



# Present: The Worshipful the Mayor (Councillor Janet Cowan) The Deputy Mayor (Councillor Jean Lammiman)

# **Councillors:**

Nana Asante David Ashton Mrs Marilyn Ashton Mrs Camilla Bath Miss Christine A. Bednell Robert Benson Don Billson Mrs Lurline Champagnie Mrinal Choudhury Golam Sobhan Chowdhury John Cowan **Bob Currie** Margaret Davine Anthony Ferrari Keith Ferry Archie T. Foulds Brian E. Gate David Gawn Mitzi Green Susan Hall

Thaya Idaikkadar Nizam Ismail Manji. Kara Mrs E.M. Kinnear Ashok Kulkarni Dhirajlal Lavingia Barry Macleod-Cullinane Julia Merison Salim Miah Jerry J. Miles Vina Mithani Chris Mote Mrs Janet Mote Narinder Singh Mudhar John Nickolay Mrs Joyce Nickolay Christopher D. Noyce Phillip O'Dell Asad Omar

Paul Osborn Anjana Patel David Perry Raj Ray Richard David Romain Paul Scott Anthony Seymour Navin Shah Mrs Rekha Shah Stanley Sheinwald Eric Silver Dinesh Solanki Bill Stephenson Mrs Sasikala Suresh Yogesh Teli Keekira Thammaiah Mark A. Versallion **Thomas Weiss** Jeremy Zeid

# PRAYERS

The meeting opened with Prayers offered by the Reverend Mike Hall

# 167. <u>COUNCIL MINUTES:</u>

# **RESOLVED:**

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 APRIL 2007, AND OF THE ANNUAL COUNCIL MEETING HELD ON 10 MAY 2007, BE TAKEN AS READ AND SIGNED AS CORRECT RECORDS.

# 168. DECLARATIONS OF INTEREST:

There were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

# 169. MAYOR'S ANNOUNCEMENTS:

# **RESOLVED:**

THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF THE WORSHIPFUL THE MAYOR, AS TABLED, UPON HER OFFICIAL DUTIES, TOGETHER WITH THE OCCASIONS ON WHICH SHE HAD BEEN REPRESENTED BY THE DEPUTY MAYOR, THE HONORARY ALDERMAN AND PAST MAYORS, SINCE THE LAST COUNCIL MEETING.

# 170. QUEEN'S BIRTHDAY HONOURS LIST:

The following Harrow resident had received an award in the Queen's Birthday Honours list:-

Mr Tony Newman

Officer of the British Empire

# 171. PARACHUTE JUMP BY COUNCILLOR DAVID GAWN:

Having been invited to speak by the Mayor, Councillor David Gawn informed Council that he would be doing a sponsored parachute jump on Friday 21 September 2007 in aid of the Mayor's Special Appeal for 2007/08, the Teenage Cancer Trust. He hoped to raise £10,000.

Councillor Gawn received a round of applause.

# 172. PROCEDURAL MOTIONS:

There were no procedural motions from Members of Council.

# 173. PETITIONS:

The following petitions were submitted by Members of Council:

(1) Submitted by Councillor Mrs Lurline Champagnie, containing 25 signatures of residents, alleging anti-social behaviour by private tenants at an address in Pinner.

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

(2) Submitted by Councillor Mrs Kinnear, containing 41 signatures of residents of Harrow on the Hill, objecting to Planning Application P/1936/07/DFU for the retention of temporary classrooms for a further 3 years at John Lyon School.

[The petition stood referred to the Development Management Committee].

(3) Submitted by Councillor Christopher Noyce, containing 37 signatures of local residents, opposing Planning Application P/1281/07 for a detached house between 397 and 399 Torbay Road, Harrow.

[The petition stood referred to the Development Management Committee].

(4) Submitted by Councillor Raj Ray, containing 22 signatures of members of Roxeth Bowling Club, highlighting the problems faced by bowling clubs in Harrow following the increase in the Council's charges for clubhouses, and requesting assistance to help the Roxeth Bowling Club, and other clubs, remain viable. [The petition stood referred to the Portfolio Holders for Finance and Portfolio Co-ordination, Environment Services and Community and Cultural Services].

