

CABINET MINUTES

18 NOVEMBER 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 86
(Councillors) Barry Macleod-Cullinane Minute 86

* Denotes Member present

† Denotes apologies received

82. Councillor Bob Currie

The Leader of the Council advised that Councillor Currie had sent his apologies, as his wife was ill. On behalf of Cabinet, the Leader sent his best wishes to Mrs Currie.

83. Declarations of Interest

RESOLVED: To note that the following interest was declared:

Agenda Item 11 – Draft Admission Arrangements and Consultation Process for the 2012/13 Academic Year

During consideration of the item, Councillor Barry Macleod-Cullinane declared a personal interest in that his sister worked at Hatch End High School. He would remain in the room to listen to the discussion on the report.

84. Minutes

RESOLVED: That the minutes of the meeting held on 28 October 2010, be taken as read and signed as a correct record.

85. Petitions

Councillor Lurline Champagne OBE, presented a petition signed by 118 residents of Barrow Point Avenue, Pinner.

Councillor Champagne stated that the residents of Barrow Point Avenue felt very strongly about the state of their road. The paving was abysmal and dangerous. The pavements were cracked, broken and pushed up by large roots, and many people had tripped, fallen and been hurt as a result. The kerbstones were too high and residents had their car tyres ruined when trying to park in their driveways. The Council had compensated some residents for the ruined tyres. Cabinet noted that the terms of reference were set out in detail in the petition.

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

86. Public Questions

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

1.

Questioner: Marilyn Ashton

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

Question: It is commendable that Land Securities has held various public exhibitions in respect of the Kodak site. In their letter of invitation they state 'At this stage we do not have any development proposals as our plans will be shaped with the community's input over a sixth-month programme of consultation'.

However, Councillors also have a responsibility, and in fact a duty, to play their part. After all, that is what Councillors are there for, to show leadership and demonstrate that they too have imagination and ideas. As Leader, what is your vision for the Kodak site and how do you see your administration encouraging employment and jobs on a site that is designated as employment land so that the people of Harrow are able to find work within the borough, thereby securing Harrow's future vitality?

Answer:

It is exciting that Land Securities has indicated their intention to develop the Kodak site. It is one of the biggest single sites in Harrow and the Council has already signed a Memorandum of Understanding with Land Securities in order to share information and work closely together.

However, the Council does not own the site and is not in a position to dictate precisely what will happen on it. With cross-party support, the administration has set up a Major Developments Panel, responsible for overseeing and facilitating all major developments in Harrow, as well as helping to draw up the Area Action Plan for the Intensification Area, which contains the Kodak site.

The Area Action Plan will lay out the parameters within which the developers, including Land Securities, will have to work, including the current planning designation for part, not all, of the Kodak site for industrial use. The Major Developments Panel is consulting widely about the Area Action Plan, has set up various forums involving the community, developers, traders and young people to discuss the Plan. At the last meeting of the Panel, there was a presentation on the possible scenarios for the Intensification Area, viability studies for the Intensification Area and which parts might sustain housing and industrial uses.

In addition, the Panel received presentations from the Campaign for a Better Harrow Environment and from the Harrow Architects' Forum. All these emerging ideas will feed into the production of the Area Action Plan and will, of course, be fed back to Land Securities. At the same time, Land Securities are consulting local residents and local interest groups asking them what they would like to see on the Kodak site. The Major Developments Panel has already discussed some ideas, such as a gasification plant put forward by Councillor Hall and the pros and cons of perhaps locating a new Civic Centre on the site.

The administration will be taking on board all ideas from local residents and various interest groups, as well as ideas from Land Securities themselves, in order to come to a considered view about the future of this important site, whilst taking into account the viability of any scheme, as well as the Area Action Plan when developed. It is the beginning of a very exciting period and the administration is confident that

this will lead to a legacy development both for Harrow and the Kodak site.

Supplemental Question: Is it not the case that Vision is:

- identifying a suitable and deliverable site like William Ellis Playing Fields for the first state funded Hindu School in the UK?
- finding a viable partner in order to deliver a centre of football excellence on the Prince Edward Playing Fields, instead of leaving it a derelict site with weeds growing out of the windows and a half-built facility?
- commissioning a planning brief for RAF Bentley Priory so that the applicant knows exactly what the parameters are for development?

