it intend to carry on with the previous administration's proposals?

Supplemental Answer: I have not changed my position at all. I still think that the transfer is the Consortium is wrong. That is my personal view. We are, as the administration, very much in favour of looking to see the outcome of that Inquiry. If the Inquiry finds in favour of the Village Green, then what happens next is somewhat moot.

I do not think at the moment that we can pre-judge what the outcome of the Inquiry will be and we would have to take a view but, as far as I am concerned, we have not changed our view from what we said a few weeks or a few months' ago. We still think that there is an issue there and that needs to be resolved.

698. Councillor Questions

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

1.

Questioner: Councillor William Stoodley

Asked of: Councillor Stephen Wright, Portfolio Holder for Property and Major Contracts
[answer provided by Councillor Susan Hall, Leader of the Council]

Question: "Please clarify your Group's position with respect to Whitchurch Playing Fields."

Answer: We consider that it is prudent to see what happens with the Town and Village Green application and then we will take a view.

Supplemental Question: On 30 August on a website called "iHarrow", a lady said the following:

"I also discovered that when the Corporate Director of Place Shaping was quickly made redundant less than four months before he was due to retire anyway and got his severance before he left, he destroyed all his paperwork and corrupted the hard drive on his computer."

This is obviously an extremely serious allegation, a grave cause for concern and I should think libel if it is untrue. What is puzzling me is the fact that the usual brute speed with which the officers of this administration demand that the owner of iHarrow to redact comments to be facetious or libelous, has not happened in this case and yet, I know, our own group, the ILG, have had redactions, I have had redactions, I have seen some others. The other day somebody got something redacted.

Is this because the Authority believes this comment to be true? In which case, the supplementary question is what is the Authority doing with respect to Corporate Director of Place Shaping and his behaviour? If on the other hand, this comment is false, then why has the Local Authority taken no action apparently since 30 August to have it redacted?

Supplemental Answer: I have asked the Executive Director to double check. There has been no corruption as far as we know of any hard drive. The reality is everything is backed up in any case. For his benefit, Councillor Macleod-Cullinane was given loads of details all about the Whitchurch to go through.

Now, one never knows what you do not know. So whether there was anything else that was removed that we have not seen clearly. You do not know what you do not know but the reality is we think that everything that should be there is there, so far as we are aware. But I will, as the writer of iHarrow is actually in the audience, he may well feel that he might want to take that post down. It is an old one anyway. It went out on 30 August. That would have been under your administration.

Cllr Stoodley: I was all set to do something about it Leader but we had to defend the coup which we lost.

Cllr Hall: We can assure you that our Directors do not go around corrupting disks and if you should have taken it down when you were in control; we will sweep that up as we are sweeping up other things.

2.

Questioner: Councillor William Stoodley

Asked of: Councillor Stephen Greek, Portfolio Holder for Planning, Development and Regeneration

Question: “Now that the Council have exchanged contract on Anmer Lodge, could you explain your administration’s position with respect to Anmer Lodge?”

Answer: Thank you.

As you will know and for the benefit of those in the audience that may not know, before we took over the Council, two significant things happened on this site in Stanmore which comprises Anmer Lodge and the car park.

Firstly, Harrow’s new development plan was approved which specifies at least 105 new homes on the site. Secondly, as you have mentioned in your question, the Council committed itself to a land sale contract agreement with the developer, Notting Hill Housing Group, to deliver these new homes, together with a Marks and Spencer Food outlet and replacement new car parking. It is no secret that we raised concerns at the time about both of these decisions but the fact is, they have now been made and this is the reality in which our new administration finds itself.

The developer has undertaken a first round of public consultation. It is actually the first time local residents have formally been asked about the proposals in a comprehensive way and I understand that took place in September. At that meeting three potential development scenarios were outlined and comments were sought. I understand this is part of a wider consultation process with the local community which we will be following very closely.

As Portfolio Holder, I have made it very clear to officers my commitment to ensuring that the process of developing options for this sensitive site are as inclusive and transparent as possible from this point on. I am particularly keen to ensure that the concerns that people have already raised surrounding the site’s development are listened to and wherever possible, are addressed as things move forward.

Officers from the planning service have entered into a Planning Performance Agreement to ensure that the public are properly engaged throughout the process. I also expect any proposals to be subject to an independent design review to ensure that residents can have confidence in the final assessment of any proposals.

Supplemental Question: One of your Members, Councillor Marilyn Ashton, has stated that this transaction should not have gone ahead without a Supplementary Planning Document, yet the marketing brief that was published for this transaction was drawn up under her watch.

Do you therefore share my confusion over her criticisms of this development, bearing in mind that she agreed to it in the first place and as you have just said, the first consultation has just taken place in September which I attended? So for all her calls about consultation, there was no consultation at that time either.

Supplemental Answer: I say that Councillor Ashton is an excellent campaigner for her local area, and long may that continue.

In terms of the marketing brief, my understanding is, and this all took place around March 2010 and we were not around to see that through as we would have liked to have done. That would have been the beginning of a consultation process which really should have taken place before the contract was signed because that was a more productive time to have had that. That would have been the beginning of the consultation process and then we would have seen what would have emerged from and would have informed a planning brief process. But as we know, a different path was chosen and the consequences of that are now apparent. We now have to move forward with that in the best way that we possibly can.

3.

Questioner: Councillor William Stoodley

Asked of: Councillor Stephen Greek, Portfolio Holder for Planning, Development and Regeneration

Question: "Could you please state your administration's plans for the old Gayton Road Library site?"

Answer: Thank you.

The Gayton Road Library site is a key, strategic development site in Harrow. This was confirmed in Harrow's new development plan which was approved in July before this administration took office and specifies at least 350 new homes on the Gayton Road site. Last year a planning application was submitted to extend the previous planning permission on the site which was agreed under very different circumstances. That application has not been determined and instead, in line

with the aspirations in the adopted development plan, the Council has been engaging for some time with a potential development partner on an alternative design solution for the site. I have asked that the process of design be as inclusive as possible, whilst keeping in mind the objectives of the Local Plan.

