

CABINET MINUTES

28 OCTOBER 2010

Chairman: * Councillor Bill Stephenson

Councillors:

* Bob Currie	* Graham Henson
* Margaret Davine	* Thaya Idaikkadar
* Keith Ferry	* Phillip O'Dell
* Brian Gate	* Mrs Rekha Shah
* Mitzi Green	

In attendance:	Susan Hall	Minute 67
(Councillors)	Barry Macleod-Cullinane	Minute 67
	Paul Osborn	Minute 67

* Denotes Member present

62. Mr Mohammed Rizvi, Vice-Chairman of Standard Committee

On behalf of Cabinet, the Leader of the Council welcomed Mr Mohammed Rizvi, Vice-Chairman of the Standards Committee, to the meeting. The Leader added that the purpose of Mr Rizvi's attendance was to allow him to gain a better understanding of how the Council worked from a governance and standards perspective.

63. Declarations of Interest

RESOLVED: To note that the following personal interests were declared and that all Members would remain in the room to participate in or listen to the discussion on the reports, as appropriate:

Agenda Item 5 – Councillor Questions

Councillors Brian Gate and Jean Lammiman declared that they were Trustees of the Harrow Association of Voluntary Services to which Councillor question 3 related.

Agenda Item 9 – Fair Treatment Suite of Employment Procedures

Councillor Paul Osborn declared that, as a Portfolio Holder under the previous administration, he had been involved in this matter.

Agenda Item 12 – Compulsory Purchase Orders for the Rayners Lane Estate and Mill Farm Close Estate

Councillors Bob Currie and Graham Henson declared that they served on the Home Group.

Agenda Items 12/13 – Compulsory Purchase Orders for the Rayners Lane Estate and Mill Farm Close Estate/Special Needs Transport II – Refresh Project

Councillor Barry Macleod-Cullinane declared that, as a Portfolio Holder under the previous administration, he had been involved in both these projects. He stated that there was no conflict of interest by him being in the room to listen to the discussions on the reports.

Agenda Items 15/16 – Better Deal for Residents – Public Realm Maintenance Transformation Project/Library Services – Self Service Project

Councillor Paul Osborn declared that he had recently received hospitality from Capita.

Agenda Item 17 – Neighbourhood Champions – Response to Scrutiny Challenge Panel Report

Councillors Brian Gate and Mitzi Green declared that they had participated in the Scrutiny Challenge Panel on Neighbourhood Champions.

Councillor Susan Hall stated that she had instigated the Neighbourhood Champions Scheme under the previous administration and was herself a Neighbourhood Champion. Councillor Jean Lammiman declared that she was a Neighbourhood Champion.

Agenda Item 18 – WLWA – New Levy Mechanism and LATS Trading Policy

Councillor Susan Hall declared that she had previously been involved in negotiations in relation to the West London Waste Authority.

General Declaration

Councillor Navin Shah declared that he was a Life Member of the Mahatma Gandhi Foundation.

64. Minutes

RESOLVED: That the minutes of the meetings held on 14 September and the special on 7 October 2010, be taken as read and signed as correct records.

65. Petitions

A local resident, submitted a petition with 121 signatures in respect of Streatfield Road with the following terms of reference:

“We, the residents of Streatfield Road, support a campaign to restrict the size and weight of lorries using the road. These lorries, some of them extremely large, are not suited for what is essentially a residential road. The vibrations from these lorries have led to and are causing damage to the roads, our houses to shake, which affects our quality of life and the ability to relax, in particular sleep. This may well lead to future damage to our houses and may well affect the saleability of our houses present and future.

We urge the Council to look at this matter with the utmost urgency and to undertake to meet with a delegation of residents and interested party to find a solution to this long running issue.”

RESOLVED: That the petition be received and referred to the Traffic and Road Safety Advisory Panel for consideration.

66. Public Questions

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

1.

Questioner: Marilyn Ashton

Asked of: Councillor Thaya Idaikkadar, Portfolio Holder for Property and Major Contracts

Question: In the light of the recent publicity regarding the sale of various of the Council's assets, would Councillor Idaikkadar tell us if there are plans to sell off any Council owned dwelling houses and if so when that might be?

Answer: Thank you Marilyn.

Five houses are presently at auction today and I can confirm they were sold for £1.3m. I would like to take this opportunity to congratulate the officers on their hard work on achieving the sales.

In December, a house located in Stanmore will be presented at the auction and then, in February, we are planning to present two houses located in Gayton Road, currently used as operation facilities for sale at auction.

There are a number of other individual houses, approximately twenty in total which are owned by the Council and currently subject to review. If these are considered to be surplus to operational requirements, consideration may be given to disposal of some, or all of these, during the years 2011/12.