Vision is looking ahead and planning for the future, so that the Council's services are protected by identifying a suitable site for the relocation of the Civic Centre, thereby realising significant savings and a capital receipt. Is it not the case that you are confusing consultation with leadership?

Supplemental Answer: A concept of the administration's draft Vision and priorities is that we will listen and lead rather than talk down to people. The administration is listening and finding out what people want and The Prince Edward Playing Fields, which was developed under our administration, is excellent.

The administration is consulting the community, developers, and other groups, such as the Campaign for a Better Harrow Environment, and intends to bring together ideas and consensus.

Land Securities, who have some good legacy developments elsewhere, are on board with this approach. Unless it has changed, we have cross-party support for working this way.

2.

Questioner: Pravin Seedher

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

Question: In light of the motion on equality passed at last Council, can you outline the steps that you are taking,

as Portfolio Holder for Community, Culture and Arts, to ensure and promote equality across your department?

Answer:

Particular examples of the projects that have been developed to ensure and promote equality in the portfolio are:

- Community Development – the Directorate has been working with community partners since April 2009 to support the development of a new, single equality organisation called ‘Harrow Equality Centre’ due to be launched on 29 November at Harrow Arts Centre.
- The Faith and Community and Cultural Calendar is a programme of events designed to celebrate and promote greater understanding of the different faiths in the Borough. Examples include the interfaith week celebrations which begin next week and that will bring different faith communities together through dialogue and opportunities to visit and learn about the different faith centres in the borough.
- This year, the Council is also rolling out a training programme to support the reporting of Hate Crime across the All Equality Group. This means that the community based reporting centres located across the borough will be able to help members of the community to report hate crime motivated by race, faith, disability and sexual orientation.
- Library and Museum Service – Libraries stock and activities reflect the cultural mix of the local community. The Museum reflects all aspect of the community through activities and exhibitions, such as the current ‘I am Harrow’ exhibition.
- A full equalities impact assessment has been carried out on all the introduction of self-service equipment, which will ensure that all library users benefit and increase across those previously disadvantaged.
- Harrow Arts Centre – the programme at the Arts Centre has been created to cater for various age groups and entertainment tests. The site also provides for reflecting a range of cultures and a range of opportunities from adult

learning classes to dance classes, plus providing high class facilities for community groups to hire.

- Black History Month, Under One Sky, working with various community groups are other such examples.

Supplemental Question: How many women librarians have you just got rid of?

Supplemental Answer: This has not been determined.

3.

Questioner: Jeremy Zeid

Asked of: Councillor Phillip O'Dell, Deputy Leader of the Council and Portfolio Holder for Environment and Community Safety

Question: How far down the road are you in setting next year's environment budget?

Answer: The budget round is progressing well but there is still considerable uncertainty about future funding levels and the Local Government Settlement is unlikely to be published until early December.

Supplemental Question: Would you not agree that as we are now sharing the pain of paying off the last Government's deficit, that the Council should be spending money wisely filling in potholes as opposed to twinning with various countries?

What savings and cuts are you proposing in order to protect frontline staffing, services and delivery?

Supplemental Answer: The answer to the first question is "no", and in relation to the question on cuts, that remains to be determined.

87. 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: Since the much delayed report on Grants Appeals does not appear in the Forward Plan (pp.27-44) of tonight's agenda, when do you anticipate the final report on this will be coming to Cabinet?

Answer: I am waiting for the advice of the Independent Adviser who will be making a recommendation on the appeals which will go through the appropriate decision-making channels. The matter might come to the next Cabinet meeting.

Supplemental Question: Can you tell me who is conducting the independent review on the Grants Appeals and how much is this review costing?

Supplemental Answer: The Council is looking into appointing one person, out of a shortlist of two but it has not made that decision yet. The decision might be taken this week and the cost is expected to be under £1,000.

2.

Questioner: Councillor Susan Hall

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

Question What are you doing to ensure that the review of the Grants Appeals is being carried out in a timely and professional fashion?

Answer: The administration is doing all it can to ensure that the review of the Grants Appeals is carried out in a timely and professional manner. As advised, an Independent Adviser will be appointed. The administration wishes to ensure that all groups are treated fairly.

Supplemental Question: Why did you miss the Grants meeting in July, which by your own admission at the last Cabinet meeting was the reason why you were unable to make a decision on the Grants Appeals and would you therefore like to apologise for causing this continuous delay for leaving voluntary groups in financial limbo?