(5) Submitted by Councillor Yogesh Teli, containing 26 signatures of residents of Prescelly Place, opposing the introduction of any waiting restrictions in Prescelly Place.

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

(6) Submitted by Councillor Archie Foulds, containing 80 signatures of members of 8<sup>th</sup> Kenton Scout Group, requesting assistance in preventing the demolition of the Scout Group hut in light of the proposed disposal of the site by Brent Council for development.

[The petition stood referred to the Portfolio Holder for Community and Cultural Services].

# 174. PUBLIC QUESTIONS:

The following question had been submitted by a member of the public in accordance with Council Procedure Rule 12.3, and was answered orally:-

# QUESTION BY QUE

#### QUESTION OF

Ms Moji Sorunke

Portfolio Holder for Finance and Portfolio Co-ordination (Councillor David Ashton) "Can you explain why the Black History Month Advisory Group is being told that sponsorship money raised by residents from local businesses and organizations and held in trust by Harrow Council has been absorbed by the Council?"

**TEXT OF QUESTION** 

# 175. <u>CORPORATE PLAN 2007-2010:</u>

- (i) Further to Item 7 on the Summons, Council received Recommendation I of the Cabinet meeting of 21 June 2007 and, in the tabled documentation, Recommendation II of the Overview and Scrutiny Committee meeting on 10 July 2007. The Recommendations were moved by Councillor Chris Mote, Leader of the Council, and Councillor Stanley Sheinwald, Chairman of the Overview and Scrutiny Committee, respectively.
- (ii) Councillor Navin Shah moved, and Councillor Bill Stephenson seconded, an amendment which sought to amend a number of the flagship actions set out in the Corporate Plan, and add a number of new flagship actions to the Plan.
- (iii) Following a full debate, and upon a vote, the amendment was not carried.
- (iv) The meeting then moved to votes upon the substantive Recommendations; these were both carried and adopted.

# **RESOLVED:**

# THAT THE RECOMMENDATIONS BE ADOPTED AS PRINTED.

[Note: Under Council Procedure Rule 13.1 (Questions Without Notice), several questions were asked of Members of Cabinet by Councillors Margaret Davine, Phillip O'Dell, David Perry, Navin Shah and Bill Stephenson, to which oral answers were provided].

# 176. SUSPENSION OF COUNCIL PROCEDURE RULE 23.1:

During the above item, in light of problems with the microphones in the Council Chamber, it was proposed that Council Procedure Rule 23.1, requiring Members to stand when speaking at a meeting of Council, be suspended for the remainder of the meeting.

This received the general assent of Council.

# **RESOLVED**:

# THAT COUNCIL PROCEDURE RULE 23.1 (STANDING TO SPEAK) BE SUSPENDED FOR THE REMAINDER OF THIS COUNCIL MEETING.

# 177. <u>RECONFIGURING SCRUTINY:</u>

In the tabled documentation for the meeting, the Council received Recommendation I of the Overview and Scrutiny Committee meeting on 10 July 2007. The Recommendation was moved by Councillor Stanley Sheinwald, Chairman of the Overview and Scrutiny Committee.

Following debate and upon a vote, it was

#### **RESOLVED:**

# THAT THE RECOMMENDATION BE ADOPTED AS PRINTED.

#### 178. <u>RECOMMENDED CONSTITUTIONAL CHANGES:</u>

- (i) Councillor Paul Osborn, Chairman of the Constitution Review Working Group, moved the Recommendations arising from the meeting of the Working Group held on 2 July 2007.
- (ii) Councillor Margaret Davine moved, and Councillor Nana Asante seconded the following amendment, which after debate and upon a vote was not carried:

"Do not replace Rule 22.2 as per the CRWG recommendation but amend existing Rule 22.2(c) as follows:

For "150", substitute "50" After "(defined as anyone registered on the electoral roll of the Borough)" add "This procedure will be publicised to local residents".

Amend Rule 22.3 by replacing 'two' with 'ten', and after "in any municipal year." add "This situation will be reviewed at the end of the 2007/2008 municipal year."