Supplemental Question: Would you agree that as Property Portfolio Holder, you should have taken no part in the determination of a planning application in respect of 1 Sudbury Hill, a very contentious application, for which planning permission was granted on 15 October by the Planning Committee, of which you are Vice-Chairman, and on which you have been recorded as having voted to grant?

Do you not have a conflict of interest in this matter which should have been declared?

Supplemental Answer: At the time I was not sure that it was one of the Council properties. If I had known, I would have declared an interest.

The sale of any property is a Cabinet decision, not my decision and I only have one vote out of ten. With hindsight, I could have declared an interest.

2.

Questioner: Akil Dhalla

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

Question: Can you please give the following figure?

The numbers of individuals that are currently entitled to domiciliary care from Harrow council.

The numbers of individuals in the borough of Harrow that receive direct payment for domiciliary care.

The numbers of individuals that hold personal budget for domiciliary care in the borough of Harrow

The numbers of individuals who receive direct payment and hold personal budget but have their domiciliary care administrated by Harrow council or a third party engaged by Harrow Council.

Answer: The number of individuals that are currently entitled to domiciliary care are approximately 1,300.

The numbers that receive direct payment for domiciliary care are approximately 300 individuals.

The number of individuals that hold personal budgets which include domiciliary care because that can

include direct payments as well, is 600.

Individuals that receive direct payment and hold a personal budget and have their care administrated by Harrow, are again 300, so that is roughly half each of the 600.

Supplemental Question: The supplemental question related to an individual case, and in accordance with the Council's Constitution, it was not permitted. The Leader of the Council suggested that the questioner contact the Portfolio Holder for Adult Social Care, Health and Wellbeing directly to help resolve the personal issue.

67. Councillor Questions

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

1.

Questioner: Councillor Susan Hall

Asked of: Councillor Mrs Rekha Shah, Portfolio Holder for Community and Cultural Services

Question: What is the reason for the report on Grants Appeals not appearing on the agenda at tonight's meeting, despite it appearing on the Forward Plan (p.30 of Cabinet agenda) and having already been delayed from September's meeting?

Answer: The Council wishes to ensure that all matters relating to the dealings with the voluntary sector are dealt with in a simple and robust manner. Officers have prepared a number of options for consideration to resolve this matter. A draft report is being prepared with a view to seeking approval of the Leader and Cabinet for a way forward, which will be to seek an independent review of the appeals.

Supplemental Question: Councillor Shah, do you have faith in your Grants Advisory Panel?

Supplemental Answer: Yes I do.

2.

Questioner: Councillor Susan Hall

Asked of: Councillor Mrs Rekha Shah, Portfolio Holder for

Community and Cultural Services

Question Given that you're deviating from your Forward Plan, and that this item has now disappeared from the Forward Plan released on 15th October, will you provide some certainty to the voluntary groups currently waiting in financial limbo by informing them of what you plan to do regarding these appeals?

Answer: A draft report is in preparation for approval by the Leader, which will give a clear way forward. In terms of assessing the grants appeals outstanding, officers will undertake to write to the affected groups to outline the process once approved following the outcome of the independent review.

Supplemental Question: Given that there is faith in the Grants Advisory Panel, the Panel that advises Cabinet, why then are you seeking another review from an independent body?

Supplemental Answer: There is a due process to follow. The issue of appeals goes back to the previous administration. In the case of either on the issue of appeals or grant funding, I am not going to take any lectures from the opposition who inflicted cuts of 20% in grant funding in the Service Level Agreements without any consultation whatsoever.

I was not present at the Grants Panel and I cannot take a decision because I did not hear the appeal. I cannot decide who gets what. That is the reason why the administration has hired an independent person.

3.

Questioner: Councillor Susan Hall

Asked of: Councillor Mrs Rekha Shah, Portfolio Holder for Community and Cultural Services

Question: Will you be seeking to recover from Harrow Association of Voluntary Services any money that was given to them that was not spent on the purposes for which it was intended?

Answer: The Council is waiting for the outcome of an independent review into HAVS' funding streams and how they had been allocated. The Council will consider what action is appropriate once the results of the review are known.

Supplemental Do you not think that there should be some sort of

Question: consequence when there is misuse of public money?

Supplemental Answer: Yes, there is. The issues are very sensitive and serious. It was under the previous administration when this started, which the new administration is sorting out. I am closely working with Councillor Jean Lammiman, former Portfolio Holder, and you can talk to her or I am happy to see you outside this meeting and discuss further because it is very sensitive and serious to discuss issues about HAVS.

4.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: Given that the expenditure of public money, accountability and transparency are neither frivolous nor trivial issues, can you publicly reveal how many more members of the Labour Group have been "acting within the identified roles since 1st July 2010" but have yet to receive formal appointment and backdated payments?

Answer: I can give you a very simple answer - none.

Supplemental Question: As the person responsible for ethical governance within the Council, do you think this is the correct way to make appointments?