Officers from the Planning Service have met with the developers to discuss a Planning Performance Agreement between the Council and the developer setting out key milestones in the process of developing this new scheme. I have asked that this process include appropriate public engagement at the pre-application stage. As Portfolio Holder, I am committed to ensuring that all strategic development proposals are subject to good process and I look forward to such a process taking place in this case.

The Gayton Road site, alongside all other sites allocated for development in the Local Plan, plays an important part in the delivery of new homes to meet the borough's current and future housing need. I therefore expect that as the economy improves, demand for additional homes will require that the Council and developers play their full part in delivering new homes on these allocated sites.

Supplemental Question: That is great news. I am really pleased to hear it but how hopeful are you that businesses will take advantage of these plans, bearing in mind that the Divisional Director of Planning when I had your role, informed me that the feeling amongst business in general and Dandara, in particular, is that Harrow has become toxic for business, thanks to the Conservative Group Planning Committee Members voting against almost every commercial planning permission that officers have recommended for grant in recent times?

Supplemental Answer: Well, they are entitled to that view. As you know, as Chair of the Planning Committee, we look at each application on its merits.

When businesses come forward with a planning application that we consider to be appropriate we vote in favour. If we think that it will not work for local residents and we consider the needs and amenities of local residents to be very important; if we feel that those are not met then we take a view and we vote against.

Businesses are very entitled to infer from that if they like but we will continue to look at each application on its merits.

4.

Questioner: Councillor Nizam Ismail
[asked by Councillor Mano Dharamarajah]

Asked of: Councillor Barry Macleod-Cullinane, Deputy Leader and
Portfolio Holder for Adults and Housing

Question: “Independent Labour Group administration pledged to work on building additional 1000 new houses – over and above what was in the Local Development Framework and already agreed by the Council/Cabinet - to boost the Harrow’s housing stock which needs an urgent investment. What and how will your administration undertake to push forward our administration’s idea to build further additional new houses in Harrow, over and above what is already in the pipeline already?”

Answer: Thank you.

Like yourself and like colleagues around the table, we are all mindful of the need to build more housing. There is a chronic shortage in Harrow; in many ways, it is impossible to try to get onto the housing ladder. My colleague, Councillor Greek, has already outlined that we are seeing what we can do around development on things like the Gayton Road site.

Now, it falls to me to look at what we can do on our Housing Revenue Account land - and we have got a track record of pushing for innovative change. As Portfolio Holder up to 2010, I was able to push forward and work with residents neighbouring the site on Mill Farm Close, for instance, where we saw a transfer to Catalyst Homes who have regenerated that site and have actually taken what appeared to be a very forbidding, and turned it into a quite attractive, new, development with actually more homes. Decanting people out of existing blocks as they built new houses and actually have given a new lease of life to that estate, as well as creating new homes within that.

I am very pleased that Councillor Ismail as former Portfolio Holder for Housing, started picking up the reins on “Hidden Homes”. This was something that I had been pushing for as Portfolio Holder, which fell into abeyance after 2010. “Hidden Homes” is a scheme that Wandsworth pioneered a decade or two ago, where they looked at undeveloped land around their borough, generally under places where you would not think of putting homes, turning them into real dwellings to actually give people homes, and often to larger families.

That has been a really good piece of work by them and Wandsworth reckon about 10,000 homes across London could be built.

I was really pleased that when I took over the Housing brief that plans were in train to look at some of our garage estates and that we could actually turn some of these derelict pieces of land, unused pieces of land, old garages that no one uses that are too small for putting cars – where we could we bulldoze those garages and actually put in good housing stock. So I was very pleased to be able to take that on and carry that forward and you have my absolute guarantee that I will be working to try to find innovative ways of building more on our stock.

We are constrained by finances and we have got one of the smallest council housing stocks in London and, also we cannot really borrow much more as a result of the government changes on the Housing Revenue Account; we are right up against the borrowing cap. So we literally cannot get any more money to borrow out of the Housing Revenue Account.

I would be more than happy to work cross party to lobby around raising or abolishing that cap.

5.

Questioner: Councillor Krishna James
(*not present so written answer sent*)

Asked of: Councillor Susan Hall, Leader of the Council and Portfolio Holder for Community Safety and Environment

Question: “You were quoted in the Harrow Observer on 19 September, stating that “we must look after the disabled in the borough” – how does your administration intend to put this idea into practice, and have you got any timeframe for your ideas?”

Written Answer: When we were last in administration we pioneered personal budgets and Reablement. This included the setup and development of the first online marketplace for social care and the introduction of a new service delivery model to support Personalisation.

My colleagues Councillors Macleod-Cullinane and Williams will this year ensure we:

- focus on maximising the independence of disabled people by supporting Adults’ new

innovative My Community ePurse solution to ensure that they have greater choice and control;

- develop a modern, progressive Day Service for clients who have a learning disability and who are on the autistic spectrum that promotes social inclusion, healthy lifestyles, independence, friendships and relationship;
- take forward 5 exciting projects with the CCG for vulnerable people including a new Dementia service; Carers Support Programme providing priority GP appointments and annual health checks; Frequent Flyers project supporting people who have frequent hospital attendance and projects to support children and young people with special educational needs or disabilities;
- improve transitional arrangements for disabled children moving to adult services;
- stimulation of new services – such as culturally specific alternatives.

6.

Questioner: Councillor Asad Omar

Asked of: Councillor Susan Hall, Leader of the Council and Portfolio Holder for Community Safety and Environment

Question: “What is your new idea to reinvigorate the Neighbourhood Champions Scheme?”