(iii) Councillor Bill Stephenson moved and Councillor Navin Shah seconded the following amendment, which after debate and upon a vote, was not carried:

"In the new proposed Appendix 1 to be added to 4f, under "Reasons for refusal" delete the whole of '2. Financial Implications...' and renumber the subsequent points accordingly".

(iv) The meeting then moved to a vote upon the substantive recommendations; these were carried.

#### **RESOLVED:**

#### THAT THE PROPOSED CHANGES TO THE AUTHORITY'S CONSTITUTION AS ENDORSED BY THE CONSTITUTION REVIEW WORKING GROUP AND DETAILED IN ITS REPORT, BE APPROVED.

# 179. APPOINTMENT OF THE OVERVIEW AND SCRUTINY COMMITTEE:

- (i) Further to the approval of the proposal to re-establish the Overview and Scrutiny Committee with a membership of 12 and revised terms of reference (see Resolution 177 above), Council received notification, in the tabled documentation, of the nominations by the political groups for the membership and Chairman of the Committee.
- (ii) The proportional entitlement of the political groups to seats on the Committee having been noted, and the membership agreed, Councillors Stanley Sheinwald and Mitzi Green were each nominated to the chairmanship of the Committee. Upon a vote Councillor Sheinwald was appointed.

# **RESOLVED:**

THAT (1) THE PROPORTIONAL ENTITLEMENT OF THE POLITICAL GROUPS TO SEATS ON THE RECONFIGURED OVERVIEW AND SCRUTINY COMMITTEE (CONSERVATIVE: 8; LABOUR: 4) BE NOTED; AND

# (2) THE OVERVIEW AND SCRUTINY COMMITTEE BE RE-ESTABLISHED FOR THE REMAINDER OF THE MUNICIPAL YEAR 2007/2008 WITH THE MEMBERSHIP AND CHAIRMAN NOW AGREED (as set out in Appendix 1 to these Minutes).

# 180. PORTFOLIO HOLDER ROLE DESCRIPTIONS:

The Council received a report of the Leader of the Council, which set out role descriptions for Portfolio Holders.

# **RESOLVED:**

# THAT THE PORTFOLIO HOLDER ROLE DESCRIPTIONS BE NOTED.

# 181. MEMBERS' ALLOWANCES SCHEME 2007-2008:

- (i) At Item 12 on the Summons, the Council received a proposal from the Leader of the Council for a revised Members' Allowances Scheme from 1 August 2007, the effect of which was to increase the Basic Allowance from £5,526 to £6,526 pa, and to replace Schedule 1 to the Scheme, which set out the Special Responsibility Allowances.
- (ii) A revised Schedule 1 to the Scheme was circulated in the tabled documents. Councillor Chris Mote, the Leader of the Council, formally moved the proposal.
- (iii) Following a full debate, Council undertook a vote on the revised Scheme excluding Schedule 1, which was carried.
- (iv) The posts specified in Schedule 1 as attracting a Special Responsibility Allowances were then each the subject of separate votes, consequent on which the Special Responsibility Allowances for the Leader of the third largest Group, the Deputy Leader of the second largest group and the Chief Whips of the two largest Groups were lost, and the remaining Special Responsibility Allowances in the Schedule were carried.

# **RESOLVED**:

# THAT THE MEMBERS' ALLOWANCES SCHEME FOR 2007/2008, AS NOW REVISED, BE ADOPTED WITH EFFECT FROM 1 AUGUST 2007 (as set out in Appendix 2 to these Minutes).

[Note: Under Council Procedure Rule 13.1 (Questions Without Notice), a question was asked of Councillor Chris Mote, Leader of the Council, by Councillor Bill Stephenson, to which an oral answer was provided].

# 182. <u>QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13)</u>:

The following two questions had been submitted by Members of Council in accordance with Council Procedure Rule 13.2, and were both answered orally:-

# QUESTION BY QUESTION OF T

# TEXT OF QUESTION

- (1) Councillor Jerry Miles Portfolio Holder for Environment Services (Councillor Susan Hall) "Does the Portfolio Holder agree that the cancellation of last month's Traffic & Road Safety Advisory Panel is indicative of the
- (2) Councillor Raj Ray
   Portfolio Holder for Schools and Children's Development (Councillor Miss Christine Bednell)

"The recent study conducted by country's leading expert in the field of Autistic Spectrum Disorder at the Autistic Research Centre at Cambridge University shows that as many as one in 58 children may have some from of Autistic condition.

administration's total lack of ideas and initiatives to improve traffic and road safety in the Borough?"

