

CABINET MINUTES

14 JANUARY 2010

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Jean Lammiman
 * Miss Christine Bednell * Barry Macleod-Cullinane
 * Tony Ferrari * Paul Osborn
 * Susan Hall * Mrs Anjana Patel

In attendance: Graham Henson Minutes 741 and 743
(Councillors) Bill Stephenson Minute 743

* Denotes Member present

739. Declarations of Interest

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
13. Key Decision – London Councils London Borough Grants Scheme 2010-11	Councillor Barry Macleod-Cullinane	Declared a personal interest in that he was an employee of London Councils Ltd. He would remain in the room whilst the matter was considered and voted upon.

740. Minutes

RESOLVED: That the minutes of the meeting held on 17 December 2009 be taken as read and signed as a correct record.

741. Petitions

Councillor Graham Henson presented a petition signed by 191 people in relation to the South Harrow Post Office. The petition was in addition to a previous submitted to Council on 29 October 2010.

Councillor Graham Henson read out the terms of the petition which were as follows:

“We the undersigned are appalled at the recent closure of the Post Office in South Harrow leaving the shopping centre devoid of Post Office services, which is seriously affecting the residents and businesses alike.

We the undersigned call on Harrow Council and Gareth Thomas MP to urgently make representation to Post Office Ltd to seek the immediate reinstatement of a Crown Post Office in the South Harrow Shopping Centre.”

RESOLVED: That the petition be received and referred to the Corporate Director Place Shaping.

742. Public Questions

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

1.

Questioner: Ann Freeman

Asked of: Councillor Barry MacLeod-Cullinane, Portfolio Holder for Adults and Housing

Question: The social care component of mental health service provision is covered by a Section 75 Agreement between Harrow Council and Central and North West London NHS Foundation Trust.

What social care services are currently being commissioned under this Agreement by the Council and on whose advice, please?

Answer: In February 2007, Cabinet agreed to conclude a formal partnership arrangement with Central North-West London NHS Foundation Trust to establish an integrated service for adults with mental health problems. The following social care services form part of that agreement:

- approved mental health professional service;
- social work assessment and care management functions;

- day care services;
- residential care;
- nursing home care;
- mental health specific commissioned services.

Furthermore, the Council remains responsible for statutory functions, including guardianship applications and the authorisation of officers to undertake the function of Approved Mental Health Professionals.

Supplemental Question: How does the Council ascertain whether these services are fulfilling the needs of people with mental health problems?

Supplemental Answer: The Council has performance frameworks, which judge the different types of services. The Council would also look at how the users are involved.

I am happy to meet with you to discuss a specific issue or a failing. It would be helpful if you could provide an illustration of where the service might be failing so that the Council can investigate a change in the management framework and tackle the problem.

2.

Questioner: Huw Davies

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance

Question: Can I have an update on the talks with the Post Office Limited on the replacement of South Harrow Post Office which took place on 8 January 2010 together with a date when the Crown Post Office will be opened in the South Harrow Shopping Centre?

Answer: The meeting on 8 January 2010, involving the Council's Chief Executive, Post Office managers, various Members and I, was cancelled by the Post Office due to the adverse weather conditions. For health and safety reasons, the representatives from the Post Office, who were coming from the south coast, indicated that they could not travel to attend the meeting in Harrow. Therefore, unfortunately, the meeting did not take place.

However, we have received an update from the Senior External Relations Manager, London and South East, in respect of the progress made to reopen the South Harrow Post Office. The following letter was received on 11 January 2010:

“Following the unforeseen closure of South Harrow Post Office at the end of October last year, a number of applicants have come forward to run a Post Office in the South Harrow area. Our Agency Recruitment team is currently reviewing these applications, their business plans and the suitability of applicants' premises as potential Post Office branches. I am sure you understand that whilst these reviews are underway, we are unable to share any further details with you at this point in time.

It can typically take around three to six months to restore a Post Office service and as soon as we have any further progress to report, I will be happy to let you know.”

The Council is also trying to re-schedule the postponed meeting.

Supplemental Question: It is now three months since South Harrow Post Office has closed. The Post Offices Limited has not met the requests of the petitioners. What are the Council and the local MP for Harrow West going to do for those who have signed the petition, which urges the restoration of a Crown Post Office in South Harrow?

Supplemental Answer: It is not within the Council's power to compel the Post Office to do anything and I am satisfied that the Council has done all that it can.

Following the cross-party Council motion, officers wrote to the Post Office Ltd requesting a meeting. The Post Office promised to meet with the Council. The Council was ready to meet representatives from the Post Office on 8 January 2010, which was the first date given by them. If I may say so, the fact that they choose to have people from the south coast come to the meeting and then cancel because of the snow is hardly our fault.