Answer: It is to put passion into it, which is what it has been missing for the last three years. Thank you for letting me speak at the Champions Conference before the change of administration. I thoroughly enjoyed it, speaking to the Champions, listening to what they wanted to happen; they want a change on the website, which we are working on now. We are arranging dates now so that 250 extra Champions, that are waiting to be Champions, can be trained up. I shall make sure that happens before Christmas. We are getting the Police far more involved than they have been for three years because that is a good thing too. I am very grateful to you to keep it going along until I was back but I am back now, completely responsible for my Neighbourhood Champions. So I shall invigorate it, I promise you.

Supplemental Question: Now what you have said has already been tested and tried before but the number of Neighbourhood Champions has been constant around 1,000, as you know. You were the one who introduced this and your aim was to have at least one Champion in every street. That was what you were hoping but it has been constant. Everything has been tried – papers, Harrow People, SNT – but nothing has changed.

What I want to ask you because you have raided Harrow Council's budget by £500,000 and 10% of that you have used for Neighbourhood Champions, which is £50,000. Rather than using it for that, don't you think it would be better to use that money for our residents - some of whom are going hungry? They cannot feed their families and also, they cannot afford to heat their homes. Don't you think that that money should be used for that?

Supplemental Answer: Okay, first of all, cleaning the streets and keeping everything right is what the Council should be doing and the ones that raided the budget were actually the Labour Group by starving those particular departments.

Every single resident in this borough benefits from the streets being clean and from us all being safer. Our three priorities are quite firm – to be cleaner, safer and fairer and it is fair that we actually do the job we should do which is clean the streets properly. They will be cleaner and safer, of course they are safer if everything around looks better. The Neighbourhood Champions fit into all of this and they will do an awful lot of work for us to save the money.

What you do not know is about £500,000 has gone into Children's Services to get more children's workers, social workers, and there is a lot going on.

I assure you we do not raid the budget because the Director of Finance and Assurance would not allow that under any circumstances. We are looking at many ways that we can make things better and invest to save.

Looking at the Fraud Team, I was with the Fraud Team this morning in relation to the Blue Badge fraud. When we stop people from fraud then they actually have to start paying to park and measures are being put in place stop people doing things that are bad. That will mean we have got more money for looking after those that are disabled, etc.

So there are very many different things we could do with

our money but I do assure you, judging by my very extensive mailbag, people are extremely pleased that the Blitz Team has gone out already. We have got 21 new cleaners starting to make this borough to look somewhere to be happy in again and that will also help the Business Portfolio. Councillor Chana is very pleased about that because you cannot run a business when the streets outside your shopping centre are filthy.

So no, it is money very well spent. It is no less than the residents here deserve and any money going to Neighbourhood Champions, do not forget, does go back to the residents in those roads. The reason it stalled was because there was no passion from previous administrations into the actual scheme. They will have passion back with abundance and we will get to our target as quickly as possible and you will notice the difference.

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

7.

Questioner: Councillor William Stoodley

Asked of: Councillor Susan Hall, Leader of the Council and Portfolio Holder for Community Safety and Environment

Question: When Councillor Thaya Idaikkadar was the Leader, he gave clear instructions to the Corporate Director for Finance, which he can confirm, **to commence** budget preparation process with a view to achieving zero or 0.5% reduction in the Council Tax for the next financial year. Given that you have also indicated this to the press, re-confirming the Independent Labour Group's instructions to the officers, to either work on the basis to freeze or decrease the Council Tax for next year, can you please confirm whether you will now be freezing or decreasing the Council Tax next year?

Written Answer: When, in February, Council put forward its two year balanced budget and approved its MTFS for 2014/15 the assumption was a Council Tax increase of 2%.

Subsequently central government has announced there will be a Council Tax freeze grant made available for 2014/15, at the equivalent rate of a 1% Council tax increase.

In order to accept the Council Tax Freeze grant

approximately £1m of additional savings will need to be identified.

Officers are working to refresh the MTFS to check that the savings identified for 2014/15 are still deliverable and the budget is robust.

The date of the grant settlement for Local Government remains subject to confirmation. Last year the settlement was announced on 19 December 2013. It is planned to take a draft MTFS to Cabinet in December.

Members will then be able to take a view on the appropriate level of Council Tax, at Council Tax setting night in February 2014.

8.

Questioner: Councillor Margaret Davine

Asked of: Councillor Susan Hall, Leader of the Council and Portfolio Holder for Community Safety and Environment

Question: Do you fully support the Cabinet Member for Adults and Housing, Councillor Barry Macleod-Cullinane, who recently publicly stated that he was supportive of the Housing compensation scheme whereby tenants will be offered £38,000 to move out of the Borough?

Written Answer: I am fully supportive of the 'Housing Grants to Move' scheme. This is an Invest to Save scheme which offers tenants the opportunity to move out of council housing, releasing homes for those families in more need and reduces the costs of B&B and temporary accommodation.

£38,000 is the biggest award that can be made and applies to the home ownership option where a four bedroom house is vacated which can then be offered to another family requiring that size accommodation. This could save as much as £20,000 per annum in B&B or temporary accommodation costs to the Council. I am sure you would agree with me that if £38,000 gives a family who previously occupied the property a fresh start, helps the family moving in by giving them a much better quality of life than living in B&B and saves money long term for the Council – everyone wins - What is there not to support?

I only have one point of clarification in your question in that there is no requirement to move out of the Borough. This scheme is about offering choices which may or may

not result in the family wishing to move out of Harrow, but if they do that is their choice.

Awards start from about £3000 for downsizing moves and moves to private rented properties and there are a number of conditions and safeguards built into the process.

As you know Harrow has only 5,000 rented council properties and we have about 4,000 people on the waiting list. Unfortunately, numbers in B&B are still increasing and this year we hit the 100 number. The cost of B&B is also increasing. We had to do something creative to help reduce these numbers, help families in desperate need, and save money longer term.

9.

Questioner: Councillor Sachin Shah

Asked of: Councillor Barry Macleod-Cullinane, Deputy Leader and Portfolio Holder for Adults and Housing

Question: The Council is facing significant financial challenges to its budget with the Council having to find £75 million so far and recent announcements that further savings of £60 million will need to be made over the next few years.