Supplemental Answer: Yes I do. We had a new administration. We had twelve new Councillors. We had seven new Portfolio Holders.

For the first time, a job description for Portfolio Holder Assistants was drawn up. I asked the Portfolio Holders to look at colleagues who they might take on board with probation. I can say that every one of the Portfolio Holder Assistants who we have made, are working absolutely splendidly.

So yes, I do think this is the right of way of doing it. It is working very well.

5.

Questioner: Councillor Paul Osborn

Asked of: Councillor Bill Stephenson, Leader of the Council and

Portfolio Holder for Finance and Business Transformation

Question: Why do you no longer want Harrow to be one of the best Councils in London by 2012?

Answer: I do not accept the premise of your question. Of course the administration wants the Council to be one of the best councils in London.

With the disappearance of many of the national indicators, it may be a bit more difficult to decide how to measure this but we will try and it was made very clear in my report to the special Cabinet meeting on 7 October why we have changed the vision from the one under the previous administration,

As you may well be aware, the administration's new proposed vision is "Working together – our Harrow, our community". The previous vision for the Council was internally focussed; it did not reach out to Harrow as a place or to our community nor our residents. The administration has deliberately set a vision, which is externally focussed and meaningful.

The administration believes that the vision it is proposing will resonate with residents and that residents will want to see the Council adopt a vision, which is about them and not about the Council itself. We are consulting extensively whether this is the right vision. The scale of our consultation will break new ground for this Council. We are running roadshows, open days, as well as consulting through community events, our Residents' Panel, Harrow People magazine, through an online "Let's talk" campaign. At the same time, the administration fully intends to continue to improve performance across all services and at this difficult time, continue to manage the finances soundly.

Supplemental Question: Would the administration not accept that by taking it out of the vision statement you send a very powerful message to the staff in this organisation that the aspiration is no longer to be one of the best councils in London and, by doing that, the administration is sending a message that that is not the focus staff should have and run a risk of going backwards to where we were when the administration was previously in charge of this Council?

Supplemental Answer: No, I do not accept that. The administration believes that the people who work here will embrace the idea of

“Working together - our Harrow, our community”.

The administration has made it clear that sound finances were important and would also aim to do the best for the Council. I made it clear in my Leader’s report that sound management and sound finances were the basis for delivering the priorities and the vision.

6.

Questioner: Councillor Susan Hall

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

Question: Can you give assurances that the Council has complied with the Carbon Reduction Commitment registration process?

Answer: Yes, I can confirm that registration for the scheme was completed over the summer by the deadline date of 30 September.

Supplemental Question: In the Cabinet papers on page 152, the report refers to bringing emissions to 4% a year, which was instigated under my former Portfolio. The administration is signing up to the 10:10 Charter, which aims for 10% but agrees that a 3% will suffice. Can you confirm what percentage the administration is aiming for?

Supplemental Answer: The administration is aiming for the highest percentage that this Council can achieve.

7.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Graham Henson, Portfolio Holder for Performance, Customer Services and Corporate Services

Question: With Hammersmith & Fulham, Kensington & Chelsea and Westminster Councils last week announcing a deal to share services – which they estimate will save around £100 million a year – does your administration have any plans share services with other Councils, and what are they?

Answer: The Council has not entered into any agreement along the lines of the councils you mention. The Council is delivering substantial savings through its Better Deal

for Residents programme and some of the proposals include the effective sharing of services with other Councils. For example, the Council has done considerable work with the West London Alliance to jointly procure contracts in Adult Services. Another example relates to new arrangements for the sourcing and supply of agency workers, jointly with Hammersmith & Fulham Council.

The administration is interested in further shared service opportunities that may come along and will evaluate these opportunities as and when they arise.

Supplemental Question: By saving large amounts, these excellent flagship Councils are securing their frontline services, which are in high demand during a strained financial situation. They are investing for their residents.

This Council does not appear to be getting anywhere near that level. There is a real absence of commitment to shared services and finding extra ways to save money. So whilst other Councils are delivering, Harrow is indecisive. When will the administration start delivering for the people of Harrow?

Supplemental Answer: The Strategic Performance Report for Quarter 1 shows that the savings through the Better Deal for Residents programme are delivering substantial savings as an individual Council.

It is questionable whether Hammersmith & Fulham, Kensington & Chelsea and Westminster Councils, which are central London Councils and have significant funding separately, are delivering what, and how, this Council would want to. Harrow Council will deliver what it needs. The administration is interested in further shared services to suit the residents of Harrow and will evaluate opportunities as and when they arise.

8.

Questioner: Councillor Paul Osborn

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: The recently published Year Ahead Statement makes heavy use of information on resident satisfaction obtained through the Place Survey. Now that the

Government has scrapped the Place Survey, how do you intend to monitor the satisfaction levels of residents?

