

# COUNCIL MINUTES

## 18 JULY 2019

- Present:**
- \* Councillor Nitin Parekh (The Worshipful the Mayor)
  - \* Councillor Ghazanfar Ali (The Deputy Mayor)
- Councillors:**
- |                          |                           |
|--------------------------|---------------------------|
| * Richard Almond         | * Ajay Maru               |
| * Dan Anderson           | * Jerry Miles             |
| * Jeff Anderson          | * Vina Mithani            |
| * Sue Anderson           | * Amir Moshenson          |
| * Marilyn Ashton         | * Chris Mote              |
| * Peymana Assad          | * Janet Mote              |
| * Camilla Bath           | * Angella Murphy-Strachan |
| * Christopher Baxter     | * Phillip O'Dell          |
| * Philip Benjamin        | * Paul Osborn             |
| * Michael Borio          | * Mina Parmar             |
| * Simon Brown            | * Varsha Parmar           |
| * Sarah Butterworth      | * Anjana Patel            |
| * Kam Chana              | * Primesh Patel           |
| * Ramji Chauhan          | * Pritesh Patel           |
| * Niraj Dattani          | * David Perry             |
| † Keith Ferry            | * Natasha Proctor         |
| * Pamela Fitzpatrick     | * Kanti Rabadia           |
| * Dean Gilligan          | * Kiran Ramchandani       |
| * Stephen Greek          | * Christine Robson        |
| * Chetna Halai           | * Lynda Seymour           |
| * Susan Hall             | * Mrs Rekha Shah          |
| * Graham Henson          | * Sachin Shah             |
| * Maxine Henson          | * Chloe Smith             |
| * John Hinkley           | * Norman Stevenson        |
| * Nitesh Hirani          | * Krishna Suresh          |
| * Honey Jamie            | * Sasi Suresh             |
| * Ameet Jogia            | * Adam Swersky            |
| * Jean Lammiman          | * Bharat Thakker          |
| * James Lee              | * Antonio Weiss           |
| † Dr Lesline Lewinson    | † Stephen Wright          |
| * Kairul Kareema Marikar |                           |

- \* Denotes Member present
- † Denotes apologies received

## PRAYERS

The meeting opened with Prayers offered by His Holiness Shri Rajrajeshwar Guruji, Founder and Spiritual Leader of the International Siddhashram Shakti Centre

### 90. COUNCIL MINUTES

**RESOLVED:** That the minutes of the meeting held on 16 May 2019 be taken as read and signed as a correct record.

### 91. DECLARATIONS OF INTEREST

Councillor Susan Hall declared an interest in that she was a Greater London Authority (GLA) Assembly Member and the Mayor of London may get mentioned during the course of the meeting.

#### Motion 2 – Declaring a Climate Emergency

Councillor Sue Anderson declared a non-pecuniary interest in that she was a member of the Royal Society for the Protection of Birds (RSPB) and the Natural History Society.

Councillor Kam Chana declared a non-pecuniary interest in that he worked for a car company.

Councillor Norman Stevenson declared a non-pecuniary interest in that he was a member of Friends of the Earth and Marine Conservation.

#### Motion 3 – Proper Funding for Public Services

Councillor Michael Borio declared a non-pecuniary interest in that he worked for the Department for Education.

Councillor Stephen Greek declared a non-pecuniary interest in that he was employed by the London Assembly.

#### Motion 4 – High Stakes Testing in Primary Schools

Councillor Michael Borio declared a pecuniary interest in that he worked for the Department for Education and would leave the Chamber for the discussion and voting on this item

Councillor Sarah Butterworth declared a pecuniary interest in that she was a teacher and a member of the NEU and would leave the Chamber for the discussion and voting on this item.

Councillor Ajay Maru declared an interest in that his wife was a teacher in Harrow.

Councillor Janet Mote declared a non-pecuniary interest in that she was a member of the NEU.