Sir Merrick Cockell, Chair of the Local Government Association, has stated that: A shortage of funding and increasing demand is making it impossible to maintain adult social care services at current levels let alone trying to raise standards.

The new Leader of the Council recently announced that she will increase spending within Public Realm by £500,000 to clean up the streets, which most notably comes at a time when many local people are struggling to provide for their families and having to rely on food banks.

In the forthcoming debates around setting the Council's future budget to cover this massive half a million pound black hole in council finances what are your plans as the Portfolio Holder for ensuring that the Council meets the needs for the vulnerable and destitute people in Harrow to prevent their needs from becoming critical?

Written Answer:

Our new Conservative administration's goal is to deliver a cleaner, safer and fairer Harrow – and that, of course, includes adult social care services. We are committed to

supporting our most vulnerable residents and to tackling abuse and making them safe.

The very tightness of budgets, the very necessity of meeting extremely challenging savings targets means that we have to be even more innovative, even more creative, even more careful about what we do in Adults.

For the last 6 years, Harrow's adult social care has not only delivered a balanced budget whilst achieving ambitious MTFs savings but it has also become a national leader when it comes to social care. Our service is known for its innovation and systems development; indeed, Harrow is now at the forefront of the personalisation of social care agenda, extending to our users, their carers and their families greater choice and control over their care packages, enabling happier, healthier, more empowered lives – and, importantly, significant savings to the public purse as a result.

We have striven hard to provide real, meaningful choices to personal budget holders; there are now over 700+ companies and organisations supplying services via our online web portal, www.Shop4Support.com. Far from sitting back, we are constantly pushing forward, to use technology to promote even greater choice for our care users and to enable greater competition to drive down social care prices. We are now starting to roll-out our exciting new venture, My Community ePurse, and have a path breaking partnership with PayPal.

At the same time, safeguarding of our vulnerable residents is a key consideration in all of our work. Whilst we have stripped out cost and inefficiency, safety has not been sacrificed. If anything, tighter budgets and the need to deliver greater value for money has helped achieve improved quality and safety in this service.

The greater integration and collaboration with health will see further efficiency savings, service improvements and improved choices and outcomes for our care users.

I should also note that Councillor Sir Merrick Cockell is the *Chairman* of the LGA, not “chair”.

10.

Questioner: Councillor Bill Phillips

Asked of: Councillor Janet Mote, Portfolio Holder for Children and Schools

Question: The Council is facing significant financial challenges to its budget with the Council having to find £75 million so far and recent announcements that further savings of £60 million will need to be made over the next few years.

In the forthcoming debates around setting the Council's future budget to cover the massive half a million pound black hole in Council finances caused by the new Leader of the Council coupled with the policies of the coalition government who have shifted the burden from them to local government without resourcing them to provide. As the Portfolio Holder for Children's Services, what are your plans to manage cuts in areas where inspection regimes are being tightened and demands on services being increased?

Written Answer: In October 2012 Children's Services produced a comprehensive strategic commissioning document for the Commissioning Panel for 2013-2015 outlining the services statutory functions and proposals for service reductions and savings to contribute to the council's Medium Term Financial Strategy. Savings which were agreed through this process have been implemented this year or are being implemented in preparation for 2014-15. The service will review and update this document to contribute to the cuts that the Council will be facing over the coming years.

11.

Questioner: Councillor William Stoodley

Asked of: Councillor Paul Osborn, Portfolio Holder for Communications, Performance and Resources

Question: How much has the Council spent on Legal Advice this financial year, in particular, how much was spent overall on legal related work pertaining to the meeting of 16 September and was all the advice obtained from Bevan Brittan?

Written Answer: The Council incurred a cost for legal advice, responding to the threat to apply for an injunction to prevent the Extraordinary Council meeting on 16 September going ahead. For reasons of commercial sensitivity, I will provide you with the figure in a Part II answer. External advice was sought from Bevan Brittan and barristers from 11 Kings Bench Walk.

Under the previous administration, the Council has spent approx £600k so far this year on legal advice to

support its various functions.

12.

Questioner: Councillor William Stoodley

Asked of: Councillor Paul Osborn, Portfolio Holder for Communications, Performance and Resources

Question: “How much work has Bevan Brittan received from this Council over past five years and do you not think this takes away any 'independence' they may have when they give advice?”

Written Answer: Bevan Brittan have acted for Harrow on a number of matters, including the shared legal practice with Barnet, some preliminary work on PRISM, and in some employment matters.

I have absolute confidence that their relationship with Harrow does not affect the integrity of their advice. If you think otherwise, I would suggest you raise the matter with the appropriate regulatory authorities. Or, if you wish to make a specific allegation, I would be happy to discuss it with you.

RECOMMENDED ITEMS

699. Key Decision - Youth Justice Plan 2013-14

The Portfolio Holder for Children and Schools introduced the draft Youth Justice Plan for 2013-14, a statutory plan, which when approved by Council would be submitted to the Youth Justice Board as part of the conditions attached to the grant received from the Ministry of Justice.

The Portfolio Holder explained that the purpose of the Youth Justice Plan was to outline how it would meet the key objective of reducing young offending. She added that the Plan had been produced by a multi-agency group and had had the support of Council's statutory partners, which was accountable to Harrow Chief Executives' Group. She outlined its key aspects, as follows:

- the partners had been successful in stopping young people from entering the criminal justice system but there was work to be done in this area. It was important that the youth were made aware of the impact of a criminal record on their future prospects;
- there was a need to reduce the youth from re-offending and stringent processes were required;
- there was a need to reduce the number of young people in custody.