Answer:

It is a very good question. The administration is committed to better understand the opinions and feedback from residents and has been working with MORI and other London councils to discuss whether a lighter version of the Place Survey should be commissioned.

It was intended to roll this out in October, but has been deferred until January because of the low take-up. The administration intends to have a sustainable survey, which will build trend data and ensure that there is sufficient take up to allow for effective benchmarking. The administration will re-visit this area in January.

The Council's Directorates carry out tracking and surveys. For example, the Council tracks tenant satisfaction as part of the Housing Ambition Plan. The Adults and Housing Directorate, with respect to vulnerable users, will be conducting a MORI survey. In addition, Directorates also carry out surveys on local residents and the Council is looking into how it might possibly join-up in this area.

In parallel, the Council is looking at the Reputation Tracker, which has its disadvantages as it only covers a few areas. The Council is looking to evolve this in line with the emphasis on community involvement. One possible option is to expand the survey and rely on it as our main survey. Another option is to see if we can work jointly with a number of councils, possibly with the West London Alliance for a less ambitious joint survey.

The administration would welcome other ideas or suggestions. The Council wants to keep measuring satisfaction levels and considers it as an important issue.

Supplemental Question:

I would suggest using the Reputation Tracker, which was the survey introduced under the previous administration, as it gives flexibility in terms of the questions. The questions not mandated by the government, and the Tracker gives timely answers whereas the Place Survey can take months to provide answers. The Place Survey is also a yearly survey and it is very difficult to use to see what is happening in-year.

Does the administration regret now disparaging a professional organisation for doing a survey and does it believe that that should be the way forward - using a survey which is done by an independent company and a very reputable tracking company?

Supplemental Answer: In my answer, I pointed out that the Reputation Tracker was not very representative or one that could be relied on. A bigger survey and one that is better laid out is essential. I am happy to take on board any discussions you want to have with the administration on this subject.

The following question was not reached in the time limit of 15 minutes. The Leader of the Council stated that a written response would be provided. He added that in the future written answers would be appended to the minutes and included on the agenda of the following meeting.

9.

Questioner: Councillor Susan Hall

Asked of: Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation

Question: In December 2009, and on the grounds that "residents have the right to know up front precisely what is being proposed in an open and transparent way", you called on our administration "to publish precisely what they are proposing and the expected impacts in time for the December Cabinet", in relation to the draft savings for the 2010-11 budget. Will you hold yourself to your own standard and publish this December the equivalent information for the 2011-12 budget?

68. Forward Plan October 2010 - January 2011

The Leader of the Council advised that the reports relating to Grants Appeals and West London Waste Authority (WLWA) Waste Procurement Site Assessments had been deferred.

Additionally, the decision relating to agenda item 13, Special Needs Transport (SNT) II Refresh Project, was considered to be Key, but was not listed on the October 2010 Forward Plan. Accordingly, Cabinet would be taking a decision on this matter in accordance with Rule 15 of the Access to Information Procedure Rules of the Council's Constitution.

RESOLVED: To note the contents of the Forward Plan for the period 1 October – 31 January 2011.

RESOLVED ITEMS

69. Progress on Scrutiny Projects

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

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

70. Strategic Performance Report - Quarter 1

The Portfolio Holder for Performance, Customer Services and Corporate Services introduced the report, which summarised Council and service performance against key measures, including areas where further action was required. He identified the challenges that the Council continued to face and those that lay ahead. However, he was pleased to report that the Council had made good progress during the first quarter of 2010/11 and highlighted some of the key achievements in each of the Council's Directorates, details of which were set out in the report.

Cabinet noted that the Council's Better Deal for Residents Programme was making significant progress and that significant inroads were being made to deal with various deficits through the Improvement Boards. He drew attention to areas where further work was being carried, such as the consultation exercise that was currently underway on the Single Equalities Scheme, which would be reported to the December meeting of Cabinet.

The Portfolio Holder stated that it was essential that performance was robust and was pleased to report that, following the abolition of the majority of the existing performance management framework, the Overview and Scrutiny Committee had agreed to support the development of a local framework. A local framework would ensure a measurement against performance.

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

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

71. Fair Treatment Suite of Employment Procedures

Cabinet received a report of the Divisional Director Human Resources and Development, which set out the recommendations of the Employees' Consultative Forum meeting held on 30 June, whilst also recommending, in part, an alternative course of action to that recommended by the Forum.

The Portfolio Holder for Performance, Customer Services and Corporate Services explained the reasons for the report being referred to Cabinet. It

was noted that whilst the recommendations of the Forum had initially been referred to the Portfolio Holder to determine, he had deferred the decision to Cabinet to allow historical data on the numbers of appeals considered by Members and the cost of supporting Member-level appeals to be presented in order to allow a fully informed decision to be taken.