The Chief Executive and I have made every effort to get the Post Office to be responsive and we will carry on so doing, but if they will not co-operate and if they confirm their latent inefficiency in terms of responding to this problem, there is little the Council can do.

I endorse the fact that the Post Office has been slow in responding to this matter and the Council will continue to endeavour to pursue this matter.

I am unable to comment on what the MP for Harrow West should or should not have done.

3.

Questioner: John Shahbazian

Asked of: Councillor Barry MacLeod-Cullinane, Portfolio Holder for Adults and Housing

Question: What steps are the Council taking to ensure that staff employed or supervised by Central and North West London NHS Foundation Trust are adequately trained to meet the needs of those under their care?

Answer: I assure you that the Council takes issues around safeguarding seriously.

The Section 75 Agreement contains a schedule which sets out the requirements on Central and North West London NHS Foundation Trust in relation to staffing arrangements, which includes the recruitment of appropriately qualified and experienced staff, training for staff, safeguarding of vulnerable adults and supervision and annual appraisals.

Supplemental Question: From my point of view of me, I would like to be assured that my money is being spent to provide the services adequately. As I have not seen any questionnaires, what steps does the Council take to ensure that the service is satisfactory?

We have received a great deal of information on how satisfactory "Confidence for Life" was providing and that feedback was given to the Council but nothing has come back to us to say that they were taking it on board.

Supplemental Answer: Both the Corporate Director for Adults and Housing and I will be meeting the Chief Executive of Central and North West London NHS Foundation Trust on 22 January 2010. We have a number of points to discuss with her and "Confidence for Life" is one of those. We will ensure that we raise your issue.

Following this meeting, the Council will meet with the users and carers, possibly during the following week and report back on the discussions. In terms of safeguarding, I will make sure that quality outcomes are being achieved for people with mental health issues, their carers and families. The Council will ensure that there is scrutiny of the Trust's arrangement with us, with a view to ensuring best outcomes.

4.

Questioner: Joan Penrose

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

Question: In your reply to my question at the meeting of the Cabinet on 17 December 2009, you replied that you were happy to meet mental health service users and family members again to discuss the range of services required to meet their needs under the Section 75 Agreement between the Harrow Council and CNWL.

Who is involved in the negotiations involved with the rewriting of this Agreement, which must be finalised by 1 April 2010, and what is the timetable for the involvement of mental health service users and their families in the consultation process?

Answer: Jason Jongali, who has recently been appointed as the Joint Mental Commissioner, is leading the review of the Section 75 Agreement. Consultation events are being planned during February 2010 and service users, carers and their families will be invited to those events. In addition, discussions are taking place with MIND in Harrow, who have offered their support in this regard.

As mentioned in my answer to the previous questioner, I will be meeting with the Chief Executive of Central and North West London NHS Foundation Trust to discuss a range of issues. Thereafter, I would like to meet with you and other carers and users possibly during the following week to go through specific issues in addition to the Section 75 consultation.

Supplemental Question: Does everybody here appreciate the fact that service users and carers are very unhappy with the present consultation system in mental health, which involves the Partnership Board for Mental Health and the Local Implementation Team meetings. We have found that rather than the Council and the Primary Care Trust representatives on these boards listening to what we have to say, we often find that they appear to be in cahoots with each other and not really taking us seriously?

Supplemental Answer: I do appreciate the issue and share your concerns about mental health and the need to provide a service that is supportive of people with mental health needs. As I have mentioned in previous meetings and at the Mental Health Carers' Conference before Christmas, the issue

often goes unnoticed because it is not physical but it can devastate to even more of an extent than can a physical illness.

I am very conscious that the Council needs to examine how it provides support and improve any engagement areas that you are telling us we are falling down on. The Council wants to ensure that the service provided is right, otherwise it is not going to get the services structured in the way that actually delivers for our mental health users, carers and their families which is fundamentally important.

**Councillor
David
Ashton:**

I would suggest, if I may, it would be more valuable if the very questions that you ask were preceding the Cabinet meetings by way of meetings with the Portfolio Holder and Officers. Thereafter, the questions at Cabinet meetings could emphasise the issues that you are unhappy with. I do not see why we should not institute this course of action, and if there is a particular concern in terms of the consultation process, which is a generic question, I would be happy to come along to that meeting as well.

743. Councillor Questions

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

1.