Cabinet was briefed on the work carried out by the Youth Offending Service and that its aim was to protect the public – young people themselves, both as perpetrators and victims – and to prevent the perpetrators from offending. The Portfolio Holder outlined some of the successes and the challenges that lay ahead and she set out the various figures detailed in the Plan. A key achievement had been a reduction in the number of first time entrants to the youth justice system but the challenges that lay ahead included the need to improve the quality and timeliness of assessments, a stable and empowered workforce, increasing the number of young offenders in education, training and employment, and sharing of resources with other local authorities. Positive intervention was key, including the work being carried out with the Third Sector. A triage system had helped reduce the number of young people entering the system. There was also a need to improve on the rates of young offenders in education, training and employment.

The Portfolio Holder explained that attached to the Youth Justice Plan was an action plan, an ongoing flexible tool which reflected real time targets. She was pleased to report that the Overview and Scrutiny Committee had recognised that good processes were being put in place to improve the lives of young people. She added that the action plan was forward looking in that:

- due to pressures and anticipated reductions in the grant received, discussions with other local authorities had been initiated with a view to discussing joint working;
- the volunteer base needed to be expanded and more group work was essential;
- it was important to that the education status of young people was identified.

The Portfolio Holder commended the report to Cabinet and, together with the Corporate Director of Children and Families, responded to a number of questions from the non-voting non-Executive Cabinet Members, who welcomed the positive aspects of the report given the challenges facing the Council and its partners, as follows:

- the Youth Justice Board had set out the parameters for keeping records on how the grant was spent. Upon additional questions from a non-voting non-Executive Cabinet Member, the Corporate Director explained the meaning of 'in kind' and offered to take the Member through the budget in detail. Additionally, a typographical error was noted;
- best practice in other local authorities was being looked at with a view to dealing with the challenges facing young people in their transition to adulthood, including the challenges facing young offenders with speech and language learning difficulties. The sharing of resources amongst authorities was being explored. The Portfolio Holder added that one of the issues that had been flagged up was that over half of the number of young people in Harrow did not have english as their first language

which required interpreters thereby impacting on the available resources. The Portfolio Holder for Adults and Housing encouraged work across Directorates and partners thereby breaking down silos with a view to ensuring that young adults were independent before reaching adulthood to help improve their lives;

- an additional sum of money, £0.5m, had been made available for Children Services in order to allow more social workers to be appointed and to reduce the burden of the case load on individual officers. In relation to the issues around recruitment for child and adolescent mental health worker post, and in recognition of the importance of addressing mental health, the administration was in discussion with CAHMS (Child and Adolescent Mental Health Services) with a view to finding capacity within existing resources;
- mental health and the troubled behaviour of young people were key issues and in order to strengthen the relationship between the two agencies - CAHMS and Youth Offending Team - it was important to have a hands on approach of which field visits and networking were key ingredients. The Portfolio Holder added that she would be visiting the agencies which was one of her key priorities;
- the administration appreciated that the police too faced budget pressures but it was expected that the strong relationship between the administration and the police, which had been established over a number of years would help ensure that the partnership work in this area continued to bring positive outcomes for children and young people. Prevention was better than cure and the joint working would assist.

The Portfolio Holder thanked the Corporate Director of Children and Families and her staff for their work and it was

Resolved to RECOMMEND: (to Council)

That the Youth Justice Plan 2013-14 be approved and submitted to the Youth Justice Board, as part of the Youth Justice Board grant conditions for 2013/14.

Reason for Recommendation: To meet the requirements of the Youth Justice Board (YJB), the body responsible for monitoring youth justice services in England. Every authority was required by the YJB to produce a Plan setting out how it would meet the key objective of reducing youth offending. The YJP is a Statutory Plan and requires the approval of Council.

Alternative Options Considered and Rejected: As set out in the Youth Justice Plan.

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

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

700. Key Decision - Capital Programme 2013/14 - Additional Schools Grant Funding

The Portfolio Holder for Finance introduced the report on the Targeted Basic Need Programme (TBNP) and the delivery of the school projects. The report identified the recommended procurement route in order to achieve value for money within timescales.

The Portfolio Holder added that due to the increase in the number of children of school age and the pressures in providing school places, various measures had been put in place including the bidding for grant funding from the government. He acknowledged the history of cross-party working on this matter and was pleased that additional funding had been secured. The funding would help Harrow increase the number of school places available, expand the much needed Special Educational Needs provision and additional secondary school places. Further reports would be submitted to Cabinet on the progress made of this long term programme. He agreed that he would ensure that the Targeted Basic Need Programme funding, which had a tight deadline, was progressed swiftly and that it was not caught up in any procurement issues.

The Portfolio Holder for Children and Schools highlighted the significance and the importance of education, as it opened up opportunities. She added that it was important to recognise that Harrow's children would be the adults of tomorrow and it was pleasing to note that the quality of education provided in Harrow schools was excellent.

In response to a question from a non-voting non-Executive Member in relation to the administration's commitment to the schools priority funding projects in Marlborough and Vaughan Schools, the Portfolio Holder for Children and Schools stated that she had met with the Headteacher of Marlborough School and would be meeting with the Headteacher of Vaughan School and was confident that both projects would proceed.

The Leader of the Council responded to a question on the challenges around the construction of additional buildings in schools and the options to decant children to other safe sites in the borough, such as the Civic Centre site. She explained that all options would be explored and that Ward Councillors would be made aware of the proposals.

A non-voting non-Executive Cabinet Member commented that the cross-party working had worked well and asked if similar measures would be put in place as part of the implementation of the Building Schools for the Future Programme. Both the Leader of the Council and the Portfolio Holder for Finance stated that a cross-party governance structure would be put in place. In relation to a question on the lessons learnt from the proposals for Whitmore High School, and as a local authority managing large contracts which required sufficient staff resources, the Portfolio Holder for Finance stated that the

Council was not adopting any different processes except that capitalisation would take place as part of the project.

The Leader of the Council added that previously checks and balances had not been put in place and the Director of Finance and Assurance would ensure that sufficient safeguarding measures were put in place. It was important that correct processes were followed for all projects. In response to a comment about differences of opinion from officers, the Leader stressed the importance of having these differing views, as they allowed Members to reach informed and prudent decisions.