Councillor Angella Murphy-Strachan declared a pecuniary interest in that she was a teacher and a member of the NEU and would leave the Chamber for the discussion and voting on this item.

Councillor Antonio Weiss declared a pecuniary interest and would leave the Chamber for the discussion and voting on this item.

## **92. PROCEDURAL MOTIONS**

The Mayor drew Council's attention to the procedural Motion set out on the supplemental Summons in relation to Local Implementation Plan 3 and also to the tabled amendments to Motion 2 (Declaring a Climate Emergency) and Motion 3 (Proper Funding for Public Services).

The Leader of the Council moved a procedural Motion that Motion 2, Declaring a Climate Emergency, not stand referred to the Executive and be debated in accordance with Council Procedure Rule 15.7.1.

Upon being put to the vote, the procedural Motions were carried.

## **93. PETITIONS**

In accordance with Rule 10, the following petitions were presented:

- (i) Petition submitted by Councillor Nitesh Hirani containing 224 signatures concerning the alleyway/footpath linking Paulhan Road and Westfield Lane.

[The Petition stood referred to the Portfolio Holder for Environment].

- (ii) Petition submitted by Councillor Marilyn Ashton containing five signatures of residents of Spring Lake, Stanmore concerning traffic and parking issues.

[The Petition stood referred to the Portfolio Holder for Environment].

## **94. PUBLIC QUESTIONS**

To note that no questions had been received.

## **95. LEADER AND PORTFOLIO HOLDERS' ANNOUNCEMENTS**

- (i) The Leader of the Council, Councillor Graham Henson, introduced the item highlighting the achievements, challenges and proposals since the last ordinary meeting.
- (ii) Other Members of Council spoke and/or asked questions of the Leader of the Council which were duly responded to.

**96. STATEMENT BY THE CHAIR OF THE GOVERNANCE, AUDIT, RISK MANAGEMENT AND STANDARDS COMMITTEE**

Councillor David Perry, in his role as Chair of the Governance, Audit, Risk Management and Standards Committee read a statement to Council in relation to a Standards matter.

**97. COMMUNITY SAFETY PLAN**

**RESOLVED:** That the Community Safety, Violence, Vulnerability and Exploitation Strategy 2019/20 be endorsed and adopted.

**98. YOUTH JUSTICE PLAN**

**RESOLVED:** That the Youth Justice Plan 2019/20 be endorsed and adopted.

**99. 2 YEAR BUDGET STRATEGY 2020/21 TO 2021/22**

**RESOLVED:** That the addition of £100m to the Capital Programme, for long term commercial investment, be approved.

[Note: The Conservative Group wished to be recorded as having voted against the above resolution].

**100. LOCAL IMPLEMENTATION PLAN 3**

**RESOLVED:** That

- (1) the revised Transport Local Implementation Plan (LIP3) set out at Appendix A to the officer report be adopted; and**
- (2) the Corporate Director, Community be authorised to make minor changes and updates to the planned programme of investment, subject to additional information on funding being provided following approval of the LIP3 by Council.**

**101. APPOINTMENT OF CO-OPTEE TO THE PENSION FUND COMMITTEE**

**RESOLVED:** That Howard Bluston be re-appointed as a non-voting co-optee to the Pension Fund Committee for the Municipal Year 2019/20 under the working arrangements described in paragraphs 2 and 3 of the officer report.