Members' attention was drawn to the costs associated with reinstating Member-level appeals for Dignity at Work complaints, including the number of appeals heard by Members/officers.

RESOLVED: That

- (1) the outcomes of the pilot of the Fair Treatment Suite be noted;
- (2) Portfolio Holders receive monthly summary reports of all grievances/disciplinary appeal cases under consideration within their Directorate Service area;
- (3) the following recommendation from the Employees Consultative Forum be rejected:

“a further pilot be implemented for one year of the Fair Treatment Suite with Stage 3 Dignity At Work Appeals being subject to consideration by Member level Personnel Appeals Panels, in line with the current Conduct Appeals process, to allow comparative assessment of such an appeals process with the previous pilot scheme”.

Reasons for Decision: To continue to ensure that employees were treated fairly and consistently in handling, conduct, capability and complaints in the workplace without an increase in cost.

72. Integrated Planning 2011/12 to 2015/16

Cabinet considered a joint report of the Corporate Director Finance and the Assistant Chief Executive, which provided an update on integrated planning for 2011/12 to 2015/16. The Council had adopted an integral planning framework to ensure that the Corporate Plan and the Medium Term Financial Strategy (MTFS) were developed in tandem. The report also set out the strategy for closing the funding gaps.

Cabinet had recently agreed a new draft vision, 'Working together: our Harrow, our Community', and new corporate priorities supported by a Year Ahead Statement, together with a new approach to consultation and engagement. In addition, the Better Deal for Residents Programme included a fundamental review of how the Council could deliver more integrated services to local taxpayers and how to better-align services with residents' needs in mind, whilst being more cost effective.

The Corporate Director Finance stated that since the report had been released, the government had announced the Comprehensive Spending Review. A 28% of savings over a period of 4 years in real terms had been announced and, whilst clarity was awaited, the savings required would have a

significant impact on local government as a whole. She added that whilst further information was awaited, the savings to be achieved might also be front-loaded during the first year and such a requirement would have a significant impact on the Council and would be onerous.

The Corporate Director informed Cabinet that extra funding was expected for Adults' and Children's Services but that a 0% Council Tax increase had been announced. She identified areas of uncertainty, such as on concessionary travel and how this would be funded in the future, changes to carbon reduction and the levels of grants for capital funding. She stressed that the local government settlement was not expected until week commencing 6 December and that the settlement would have a significant bearing on the budget for 2011/12.

The Leader of the Council welcomed a revised fees and charges policy.

The Leader of the Council stated that, amongst the public sector bodies, local government had been hit the hardest by the government whilst being the most efficient of all the public sector bodies. Representations would be made to the government, and that a true picture would not emerge until the local government settlement was known in December, and that challenging decisions lay ahead.

RESOLVED: That

- (1) the context and current position on the development of the new Corporate Plan and the Medium Term Financial Strategy be noted;
- (2) the approach to closing the remaining funding gaps be approved;
- (3) the planning totals for the Capital Programme at appendix 3 to the report be approved;
- (4) the proposed Fees and Charges Policy at appendix 4 to the report be approved.

Reasons for Decision: To ensure that the Council is in a position to approve a final Corporate Plan and a balanced budget in February 2011.

73. Key Decision - Risk Management Strategy

The Corporate Director Finance introduced the report on Risk Management Strategy, which under the Council's governance framework was reviewed annually to ensure that it was in line with current guidance and best practice. Risk Management was an important element of the Council's corporate governance arrangements and its purpose was to limit the Council's exposure to an acceptable level of risk. The Corporate Director added that risk management was an integral part of the Council and a key instrument in combating the challenges that lay ahead.

RESOLVED: That the risk management position be noted and the Risk Management Strategy be approved.

Reasons for Decision: To ensure awareness of the progress in risk management. To comply with the governance framework and ensure that the Council's risk management framework continued to align with best practice.

74. Key Decision - Compulsory Purchase Orders (CPOs) for the Rayners Lane Estate and Mill Farm Close Estate

Cabinet considered a report of the Corporate Director Adults and Housing, which set out the reasons for making a Compulsory Purchase Order of the long leasehold interests at the Rayners Lane and Mill Farm Close estates. In reaching its decision, Cabinet also had regard to the information contained in the confidential appendix, which set out details of the properties and negotiation stages reached.

An officer introduced the report and stated that it was important to acquire interests in the timescales given and not to further delay the regeneration of the estates.

The Portfolio Holder for Adults and Housing thanked officers for their work in this area.