Resolved to RECOMMEND: (to Council)

That the 2013/14 Capital Programme be adjusted to include £9.583m Targeted Basic Need Programme (TBNP) funding and the 2014/15 and 2015/16 Programmes be agreed as part of the budget setting process.

RESOLVED: That

- (1) the additional funding of £34.3m secured through the Targeted Basic Needs Programme (TBNP) process be noted;
- (2) the procurement and implementation of contracts to the value of £60m be delegated to the Corporate Director of Children and Families, in consultation with the Portfolio Holder for Children and Schools and the Portfolio Holder for Property and Major Contracts, subject to none of the additional funding being spent prior to the Council approval of the amended budget;
- (3) it be noted that in order to minimise risk and meet the tight deadline conditions of the TNBP funding, officers would use the Council's Major Works, Maintenance and Repairs Framework Contract with Keepmoat together with existing Major Works Frameworks established by other Public Buying Organisation(s) to deliver the projects.

Reason for Recommendation/Decision: To increase the amount in the Council's Capital Programme for 2013/14 and carry out the procurement process to deliver the projects within tight timescales.

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

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

[Call-in does not apply to the recommendation to Council and where the item has been noted.]

RESOLVED ITEMS

701. Appointment of Portfolio Holder Adviser

Cabinet received a report of the Director of Legal and Governance Services, which set out the details of a Portfolio Holder Adviser and her area of responsibility.

A Non-Executive Non-Voting Cabinet Member welcomed an appointment to this post which had been created under his administration. In response, the Leader of the Council stated that her administration welcomed the opportunity to be able to have two experienced Members who would provide value for money.

RESOLVED: That the appointment of Councillor Christine Bednell as Portfolio Holder Adviser to the Portfolio Holder for Children and Schools with responsibility for Children and Schools be confirmed, together with the role profile set out at appendix A to the report.

Reason for Decision: To enable support to be provided to the Portfolio Holder in terms of information provision and management to contribute and ensure an effective decision-making framework as part of the democratic process.

Alternative Options Considered and Rejected: None.

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

702. Changes in Cabinet Panel / Consultative Forum Memberships

RESOLVED: That

- (1) Councillor Kam Chana replace Councillor Susan Hall as Chairman of the Harrow Business Consultative Panel;
- (2) Councillor Susan Hall replace Councillor Thaya Idaikkadar as Chairman of the Major Developments Panel;
- (3) in accordance with Council procedure Rule 1.5 and following notification by the Conservative Group, the following be noted:
 - (i) Councillor Stephen Greek's appointment as a main member of the Major Developments Panel from his Reserve Member position with Councillor Tony Ferrari being moved from his main Member position to serve as a Reserve Member;
 - (ii) Councillor Barry Macleod-Cullinane replacement of Councillor Marilyn Ashton as a main Member of the Employees' Consultative Forum with Councillor Ashton serving as a Reserve Member;

- (iii) Councillor Manji Kara's replacement of Councillor Susan Hall as a main Member of the Traffic and Road Safety Advisory Panel with the positions of reserve Members being varied with Councillor Hall serving as 3rd Reserve Member.

Reason for Decision: To meet with the requirements set out in the Constitution.

Alternative Options Considered and Rejected: None.

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

703. Key Decision Schedule - October to December 2013

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

704. Progress on Scrutiny Projects

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

705. Report from the Accessible Transport Scrutiny Review

Cabinet received for consideration a reference from the Overview and Scrutiny Committee setting out the recommendations of the Accessible Transport Scrutiny Review Group.

A non-voting non-Executive Cabinet Member referred to the report of the Scrutiny Review Group and highlighted it as a good example of cross-party work. He added that accessibility issues resonated throughout the report and he asked if the administration supported the campaign for the provision of full access at both Harrow-on-the-Hill and Stanmore Park Stations.

The Leader of the Council stated that the administration supported the cause and had raised the issue with the Mayor of London. The costs associated with making stations fully accessible were often vast and that a figure of £35m had been mooted in respect of Harrow-on-the-Hill Station. It was important that other alternatives were explored and that further discussions would take place when a response report to the recommendation of the Scrutiny Review Group was received by Cabinet.

RESOLVED: That the report of the Accessible Transport Scrutiny Review Group be welcomed and that the Corporate Director of Environment and Enterprise submit a report to the November 2013 meeting of Cabinet responding to the recommendations of the Scrutiny Review Group.

Reason for Decision: To ensure that the recommendation of the Scrutiny Review Group were addressed.

Alternative Options Considered and Rejected: None.

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

706. Regeneration in North Harrow, Replicating the Lessons in other parts of the Borough

Cabinet received a reference from the Overview and Scrutiny Committee commending the viability of the work carried out to reduce vacancy rates in North Harrow and to give similar consideration to those areas with 10% frontage vacancy, details of which were set out in the substantive report.

The Leader of the Council responded to a question from a non-voting non-Executive Member and undertook to ascertain why there had been an overspend on the Town Centre Website, as set out in the substantive report, which according to the Member ought to have cost in the region of £1,000. In relation to his question on the works carried out to a car park, the Portfolio Holder for Property and Major Contracts explained that parking bays had been constructed in the area that had previously been occupied by a market, namely in Blenheim Road. The same Member enquired about the cost of the festive lights and whether this was a one-off fixed cost.

The Portfolio Holder for Communications, Performance and Resources suggested that given that the money had already been spent, it would have been advisable to have raised questions earlier in the process. He added that the purpose of the report from the Overview and Scrutiny Committee had been to show how the money received from the Mayor of London had been used and to ascertain how the lessons learnt could be transferred to other district centres in the borough where vacancy rates were high. It would be for Cabinet to examine any measures at a future meeting.

RESOLVED: That the report be noted.

Reason for Decision: To give due consideration to the referral.

Alternative Options Considered and Rejected: None.

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

707. Report of the Harrow Partnership Board

Cabinet received a report of the Corporate Director of Resources, which summarised the discussion at the meeting of the Partnership Board held on 23 September 2013.