Supplemental Answer: I was unable to attend for personal reasons. As a Portfolio Holder, it is not necessary that I attend all Panel meetings, I have a Grants Panel that I can rely on.

3.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bob Currie, Portfolio Holder for Housing

Question: Can you provide an update on the HRA finances to date, including the latest projected out-turn for 2010-11 and the prospects for 2011-12?

Answer: The full cost outturn of Quarter 2 is an in-year deficit of £1,501,000. This represents an underspend of £25,000 when compared with the budgeted in-year deficit of £1,526,000.

(Cllr Stephenson, as the relevant PH for HRA finances)

The administration is working on the draft Medium Term Financial Strategy for the HRA from 2011/12 to 2015/16 and has been through the Challenge Panels' process. The draft budget will be presented to Cabinet in December and consulted on.

The administration wishes to find the right balance between investment and improvement in the stock, management and maintenance, generating income and ensuring long-term viability of the HRA.

Like many other things in local government, there is a great deal of uncertainty in relation to the future of the subsidy regime and the impact of the Comprehensive Spending Review. A New Homes Bonus Scheme will commence in April 2011 and there is reference for resources for disabled adaptations, all of which will have an impact on the HRA and its finances.

In addition, the whole future reform of the HRA and how local authorities deal with housing is still under consideration and this makes it difficult to plan ahead.

Supplemental Question: In the summer, at a Cabinet meeting, both yourself and the Portfolio Holder for Housing gave undertakings to seek to recover all monies owed to the account. How far along are you to progressing this?

Supplemental Answer: I will send a written answer to you.

4.

Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bob Currie, Portfolio Holder for Housing

Question: How are you improving resident engagement under the Housing Ambition Plan?

In the absence of Councillor Currie, the Leader undertook to ensure that a written answer was sent to the questioner.

5.

Questioner: Councillor Susan Hall

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

Question: Six months in, what is your assessment of your administration so far?

Answer: When the administration was elected in May, I said we were taking on an awesome responsibility and when I look around at our Portfolio Holders, their excellent assistants and the tremendous contributions made by other Members of the Labour Group on Scrutiny and other committees, I feel very proud at the way we have handled that responsibility.

Coming into power, the administration put into place three manifesto commitments:

- opened the central Library on Sundays, which has been very popular;
- invested £100,000 to deal with some of the worst potholes;
- stopped the proposed high-rise overdevelopment of the Gayton Road site and put a stop to the expensive, sub-standard, half-size replacement Leisure Centre.

We have had to deal with failures in the budget set in February by the previous administration:

- £2m under-budgeted in Children's Services;
- £800,000 under-budgeted in parking income;
- £189,000 spent on grants and no monies set aside for appeals; and
- the government imposed £5m in-year cuts,

including £1.3m in revenue cut.

Quarter by quarter we are dealing with these very damaging cuts.

Another priority was dealing with a dysfunctional IT system, which was inherited from the previous administration. After much effort and intense negotiations, the Council is on the brink of signing the contract with Capita to ensure that it has an IT system which is fit for purpose.

In July, the administration launched the Better Deal for Residents Programme, so as to deal with the £50m of savings required during the next three years. This included putting new technology in our libraries, not affecting frontline services and in Public Realm, finding new ways of dealing with Special Needs Transport, both for children and adults, and putting into place our Teenage Placement Policy.

We are also launching our Re-enablement Programme, where by putting extra resources into social care, the Council can save money and improve people's lives, in contrast to the previous administration which tried to cut social care to the most vulnerable.

All of the schemes will make considerable savings in the next financial year and I am delighted to say that these and other upcoming schemes mean that we are about halfway to making the £50m savings over the next three years.

I would like to pay a tribute to the Chief Executive and his staff who have worked so hard to make these changes possible and work together as a team.

Finally, the administration launched its draft Vision and Priorities in September to change the culture of the way things are done. No longer top down, 'Have you Heard?' but bottom up, 'Let's Talk and Working Together'. A different attitude, a different culture and a different and better way of doing things.

I am proud of what the administration has achieved so far and much more is to come.

Supplemental Question: Do you have full confidence in all your Portfolio Holders and please state your reasons for that confidence?

Supplemental Answer: Yes, I do have full confidence in them.

6.

Questioner: Councillor Barry Macleod-Cullinane

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

Question: Do you believe that the launch session of 'Let's Talk' on 6th November was a success?