RESOLVED: That

- (1) the acquisition by compulsory purchase under section 17(1)(b) of the Housing Act 1985 all estates and interests in the leasehold properties on the Rayners Lane estate and Mill Farm Close estate, set out in the Tables of Properties and shown coloured pink and edged red on the draft plans annexed at Appendix 1 to the report, for the provision of housing accommodation on the grounds set out in the report be authorised, subject to the reimbursement by Home Group in respect of the Rayners Lane estate and Catalyst Communities Housing Association Limited in respect of Mill Farm Close estate of all costs and expenses incurred by the Council in carrying out the compulsory purchase;
- (2) in respect of the Rayners Lane estate, the Corporate Director Adults and Housing be authorised to agree the terms of and enter into the revised indemnity agreement agreed with Home Group in order that the costs incurred by the Council in pursuing the compulsory purchase order were met by Home Group;
- (3) the Corporate Director Adults and Housing be authorised to agree and approve the final form of the Plans to be annexed to the Compulsory Purchase Orders delineating the exact boundaries of the properties set out in the Tables of Rayners Lane estate Properties and Mill Farm Close estate Properties annexed at Appendix 2 to the report, the Plans to be entitled respectively 'Map referred to in the London Borough of Harrow (Rayners Lane Estate) Compulsory Purchase Order 2010' and 'Map referred to in the London Borough of Harrow (Mill Farm Close Estate) Compulsory Purchase Order 2010');

- (4) the Corporate Director Adults and Housing be authorised to compile the Schedule of Properties to be annexed to the respective Compulsory Purchase Orders, listing all interests in the properties shown on the respective Tables of Properties annexed at Appendix 2 to the report;
- (5) the Corporate Director Adults and Housing be authorised to make any amendments to the draft Statement of Reasons annexed at Appendix 3 to the report, as were considered necessary prior to their submission to the First Secretary of State;
- (6) the Director Legal and Governance Services be authorised to make and seal the Compulsory Purchase Orders and to submit the Orders for confirmation by the First Secretary of State and Deputy Prime Minister in the event that no objections were received, or to request modifications to the Orders if this was considered expedient to the confirmation of the Orders;
- (7) the Director Legal and Governance Services be authorised to make all necessary applications or requests, as the case may be, for a “stopping up order” to be made pursuant to Section 247 of the Town and Country Planning Act 1990 or under Section 14 of the Highways Act 1980 or any other relevant enabling power for the stopping up or diversion of any existing highways within or around in the land subject to the Compulsory Purchase Order, to enable the regeneration proposals to go ahead;
- (8) the Director Legal and Governance Services be authorised to sign all notices in connection with the Compulsory Purchase Orders and, if objections were received, to make arrangements for public inquiries and to take all actions in connection with such inquiries including the appointment of Counsel;
- (9) the Director Legal and Governance Services be authorised to make one or more General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981 in the event of the Compulsory Purchase Orders being confirmed and/or serve notices to treat and notices of entry and to take all other requisite steps pursuant to the compulsory acquisition procedures to obtain possession of properties if it was considered appropriate to do so, and to deal with any compensation issues, if necessary, by way of reference to the Lands Tribunal;
- (10) authority be given to the transfer of all properties acquired by the Council, pursuant to the compulsory acquisition procedures, to Home Group or Communities Housing Association Limited in accordance with the terms of the Rayners Lane estate and Mill Farm Close estate Transfer documentation and otherwise on terms to be approved by the Corporate Director Adults and Housing;

- (11) if required, the Corporate Director Adults and Housing be authorised to appoint referencing agents to undertake appropriate work in connection with the compulsory acquisition procedures on behalf of the Council;
- (12) the Director Legal and Governance Services or the Corporate Director Adults Housing, as appropriate, be authorised to take any further actions required to make and implement the respective Compulsory Purchase Orders and to acquire the relevant properties.

Reasons for Decision: To obtain authority to make Compulsory Purchase Orders (CPO) under the Housing Act 1985 for the leasehold properties on the Rayners Lane estate and Mill Farm Close estate, as set out in the schedules to ensure that the agreed regeneration and redevelopment programmes could proceed to the timescales proposed to residents.

75. Key Decision - Special Needs Transport (SNT) II - Refresh Project

The Director of Schools, Quality Assurance and Commissioning introduced a joint report of the Corporate Directors Children's Services and Adults and Housing, which set out the case for improving the travel support provided to children and adults with special needs whilst at the same time reducing the cost of that assistance. The Director added that the Project would help secure new vehicles and establish new travel routes, as the Council was keen to encourage users to travel independently provided it suited the customer. She identified the service development and demand management benefits that the Project would deliver, which would help to ensure that the Council continued to provide the highest level of support to some of the most vulnerable members of the community.

RESOLVED: That

- (1) the review and re-organisation of the operational Special Needs Transport (SNT) service, and the establishment of new assisted travel services, such as assessment, travel training, and travel assistants, outlined at section 2.3 of the report, be approved and the Corporate Director Children's Services be authorised to implement the proposals;
- (2) the temporary virement of £346k from the monies set aside for the 2010/11 pay award to fund the delivery costs in 2010/11 be approved.