The Leader of the Council explained that this had been the Board's last meeting. The report set out that partnership working would continue under the Health and Wellbeing Board, Safer Harrow and Enterprising Harrow with co-ordination provided by the Harrow Chief Executives' Group.

RESOLVED: That the report be noted.

Reason for Recommendation: To brief Members on the future of the Board.

Alternative Options Considered and Rejected: None.

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

[Call-in does not apply where the item has been noted.]

708. Key Decision - 2013-2014 Property Disposal Programme

The Portfolio Holder for Property and Major Contracts set out the proposals for the disposal of 11 properties and one site, details of which were set out in the report, including the confidential appendix. He referred to the revised plan circulated for the public lavatories on Whitchurch Lane which also included the site occupied by an electricity sub-station as part of the proposed disposal. Another minor amendment was in relation to the public lavatories at Greenhill Way and that the OS Plan would not include the pavement/bus stop area. He referred to the rationale for the disposal of the various sites and commended the report to Cabinet.

The non-voting non-Executive Cabinet Members made the following comments:

- whether 231a Station Road could be refurbished for the borough's homeless;
- whether other properties too would be refurbished and why the Council was not able to refurbish them at the same price as a local builder;
- whether investment in properties in high costs areas would be carried out prior to their disposal in order to attain a higher capital receipt;
- why the properties could not be used to provide additional Council housing and the piecemeal approach to their disposal;
- why the Council could not set up an arms length organisation which could rent out the properties.

In response, the Portfolio Holder stated that it was not the Council's core business to refurbish properties. As a result, it would not be able to achieve economies of scale. Moreover, it would not be cost effective for the Council to refurbish and rent properties such as 231a Station Road which had been damaged by fire.

A non-voting non-Executive Member was of the view that the properties had been undervalued and that some maintenance and refurbishment would help maximise their values in the open market. He asked if any other properties and land had been discounted in meeting the savings set out in the Medium Term Financial Strategy (MTFS) target. The Portfolio Holder responded that the target set out by a former administration would not be met as an expected

disposal had not been achieved but he hoped that its disposal could be brought forward during the next financial year. He added that the Council was obliged to achieve best value and that the figures set out in the confidential appendix were estimates and that the prices would be the subject of negotiations in the open market. He added that he would ensure that maximum prices were achieved.

The same non-voting non-Executive Member stated that residents would be interested in the Portfolio Holder's views on appropriate developments for the site in Whitchurch Lane.

The Portfolio Holder for Property and Major Contracts responded to a question about the involvement of community groups on the proposed disposals and whether they had been encouraged to provide challenge. The Corporate Director of Environment and Enterprise reported that the Localism Act required community groups to register challenge and that no community groups had registered that challenge in any of the properties listed in the report.

The Portfolio Holder for Adults and Housing also responded to questions about the use of the money from the Housing Revenue Account to refurbish the properties. He explained that the Council did not have sufficient funds to bring the properties to Decent Homes Standard and that it would not be good use of tax payers' money. The Portfolio Holder for Planning, Development and Regeneration replied that conversions of offices in to flats were not earmarked by the Council as mentioned by a non-voting non-Executive Member but that they were classified as permitted development. He added that, whilst he did not support such conversions, the Council had to work within the framework set.

RESOLVED: That

- (1) the properties detailed in the report be declared surplus;
- (2) the financial implications and projected sale prices, detailed in Appendix 1 to the report, be noted;
- (3) the Corporate Director of Environment and Enterprise, in consultation with the Portfolio Holder and/or Leader of the Council, be authorised to take all action necessary to dispose of the Council's interest in the land and properties detailed for the best consideration that can reasonably be obtained.

Reason for Decision: To generate a significant capital receipt for the Council, generate a revenue saving and reduce backlog maintenance, thereby fulfilling part of the Medium Term Financial Strategy (MTFS) Work Stream.

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.

709. Key Decision - Planning Obligations Supplementary Planning Document

The Portfolio Holder for Planning, Development and Regeneration introduced the report, which proposed the adoption of the Planning Obligations Supplementary Planning Document (SPD) to aid in the effective implementation of the Harrow Local Plan and, in particular, Policy DM50 Planning Obligations.

The Portfolio Holder added that the report explained the Council's approach to the use of agreements under Section 106 of the Town and Country Planning Act 1990, which allowed the drafting of planning obligations between developers and the Council. The legal landscape within which planning obligations were considered had changed with the introduction of the Community Infrastructure Levy (CIL) for Harrow. The Council CIL would be used to fund strategic infrastructure, such as schools and healthcare. In addition, the money could also be used to improve public open spaces, highways and community safety. The use of S106 agreements was therefore more limited than in the past but importantly continued to be the mechanism to deliver affordable housing.

The Portfolio Holder thanked the Divisional Director of Planning and his team for their work on the SPD, including Members of the Local Development Framework Panel for their contributions at its meeting on 3 October 2013.

RESOLVED: That

- (1) the Planning Obligations Supplementary Planning Document (SPD), attached at Appendix B to the report, be adopted;
- (2) authority be delegated to the Divisional Director of Planning to make typographical corrections and any other necessary non-material amendments to the Planning Obligations Supplementary Planning Document (SPD) prior to formal publication of the SPD.

Reason for Decision: To afford weight to the SPD as a material planning consideration. To clarify the relationship between the Council's use of its Community Infrastructure Levy and Planning Obligations to reduce the planning risk of 'double dipping' when seeking or securing contributions from development towards specific infrastructure requirements.

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.

710. Key Decision - Parking Review - 20 Minutes Free Parking Initiative

The Leader of the Council and Portfolio Holder for Community Safety and Environment introduced the report, which set out the background to the Rayners Lane 20 minutes free parking trial and provided options for Cabinet's consideration on the future use of free parking periods in the borough.