Answer: The administration is delighted with the progress of 'Let's Talk'. The campaign has had 674 website hits and some 2,000 leaflets with draft Vision and Priorities have been handed out. We have had 148 conversation residents at the two roadshows and three open days that have taken place so far. We have handed out just under 7,000 comment cards to residents so far and the next edition of Harrow People is going out to 100,000 households, inviting the residents to take part in 'Let's Talk'. We have invited staff, many of whom live in Harrow, to take part by putting the campaign in the Arrow and on the intranet.

The feedback the Council is getting from residents has been very positive. If I can read you a quote from residents which is in the Harrow Times:

"It's a very good idea. Going in the right direction. Given the scale and unimaginable negative impact of these unprecedented cuts to do this rather than just invite residents to some old, boring Civic Centre meeting rooms with the usual suspects".

Supplemental Question: Given the theme of 'Let's Talk' is engagement with residents, how is the administration planning to engage with the approximately 5,000 households who stand to face a bill for service charges on our estates, the freeholders? Is it going to be added as an accrual for this year's services in the HRA draft budget in December?

Cllr Stephenson: There are a number of forums for listening to the views of residents and tenants. You will know this because you complimented me, when the Labour party was in opposition, for raising the issue of problems with leaseholders and tenants. The administration is making some progress but there is a long way to go and we are listening to what they have to say and

taking on their issues.

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 and appended to the minutes.

7.

Questioner: Councillor Susan Hall

Asked of: Councillor Phillip O'Dell, Deputy Leader of the Council and Portfolio Holder for Environment and Community Safety

Question: Can you provide an update on your proposed parking review?

88. Forward Plan November 2010 - February 2011

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

RESOLVED: To note the contents of the Forward Plan for the period 1 November 2010 – 28 February 2011.

RECOMMENDED ITEMS

89. Key Decision - Draft West London Waste Plan - Proposed Sites and Policies Document

The Portfolio Holder for Planning, Development and Enterprise introduced the report on the Draft West London Waste Plan Proposed Sites and Policies Consultation Document for approval for the purposes of public consultation.

Members were informed that the Plan was one of the policy documents, which would comprise the overall Local Development Framework (LDF) for the borough and would eventually replace the Unitary Development Plan (UDP). The Plan had been prepared jointly by the six west London boroughs of Harrow, Brent, Ealing, Hillingdon, Hounslow and Richmond upon Thames.

The Portfolio Holder added that this matter had been the subject of discussions at recent meetings of the Overview and Scrutiny Committee and Local Development Framework Panel, held on 2 and 9 November respectively, both bodies having submitted their observations to Cabinet.

RESOLVED to Recommend: (to Council)

That the Draft West London Waste Plan: Proposed Sites and Policies Consultation Document and the associated Sustainability Appraisal for the purposes of public consultation be approved.

RESOLVED: That

- (1) the Draft West London Waste Plan: Proposed Sites and Policies Consultation Document be noted;
- (2) it be noted that approval was also being sought to undertake consultations on the Draft West London Waste Plan: Proposed Sites and Policies Document by five other west London Councils, namely Brent, Ealing, Hillingdon, Hounslow and Richmond upon Thames, as members of the West London Waste Authority partnership;
- (3) officers carry out a minimum six week public consultation on the Draft West London Waste Plan: Proposed Sites and Policies Consultation Document and the Sustainability Appraisal in compliance with the adopted Statement of Community Involvement, and report back to a future meeting of Cabinet on the outcome of public consultation and recommendations for changes to the Plan prior to its formal submission.

Reasons for Decision: To enable meaningful progress on the West London Waste Plan (WLWP) in order to meet targets set out in the current London Plan (consolidated with Alterations 2008), draft Replacement London Plan 2009, and Planning Policy Statements 10 and 12.

[Call-in does not apply to the recommendation to Council.]

RESOLVED ITEMS

90. Parking Issues in Pinner - Petition Referred from Council

Cabinet considered a reference from Council, which related to a petition, signed by 2,487 people, on parking issues in Pinner, the impact of the high charges on local businesses and urged for free ½ hour parking scheme to be introduced in line with those areas in the vicinity of Pinner.

The Leader of the Council moved that the petition be referred as evidence to the Parking Review.