Reasons for Decision: To improve the customer offering. Provide greater independence for customers through the offer of more travel options than simply a Council Bus service or taxi. To run the service with greater efficiency. Improve the overall SNT process, from initial travel assessment, through commissioning, to final service delivery. To reduce demand for the service and a reduction in demand for Council provided services.

76. Key Decision - Annual Review - Climate Change Strategy

The Portfolio Holder for Environment and Community Safety introduced the report, which set out the progress made with implementing the Council's

Climate Change Strategy, the actions taken to date and the proposed workstreams for the next three years.

The Portfolio Holder identified some notable achievements, such as the development of School Travel Plans with a 96% sign up, 'itsuptoallofus' website which attracted in excess of 1,800 unique visitors per week, and a carbon reduction scheme which would be presented to Cabinet in December with a view to reducing emissions thereby making savings. He commended the proposal to sign up to the 10:10 Charter, and the Climate Change Action Plan for public consultation.

RESOLVED: That

- (1) the progress made in delivering the Climate Change Strategy over the last year be noted;
- (2) the new initiatives, such as the signing up to the 10:10 campaign be approved, including a revised Action Plan for the period 2010/11 to 2012/13; and that the Plan be published for public consultation in accordance with paragraph 2.5 of the report.

Reason for Decision: To ensure continued progress in the delivery of the Climate Change Strategy.

77. Key Decision - Better Deal for Residents - Public Realm Maintenance Transformation Project

The Portfolio Holder for Environment and Community Safety introduced the report, which set out the case for development of the Public Realm Maintenance service through the introduction of new IT systems, the re-design of business processes, and reorganisation of the service. He briefed Cabinet on some of the objectives of the Project, which, inter alia, would help deliver cost savings, including clean and safe streets, and a near real time technical interface with Access Harrow.

The Portfolio Holder added that with the challenges facing the Council and the cuts in government funding, the Project would help deliver 'more for less'.

The Corporate Director Community and Environment made a statement of clarification. He stated that further to the discussions with the Trade Unions at the Employees' Consultative Forum on 27 October, he had undertaken an exercise to dispel any concerns concerning the appropriateness of the Equality Impact Assessments and to seek legal advice.

The Corporate Director drew Cabinet's attention to paragraph 2.5.9, Equalities Implications, of the report, and stated that a full assessment had been carried out prior to the Cabinet meeting. He confirmed that this Impact Assessment was adequate in that it was sufficient to identify the impact on particular groups and the scope for further consideration of equalities issues during implementation. However, it did not include the performance data draft document. This had been revised that day to include performance data in a second full draft issued today, 28 October. For example, the Council was

aware that on the Public Realm, workers with disabilities may possibly have difficulty in using new technology and would therefore require an assessment of their needs, which would lead to additional training and support. The additional data now included and identified the number of staff who might need to be considered for such support.

Cabinet was informed that the inclusion of the performance data therefore did not make any significant changes to the assessment in the previous full draft impact assessment. The Corporate Director added that the document would remain in draft form pending discussions with Trade Unions and ratification by the Directorate Equalities Group. The Corporate Director stated that the same would apply to the report on 'Library Services, Self Service Project', which was also on the agenda.

The Leader of the Council stated that he had personally seen the updated Equality Impact Assessment, and the Director of Legal and Governance Services said that there was no impediment to Cabinet agreeing the given proposals.

RESOLVED: That

- (1) the implementation of the Public Realm Maintenance improvements, set out in the Full Business Case, be approved.
- (2) the Corporate Director Community and Environment, in agreement with the Portfolio Holder for Environment and Community Safety, be authorised to take all actions necessary to implement the project.

Reason for Decision: To deliver improved customer service, operational efficiency and cost reductions.

78. Key Decision - Library Services - Self Service Project

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the case for development of the library service through the introduction of new IT systems, the re-design of business processes, and reorganisation of the service. She added that the report outlined the Full Business Case (FBC) for the introduction of self-service into Harrow libraries, in line with best practice across the country.

The Portfolio Holder informed Cabinet that the Project would encompass the introduction of the new technology and would offer the opportunity to:

- look at library layout to open out space by removing large desks;
- improve the customer experience with faster transaction times for basic library functions;
- review staffing arrangements to allow for a reduced and more flexible workforce;

- update the library website to encourage 24/7 use of facilities online.

Cabinet was informed that a Full Business Case (FBC) had been developed in consultation with the staff and Trade Unions, including other key stakeholders. There would be a phased approach to the roll out of the Project across all 11 libraries, and the staffing structure would be phased to match the new ICT. A full learning package would support staff through both the introduction of the new technology and new ways of working. The Project would allow for saving of £1.1m per annum which would be rephased over the first 2 years of implementation.