The Portfolio Holder invited questions from Members and, having been asked that her administration was unlikely to expand the trial borough-wide, responded as follows:

- that the expansion of the businesses in North Harrow had been as a result of the excellent work carried out by the Head of Economic Development and Research (Minute 706 refers);
- the majority of shoppers required more than 20 minutes to do their shopping. The trial in Rayners Lane had increased the footfall by a small amount only and that unlike the previous administration, it was important that her administration did not rush into implementing a scheme which had not been fully researched;
- her administration would be looking to implement a fully researched scheme and she cited the example of a scheme that had been implemented in Hillingdon which had taken up to two years to implement. The Hillingdon Scheme had been linked to the Oyster Card and allowed a driver to park for one 20 minute session unlike the one in Rayners Lane. She explained that the trial in Rayners Lane had been open to abuse, as the same driver had been able to use the free parking by printing out a ticket at 20 minute intervals. The cost of the scheme, £1m, was considerable and unsustainable.

A non-voting non-Executive Cabinet Member referred to the contradictions within the report and asked what consultations had been carried out prior to formulating the report. He was of the view that free parking had brought economic viability for businesses. The Portfolio Holder reiterated that the 1-hour free parking in North Harrow had not revitalised the businesses which had declined in numbers and that it had been the splendid work carried out by the Head of Economic Development and Research that had helped to rejuvenate this area. A number of measures needed to be explored to bring about vitality to an area and free parking in itself was not an attraction.

In relation to the consultation, the Portfolio Holder replied that specific consultation had not been carried out but that the trial had provided sufficient information that this scheme was not right for implementation borough-wide bearing in mind that it would have unacceptable cost implications. She re-iterated that her administration supported free parking scheme(s) but this scheme was not the right one for the borough.

The same non-voting non-Executive Member was of the view that the arguments used for non implementation of the scheme had been based on the reduction of income from the issue of Penalty Charge Notices (PCNs).

The Portfolio Holder refuted this as chart 7 of the report did not support this argument, as it showed a variable result week-on-week and it was difficult to gauge a pattern. She added that the negligible impact of the scheme on footfall, as well as the cost of implementation and subsequent maintenance, including the implications for local taxpayers, were the key reasons for her administration's lack of support for this particular scheme being rolled-out borough-wide.

In response to questions about the risk register, comparisons with previous years issue of PCNs, lack of available parking spaces during the 20 minutes trial in Rayners Lane, the cost to the trader in loss of revenue, the Portfolio Holder remarked that a Risk Register ought to have been prepared by the previous administration prior to the trial, that there were issues with the entire scheme and not with the PCNs issued and that the administration would not be rushed in to a scheme that did not provide best value for residents and which required capital investment.

Another non-voting non-Executive Member referred to the public sector equality duty and questioned if a decision could be taken in the light of the lack of an Equality Impact Assessment (EqIA). In response, the Corporate Director of Environment and Enterprise stated that paragraph 2.50 of the report made reference to the rollout of a borough-wide scheme which would require a Traffic Order to be made. However, if the decision was against a rollout, no statutory process was required. The same non-voting non-Executive Member said the EqIAs ought to be updated in light of the comments made. The Portfolio Holder stated that it was important to understand why this particular scheme would not work for Harrow.

The non-voting non-Executive Members were of the view that the administration was not listening to the business community and the people of Harrow. One of them mentioned the work done by Mary Portas, a retail expert, in which she had highlighted the importance of free parking for town and district centres. Moreover, Eric Pickles, Secretary of State for Communities and Local Government, had suggested that parking on double yellow lines for 15 minutes ought to be allowed in the quest to revitalise town centres/ businesses. The Portfolio Holder vehemently denied that residents and businesses were being ignored and re-iterated that it was essential that an efficient scheme was implemented as the proposed one was costly.

The Deputy Leader of the Council clarified that PCNs were not issued to generate revenue. It was important that the borough's roads were safe to drive through. Parking on double-yellow lines would put other drivers and pedestrians at risk. He cited the example of the Westfield Shopping Centre in West London which charged shoppers to park and that it was the variety of shops available that attracted shoppers. An effective and fair scheme was needed for Harrow, as the proposal did not achieve its stated purpose. Moreover businesses would go elsewhere if Harrow did not have the right model. With the current scheme, a violation of 20 minute free parking was difficult to measure.

The Portfolio Holder for Communications, Performance and Resources stated that the surveys carried out in 2012 under the Labour administration had

shown that free parking was not a key driver for both businesses and residents. It was also important to note that the petition for free parking in Pinner was not supportive of this proposal. A poor scheme would have serious implications. In addition, it was important that the Section 151 Officer set out the financial implications of any decision whether it be a material factor or not in any decision taken.

The Portfolio Holder for Planning, Development and Regeneration that agreeing a scheme that was unsustainable financially would reduce the finances available for other service areas. The Portfolio Holder for Business and Enterprise reported that a 'shadow' survey in Rayners Lane had shown that free parking was not a key priority for the businesses. They had cited cleaner streets/pavements, safer areas and traffic as their priorities. A non-voting non-Executive Member referred to the previously received petition on the removal of free parking in North Harrow (Cambridge Road car park), arising from the 2011 to 2013 Parking Review, that had been signed by more than 2,000 people, and drew attention to the mentions of PCN income in the report, questioning the focus of the administration.

The Leader of the Council and Portfolio Holder for Community Safety and Environment stressed that her administration was not against free parking but it could not support a scheme that was not working as intended and was financially untenable. The administration could only support a scheme that was cost effective, efficient and properly supportive of local businesses.

RESOLVED: That

- (1) the review of the Rayners Lane free parking trial, as set out in the report, be noted;
- (2) having considered the implications of on-street free parking borough-wide and reviewed the options available, the following preferred option be agreed: Do not implement 20 minutes free parking in the borough and remove the Rayners Lane trial of 20 minutes free parking.

Reason for Decision: To ensure that a consistent parking charges policy was implemented.

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.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.56 pm).

(Signed) COUNCILLOR SUSAN HALL
Chairman