Have the Council's education department or Council as a whole have carried out any study recently at local level to find out how many children and young people have this disorder and made provision for better educational facilities and improve the employment and learning opportunities?"

[Notes: (i) With the consent of Council, the Member submitting question (2) made a minor correction to the question, as set out above;

(ii) under the provisions of Rule 13.5, the Members submitting the above questions each asked a supplementary question, which was also answered orally].

#### 183. OPERATION AND PROVISIONS FOR CALL-IN AND URGENCY:

In accordance with Overview and Scrutiny Procedure Rule 23 which required Members to monitor annually the operation of the provisions for call-in and urgency, the meeting received a report of the Director of Legal and Governance Services on this matter.

# **RESOLVED:**

THAT THE OPERATION OF THE CALL-IN AND URGENCY PROCEDURES, AS NOW REPORTED, BE NOTED.

# 184. <u>DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND USE OF THE</u> <u>SPECIAL URGENCY PROCEDURE:</u>

The meeting received a report of the Director of Legal and Governance Services which provided a summary of the urgent decisions taken, and the use of the special urgency procedure, since the meeting of Council on 26 April 2007.

# **RESOLVED**:

THAT (1) THE URGENT DECISIONS TAKEN BY THE LEADER AND CABINET SINCE THE COUNCIL MEETING ON 26 APRIL 2007, AS NOW REPORTED, BE NOTED;

(2) THE ONE OCCASION ON WHICH THE SPECIAL URGENCY PROCEDURE HAD BEEN USED SINCE THE LAST ORDINARY COUNCIL MEETING BE NOTED.

# 185. URGENT DECISION ON A MATTER RESERVED TO COUNCIL:

In accordance with the delegations to Chief Officers, the Leaders of each of the political groups on the Council had been consulted on and agreed an urgent decision on behalf of the Council, being a matter reserved to Council.

#### **RESOLVED:**

THAT THE DECISION TAKEN UNDER DELEGATION TO CHIEF OFFICERS ON BEHALF OF COUNCIL, AS NOW REPORTED, BE NOTED.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 10.23 pm).

# **APPENDIX 1**

# **OVERVIEW AND SCRUTINY COMMITTEE** (12)

(Membership in order of political group nominations)

**Conservative** 

Labour

(8)

(4)

B E Gate

Members

**Don Billson** Mrs Janet Cowan Myra Michael Anthony Seymour Stanley Sheinwald\* (CH) Dinesh Solanki Yogesh Teli Mark Versallion

Mitzi Green\*(VC) **Jerry Miles** 

Bill Stephenson
 Phillip O'Dell

3. Navin Shah 4. Mrs Rekha Shah

Mrs Margaret Davine

# **Reserve**

- Ashok Kulkarni Members 2.
  - Manji Kara
     Mrs Kinnear 3.

  - 5. Barry Macleod-Cullinane

1. Robert Benson

- Mrs Lurline Champagnie 6.
- 7. Mrs Vina Mithani
- 8. Jeremy Zeid

Voting Co-opted Members:

- Two representatives of Voluntary Aided Sector (1)
  - Mrs J Rammelt/Reverend P Réece
- Two representatives of Parent Governors (2)
  - Mrs D Speel (Primary)/Mr R Chauhan (Secondary)

(VC)

= Chair = Vice-Chair

Denotes Group Members for consultation Delegated Action and/or on administrative matters.