RESOLVED: That the petition with the following terms of reference be referred as evidence to the Parking Review:

“We the undersigned request that Harrow Council urgently address the parking issues in Pinner. Local businesses are suffering as a result of the high car parking charges in comparison with other local High Streets in the area.

We urge Harrow Council to introduce ½ hour car parking scheme in Pinner car parks and meter parking areas and to reduce hourly rates to fall in line with Northwood, Ruislip and Eastcote.”

Reason for Decision: To allow consideration of the petition as part of the proposed comprehensive review on parking.

91. Harrow International Vision - Motion Referred from Council

Cabinet received a Motion falling within the remit of the Executive from Council on Harrow International Vision. The Motion, inter alia, commented on the government's spending plans, cuts which threatened the economic recovery, cuts in the Local Area Agreement (LAA) Reward Grant whilst suggesting that the government should take lessons from a Council that listened and led and which was committed to furthering community cohesion.

The Motion also sought the renewal of the international vision and to explore the feasibility of Harrow twinning with other countries, building an atmosphere for economic development and creating a positive environment whilst mitigating the impact of the cuts on residents by working with London Councils.

The Leader moved that the Motion be referred to the relevant Directorate and Portfolio Holder.

RESOLVED: That the Motion be referred to the Portfolio Holder for Community and Cultural Services and Corporate Director Community and Environment for consideration and report back to a future Cabinet meeting.

Reason for Decision: To allow all aspects of the Motion to be addressed prior to making a decision.

92. Calendar of Meetings 2011/12

Cabinet received a report of the Director of Legal and Governance Services setting out the proposals for the Council's Calendar of Meetings for the Municipal Year 2011/12.

RESOLVED: That the Calendar of Meetings for the Municipal Year 2011/12 be approved.

Reasons for Decision: To facilitate the planning and forward commitments of both Members and officers. To allow room booking arrangements to be put in place at the earliest opportunity.

93. Key Decision - Future Organisation of Longfield Infant School and Longfield Junior School

The Portfolio Holder for Schools and Colleges introduced the report, which informed Cabinet of the statutory proposals published in September 2010 to effect the amalgamation of Longfield Infant School and Longfield Junior School.

The Portfolio Holder added that on 15 July, Cabinet had considered the outcome of the statutory consultation and the recommendations of the governing bodies that the two schools should amalgamate. Cabinet had also agreed to publish the statutory proposals, which had been published on 6 September for six weeks. He added that since the publication of the

statutory proposals, no objections had been received during the representation period.

Cabinet was informed that combining the two schools would give an opportunity to further improve educational standards by enabling planning as a coherent whole across the primary phase of the national curriculum, and provide opportunities for wider staff development and experience across the full primary phase. The Portfolio Holder commended the report to enable the two schools to combine in September 2011.

RESOLVED: That Longfield Infant School and Nursery be closed, the age range be extended and the capacity of Longfield Junior School be expanded, to effect the amalgamation of the two schools in September 2011.

Reasons for Decision: To combine the two schools and to give an opportunity to further improve educational standards by enabling planning as a coherent whole across the primary phase of the national curriculum and providing greater flexibility across and between key stages.

To comply with the statutory duty to determine the proposals within two months from the end of the representation period, which ended on 18 October 2010, having had regard to the statutory and non-statutory guidance provided by the Department for Education, rather than refer the matter to the Office of the Schools Adjudicator for determination.

94. Urgent Key Decision - Draft Admission Arrangements and Consultation Process for the 2012-13 Academic Year

The Portfolio Holder for Schools and Colleges introduced the report, which sought the determination of the admission arrangements for community schools. He added that under the Schools Standards Framework Act 1998, the Council, as an education authority, was required to consult for a minimum of eight weeks between 1 November and 1 March before determining its admission arrangements. The Act, as amended, also required each local authority to establish an Admissions Forum to provide a vehicle for admission authorities and key parties to discuss the effectiveness of local admission arrangements.

Members noted that the Harrow Admissions Forum (HAF) had considered the current admission arrangements at its meeting on 20 October and had made its recommendations to Cabinet which included amendments. The Portfolio Holder added that the HAF would consider the outcomes of the consultation at its meeting in February 2011 and thereafter make recommendations to Cabinet in March for final determination of the admission arrangements in accordance with the statutory timescale of 15 April 2011.