Questioner: Councillor Graham Henson

Asked of: Councillor Susan Hall, Portfolio Holder for Environment Services and Community Safety

Question: Does Harrow Council have a strategy and an operational plan to deal with dangerous dogs - especially following up reports of banned Pit Bulls being kept by Harrow residents, and in the context of these wider concerns, how many dog wardens does Harrow Council employ and what steps will be taken to increase the number of dog wardens in neighbourhoods where there is a clear demand?

Answer: Up until recently, the Council has not had many problems with dogs but, it did start looking into this about nine months' ago as other boroughs in London were experiencing problems with dogs. The Council has begun looking into procedures but Harrow has been fortunate in not needing to prioritise this.

The topic of dangerous and status dogs has recently

been flagged for city-wide action by the Mayor of London and I attended a meeting at City Hall recently on the subject.

As with the rest of the country, responsibility for dealing with dogs is shared by the Police and the local authority. The Police have responsibility for dealing with dogs of illegal breeds, including American Pit Bulls. One of the problems faced by Councils is that the majority are cross-bred and therefore they are not banned. This is an issue that the RSPCA and the Status Dogs Unit are facing.

The local authority has responsibility for dealing with stray dogs. Harrow Council currently has an Animal Services team of four officers who deal with stray dogs as part of their work. The Council has linked to a combination of dogs' homes. Unfortunately, when they get fully booked it has to place the dogs into private kennels in order to ensure that the dogs are cared for properly.

The Council is currently working with the Police to develop further the partnership response to the issues of dangerous and "status" or "weapon" dogs. Through the joint tasking meetings that are held regularly, the situation is locally monitored. It is particularly important that, in the light of the recent horrific attack in South Harrow, the gathering of 'intelligence' through the Safer Neighbourhoods Teams takes place.

Officers are also working on proposals to control dog ownership among Council tenants by placing new conditions in tenancy agreements, which would include requirements to have dogs approved and micro-chipped, before permission is granted for tenants to keep them. Officers are also looking at a number of schemes linked to parks and open spaces which would assist in controlling the owners of these dogs and their "pets".

I must stress that the Council is not in any way seeking to restrict the lives of responsible dog owners or the rights of responsible individuals to keep dogs. All the work in this area will be proportionate and will seek to protect the community at large from the anti-social and dangerous activities of a small number of irresponsible individuals.

Supplemental Question: I was attacked by one of these dogs two years' ago, along with eleven other residents on separate occasions. The dog owner was a Harrow tenant. I am therefore surprised that it has taken nine months. It is

also within the Compact and leaseholder agreement that residents cannot keep dogs in flats but this has never been followed through.

I understand what the Council would like to do but how will this happen when it is withdrawing services i.e. producing a saving of £84,000 on animal services out of a budget of £165,000 and has not got the dog wardens in place to be able to cope with the situation? It is the Council's responsibility to control the problem and reports of problem dogs are not being pursued. It took one resident nearly two years to solve the problem.

Supplemental Answer: As mentioned earlier, Harrow does not have a major problem of dangerous dogs. The Council is responsible for stray dogs and is performing well in this area.

The Police are responsible for dangerous dogs. If anybody knows of some dog that they consider dangerous, they should report it to the Police and it will investigate. The problem is that so many of the bull terriers are cross-breeds. The cross-breeds do not come under the 1991 Dangerous Dog Act and it requires an expert to identify a pure-breed from a cross-breed.

The subject of an Anti-Social Behaviour Unit is currently under discussion. It would appear that the Anti-Social Behaviour Unit of the Housing Department might merge with that under my Portfolio. This course of action will give strength to that particular area.

The challenge is in dealing with the anti-social behaviour of the owners of these specific dogs. The situation will be monitored and whilst Harrow does not have a problem, the Council is determined that a problem does not arise in the future.

2.

Questioner: Councillor Graham Henson

Asked of: Councillor Susan Hall, Portfolio Holder for Environment Services and Community Safety

Question: How many staff are employed by Harrow Council to sweep the streets on foot a) By permanent contract, b) By temporary contract and c) On another contractual basis? How are they allocated across the Borough? How many staff are employed by Harrow Council and on what contractual basis a) to c) to clean the streets using mechanised street sweepers? How are they allocated across the Borough?

Answer: Harrow employs 100 staff all directly employed on permanent contracts.

- In the Blitz Team, which started about two years' ago, there are 12 staff who deal with the removal of graffiti and fly tipping together with project work on a responsive borough-wide basis. So basically they go wherever they are needed.
- Harrow Town Centre and the Greenhill Ward is covered by 10 staff.
- Wealdstone and Harrow Weald are covered by 8 staff.
- The Council has 12 beat sweepers who cover the major shopping areas.
- 15 staff cover the minor shopping areas and the major routes.
- 6 staff drive mechanical sweepers which are deployed on routes across the Borough.
- 3 staff make up the Twilight Team, working a late shift up to 6.00 pm and they clean industrial areas and commuter hubs.
- 34 staff are used in our residential street cleaning. They are known as "daypacks".