# APPENDIX 2

# LONDON BOROUGH OF HARROW

# MEMBERS' ALLOWANCES SCHEME

1. This scheme shall have effect until 31st March 2008. It replaces all former schemes.

# **Basic Allowance**

2. A basic allowance of £6,526 per annum shall be paid to each Councillor.

# **Special Responsibility Allowance**

- (1) A special responsibility allowance shall be paid to those Councillors who have the special responsibilities in relation to the posts specified in Schedule 1 to this scheme. No Member may receive special responsibility allowances in respect of more than one post.
  - (2) The amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

# Uprating the Basic and Special Responsibility Allowances

4. The basic allowance and special responsibility allowances will be uprated annually in line with an index approved by the ALG Independent Panel. The index to be used will be the level of the Local Government Pay Settlement. When making the scheme for 2008/2009, the indexing arrangements will be reviewed.

# **Travel and Subsistence Allowances**

5. The reimbursement of travel and subsistence expenses incurred in respect of **approved duties** (as set out in Schedule 2) **undertaken outside the Borough boundaries** can be claimed by Members, co-optees to formal Council committees and Independent Members of the Standards Committee at the rates paid and on the conditions specified in the officer scheme for travel and subsistence allowances.

# **Carers' Allowance**

- 6. (1) The allowance shall only be paid for attendance at approved duties as listed in Appendix A.
  - (2) The maximum basic rate of pay is £2.77 per half hour for the duration of the meeting together with the Member's travel time between home and the place of the meeting and the carer's reasonable travelling time.
  - (3) The allowance is claimable in respect of children aged 15 or under or where a professional carer is required to meet a specialist need (eg a nurse for an elderly person).
  - (4) Actual costs will be paid on production of an invoice or receipt.
  - (5) Where the length of the meeting cannot be predicted and payment to the carer is necessarily contractually committed then a payment of up to 4 hours will be made. (For day time quasi-judicial meetings, payment of up to 8 hours may be made if the estimated length of the meeting is for the whole day).
  - (6) In addition, the reasonable travelling expenses of the person taking care of the dependent shall be reimbursed either at the appropriate public transport rate, or in

cases of urgency or where no public transport is available, the amount of any taxi fare actually paid.

- (7) The allowance is not to be paid where the carer is a member of the Member's household.
- (8) Any dispute as to the entitlement and any allegation of abuse should be referred to the Standards Committee for adjudication.

# **Co-optees' Allowance**

7. A basic allowance of £423 per annum shall be paid to co-optees to formal Council committees and Independent Members of the Standards Committee.

# **Claims and Payments**

- 8. (1) A claim for allowances or expenses under this scheme shall be made in writing within two months of the date of undertaking the duty in respect of which the entitlement to the allowance or expense relates.
  - (2) Payment shall be made
    - (a) in respect of basic and special responsibility allowances, in instalments of onetwelfth of the amount specified in this scheme each month;
    - (b) in respect of out-borough travel and subsistence expenses and Carers' Allowance, each month in respect of claims received up to one month before that date.

# Backdating

9. Any changes made to this scheme during the year may be backdated to 1st April 2007 by resolution of the Council when approving the amendment.

# Pensions

10. Allowances paid under the Harrow Members' Allowances Scheme will **not** be pensionable for the purposes of the Superannuation Act.

# Renunciation

11. A person may, by notice in writing given to the Chief Executive, elect to forgo any part of his/her entitlement to an allowance under this scheme.

# Withholding Allowances

- 12. (1) In the event that a Member is suspended from duties, that Member's basic allowance and special responsibility allowance (if any) will be withheld for the whole period of the Member's suspension.
  - (2) In the event that a Member is partially suspended from duties, that Member's basic allowance will be paid but their SRA, if any, will be withdrawn for the period of the partial suspension.

# Appendix A

# Approved duties for Carers' Allowance

- A meeting of the Executive.
- A meeting of a committee of the executive.
- A meeting of the Authority.
- A meeting of a committee or sub-committee of the Authority.
- A meeting of some other body to which the Authority make appointments or nominations, or
- A meeting of a committee or sub-committee of a body to which the Authority make appointments or nominations.
- A meeting which has <u>both</u> been authorised by the Authority, a committee, or subcommittee of the Authority or a joint committee of the Authority and one or more other authorities, or a sub-committee of a joint committee <u>and</u> to which representatives of more than one political group have been invited (if the Authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups).
- A meeting of a Local Authority association of which the Authority is a member.
- Duties undertaken on behalf of the Authority in pursuance of any Procedural Rule of the Constitution requiring a member or members to be present while tender documents are opened.
- Duties undertaken on behalf of the Authority in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises.
- Duties undertaken on behalf of the Authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996.