RESOLVED: That

- (1) consultation on the admission arrangements, proposed by the Harrow Admissions Forum, at Appendix 1 to the report, be commenced with the following amendments:

- to establish a small working group to further investigate the process for assessing parental medical claims;
 - to clarify that medical claims would only be considered for one school;
 - to change the measurement point for a school from the closest school gate to the centre point of the school site;
 - to amend one of the underlying principles of the Fair Access Protocol for applications for Faith Schools to clarify that applications for Faith Schools must be supported by a Supplementary Information Form to ensure that governors had relevant supporting information to assess whether the child met their faith criterion.
- (2) consultation take place between 29 November 2010 and 28 January 2011 and involve all statutory consultees, including parents and community groups.

Reasons for Decision: To adhere to the statutory requirement under the Schools Standards and Framework Act 1998 for admission authorities to consult for a minimum of eight weeks between 1 November 2010 and 1 March 2011.

[Call-In does not apply to this decision for the reasons stated in the report.]

95. Terms of Reference of Beyond Limits, Harrow's Children in Care Council and The Harrow Pledge

The Portfolio Holder for Children's Services commended the report to Cabinet, which outlined the progress made in formalising the terms of reference of Harrow's Children in Care Council, which would be known as Beyond Limits, and, in addition, the drafting of the Harrow Pledge. The Portfolio Holder added that, apart from a desire to meet statutory obligations, the involvement of young people in the process ought to be welcomed, and she commended the report to Cabinet.

RESOLVED: That

- (1) the draft terms of reference of Beyond Limits, as detailed in the report, be adopted, in particular, the interface proposals between Beyond Limits and Corporate Parenting;
- (2) the Harrow Pledge detailed in the report, as outlined by Beyond Limits, be adopted;
- (3) the appointment of two members of Beyond Limits from a pool of four, as non-voting members to the Panel on an as and when basis be approved.

Reasons for Decision: To adhere to the following expectations on Local Authorities from 'Care Matters -Time for Change 2007' to:

- (a) set up Children in Care Councils as a way of ensuring that Children Looked After have a voice;
- (b) produce a Pledge which describes how, what and the way Children Looked After would be treated;
- (c) allow local Children in Care Councils to monitor the implementation of locally produced Pledges in conjunction with Corporate Parenting Panels.

To provide a Forum for Children Looked After (CLA) to participate and influence policy, and enable them to discuss issues relating to their own direct experiences of the services received.

96. Key Decision - Street Works Management - London Permit Scheme and Fixed Penalty Notices

The Corporate Director of Community and Environment introduced the report, which described the management of street works and set out the rationale for Harrow joining the London Permit Scheme (LoPS) and being able to issue Fixed Penalty Notices (FPNs).

The Corporate Director added that the Scheme was being phased with the first phase having been implemented in January 2010. It was expected that the second phase would be implemented during 2010/11 when a number of boroughs, including Harrow, would join the Scheme. He added that the Scheme would also apply to Red Routes.

Cabinet noted that by joining the LoPS, the Council would be able to exercise greater control and regulation over street works and allow the Council's network management team to be self-financing through the generation of income from permits. The issue of FPNs would allow street works offences to be effectively enforced and improve co-ordination and a policy to regulate their use.

RESOLVED: That

- (1) Harrow join the London Permit Scheme, subject to a successful consultation outcome by the lead London borough, Hammersmith & Fulham Council, and a successful application to the Department for Transport;
- (2) the Divisional Director Environmental Services be authorised to take all actions necessary to implement the London Permit Scheme and to vary permit fees to ensure that the fee income did not exceed the operating cost of the Scheme;

- (3) Fixed Penalty Notices be used to enforce existing street works noticing offences and improve coordination between works promoters subject to the adoption of the Policy for operation of the Scheme;
- (4) the Policy for the issuing of Fixed Penalty Notices for Street Works Noticing Offences, at appendix C to the report, be approved for consultation, and the Portfolio Holder for Environment and Community Safety be authorised to consider the results of the consultation and adopt the Policy;
- (5) the recruitment of three additional staff in the network management team to operate the London Permit Scheme be noted;

Reasons for Decision: The London Permit Scheme and use of Fixed Penalty Notices would give greater controls to Harrow to manage street works on its road network and thereby meet the requirements of the Network Management Duty imposed on it by the Traffic Management Act 2004.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.15 pm).

(Signed) COUNCILLOR BILL STEPHENSON
Chairman