**102. CONSTITUTION UPDATE**

**RESOLVED:** That

- (1) the additions to the terms of reference for the Chief Officers' Employment Panel as set out in Appendix 1 to the officer report be agreed;**

- (2) an Independent Panel, under Section 102(4) of the Local Government Act 1972, be appointed with membership and terms of reference as set out in Appendix 2 to the officer report;**
- (3) an Appeals Committee be appointed, with membership and terms of reference as set out in Appendix 3 to the officer report;**
- (4) the functions of full Council be amended to include ‘To confirm the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer, to impose a lesser sanction or to refer the matter back to the Chief Officers’ Employment Panel’;**
- (5) the Statutory Chief Officers Disciplinary Panel be removed from the constitution;**
- (6) the changes to the Officer Employment Rules as set out in Appendix 4 to the officer report be agreed;**
- (7) the Head of Human Resources be instructed to:**
  - (a) draw up a disciplinary procedure to apply to the Head of Paid Service, Monitoring Officer and Chief Finance Officer taking into account the model procedure in the JNC for Chief Executives (‘the JNC procedure’) and the decisions of Council;**
  - (b) make any consequential changes necessary to other Council HR procedures and Employee Handbooks;**
- (8) the Monitoring Officer, following consultation with the Leader of the Council and the Leader of the Opposition, be authorised to:**
  - (c) suspend the Head of Paid Service in cases of emergency as defined in the JNC procedure; and**
  - (d) refer matters of discipline (as defined in the disciplinary procedure) in respect of the Head of Paid Service to the Chief Officers’ Employment Panel;**
- (9) the Head of Paid Service, following consultation with the Leader of the Council and the Leader of the Opposition, be authorised to:**
  - (e) suspend the Monitoring Officer or Chief Finance Officer in cases of emergency as defined in the JNC procedure; and**
  - (f) refer matters of discipline (as defined in the disciplinary procedure) in respect of the Monitoring Officer or Chief Finance Officer to the Chief Officers’ Employment Panel;**
- (10) the amendments to Article 4 of the constitution, as set out in Appendix 5 to the officer report, be agreed;**

- (11) the amendments to Article 13 of the constitution, as set out in Appendix 6 to the officer report, be agreed;
- (12) subject to agreement by the Governance, Audit, Risk Management and Standards Committee on 16 July 2019, the amendments to the Code of Conduct for Councillors, as set out in Appendix 7 to the officer report, be agreed; and
- (13) the amendments to Part 3B of the constitution, as set out in Appendix 8 to the officer report, be agreed.

**103. INFORMATION REPORT - DECISIONS TAKEN UNDER THE URGENT ACTION PROCEDURE - COUNCIL**

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

**104. INFORMATION REPORT - DECISIONS TAKEN UNDER THE URGENCY PROCEDURE - EXECUTIVE**

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

**105. QUESTIONS WITH NOTICE**

To note that two questions were received and the recording of the questions and the answers given had been placed on the Council's website.

**106. MOTIONS**

- (i) Motion in the names of Councillor Peymana Assad and Councillor Kiran Ramchandani.

**“Harrow Council recognises working definition of Islamophobia Motion**

While the drive to tackle hate and discrimination in all its forms continues, there has been a disappointing normalisation in the media and in politics of some forms of hate in recent times, Islamophobia being one of them. As a diverse and vibrant borough where Muslims make up over 12% of the population, it is important that the Council signals its seriousness in tackling all forms of hate and discrimination against residents, and members of wider society. Following an extensive consultation, the All Party Parliamentary Group (APPG) for British Muslims has formulated a working definition of Islamophobia as:

- *Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness*

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism, and claims of a demographic ‘threat’ posed by Muslims or of a ‘Muslim takeover’.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the ‘Ummah’ (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations the right to self-determination.
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, e.g. loyalty tests.
- Using the symbols and images associated with classic Islamophobia (e.g. Muhammed being a paedophile, claims of Muslims spreading Islam by the sword or subjugating minority groups under their rule) to characterize Muslims as being ‘sex groomers’, inherently violent or incapable of living harmoniously in plural societies.
- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

This list is not exhaustive but forms guidelines to recognise markers of Islamophobia in today’s context.

Harrow Council resolves:

1. To formally adopt the working definition of Islamophobia as formulated by the APPG for British Muslims.

2. That the Council Leader and the Chief Executive write to Rt Hon James Brokenshire MP, the Secretary of State for Housing, Communities and Local Government, to request that HM government also supports the adoption of this definition of Islamophobia.”