It was noted that the clarification made by the Corporate Director Community and Environment under the report on the agenda 'Better Deal for Residents - Public Realm Maintenance Transformation Project' also applied to this report in that the inclusion of performance data applied to paragraph 2.10, Equalities Implications.

The Leader of the Council stated that the Council was committed to protecting the library service. He added that the clarification provided by the Corporate Director Community and Environment concerning the appropriateness of the Equality Impact Assessments on the previous item also applied here.

The Leader of the Council stated that he had personally seen the updated Equality Impact Assessment, and the Director of Legal and Governance Services said that there was no impediment to Cabinet agreeing the given proposals.

RESOLVED: That

- (1) the implementation of the Libraries Self Service Business Case be approved;
- (2) the Corporate Director Community and Environment, in agreement with the Portfolio Holder for Community and Culture Services, be authorised to take all actions necessary to implement the project.

Reason for Decision: To deliver improved customer service, operational efficiency and cost reductions.

79. Neighbourhood Champions - Response to Scrutiny Challenge Panel Report

The Corporate Director Community and Environment introduced the report, which set out a response to the recommendations of the Neighbourhood Champions Scrutiny Challenge Panel, which had examined the Neighbourhood Champions Scheme prior to submitting its findings. It was noted that the Challenge Panel had made 11 recommendations to which responses had been provided.

The Corporate Director thanked Members of the Challenge Panel for their work and was proud that the Scheme had 600 trained Neighbourhood Champions with a further 400 who had expressed an interest in joining.

RESOLVED: That the response to the recommendations of the Neighbourhood Champions Scrutiny Challenge Panel be endorsed, and a response report be provided to Overview and Scrutiny Committee in accordance with the Constitution.

Reasons for Decision: To ensure that the issues identified by the Scrutiny Challenge Panel contribute to the future successful development of the Neighbourhood Champions Scheme. To meet the requirements of the Council's Constitution.

80. Key Decision - WLWA - New Levy Mechanism and LATS Trading Policy

The Corporate Director Community and Environment introduced the report, which proposed changes to the levy mechanism used by the West London Waste Authority (WLWA) and the Landfill Allowance Trading Scheme (LATS) Trading Policy. As the Council with the highest level of recycling in the WLWA, Harrow was proud to have championed the change from the current statutory scheme to one which rewarded boroughs for recycling more and diverting waste from landfill, which was harmful to the environment. The changes would help ensure that high performing Councils, such as Harrow, did not cross-subsidise low performance.

Cabinet noted that all participating boroughs would have to agree with the proposal; otherwise the existing scheme would remain in place.

RESOLVED: That

- (1) the new WLWA levy mechanism be adopted for use from 1 April 2011 onwards;
- (2) it be noted that in subsequent years the WLWA would consult with the boroughs before setting the annual rates for each category of waste treatment and disposal, including the addition of new categories where applicable;
- (3) from 2012/13 onwards the WLWA apply retrospective rebates, or charges for the LATS benefit or burden attributable to each constituent Council through its LATS Trading Policy;
- (4) the new levy mechanism remain in use until the WLWA's new waste treatment infrastructure and contract(s) were in place and operational from 2015/16;
- (5) the indicative costs per tonne applicable for waste treatment and disposal services in the report and the estimated impact on the Council's waste disposal costs be noted.

Reason for Decision: To improve the transparency of recharges from WLWA for waste disposal and encourage waste minimisation and recycling. To ensure that any financial liabilities from the LATS were shared equitably between the constituent authorities.

81. Key Decision - Revised Local Development Scheme

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which set out a revised content and timetable for the Local Development Framework (LDF) documents the Council was intending to prepare over the coming years. It was noted that the revised Local Development Scheme (LDS) would replace the current outdated published in November 2007.

Cabinet noted that the LDS was the Council's published timetable for preparing documents in its LDF. The LDF would guide the quantity, quality and spatial distribution of new development in Harrow, replacing the Unitary Development Plan (UDP). The LDF documents would enable the Council to better control development in the borough.

It was noted that the Local Development Framework Panel had recommended the LDS for submission to the appropriate authorities.

RESOLVED: That

- (1) the draft revised Local Development Scheme (LDS) at Appendix B to the report be approved for submission to the Secretary of State and the Greater London Authority for final approval;
- (2) the revised LDS be effective from the 1 January 2011, subject to the Secretary of State and the Greater London Authority approving the Scheme by that date;
- (3) if by 1 January 2011 the revised LDS had not been approved by the Secretary of State and the Greater London Authority, the LDS would become effective from the date the Secretary of State and/or the Greater London Authority confirmed approval of the LDS, whichever was the later.

Reason for Decision: To adhere to the statutory duty to maintain an up to date LDS under the Planning and Compulsory Purchase Act 2004.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.47 pm).

(Signed) COUNCILLOR BILL STEPHENSON
Chairman