# **SCHEDULE 1**

# SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)

There are 7 bands of SRAs:-

Band	Post	SRA - £/annum
1	Chairman of the Audit Committee Performance Lead Member for Scrutiny Policy Lead Member for Scrutiny	1,233
2	Chairman of Licensing and General Purpose Committee Chairman of the Standards Committee Performance Lead Member for Scrutiny with statutory responsibility Policy Lead Member for Scrutiny with statutory responsibility Support Members for Cabinet Deputy Mayor	2,466
3	Chairman of the Traffic Advisory Panel Chairman of the Grants Advisory Panel Nominated Member of the largest party not holding the Chair of the Development Management Committee	4,932
4	<ul> <li>Chairman of the Development Management Committee</li> <li>Chairman of the Overview and Scrutiny Committee</li> <li>Chairman of the Performance and Finance Scrutiny Sub- Committee</li> <li>Nominated Member of the largest party not holding the Chair of the Overview and Scrutiny Committee</li> <li>Nominated Member of the largest party not holding the Chair of the Performance and Finance Scrutiny Sub- Committee</li> <li>Leader of the Second Largest Group</li> </ul>	6,936
5	The Mayor	10,050
6	Cabinet Members x 8 Deputy Leader	13,233
7	Leader	19,848

# <u>NOTE</u>

In the Council for 2006 to 2010, the Groups are as follows:-Largest Group = Conservative Group Second Largest Group = Labour Group Third Largest Group = Liberal Democrat Group

# SCHEDULE 2

# CLAIMS FOR OUT-OF-BOROUGH TRAVEL AND SUBSISTENCE EXPENSES

# Duties Undertaken Out-of-Borough

Claims for travel and subsistence expenses incurred can normally only be paid in respect of approved duties undertaken at venues out of the Borough. Expenses will be reimbursed at the rates paid and on the conditions specified in the officer scheme for travel and subsistence allowances.

- 1. Members may claim travel and subsistence expenses in respect of the following <u>out-of-</u> <u>Borough</u> duties:-
  - (a) Attendance at any meeting which may be convened by the Authority provided that Members of at least two groups are invited and the meeting is not convened by officers.
  - (b) Attendance at a meeting of an outside body to which the Member has been appointed or nominated as a representative of the Council, where the Outside Body does not itself operate a scheme to reimburse travel and subsistence expenses.
  - (c) (i) attendance at an appropriate out-of-Borough conference, seminar, meeting or other appropriate non-political event as a representative of an Outside Body to which that Member has been either nominated or appointed by Council to serve in a role with a specific pan-Authority remit;
    - (ii) attendance at meetings in the capacity of a direct appointee of a Local Authority Association, joint or statutory body or other London-wide or national body subject to the following proviso:

that the Member serves on the appointing body by virtue of an appointment made by Council to an authorised Outside Body;

subject in either case to the Outside Body/Bodies concerned themselves not making provision for any travel and subsistence expenses necessarily incurred.

- (d) Attendance at a meeting of any association of local authorities of which the Authority is a member and to which the Member has been appointed as a representative.
- (e) Attendance at a training session, conference, seminar or other non-political event, the attendance fees for which are being funded by the Council through a Departmental or a corporate budget.
- (f) Attendance at any training session, conference, seminar or other non-political event for which there is either no attendance fee or any attendance fee is being met by the Member him/herself (or from the relevant political group secretariat budget) subject to the relevant Director confirming that the content of the training, conference, seminar or event is relevant to the Member's responsibilities in respect of the services provided by the Authority or to the management of the Authority.
- 2. Duties for which out-of-Borough travel and subsistence expenses may not be claimed include:-
  - (a) Political meetings or events.
  - (b) Any meetings of 'Outside Bodies' to which the Member has not been appointed or nominated by the Council as its representative.
  - (c) Meetings of the Governing Bodies of Schools.