**RESOLVED: That the Motion set out at (i) above be adopted.**

- (ii) Motion in the names of Councillor Sue Anderson and Councillor Kareema Marikar.

**“Declaring a Climate Emergency motion**

Council notes that:

- Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1°C from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm), exceeding the 350 ppm deemed to be a safe level for humanity;
- In Harrow, the high level of vehicle usage is a major contributor to poorer air quality and a detrimental effect on our residents’ health;
- The 2018 IPCC report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5°C;
- All governments (national, regional and local) have a duty to limit the negative impacts of climate breakdown, and local governments that recognise this should not wait for their national governments to change their policies. UK local authorities need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;
- Urban areas like Harrow are well placed to lead the world in reducing carbon emissions, as their higher density opens up a range of sustainable transport, buildings and energy opportunities;
- We need to continue to improve air quality, protect against flooding, and ensure our buildings, transport, waste and energy policies are environmentally sustainable.
- Harrow Council has already taken significant steps to reduce carbon emissions in the borough. For example, the council is currently installing electric vehicle charging points at key sites; has recently purchased a new fleet, the majority of which are zero emission electric vehicles; has rolled out food waste



recycling to all flats in the borough; advanced a programme of LED street lighting; supported schools to become more energy efficient.

In light of the above, the Council resolves to:

1. Join other councils in declaring a Climate Emergency;
2. Call on the UK Government to provide the necessary powers and resources to make local action on climate change easier;
3. Aim to make London borough of Harrow carbon neutral by 2030, taking into account both production and consumption of emissions;
4. Create a working group of officers and members to urgently review and make recommendations to Council for actions that the local authority can take in order to achieve this target;
5. Continue to work with across London and through the LGA to deliver widespread carbon reductions.”

A tabled amendment was received. Upon being put to the vote it was lost.

**RESOLVED: That the Motion set out at (ii) above be adopted.**

[In accordance with Council Procedure Rule 15.7.1, the Motion stands referred to the Executive].

- (iii) Motion in the names of Councillor Graham Henson and Councillor Adam Swersky.

**“Proper funding for public services motion**

Austerity has caused huge damage to communities up and down the UK, with devastating effects on key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people – and the services we all rely on, like clean streets, libraries, and community centres.

The idea that austerity was necessary has been disproved and its architects discredited, not least due to the soaring inequality and divisions they have let fester in the last decade. David Cameron said “we’re all in this together” but spent his time in office forcing cuts on the many while giving handouts to the privileged few. His predecessor Theresa May had to declare that “austerity is over”, despite planning a further £1.3bn of cuts to council budgets over the following year. Chancellor Philip Hammond’s callous remarks: “I reject that there are vast numbers of people facing dire poverty in this country,” show just how blind the Conservatives are to the havoc they have wreaked upon the country. The race to succeed Theresa May has shown just what a

con austerity was, with candidates making fast and loose promises of tax breaks for the richest members of our society, while saying nothing about the impact of cuts to the welfare state and education.

In Harrow, the impact of austerity has been shocking. Already one of the lowest funded councils in London, this government's reckless policies continue to put an unacceptable strain on our finances and cause damage to our residents.

This council notes:

- Over 30% of children in Harrow live in poverty and the inequalities within the borough are staggering, with child poverty rising to 40% in some wards.
- Last year, the Harrow food bank fed over 2617 people, including over 1041 children. Additionally, we have witnessed an increasing number of charities and voluntary groups and places of worship are providing free meals on a more regular basis.
- Since 2010, inequalities in life expectancy have increased in Harrow – men now live seven years longer and women five years longer in the richest parts of the borough compared to the poorest.
- The government has cut the budget of the Metropolitan police drastically, forcing a reduction in officer numbers with fewer 3,000 police officers and 3,000 fewer community support officers now operating in the capital compared to 2010.
- This has led to an explosion in violent crime – last year there were 135 violent murders in the capital, the highest number for 10 years.
- Harrow has also seen an increase in violent crime with knife crime becoming a more frequent occurrence.
- In order to put 1,000 officers back on the streets, the Mayor of London has increased council tax – shifting the burden for policing the capital away from general taxation and onto hard-pressed Londoners.
- The Young Harrow Foundation's Needs Analysis found that 20% of Harrow's young people need mental health support while 17% need help with suicidal thoughts or know someone who needs this help.
- Funding for youth services has been cut by a national average of 34% between 2010/11 – 2017/18, with London suffering the worst cuts in the country.

- This year, a report from the All-Party Parliamentary Group on Knife Crime has found a link between these cuts and the rise in youth violence which we have also witnessed in Harrow.
- The NHS continues to struggle under the financial pressures – in January 2017 the Red Cross warned of a ‘humanitarian crisis’ in the health service and currently patients are experiencing record waiting times for non-urgent care.
- School funding has fallen by 6.5% per pupil to the year 2019-20.
- Harrow council’s government grant has been cut by 97% (£50 million) over the last six years.
- The council is facing further funding gap of £26 million in the next two years.
- On top of these cuts, the council has increased its adult social care spend by 55%, leaving less and less money available for other vital services that our residents rely on.
- Inevitably, it is our residents who suffer these strains, whether it be through reduced services or increased council tax.

This council resolves:

- To call on the incoming leader of the Conservative Party and de facto new prime minister to take responsibility for the terrible human cost of their party’s austerity programme and make the necessary investment to properly fund public services.”

A tabled amendment was received. Upon being put to the vote it was lost.

**RESOLVED:** That the Motion set out at (iii) above be adopted.

- (iv) Motion in the names of Councillor Pamela Fitzpatrick and Councillor Maxine Henson.

**“Motion on high stakes testing in Primary Schools**

Harrow Council welcomes the Labour Party commitment to abolish SATs and other high-stakes testing in primary schools.

It notes that:

- 1) Statutory testing in primary schools has increased since 2010 and is increasing further: by 2020, children will be tested in Reception (the Baseline Assessment), Year 1 (the Phonics Screening Check), Year 2 (SATs), Year 4 (the Multiplication Tables Check) and Year 6 (SATs).

- 2) The pressures of statutory assessment contribute to the crisis of teacher morale, workload, recruitment and retention.
- 3) Tests are focussed on the requirements of school accountability rather than on support for children's learning.
- 4) The pressures of testing in primary schools have a detrimental effect on children's mental health.
- 5) Educational research has demonstrated repeatedly that teaching to the test narrows the curriculum and the educational experience of children, focussing on labelling not learning.
- 6) The National Education Union has agreed to carry out an indicative ballot of its members to ask for their views about the campaign to abolish high-stakes primary testing and whether they would be prepared to boycott statutory high-stakes tests in primary schools.

This Council believes that the groundswell of support from those who work in primary schools, parents and academics, supported by the More Than A Score campaign, clearly shows that there is major concern across the education sector with the increased testing of primary school pupils.

Harrow Council resolves:

- 1) To express its support for campaigns against the current system of primary assessment, including those organised by teacher unions and More Than A Score.
- 2) To facilitate a meeting of parents, school governors and trade unions to discuss the council's position on these matters and to coordinate a response.
- 3) To lobby the Secretary of State for Education to listen to the growing number of voices who are calling for the abolition of high-stakes testing in primary schools."

**RESOLVED: That the Motion set out at (iv) above be adopted.**

- (v) Motion in the names of Councillor Paul Osborn and Councillor Marilyn Ashton.

**"No Confidence in Councillor Keith Ferry Motion**

This Council Notes

- Councillor Keith Ferry has been Deputy Leader of the Council and Portfolio Holder responsible for Regeneration since 2014.