3.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Susan Hall, Portfolio Holder for Environment Services and Community Safety

Question: Can you tell me what stocks of (i) salt and (ii) grit have been kept by Harrow Council on each of the dates 1 January, 1 April, 1 July, 1 October, 1 December, for each of the three years 2007, 2008 and 2009 and for 1 January 2010?

Answer: The Council uses rock salt and weighs it at the beginning and end of the season. The Council monitors rock salt as each load goes out during the course of the day or the week, whenever it is being used.

I will send you a written answer on the figures requested.

RECOMMENDED ITEM

744. Revised Financial Regulations

The Cabinet received a report of the Corporate Director Finance, setting out the revised Financial Regulations integral to the proper administration of the Council's financial affairs.

It was noted that the regulations needed updating to reflect the changes in the Council's management structure and revisions to accounting practices and policies in order to clarify and strengthen the financial arrangements and to ensure control of the Council's environment.

Members noted that following changes in the Council's management structure and revisions in accounting practices and policies, the Regulations required amending to reflect the changes.

In addition, the Corporate Director of Finance stated that guidance on the Revised Financial Regulations would be made available and that training on key aspects would be provided to staff. The Leader of the Council enquired about the training agenda.

Resolved to RECOMMEND: (to Council)

That the revised Financial Regulations be adopted.

RESOLVED: That

- (1) the Financial Regulations be endorsed;
- (2) the Corporate Director Finance be authorised to make minor changes to the Financial Regulations, should these be necessary before endorsement by Council;
- (3) a timetable on the training to be provided to staff be made available before the next meeting of Cabinet.

Reason for Decision: To allow Council to approve the Financial Regulations with a view to securing a robust financial management culture.

[Call-In does not apply to the Recommendation].

RESOLVED ITEMS

745. Forward Plan January 2010 - April 2010

The Leader of the Council advised that a report on the IT Strategy was not on the agenda and had been deferred to March 2010 Cabinet.

RESOLVED: To note the contents of the Forward Plan for the period January - April 2010.

746. Housing Revenue Account Reform

The Portfolio Holder for Adults and Housing introduced the report, which set out the Department for Communities and Local Government (DCLG) Reform of Council Housing Finance consultation and the implications for Council housing in Harrow. The report reflected on the outcomes of a Scrutiny Challenge Panel on the Housing Revenue Account (HRA), which had addressed the consultation document from the DCLG.

The Portfolio Holder stated that the existing housing finance system did not provide any significant benefit to Harrow and the government's proposals to dismantle the service were welcomed. However, it was unlikely that new proposals would come forward before the 2010 General Election. The system needed reforming and the Council would continue to lobby with a view to ensuring such change was forthcoming.

RESOLVED: That the recommendations from the Housing Revenue Account Scrutiny Challenge Panel be noted and agreed.

Reason for Decision: To note the issues affecting the HRA.

747. Progress on Scrutiny Projects

RESOLVED: To receive and note the current progress of the scrutiny reports.

Reason for Decision: To note the progress being made on the various scrutiny reviews.

748. Key Decision - Collection Fund 2010/11

The Corporate Director Finance introduced the report, which set out the estimated financial position on the Collection Fund as at 31 March 2010. It was noted that the Council was a billing authority and was therefore required to maintain a special fund, which was known as the Collection Fund. The Fund was credited with the amount of Council Tax and Non-Domestic Rates collected. The report mentioned that if a surplus or a deficit remained in the Collection Fund at year-end, it was distributed to or borne by the billing authority, the Council, and preceptor, the Greater London Authority (GLA).

The Leader of the Council commended the efficiency of the Finance Directorate in the collection of Council Tax.

RESOLVED: That

- (1) an estimated surplus of £1,825, 964 on the Collection Fund as at 31 March 2010, of which £1,447,989 was the Council's share, be noted;
- (2) the Council's share of £1,447,989 be transferred to the General Fund in 2010/11.

Reason for Decision: To report on the Council's statutory obligation to make an estimate of the surplus or deficit on the Collection Fund by 15 January 2010. To meet statutory obligations and the annual budget review process.

749. Council Corporate Business Continuity Plan

Cabinet received a report of the Corporate Director Finance, which set out the Council's Corporate Business Continuity Plan that had been developed in accordance with the Council Improvement Project (CIP) titled 'Enhancing Disaster Recovery and Business Continuity'.