- The Red Assurance Report from Internal Audit on the Regeneration Programme on 04/01/19.
- The Report by External Consultants on the Harrow Regeneration Programme issued in November 2018.
- That the External Consultants found
  - “The overall regeneration objectives set were not sufficiently clear and were not weighted or prioritised. This has resulted in a lack of clarity of the objectives for each project.”
  - “a robust overall business plan for the regeneration programme was not in place. In addition summary business cases were not in place for each project and therefore the schemes were not being progressed against a clearly defined set of approved objectives or guidelines.”
  - “The lack of up to date and robust financial models for each project has resulted in decisions on design, procurement and phasing of development to be taken without knowledge of the financial implications. This has resulted in projects not adequately reflecting the regeneration objectives in particular the delivery of sufficient funding to cover the cost of the HNC and Byron Leisure element.”
  - A number of the projects had they continued would have lost millions of pounds for the Council.
  - “The Council has not had or applied an appropriate governance regime for a programme of this size, complexity and risk.”
- That the Internal Audit Report found
  - Whilst the Draft Strategy was agreed by Cabinet for public consultation, the Final Regeneration Strategy was never approved either by Cabinet or an Officer under delegated authority.
  - The Council’s mandatory project management framework was not used.
  - There was no evidence the overall programme was approved by Cabinet of CSB other than as part of the Capital Programme.
  - “The level and extent of financial reporting against individual business cases/projects and the programme overall prior to

2017/18 was as inadequate as it was infrequent, not based on SAP data or reconciled to SAP, did not cover capital and revenue expenditure, did not cover expected return and was not linked to project progress.”

- The decision “Harrow Strategic Development Partnership” taken by Cabinet on 30<sup>th</sup> May 2019 was called-in and was unanimously referred back to Cabinet by the cross-party Call-in sub-committee due to “the absence of adequate evidence on which to base a decision.”
- Cllr Ferry’s comments that he had a “closed mind” on this subject and the location of the new Civic Centre and had so since 2015 at the Cabinet Meeting that was to reconsider the “Harrow Strategic Development Partnership” decision.
- The Council has failed in its objective to move into a new Civic Centre by 2019 as set out in the “Harrow Ambition Plan 2020” approved by Council in 2016.
- The efforts of the Opposition Party to engage constructively in this programme.

#### This Council Believes

- That Councillor Ferry is ultimately responsible for the many failings of the Council’s Regeneration Programme.
- That the Council’s Regeneration Programme has cost millions of pounds and has failed to deliver on any significant Council project.

#### The Council Resolves

- That it has no confidence in Councillor Keith Ferry as Deputy Leader or Portfolio Holder responsible for Regeneration.”

Upon the meeting moving to a vote, ten Members rose and requested a Roll Call vote. The Motion was lost. The voting on the Motion was as follows:

#### **Roll Call Vote:**

**In Favour:** Councillors Almond, Ashton, Bath, Baxter, Benjamin, Chana, Chauhan, Greek, Halai, Hall, Hinkley, Hirani, Jogia, Lammiman, Mithani, Moshenson, Chris Mote, Janet Mote, Osborn, Mina Parmar, Anjana Patel, Pritesh, Patel, Rabadia, Seymour, Stevenson and Thakker.

**Against:** Councillors Ali, Dan Anderson, Jeff Anderson, Sue Anderson, Assad, Borio, Brown, Butterworth, Dattani, Fitzpatrick,

Gilligan, Graham Henson, Maxine Henson, Jamie, Lee, Marikar, Maru, Miles, Murphy-Strachan, O'Dell, Varsha Parmar, Primesh Patel, Perry, Proctor, Ramchandani, Robson, Rekha Shah, Sachin Shah, Smith, Krishna Suresh, Sasi Suresh, Swersky and Weiss.

**Abstain:** The Worshipful the Mayor Councillor Nitin Parekh.

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the meeting closed at 10.30 pm).