It was noted that business continuity was a holistic management process that identified potential threats to an organisation and the impact to business operation the threats might cause, if these were realised. It was mainly concerned with an internal incident and would help reduce risk of service disruption with consequent impact on factors such as service delivery, customer satisfaction, reputation and loss of income.

The Corporate Director added that the Plan had been built on individual plans received from each of the Directorates and was a key document. The Leader of the Council and the Portfolio Holder for Community and Cultural Services welcomed the Plan and congratulated the Corporate Director on its timely production. The Portfolio Holder further suggested that training on the Business Continuity Plan ought to be provided to Members.

RESOLVED: That the Council's Business Continuity Plan be approved.

Reason for Decision: To ensure that suitable business continuity arrangements and procedures were in place and could be invoked as necessary.

750. Annual Audit Letter 2008/09

Cabinet received the Annual Audit Letter 2008/09, which summarised the work carried out by the Council's external auditor, Deloitte LLP, in relation to the 2008/09 accounts, the pension fund and the use of resources assessment. It was noted that the recommendations of the auditor would be implemented for the 2009/10 accounts, and a detailed implementation plan would be put in train on the use of resources element.

The Leader of the Council and the Portfolio Holder for Adults and Housing welcomed the positive comments of the external auditor in the Annual Audit Letter, particularly in relation to the securing of economy, efficiency and effectiveness in its use of resources during 2008/09 and in providing value for money when compared to previous years.

RESOLVED: That the Annual Audit Letter for 2008/09 be noted.

Reason for Decision: To ensure awareness of key external audit findings for 2008/09.

751. Adult Social Care Performance Rating

The Portfolio Holder for Adults and Housing introduced the report, detailing the outcomes of the 2008/09 Adult Social Care Assessment.

The Portfolio Holder stated that he was proud to report that the Council had been rated as an authority that was 'Performing Well' and had been awarded Grade 3. This was a significant improvement when compared to the judgements received in previous years, and a testament to the hard work carried out by staff. Additionally, the Council had received a visit from the judges ahead of the Local Government Chronicle (LGC) awards in March 2010, where the Council had been short-listed in the "Most Improved Council of the Year Category". A showcase of the Council's achievements and its ability to fulfill plans for the future was on display. The Council was now seen as one of the top 10 lead boroughs in London, on a par with or surpassing 4-star authorities such as Camden, Westminster and Wandsworth.

The Portfolio Holder drew particular attention to the Care Quality Commission's (CQC's) comments. The inspecting body had commended the leadership of the Council, its clear strategic direction and the step change in performance. Many more people were now receiving personal budgets; direct payments or carers services and people were noticing the differences, particularly those with learning disabilities and carers.

Many of the key players were individually thanked and applauded for their work in this area, which had helped to achieve Grade 3. Special thanks went to the Portfolio Holder for Adults and Housing for his leadership and resolve, the Corporate Director of Adults and Housing, the Divisional Director of Community Care, and Councillor Margaret Davine, for her constructive and critical engagement in the improvement process.

The Leader of the Council, Chief Executive and other Portfolio Holders congratulated the Directorate on achieving this key milestone. The passion, dedication and enthusiasm of staff was acknowledged and highly commended.

The Corporate Director of Adults and Housing and Divisional Director Community Care stated that they were proud of the achievement, particularly as it came from an initial low base. However, they were not complacent and would continue to build on the improvements made, whilst making efficiencies in tandem.

RESOLVED: That the outcome of the 2008/09 Adult Social Care Assessment be noted, including those areas that had been identified as improved and those requiring further development.

Reason for Decision: To welcome with pleasure the significant progress made in Adult Social Care, a key service area. To meet the request of the CQC that Cabinet consider its report.

752. Key Decision - London Councils - London Borough Grants Scheme 2010/11

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the proposals received from the London Councils' Grants Committee for expenditure in 2010/11.

The Portfolio Holder advised that the budget set by London Councils had to be agreed by two-thirds of the constituent Councils. Harrow Council's contribution was lower than that agreed in 2009/10. She added that the qualitative benefits to the organisations funded in Harrow would be researched at a future date.

RESOLVED: That, having considered the proposals for expenditure, the Council's contribution of £747,073 be approved and a formal response submitted.

Reason for Decision: The London Borough Grants Scheme informed the Borough through a circular dated 11 November 2009 of the recommended budget for 2010/11.

(See also Minute 739)

(Note: The meeting, having commenced at 7.30 pm, closed at 8.27 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman