

2005 – 2006
October 2005 Volume 5



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

VOLUME 5: OCTOBER 2005

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THE CABINET,
CABINET ADVISORY PANELS
AND
CONSULTATIVE FORUMS

CABINET

REPORT OF CABINET

MEETING HELD ON 6 OCTOBER 2005

Chair: * Councillor N Shah

Councillors: * D Ashton * Marie-Louise Nolan
 * Burchell * O'Dell
 * Margaret Davine * Bill Stephenson
 * Dighé * Thornton
 * C Mote

* Denotes Member present

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

817. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

818. **Minutes:**

RESOLVED: (1) That the minutes of the meeting held on 28 July 2005, having been circulated, be taken as read and signed as a correct record;

(2) that the minutes of the Special meeting held on 20 September 2005, having been circulated, be taken as read and signed as a correct record once published in the Council Minute Volume.

819. **Arrangement of Agenda:**

The Chair indicated that he had tabled an urgent item in relation to the proposed appointment of an adviser to the Grants Advisory Panel to enable that adviser to attend the next meeting of the Panel. He explained that the arrangements had not been clarified until after the main agenda had been printed and circulated. Members noted that the Chair had requested that this item be placed on the agenda in accordance with Executive Procedure Rule 20, Part 4D of the Council's Constitution.

A Member expressed the view that the majority of agenda item 19, Retendering the delivery of the housing responsive repairs service and the capital programme, could be considered in Part I of the agenda. Having taken advice from the Director of Corporate Governance, the Chair indicated that the item would be considered in Part II of the agenda.

The Chair drew Members' attention to a tabled recommendation from the Portfolio Holder for Education and Lifelong Learning in relation to item 11, Revised Capital Programme 2005 - 06.

Members noted that item 13, Employees Displaced by the Middle Management Review, had been withdrawn from the agenda.

RESOLVED: That all business be considered with the press and public present with the exception of the following items for the reasons set out below:-

<u>Item</u>	<u>Reason</u>
11. Key Decision – Revised Capital Programme 2005 - 06	Members indicated that they wished to discuss details of the Asset Management Project, which was included in the Programme. This involved the discussion of exempt information under paragraph 8 of Part I of Schedule 12A (as amended) of the Local Government Act 1972 in that it related to the amount of expenditure proposed to be incurred by the Authority under a particular contract.

19. Key Decision – Retendering the Delivery of Housing Response Repairs Service and Housing Capital Programme. The report contained exempt information under Paragraph 8 of Part I of Schedule 12A (as amended) of the Local Government Act 1972 in that it contained information in relation to the amount of expenditure proposed to be incurred by the Authority under any particular contract for the acquisition or disposal of property or the supply of goods and services.

820. **Petitions:**

RESOLVED: To note that no petitions had been received.

821. **Public Question Time:**

Members noted that, in accordance with Executive Procedure Rule 15, a public question had been submitted. As the questioner was not present, the question was not received at the meeting.

[Note: Subsequent to this item being considered, the questioner arrived at the meeting. Upon a vote being taken, Members agreed that the question not be received. The Chair indicated that he would take the question after the main items on the agenda. However, the questioner had left by the time the items on the agenda had been completed.]

822. **Strategic Performance Report - Quarter 1 2005/2006:**

The Director of People, Performance and Policy introduced the report to the Performance Board and outlined the actions being taken. He highlighted the significant areas of progress during the first quarter and the areas requiring further work.

The Director of People, Performance and Policy reported that, according to the Audit Commission, 60% of the Council's performance indicators were moving in the right direction and that 5% were now in the top quartile nationally. He advised that there was still progress to be made but that considerable strides had been made in embedding performance management within the Council. He added that the Office of the Deputy Prime Minister (ODPM) had invited Harrow to be a participant on a steering group for performance management, which gave an indication of the progress the Authority was making.

The Director of People, Performance and Policy advised that the Strategic Performance Report had been amended to reflect the Council's Corporate Plan. In response to a Member's question, he confirmed that previous performance information would be indicated on the 2nd quarter and future performance reports.

The Chair advised Members that the Minister would present the Charter Mark to the Council's Benefits Service, who were judged to be the best nationally.

RESOLVED: (1) That the performance report and the actions being taken be noted;

(2) that the officers note the adaptations identified by the Performance Board and incorporate them into the Strategic Performance Report.

Reason for Decision: It had previously been agreed that Cabinet would receive quarterly performance information reports in its role as Performance Board.

823. **Forward Plan 1 October 2005 - 31 January 2006:**

RESOLVED: To note the contents of the Forward Plan for the period 1 October 2005 – 31 January 2006.

824. **Reports from the Overview and Scrutiny Committee or Sub-Committees:**

RESOLVED: To note that no reports had been received.

825. **West London Sub-Regional Development Framework (SDRF):**

The Director of Strategic Planning introduced the report, which outlined the development of the West London Sub-Regional Development Framework. Members noted that the Greater London Authority (GLA) had agreed to extend the public consultation period until 25 October 2005 but that it would still be quite a challenge to obtain approval to the formal West London Partnership in time. The Director advised

that the West London draft response would be circulated to the relevant authorities for endorsement but that there would be little opportunity to comment at that stage.

The Director of Strategic Planning drew Members' attention to the recommendation from the Special meeting of the Strategic Planning Advisory Panel held on 29 September 2005, which set out the Council's response to the West London Sub-Regional Development Framework.

Members debated the delegation of the approval of the final West London Partnership response to the Leader and it was

RESOLVED: (1) That approval of the final West London Partnership response to the draft West London Sub-Regional Development Framework be delegated to the Leader of the Council, in consultation with the other party Leaders, prior to the 25 October 2005 West London deadline;

(2) that the Harrow response to the Greater London Authority, as amended by the Strategic Planning Authority, be submitted to the GLA.

Reason for Decision: This provided an opportunity to influence the final Greater London Authority document and spatial planning and related matters until 2016 and to also inform the development of the Harrow Local Development Framework.

826. **Governance of the Business Transformation Partnership:**

The Executive Director (Business Development) introduced the report, which presented details of the governance framework required to manage and control the Partnership.

Following a Member's question in relation to the quorum of the Partnership Board, it was agreed that the meeting would be quorate if the Council Members were in attendance. In addition, it was agreed that the terms of reference be amended to indicate that the Portfolio Holder for Finance, or a Councillor in the equivalent role, be a member of the Board.

Members noted that the governance arrangements had been discussed at the Members' IT Forum and that if any future changes were required they would be reported to Cabinet. It was further noted that Members could appoint reserves to the Board.

RESOLVED: (1) That, subject to the amendments outlined in the preamble above, the overall Governance framework be approved;

(2) that the Harrow and Capita membership as detailed in Appendix A to the report of the Executive Director (Business Development) be approved;

(3) that the requirement for continuing external support be noted.

Reason for Decision: To agree the overall project governance structure, to support the operation of the key programme decision-making process. A rigorous governance framework, with appropriate level involvement from Harrow would support the monitoring and management of the Partnership and ensure that the benefits that would arise from the initial and later projects were obtained.

827. **Key Decision - Revised Capital Programme 2005 - 06:**

The Director of Financial and Business Strategy introduced the report and outlined a number of proposed amendments to the Programme. She reported that the amendments to the Programme had a net additional cost of £308,000 in 2005/06, which was a relatively small amount in the context of the £75m programme. The Director of Financial and Business Strategy advised that approval was also sought to a recommendation from the Grants Advisory Panel that a capital grant of £15,000 be awarded to the Harrow Heritage Trust for 2005-06.

A Member expressed concerns in relation to the HOST project in that the amendment proposed virtually doubled the cost of the contract. The Director of Children Services advised that considerable efforts had been put into the project and that it was now time critical. He added that the amendment was required as the project had not been phased correctly at the outset. The Portfolio Holder for Business Connections and Performance suggested that an Executive Working Group be established to either approve or reject the amendment to the Programme.

In response to a Member's concern in relation to the Accommodation Strategy, the Portfolio Holder for Planning, Development and Housing moved that this item be

deferred whilst the future accommodation requirements of the Civic Centre were considered.

A Member sought clarification on the proposals for Stanmore Car Park and whether an equivalent number of car parking spaces would be provided as had been available in the previous car park. The Portfolio Holder for Planning, Development and Housing advised that there was an opportunity within the site and adjoining areas for a comprehensive redevelopment and regeneration scheme that would benefit Stanmore but that issues in relation to the adjoining buildings had yet to be finalised. In response to a Member's concerns in relation to the Section 106 monies lost, it was suggested that the matter be referred to the Overview and Scrutiny Committee for consideration.

The Acting Executive Director (Urban Living), in response to a Member's concerns, advised that amendments to the Capital Programme in relation to organic waste would enable the Council to achieve its recycling targets and that the background to this issue had been the subject of reports to Cabinet over the last 18 months.

Members indicated that it would be helpful to receive information in relation to the incremental costs of the Capital Programme on a more regular basis.

Having taken advice from the Director of Corporate Governance, Members agreed to consider the concerns in relation to the Asset Management Project in Part II of the agenda.

An amendment in the name of Councillor Bill Stephenson was moved and it was

RESOLVED: (1) That, with the exception of the amendments set out in (2) and (3) below, the amendments to the Capital Programme for 2005-06, as set out in the report of the Director of Financial and Business Strategy be approved and that the implications for 2006-07 and 2007-08 be noted;

(2) that consideration of the amendment to the Accommodation Strategy be deferred;

(3) that the approval/rejection of the amendment to the HOST project be delegated to an Executive Working Group comprising Councillors D Ashton, Margaret Davine, Dighé, and Thornton;

(4) that the HOST project and the loss of Section 106 monies in relation to Stanmore Car Park be referred to the Overview and Scrutiny Committee for consideration;

(5) that £20,000 be added to the Capital Programme for the refurbishment of Harrow Arts Centre and Museum to give the Arts Centre/Museum a new look for the 100th anniversary of the building of Elliott Hall and the 500th anniversary of the Tithe Barn respectively;

(6) that a capital grant of £15,000 to the Harrow Heritage Trust for 2005-06 be approved.

Reason for Decision: To ensure that amendments to the programme were approved and to provide clarity about the programme for 2005-06.

(See also Minutes 819 and 834).

828. **Key Decision - Medium Term Budget Strategy Review 2006-07:**

The Director of Financial and Business Strategy introduced the report which sought the approval of the repriced Medium Term Budget Strategy (MTBS) for 2006 – 2007. She advised that a detailed analysis had been included on the Cabinet Information Circular.

The Director of Financial and Business Strategy highlighted the impact of the key factors on the MTBS and advised that the Government was consulting on the Formula Grant. This consultation was wide-ranging and, amongst other issues, looked at different ways of allocating funding.

The Director of Financial and Business Strategy reported that a Council Tax increase of 2.9% was currently forecast for 2006/7 which was in line with inflation but she added a note of caution in that it was still early in the process and that there was still a great deal of uncertainty in relation to grants.

A Member, in acknowledging the requirements of the Council's Constitution, questioned whether the exercise in reporting the repriced MTBS had any real value as it was reliant on so many presumptions. The Chair disagreed with this view. However,

the Portfolio Holder for Business Connections and Performance indicated that the Council's Constitution might require review as there was no real value in carrying out this technical exercise until the Government Grant was known.

RESOLVED: That the reprinted Medium Term Budget Strategy for 2006/2007 be approved on the basis that it was a technical exercise.

Reason for Decision: In accordance with the Council's Constitution, the Cabinet was required to approve draft budget proposals by 1 November each year. The approval of the reprinted MTBS for 2006 – 2007 fulfilled this obligation and was a key stage in the budget process.

[Note: Councillors D Ashton and C Mote wished to be recorded as having voted for the resolution on the basis that they were agreeing the process only.]

829.

Key Decision - PFI /LIFT Project:

The Executive Director (Business Development) introduced the report, which followed on from the previous report considered by Cabinet on 28 July 2005.

The Director of Children Services reported that work was in progress to address the issues in relation to the allotments on one of the sites and that this was subject to the Secretary of State's approval.

In response to a Member's question in relation to the financial situation of the Primary Care Trust (PCT), the Director of Children Services advised that the Chief Executive of the PCT and the Director of Public Health had indicated that they would expect the necessary savings to arise from their estate.

RESOLVED: (1) That the sites detailed in the report of the Executive Director (People First) be endorsed for redevelopment;

(2) that the Outline Business Case for the development of three Neighbourhood Resource Centres combining support services for people with severe learning disabilities and other complex needs with community based support from assessment and care management staff and outreach workers be endorsed;

(3) that the Interim Director of Corporate Property be authorised to agree terms for transfer to LiftCo of the freehold or leasehold of the relevant sites, as required, in order to facilitate development;

(4) that officers carry out all necessary works to achieve Stage One agreement with the LIFT Strategic Partnering Board;

(5) that subject to Stage One approval and endorsement of the Outline Business Case by the Department of Health, Stage Two of the process be progressed;

(6) that a contract with LiftCo for the provision of "soft" facilities management services such as catering and cleaning be established.

Reason for Decision: The Centres met the Council's corporate priorities in relation to strengthening of Harrow's communities, valuing Harrow's customers and impact through Harrow's partnerships.

830.

Key Decision - Council Tenancy Agreements:

The Interim Director of Corporate Property introduced the report and indicated that the current tenancy agreement required updating to ensure the continued good management of the Council's housing stock. In addition, in relation to the Introductory Tenancy Scheme, the project group was now working on the procedure and delegations necessary to achieve the proposed revised implementation timetable of March 2006. A review of the scheme would be reported to Cabinet after the first twelve months of operation.

In response to a Member's question as to how often the project team had met, the Interim Director of Corporate Property indicated that he understood that they had been involved throughout the project but that he would seek clarification. He also noted Members' comments that the tenancy agreements should be in plain English and jargon free.

RESOLVED: (1) That the formal tenant and stakeholder consultation necessary to review the Standard Housing Tenancy Agreement and Garage Licence with the intention of introducing the revised agreement and licence by August 2006 be approved;

(2) to note the commencement of the Introductory Tenancy Scheme.

Reason for Decision: To improve the management of the Council's housing and garage stock and optimise rental income. To improve the Council's Housing service by the introduction of agreements and licenses easily read and understood by occupants and to assist in the delivery of the action necessary to take forward the Council's anti-social behaviour partnership.

831. **Education Consultative Forum - Terms of Reference:**

Cabinet received a report of the Executive Director (People First), which outlined the changes to the Terms of Reference proposed by the Education Consultative Forum.

Members noted that the decision to remove the Arts Culture Harrow representation from the Forum membership reflected their lack of attendance and feedback that they did not find the Forum a useful meeting to support their work. Members supported the suggestion of the Portfolio Holder for Education and Lifelong Learning that the Annual Report of Arts Culture Harrow be submitted to the Lifelong Learning Scrutiny Sub-Committee and circulated on the Cabinet Information Circular.

On the advice of the Director of Corporate Governance, the Chair indicated that it was not necessary to make a recommendation to Council for the incorporation of these changes in the Council's Constitution.

RESOLVED: (1) That the changes to the Terms of Reference of the Education Consultative Forum as set out in Appendix B to the report of the Executive Director (People First) be approved;

(2) that the changes to the Terms of Reference of the Education Consultative Forum be incorporated in the Council's Constitution.

Reason for Decision: To provide clarity of meaning within the Terms of Reference and to be more representative of the Forum's remit and purpose.

832. **Grants Advisory Panel - Proposed Appointment of an Adviser:**

In accordance with Executive Procedure Rule 20, the Chair tabled an item proposing the appointment of an adviser to the Grants Advisory Panel.

RESOLVED: (1) That the proposal to appoint an Adviser to the Grants Advisory Panel be supported;

(2) that the Harrow Association for Voluntary Service be requested to nominate a suitable person for the post;

(3) that the Grants Advisory Panel be requested to confirm this arrangement at the start of their next meeting;

(4) that the nominee be invited to attend the next meeting of the Grants Advisory Panel.

Reason for Decision: To improve the information available to those Members making decisions in relation to grants.

(See also Minute 819).

833. **Key Decision - Retendering the Delivery of the Housing Response Repairs Service and the Housing Capital Programme:**

Members considered a confidential report of the Interim Director of Corporate Property in relation to the Housing Response Repairs Service and the Housing Capital Programme.

RESOLVED: (1) That authority be delegated to officers to negotiate and implement an exit strategy from the current housing repairs and maintenance contracts to an upper limit as set out in the officer report;

(2) that a review of the options for delivery of the emergency call out and void service, be approved and that the Interim Director of Corporate Property be authorised, in

consultation with the Portfolio Holders for Planning, Development and Housing and Communications, Partnership and Human Resources, to implement the best business case arising from this;

(3) that the final scope and content of the Housing Decent Homes contracts be delegated to the Interim Director of Corporate Property, in consultation with the Portfolio Holders for Planning, Development and Housing and Communications, Partnership and Human Resources, the Chair of the Tenants' and Leaseholders' Consultative Forum and representatives of Harrow Federation of Tenants' and Residents' Association.

Reason for Decision: To enable officers to negotiate withdrawal from the current costly repairs and maintenance contract. To enable the review of the emergency call out and voids services and implement the best business case for delivery of the services, to enable the determination of the final scope and content of the Housing Decent Homes contracts.

(See also Minute 819).

834. **Revised Capital Programme 2005 - 06:**

The Director of Financial and Business Strategy gave a confidential oral report on the issues relating to the Asset Management Project.

RESOLVED: That the position be noted.

(See also Minutes 819 and 827).

(Note: The meeting, having commenced at 7.30 pm, closed at 9.13 pm).

(Signed) COUNCILLOR NAVIN SHAH
Chair

CABINET
ADVISORY
PANELS

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****4 OCTOBER 2005**

Chair: * Councillor Toms

Councillors: Choudhury * Mrs Joyce Nickolay (3)

Advisers: Mr D A Jones
(Vacancy)

* Denotes Member present
(3) Denotes category of Reserve Member

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admissions to County Schools**

On 4 October there were 6 children for whom the admissions staff could make no reasonable offer of a school place. The Education Admissions and Awards Advisory Panel was requested to authorise the admission of these pupils to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That an offer of admission to a school be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H67	10	Canons
H68	10	Park
H69	10	Whitmore
H70	10	Rooks Heath
H71	10	Hatch End
H74	10	Rooks Heath

[Note: Due to an error in the numbering of cases on the agenda the case shown on the agenda as H66 became H67 and all subsequent cases were renumbered consecutively which meant the last case shown on the agenda (H73) became H74 on the list shown above. Cases H72 and H73 were withdrawn from the agenda, as offers of places had already been made].

PART II - MINUTES462. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Janet Cowan	Councillor Joyce Nickolay

463. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

464. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
8.(a) Admissions to County Schools	This report was not available at the time the agenda was printed and circulated. Members were requested to consider these items as a matter of urgency.

(2) the item appearing in Part II of the agenda be considered with the Press and Public excluded on the grounds indicated below:

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
8. Admissions to County Schools	These items were considered to contain exempt information as defined in Paragraph 4 of Part I of Schedule 12A to the Local Government (Access to Information) Act 1985 in that they contained information relating to any particular applicant for, or recipient of, any service provided by the Authority.
8.(a) Admissions to County Schools	

465. **Minutes:**

RESOLVED: That the minutes of the meeting held on 20 September 2005 be deferred until printed in the next Council Bound Minute Volume.

466. **Public Questions:**

RESOLVED: To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

467. **Petitions:**

RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

468. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

469. **Admissions to County Schools:**

See Recommendation 1.

(Note: The meeting having commenced at 5.03 pm, closed at 5.15 pm)

(Signed) COUNCILLOR KEITH TOMS
Chair

HARROW
ADMISSIONS
FORUM

HARROW ADMISSIONS FORUM**10 OCTOBER 2005**

Chair:	* Councillor Bill Stephenson		
Councillors:	* Janet Cowan * Ray		
Community School Representatives:	<u>Governor</u> (Vacancy)	<u>Primary</u> * Sue Jones	<u>Secondary</u> Allan Jones
Jewish School Representative:	† Mrs D Palman		
Roman Catholic School Representative:	* Mike Murphy		
Church of England School Representative:	† Mrs S Hinton		
Church of England Diocese Representative:	Mrs K Uttley		
Catholic Schools Diocese Representative:	* Mr Billiet		
Primary Elected Parent Governor Representative:	† Mr H Epie		
Secondary Elected Parent Governor Representative:	* Mr R Sutcliffe		
Harrow Council for Racial Equality Representative:	* Mr Gaffa		
Early Years Development Partnership Representative:	* Helena Tucker		
Children's Services Representative:	(Vacancy)		

* Denotes Member present
† Denotes apologies received

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admission Arrangements for the 2007-08 Academic Year**

Your Forum received a report of the Director of Strategy (People First), detailing the process for reviewing and consulting on admissions arrangements for the 2007/08 academic year. An officer referred Members to Appendix 2 to the report, which detailed the main changes in the Department for Education and Skills (DfES) draft School Admissions Code of Practice. Particular attention was drawn to the definition of a 'sibling link' and the advice in the Code of Practice that authorities must not 'give priority to children whose siblings had previously attended the school but no longer do so.' A Member of the Forum highlighted the fact that without Year 7 and Sixth Forms, high schools in Harrow had a smaller 'spread' than other schools across the country. Your Forum also discussed whether the rate of sibling links had been rising. An officer explained that such figures were not readily available.

Members also discussed the Single Intake to Reception pilot scheme, although it was agreed that no final decision could be taken until the impact of the pilot scheme had become apparent.

Resolved to RECOMMEND: (to the Portfolio Holder)

That (1) Harrow consult on changing the sibling rules, so that to qualify children would have to be attending the school at the same time; and

(2) officers be requested to consult on continuing the single intake pilot for a further year and provide an evaluation of the impact of single intake into Reception after one academic year.

(See also Minute 68).

PART II - MINUTES

62. **Election of Chair and Vice Chair:**

RESOLVED: That (1) Councillor Bill Stephenson be appointed Chair of the Forum for a period of one year; and

(2) Mr M Murphy (Roman Catholic School Representative) be appointed Vice-Chair of the Forum for a period of one year.

[Note: The Education (Admissions Forums) (England) Regulations 2002 state that the Chair and Vice-Chair shall hold office until the next meeting which falls after the date which is a year after the meeting at which the Chair or Vice-Chair was elected, and on ceasing to hold office shall be eligible for re-election].

63. **Attendance by Reserve Members:**

RESOLVED: To note that Mr Gaffar was reserving for Mr Prem Pawar (Harrow Council for Racial Equality Representative).

64. **Declarations of Interest:**

Given that the Forum was holding its first meeting of the Municipal Year, it was agreed that all Members of the Forum would declare their governorships.

RESOLVED: To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Ray	Declared a personal interest in that he was a governor at Kingsley High School and Shaftesbury High School.
Councillor Janet Cowan	Declared a personal interest in that she was a governor at Belmont First and Middle Schools.
Councillor Bill Stephenson	Declared a personal interest in that he was a governor at Marlborough First and Middle School and Hatch End High School.
Ms H Tucker	Declared a personal interest in that she was a governor at Norbury School.
Ms Sue Jones	Declared a personal interest in that she was Headteacher at Weald First School.
Mr M Murphy	Declared a personal interest in that he was the Chair of Governors at the Sacred Heart Language College.

65. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
7. Admission Arrangements for the 2007-08 Academic Year	The date for this meeting had been scheduled by resolution 61 of the Harrow Admissions Forum meeting on 21 March 2005. The substantive business (items 7 to 9) had not been identified for the purposes of the agenda or available for despatch, at an earlier time.
8. Co-ordinated Admissions Schemes for the 2007-08 Academic Year	Given that all members of the Forum had reserved the date for this meeting on the basis

9. VA School Admission Arrangements of the prior decision, it was in the general interest of administrative efficiency to proceed with the original arrangements, notwithstanding the late availability of the written reports.

(2) all items be considered with the press and public present.

66. **Minutes:**

RESOLVED: That the minutes of the meeting held on 21 March 2005, having been circulated, be taken as read and signed as a correct record.

67. **Matters Arising from the Minutes:**

RESOLVED: To note that there were no matters arising from the minutes of the last meeting.

68. **Admission Arrangements for the 2007-08 Academic Year:**

Further to Recommendation 1, the Forum considered further issues raised within the officer report. A Member expressed concern that the 'home address' of a child (who lived with parents with shared responsibility) was defined as the address of the parent who received child benefit. The Member felt that the parent who received child benefit was not necessarily the parent with the major responsibility for the child. The Chair reported that this definition had been consulted and agreed upon at a Forum meeting last year. The Forum Member also raised the issue of parents needing to provide documentary confirmation of their address, when, for the majority of applicants for school places, this information was already held by the Council but was not easily accessible due to the Data Protection Act. It was felt that this could be a particular issue with the introduction of on-line applications.

A Member reported that members of the Early Years Partnership Group held the belief that attendance at a nursery gave priority for a place in that school's reception class. It was added that this belief was widespread amongst parents. The Forum agreed that this was a common misconception. The Chair read an extract from the Primary Education Information Booklet, which stated that attendance at a nursery class did not give any priority for a place in that school's reception class.

RESOLVED: That (1) the minutes of this meeting be presented to Cabinet, to highlight the problem of not being able to use Council data sources to confirm addresses; and

(2) a letter be written to the Early Years Partnership Group on behalf of the Forum to clarify the position on prioritisation when moving from a nursery class to reception within that primary school.

69. **Co-ordinated Admissions Schemes for the 2007-08 Academic Year:**

The Forum considered a report of the Director of Strategy (People First), which set out the arrangements for the London-wide co-ordinated admissions scheme. As a result of the introduction of the scheme in 2005, places at preferred schools had been offered to 90% of applicants across London. An officer also reported that the authority was required to consult on the arrangements with Voluntary Aided (VA) schools. The Chair expressed appreciation for the contribution and co-operation from the VA schools in the Borough.

RESOLVED: To note that consultation would be undertaken with the VA schools on the proposed schemes of co-ordination for the 2007/8 academic year.

70. **VA School Admission Arrangements:**

Members received a report of the Director of Strategy (People First), setting out the admission arrangements for Harrow's VA schools. Discussion centred on the priority given to Looked After Children (LAC) and children with a statement of Special Educational Needs (SEN) in Harrow's VA schools. Attention was drawn to section 4.33 of the Draft Code of Practice, which advised that it was good practice for VA schools to give priority to 'all looked after children.' A Member expressed concern at points 18, 19 and 20 on page 26 of the agenda and agreed to draw them to the attention of the Diocese.

The Chair hoped that VA schools would adopt similar admission policies to those of community schools in order to establish a more homogenous system across the Borough.

Members were referred to the minutes of the last meeting on page 3 of the agenda. The Chair read an extract from a letter sent by the Chair of Governors at Priestmead First and Nursery and Priestmead Middle School. It was concluded that the problem, which had been longstanding, was part of the wider issue of school organisation.

RESOLVED: That (1) the Chair of the Forum write to VA schools to draw their attention to section 4.33 of the Draft Code of Practice; and

(2) Priestmead School be advised that the points they had raised will be considered in relation to any changes to age of transfer.

71. **Date of Next Meeting:**

RESOLVED: That the next meeting of the Forum be held on Monday 6 March 2006 at 6.00 pm.

(Note: The meeting having commenced at 6.05 pm, closed at 7.35 pm)

(Signed) COUNCILLOR BILL STEPHENSON
Chair

CONSULTATIVE
FORUMS

TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM

31 OCTOBER 2005

Chair: Councillor Currie

Councillors: * Billson * Margaret Davine
 * Burchell (2) * Knowles (in the Chair)

* Denotes Member present
 (2) Denotes category of Reserve Member

Tenant and Leaseholder Representatives

Representatives from the following Associations were in attendance:-

- Alexandra Avenue Tenants' and Residents' Association
- Antoneys Close Tenants' and Residents' Association
- Cottesmore Tenants' and Residents' Association
- Eastcote Lane Tenants' and Residents' Association
- Miscellaneous Properties Residents' Association
- Stonegrove Gardens Tenants' and Residents' Association
- Woodlands Community Association

(In total 12 Tenants/Representatives attended).

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

228. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Currie	Councillor Burchell

229. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

230. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
5. Matters Arising from the Last Meeting) These reports had not been available at the time the agenda was printed and circulated. Members were requested to consider these items, as a matter of urgency.
9. Council Tenancy Agreements	
10. Petitions	
12. Rental Increase for 2001/02 for Pilot Internal Cleaning Programme in 2001	
13. Matters Raised by Eastcote Lane Tenants' and Residents' Association	

14. Matters Raised by Stonegrove Gardens Association)
 15. Matters Raised by the Harrow Federation of Tenants and Residents Association)
 16. Matters Raised by Alexandra Avenue Tenants' and Residents' Association)

(2) all items be considered with the press and public present.

231. **Minutes:**

RESOLVED: That the minutes of the meeting held on 30 June 2005, having been circulated, be taken as read and signed as a correct record.

232. **Matters Arising from the Last Meeting:**

The Forum considered a report of the Interim Director of Corporate Property which contained an update on issues that had been raised at the Tenants' and Leaseholders' Consultative Forum meeting held on 30 June 2005.

In response to a representative from Eastcote Lane Tenants' and Residents' Association' concern about garages being insecure, an officer suggested a site meeting be arranged to investigate this issue. Councillor Burchell and Councillor Knowles requested that they be invited to the meeting.

RESOLVED: That (1) the report be noted;

(2) officers be requested to liaise with ELTRA and hold a meeting before the estate inspection on 1 December 2005.

233. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

234. **Petitions:**

RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

235. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

236. **Council Tenancy Agreements:**

The Forum considered a report of the Interim Director of Corporate property which provided details of the information that had been presented to Cabinet on 6 October 2005, and the progress that was being made on the introduction of the new tenancy agreement, the garage license and the introductory tenancy scheme.

It was reported that the revised draft Tenancy Agreement would help protect tenants and that Introductory Tenancies had been successful. In response to a Member's question as to how many Introductory Tenancies had been issued and how many had been withdrawn, an officer reported that the figures could be reported to the next meeting of the Forum.

In response to a Representative's concern about when TRA representative training would take place, an officer explained that there was a need for a formal consultation process first.

A Member suggested setting up a working party to focus on what information should be contained within the tenants' handbook.

In response to a Representative's concern about how the draft Garage Licence Agreement's limitations of use would be policed, an officer reported that it would be policed by Housing Management and Caretaking.

Representatives expressed concern that some tenants were not keeping their gardens tidy and an officer replied that by outlining tenants' obligations in greater detail in the revised agreement, the Council would have the power to enforce them. It was further explained that where a garden was overgrown, the Council would clear the garden before new tenants moved in. A representative explained that this had not been the case regarding a garden in his block and an officer agreed to contact him to try and resolve the situation.

RESOLVED: That (1) the report be noted;

(2) the Forum receive a report on the number of Introductory Tenancies that have been issued or withdrawn at its meeting on 5 January 2006.

237. **Petitions Received Since 1 April 2005:**

The Forum considered a report of the Interim Director of Corporate Property which notified the Forum of four petitions that had been received by Tenancy Services since 1 April 2005.

(i) **Stiven Crescent**

A petition from ELTRA which requested dropped kerbs to be installed at Stiven Crescent had been received. An officer reported that regarding the dropping of kerbs in Hamilton Crescent, the cost had exceeded the budget. However once the kerbs in Hamilton Crescent had been dropped, Stiven Crescent's request, which had been noted and kept on file, would be considered as part of the proposals for works in Stiven Crescent.

(ii) **Mercer Place, Pinner**

A petition from residents of Mercer Place, Pinner, concerning alleged anti-social behaviour perpetrated by a tenant of Mercer Place had been received. An officer reported that no further reports had been received and the matter had been satisfactorily resolved.

(iii) **Goddard Court, Dobbin Close, Kenton**

A petition from residents of Goddard Court, Dobbin Close, Kenton concerning a family who were staying at Goddard Court was received. An officer reported that the family concerned had moved and therefore the issue had been resolved.

(iv) **Jordan Close, South Harrow**

A petition from residents of the area around Jordan Close, South Harrow, concerning alleged dangerous dogs at Jordan Close was received. An officer reported that the police were holding the dogs until the impending court case. However as a resident informed the Forum that the dogs had been returned, it was agreed that an officer would find out the updated position from the police.

RESOLVED: That (1) the report be noted;

(2) Members of the Panel be kept informed of the position regarding the Jordan Close petition once the officer had spoken to the police.

238. **External Decoration:**

An officer explained that this report would be submitted for consideration at the next meeting of the Forum.

RESOLVED: That the Forum receive a report on External Decoration at its meeting on 5 January 2006 together with the draft Decent Homes Programme for 2006/07.

239. **Rental Increase for 2001/02 for Pilot Internal Cleaning Programme in 2001:**

The Forum considered a report of the Interim Director of Corporate Property which updated the Forum on an issue raised at the last meeting of the Forum on 30 June 2005. It was reported that there had been an increase in rent of 42p to fund a pilot internal cleaning programme but as this scheme had not been taken up, the money had been credited in the next year and therefore the rent account had been balanced.

It was reported that a rent convergence exercise needed to take place by 2012.

The issue of separating the service charge from the rent, in order to improve transparency, was discussed. Some representatives were concerned that the draft tenancy agreement required tenants to keep the area clean, but some tenants, who were paying a service charge, would expect the cleaning to be done for them. An officer agreed that there were practical issues that needed to be worked through with the Tenants' and Residents' Associations. The need for enforcement was also raised.

A representative was concerned that the tenants had paid for a service that they had thought would be implemented and that the figure of £130,000 may have been lost.

RESOLVED: That (1) the report be noted;

(2) officers provide representatives who had expressed concerns, with details of committee decisions from 2001.

240. **Matters Raised by Eastcote Lane Tenants' and Residents' Association:**

The Forum received a response from an officer to the issues raised by the Eastcote Lane Tenants' and Residents' Association.

Representatives were concerned that estate inspection work had not been completed and in their view, officers were failing to respond to concerns and work was not being carried out to a satisfactory standard.

Officers suggested that an officer not currently involved with the inspections should attend the estate inspection meeting on 1 December 2005. New contractors were also being sought.

It was reported that two TRAs had been formed and none had been lost although some did not attend meetings of the Forum. It had recently been written into the Constitution that if representatives did not attend three meetings a year, their grants would be lost. The issue of the approved grants was discussed and it was suggested that more clarity was needed as some TRAs had not received full grants.

Some representatives did not approve of railings that had been erected in the place of a wall. They reported that the wall protected the flats but if a vehicle were to hit the railings, it would cause more damage to the flats than the extra cost associated with rebuilding the wall. Officers explained that consultation had been carried out with residents and the railings had been the preferred option for the majority of residents.

RESOLVED: That (1) the report be noted;

(2) an officer not currently involved with the estate inspections be requested to attend the meeting on 1 December 2005;

(3) TRA representatives to meet with Finance Officers to look at the grants figures.

241. **Matters Raised by Stonegrove Gardens Association:**

The Forum received a response from an officer to the issues raised by Stonegrove Gardens Association. It was explained that windows had been identified as being in need of replacement and this work would take place under the work programme on the Stonegrove Estate which would be agreed in the near future.

RESOLVED: That the report be noted.

242. **Matters Raised by the Harrow Federation of Tenants and Residents Association:**

The Forum received a response from an officer to the issues raised by the Harrow Federation of Tenants' and Residents' Association.

In response to a query raised by a representative, officers explained that the grounds maintenance service was currently fully resourced.

A number of representatives were concerned that grass was being cut and left for days without being collected.

In response to a question from a Member, an officer confirmed that there was no intention to downgrade the role of the Harrow Federation of Tenants' and Residents' Association.

RESOLVED: That (1) the report be noted;

(2) officers be requested to arrange for an officer from the New Harrow Project team to attend the meeting on 5 January 2006 to discuss issues regarding grass.

243. **Matters Raised by Alexandra Avenue Tenants' and Residents' Association:**

The Forum received a response from an officer to the issues raised by the Alexandra Avenue Tenants' and Residents' Association. An officer informed the Forum that after receiving a complaint in May 2004, officers had tried to get more information, but none had been forthcoming and no complaints had been received since.

The representative suggested several measures to deal with the problem of scooters being used on estates and informed the Forum that Nottingham Council had been tackling a similar problem.

A representative expressed the view that there was need for satisfaction surveys to be sent out and for the quality of work to be checked. An officer explained that in addition to having staff check quality, TRAs could be trained to inspect work.

RESOLVED: That (1) the report be noted;

(2) officers contact officers at Nottingham Council to find out more about their solutions and if necessary consult the police and communications unit.

244. **Any Other Business:**

Bin Collections

Representatives were concerned that brown bins were only being collected every fortnight. The Forum was informed that collections would be changed and brown bins would be collected on a weekly basis, within the coming year.

The Forum was advised that if representatives notified officers of issues which officers from the new Harrow Project may be able to help with, an officer from the new Harrow Project could be invited to attend a meeting of the Forum.

Cottesmore Estate

A representative informed the Forum that Sylvia Robinson from the Cottesmore Estate had been unable to attend the meeting as she was unwell but wanted to know when the remainder of the Tree Management Programme would be completed. Officers reported that they would investigate and feed back to Sylvia. The Forum wished Sylvia a speedy recovery.

RESOLVED: That (1) the above be noted;

(2) a member of the Cleansing team be requested to attend the meeting on 5 January 2006 and the collection of rubbish be included as an agenda item at that meeting.

245. **Date of Next Meeting:**

RESOLVED: To note that the date of the next meeting of the Forum was 5 January 2006.

(Note: The meeting having commenced at 7.33 pm, closed at 10.00 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

COUNCIL
AND
COUNCIL
COMMITTEES

LICENSING AND
GENERAL PURPOSES
PANELS

LICENSING PANEL

10 OCTOBER 2005

Chair: * Councillor Idaikkadar

Councillors: * Choudhury * John Nickolay

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**284. **Appointment of Chair:**

RESOLVED: That Councillor Idaikkadar be appointed Chair of the Panel for the purposes of this meeting.

285. **Attendance by Reserve Members:**

RESOLVED: To note that no Reserve Members were currently appointed to this Panel.

286. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

287. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present.

288. **Minutes:**

See Note at conclusion of these minutes.

289. **Public Questions, Petitions and Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received, at this meeting under the provisions of Committee Procedure Rules 18, 15 and 16 (Part 4B of the Constitution) respectively.

290. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

291. **Application for variation of hours at Alfie's Bar, 7 Stanmore Hill, Stanmore during Transitional period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to the Justices' Licensing Hours for Alfie's Bar, 7 Stanmore Hill, Stanmore. A map indicating the location of the premises, and the premises' Public Entertainment Licence were tabled at the meeting.

The application had been made by Mr Adrian Preston for the extension of the premises' opening hours, and hours during which licensable activities were permitted, as well as for the removal of some of the conditions to be transferred onto the converted licence.

The application had been referred to the Panel as there were three unresolved representations from Responsible Authorities and one unresolved representation from the Ray Court Residents Association Ltd. Sergeant Davis attended the meeting on behalf of the Metropolitan Police, Sophia Bix represented the Planning Department of Harrow Council, and Louise Roberts represented the Environmental Protection Team of Harrow Council. Three local residents attended the meeting on behalf of the Ray Court Residents Association Ltd.

The applicant stated that he wished to amend the application, so that the terminal hours for the sale of alcohol now sought were 12.00 am on Sundays to Thursdays, with a thirty minute dispersal period, and 2.00 am on Fridays and Saturdays, with a thirty minute dispersal period.

The applicant explained to the Panel that he sought the removal of the condition preventing drinks from being served in glass containers, since this had resulted in a loss of business; he stated that he wished to remove the condition stipulating latest admission to the premises on Fridays and Saturdays at 11.00 pm, as this would allow the premises to draw custom from employees of nearby pubs once they had finished work.

In response to some of the issues raised by representatives of the Ray Court Residents Association Ltd, the applicant stated that in the evenings he would operate a patrol of the area around the premises every thirty minutes to check that no bottles had been left lying around, and that after 9.00 pm, all empty bottles would be left in the kitchen until the following morning when they would be put in the refuse bin. In addition, the applicant stated that door supervisors would be present to control entry and any problems that may occur on the premises. The applicant expressed his willingness to collaborate with local residents, including members of the Ray Court Residents Association Ltd, to reach mutually beneficial solutions to some of the problems they had encountered.

The Panel heard that the applicant had recently upgraded the plaster boarding on every wall of the premises in an effort to improve soundproofing, and that he would continue to observe the conditions that the patio not be used by customers after 10.30 pm, and that music emanating from the premises not be audible outside residential properties (as per the premises' Public Entertainment Licence).

In response to questions posed by the Panel, the applicant stated that whilst he had been licensee of the premises for under a year, he was a partner in the business, and had no intention of leaving in the foreseeable future. The applicant explained that in the past nine months, he and his partner had spent approximately £60,000 on improvements to the premises, although at present, it had neither double glazing nor air-conditioning. The applicant also stated that the main attraction of the premises on Friday and Saturday nights was the provision of amplified music. The Panel heard that the applicant operated an over-21 year old entry policy on Friday and Saturday evenings, and that the premises had a designated non-smoking area. On the issue of customer parking, the applicant stated that since there were parking machines in Ray Court, to his knowledge patrons tended to park in empty bays in the shopping area and at Ray Gardens.

The applicant stated that in the week prior to the meeting the premises had been burgled. In response to a question posed by Sergeant Davis, the applicant stated that at the time of the break in, no CCTV system had been in operation as the previous system was being replaced. Sergeant Davis stated that this constituted a breach of their licence which included a condition that a CCTV system be in operation at all times. The Panel were informed that, since the AWP machines were emptied every night, the burglars had been unable to steal a significant amount of cash.

The representative of the Ray Court Residents Association raised the issue of noise occurring when patrons left the premises, especially caused by car doors being slammed and engines revved. In response to a question from the Panel, the representative stated that there had been no improvement of the situation since the reopening of the premises after the licence had been revoked.

In the statement made by Sergeant Davis, the Panel was informed that a series of incidents prior to 1 September 2004 had led to a Closure Order being served on the premises; he explained that the premises had then remained closed to business for a period of three months, but that since reopening, the Police had not received any complaints regarding public order. Sergeant Davis stated that it was unclear whether this was a result of the conditions that had been placed on the licence since the Closure Order, the work of Mr Preston since entering the business, or a combination of the two factors. He stated, in addition, that the opening hours sought by the applicant for Fridays and Saturdays were incompatible with Police resources; for this reason Sergeant Davis suggested 2.00 am as a terminal hour on Fridays and Saturdays, with all licensable activities to cease thirty minutes prior to that. Sergeant Davis proposed that a terminal hour of 7.00 pm for children on the premises be set, and stated that, provided that the applicant accepted the proposed hours and would be willing to abide by the remaining conditions, he did not object to the removal of the condition that required drinks to be served in plastic vessels. He also stated that, in this event, he would not oppose removal of the latest admission time condition.

In response to questions from the Panel, Sergeant Davis stated that the Police would expect to recover from the licensee any additional costs that were incurred as a result of the extension of the opening hours of the premises. The Panel received legal advice

that the proposal made by the Police had yet to be tested by the law, and that this should be considered when the Panel retired to consider the application. Sergeant Davis stated that if the Panel was not minded to impose such a condition, then the Police would be opposed to the granting of the variation of the existing Justices' Licensing Hours.

The representative of the Environmental Protection Team informed the Panel that the conditions in the premises' Public Entertainment Licence assuaged the majority of her concerns, and in addition, that the imposition of a latest admission time condition would help alleviate the problem of noise and public nuisance highlighted by representatives of the Ray Court Residents Association. Louise Roberts also advised the Panel that since Mr Preston had entered the business, no complaints had been made to the Environmental Protection Team regarding the premises.

Sophia Bix of the Harrow Council Planning Department informed the Panel that Condition 2 of the 1998 planning permission granted for the premises stated that no music or any other amplified sound caused as a result of this permission should be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises. In light of the objections from local residents, Ms Bix advised the applicant to be mindful of this condition. Since, however, Condition 6 of the premises' Public Entertainment Licence dealt with this issue and had been automatically transferred to the converted licence, Ms Bix did not propose the imposition of a further condition.

Summing up, the applicant stated that since he had stopped using glass bottles, he should not be held responsible for the presence of broken glass in the vicinity of the premises. The applicant stated that he wished to amend the application further, so that the terminal hour for Fridays and Saturdays he now sought was 2.00 am, with all licensable activities to cease at 1.30 am.

RESOLVED: That the application for a conversion and simultaneous variation to the existing Justices' Licensing Hours for Alfie's Bar, 7 Stanmore Hill, Stanmore, be granted as amended with the following additional conditions:

AMENDMENTS TO THE APPLICATION:

Opening hours

Sundays to Thursdays: 9.00 am – 12.30 am
Fridays and Saturdays: 9.00 am – 1.30 am

Sale of alcohol and all other licensable activities (including late night refreshments)

Sundays to Thursdays: 10.00 am – 12.00 am
Fridays and Saturdays: 10.00 am – 1.00 am

Latest admission

Sundays to Thursdays: 11.00 pm
Fridays and Saturdays: 11.30 pm

Non-standard timings

Premises to close at 2.00 am, with all licensable activities to cease at 1.30 am

ADDITIONAL CONDITIONS

1. CCTV cameras shall be operated and maintained in good working order and must comply with the Data Protection Act, and any applicable British Security Industry Association code of conduct.
REASON: The prevention of crime and disorder
2. Noise or vibration shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.
REASON: The prevention of public nuisance
3. Amplified sound equipment shall be governed by a sound limiting device set at a level approved by the licensing authority.
REASON: The prevention of public nuisance

4. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
REASON: The prevention of public nuisance
5. All doors and windows shall be kept closed after 11.00 pm.
REASON: The prevention of public nuisance
6. Proper ventilation shall be available at all times.
REASON: The promotion of public safety
7. The Designated Premises Supervisor is to participate in the Local Pub Watch Scheme, if operational.
REASON: Public Safety
8. On Friday and Saturday evenings, door supervisors shall be made available in the ratio of 1:60, and equipped with metal detectors.
REASON: The promotion of public safety
9. Challenge under 21 policy must be operated.
REASON: The protection of children from harm
10. AWP machines must be emptied daily or fitted with a "boot".
REASON: The prevention of crime and disorder
11. Litter, except food, to be cleared before 11.00 pm every night and kept inside.
REASON: The prevention of public nuisance
12. Front patio to be cleared of patrons and glasses by 11.00 pm.
REASON: The prevention of public nuisance
13. No children to be allowed on the premises after 7.00 pm. All children on the premises must be accompanied by a parent or guardian over the age of 18.
REASON: The prevention of harm to children
14. No open or closed bottles or cans to be taken away from the premises after 11.00 pm.
REASON: The prevention of public nuisance
15. No children to be allowed in the smoking area.
REASON: The prevention of harm to children
16. Free water must be made available.
REASON: The promotion of public health and safety.
17. Outside patrols to be carried out from 11pm to closing time every half an hour.
REASON: The prevention of public nuisance.

(Note: The meeting having commenced at 1.30 pm, closed at 4.25 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) printed into the Council Minute Volume, published monthly;
- (3) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

LICENSING PANEL

11 OCTOBER 2005

Chair: * Councillor Knowles

Councillors: * Branch * Dharmarajah

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**292. **Appointment of Chair:**

RESOLVED: That Councillor Knowles be appointed Chair of the Panel for the purposes of this meeting.

293. **Attendance by Reserve Members:**

RESOLVED: To note that no Reserve Members were currently appointed to the Panel.

294. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

295. **Arrangement of Agenda:**

RESOLVED: To note that all items be considered with the press and public present.

296. **Minutes:**

(See Note at conclusion of these Minutes).

297. **Public Questions, Petitions and Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rule 18, 15 and 16 (Part 4B of the Constitution) respectively.

298. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

299. **Application for Variation of Hours at Kemp's Fish Bar, 327 High Road, Harrow Weald, HA3 5EQ:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the application for the variation in respect of Kemp's Fish Bar had been withdrawn that afternoon by the applicant following conciliation with the Metropolitan Police, and that as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

300. **Application for the Variation of Hours at Incanto Restaurant, 41 High Street, Harrow on the Hill, HA1 3HT:**

The Panel received a report of the Chief Environmental Health Officer which detailed an application for a Premises Licence for the Incanto Restaurant, 41 High Street, Harrow on the Hill.

The application for a Premises Licence had been made by Mr Taylor, who was present at the meeting. An officer from one of the Responsible Authorities, the Council's Planning Department, who had made a representation in respect of the application, was also in attendance.

The application sought an extension of hours for the sale of alcohol, live music, dancing and late night refreshments as listed in the report of the Chief Environmental Health Officer and the application. The application had been referred to the Panel as there had been an unresolved representation from a Responsible Authority.

The premises were situated in the predominantly commercial part of the High Street.

The Panel proceeded to hear the application before them as circulated in the agenda.

An officer from the Licensing Department presented their case and advised that the Grade II listed building had only been open for 6 months, and referred Members to the representation by the Planning Department.

The applicant advised the Panel that the former post office had been refurbished to a high standard. The premises contained a delicatessen at the front and a dining area, with capacity for 62 people, at the rear. He confirmed that the premises had CCTV and was fully soundproofed, and suggested that the extended hours sought would enable some flexibility for ad-hoc events.

The representative from the Planning Department reminded the applicant of the conditions which had been attached to the licence when the application had been submitted to the Planning Department for change of use from retail to a restaurant back in 2001. The conditions as set out in her representation restricted any amplified music and laid down the hours of operation for the premises. She suggested that a variation to the planning conditions ought to have been applied for through the Planning Department, to avoid being in breach.

The applicant was shown a copy of Harrow's Licensing Policy and was referred to sections 8.5 to 8.7 which were as follows:-

8.5 Planning legislation exists as a control over the use of property; it is independent of licensing legislation and has different objectives. The Licensing Authority considers as a matter of routine, that the planning position for a premise is resolved before an application for a licence or certificate is made.

8.6 It is strongly recommended that applicants ensure that:

- The proposed licensable activity does not contravene planning legislation; and
- The hours sought are within the limits authorized by any planning permission.

8.7 In circumstances where an applicant seeks to apply without resolving the necessary planning requirements, it will be for the applicant to detail the special circumstances that justify a departure from the policy.

The Panel considered all the evidence and oral submissions and having had regard to its own policy, in particular paragraphs 8.5-8.7, came to the view that the applicant had not demonstrated special circumstances that justified a departure from the policy. They took into account the Planning Department's representations in the context of the promotion of the four licensing objectives, in particular the prevention of public nuisance and

RESOLVED: That a Premises Licence for Mr Taylor of 32 Dale Road, Stanton by Dale, Ilkeston, Derbyshire in respect of the Incanto Restaurant, 41 High Street, Harrow on the Hill be granted with standard timings in line with the hours of operation set out in the planning permission as follows:-

Supply of Alcohol

Monday – Saturday - 10.30 am - 10.30 pm plus ½ hr drinking up time

Sunday 10.30 am - 4.00 pm

Live Music and Recorded Music

Monday – Saturday - 10.30 am – 11.00 pm

Sunday 10.30 am - 4.00 pm

Hours Premises are Open to the Public

Monday – Saturday - 10.30 am - 11.00 pm

Sunday 10.30 am - 4.00 pm

Non-Standard Timings

Bank Holiday Sundays 10.30 am - 10.30 pm

(Note: The meeting having commenced at 1.30 pm, closed at 2.44 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) printed into the Council Minute Volume, published monthly;
- (3) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

PERSONNEL APPEALS PANEL

10 OCTOBER 2005

Chair: * Councillor Harrison

Councillors: * Arnold * Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**27. **Appointment of Chair:**

RESOLVED: That Councillor Harrison be appointed Chair of the Panel for the purposes of this meeting.

28. **Membership of Appeals Panel:**

RESOLVED: To confirm the Membership of the Personnel Appeals Panel.

29. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

30. **Arrangement of Agenda:**

RESOLVED: That the appeal be considered with the press and public excluded on the grounds that the report contained exempt information as defined under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), in that it contained information relating to a particular employee.

31. **Minutes:**
(See Note at conclusion of these minutes).32. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.

33. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

34. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 16.

35. **Appeal Against Dismissal:**
Following careful consideration of both the verbal and written evidence presented by the appellant and management, the Panel

RESOLVED: That the appeal be upheld.

(Note: The meeting having commenced at 9.40 am, closed at 5.20 pm)

(Signed) COUNCILLOR CYRIL HARRISON
Chair

[Note: Personnel Appeal Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) printed into the Council Minute Volume, published monthly;
- (3) not submitted to the next panel meeting for approval.

Reasons: The Personnel Appeal Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

CHIEF OFFICERS' EMPLOYMENT PANEL

28 OCTOBER 2005

Chair: Councillor N Shah

Councillors: * Mrs Kinnear (1) * O'Dell (2) (in the Chair)
 * Paddy Lyne * Bill Stephenson (3)
 * C Mote

* Denotes Member present
 (1), (2), (3) Denote Nominee substitute (see Minute 58 below).

PART I - RECOMMENDATIONS -- NIL**PART II - MINUTES**

56. **Chair of the Panel:**
 The Licensing and General Purposes Committee at its special meeting on 16 May 2005, under the provisions of Committee Procedure Rule 7.2 duly appointed Councillor Navin Shah as Chair of the Panel for the Municipal Year 2005/06.
- In the absence of Councillor Navin Shah, nominations were sought for the appointment of a Chair for this meeting. Councillor O'Dell was duly nominated and approved as Chair. Given that both this meeting and a meeting of the Panel on 9 November 2005 would have the same membership and were concerned respectively with the shortlisting and interviews for the post of Executive Director of Urban Living, it was agreed that the appointment as Chair should apply to both these meetings.
- RESOLVED:** That Councillor O'Dell be appointed Chair of the Chief Officers' Employment Panel for this meeting and for the meeting to be held on 9 November 2005, both being meetings at which the appointed Chair for the 2005/06 Municipal Year was unable to be in attendance.
57. **Arrangement of Agenda:**
- RESOLVED:** That the item appearing in Part II of the agenda (Minute 61 refers) be considered with the press and public excluded on the grounds that it contained confidential information which was exempt under the provisions of paragraph 1 of Part I to Schedule 12A of the Local Government Act 1972, in that it related to an applicant to become an office holder with the Authority.
58. **Membership:**
- RESOLVED:** That the attendance of Nominee Members at this meeting, further to the formula membership of the Panel, be noted as follows:-
- | <u>Original Member</u> | <u>Nominee Member Attending</u> |
|------------------------|---------------------------------|
| Councillor D Ashton | Councillor Mrs Kinnear |
| Councillor Dighé | Councillor O'Dell |
| Councillor N Shah | Councillor Bill Stephenson |
59. **Declarations of Interest:**
- RESOLVED:** That it be noted that there were no applicable declarations of interest by Members in relation to the business on the agenda for this Panel meeting.
60. **Minutes:**
- RESOLVED:** That the minutes of the Chief Officer Appointments Panel meeting held on 2 August 2005, having been circulated, be signed as a correct record.
61. **Shortlisting for an Appointment to the Post of Executive Director (Urban Living):**
 The meeting received a report from Gatenby Sanderson Recruitment Consultants, on twenty five applications submitted by candidates for the post of Executive Director (Urban Living). The Consultants had interviewed fourteen of those candidates, consequent on which they were recommending nine candidates for short-listing or worthy of consideration. A detailed assessment of each of the top nine candidates interviewed was provided.

Having discussed the merits of the candidates, the preferred short-listing for final interview by the Panel and the arrangements for 9 November were agreed.

RESOLVED: That (1) the five candidates identified be invited to the Assessment Centre process and prospectively for final interview by the Panel for the post of Executive Director (Urban Living);

(2) the one further candidate as agreed be held in reserve, should any of the primary candidates withdraw prior to interview;

(3) the Panel meeting on 9 November 2005 commence at 9.00 am (the timing of the interviews to be dependent on the final number of candidates);

(4) the arrangements for (i) the candidates to make a presentation to Members on 9 November and (ii) for communicating the outcome of the Assessment Centre on 2 November 2005 and a list of proposed questions at interview to Panel Members by 4 November, be as now discussed.

(Note: The meeting having commenced at 9.00 am, closed at 10.30 am)

(Signed) COUNCILLOR P O'DELL
Chair

AUDIT
COMMITTEE

REPORT OF AUDIT COMMITTEE

MEETING HELD ON 10 OCTOBER 2005

Chair: * Councillor John Cowan

Councillors: * Branch * Mark Ingram
* Idaikkadar * Romain

* Denotes Member present

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

64. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

65. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

66. **Arrangement of Agenda:**

The Chair indicated that he would be varying the order of the agenda to consider item 10b, the External Auditor's SAS610 report as the first item of business followed by item 10a, the Statement of Accounts 2004-2005.

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special circumstances/Grounds for Urgency</u>
10. The Authority Accounts 2004-2005	These reports had not been available at the time the agenda was printed and circulated as the accounts were subject to changes following discussions with the external auditors. Members were requested to consider, approve and publish the accounts by the end of October 2005 in order to comply with the 2003 Accounts and Audit Regulations.
(a) The Statement of Accounts 2004-2005 (Report of the Director of Financial and Business Strategy).	
(b) The External Auditor's SAS610 report to the Authority	

(2) all business be considered with the press and public present.

67. **Minutes:**

RESOLVED: That the minutes of the meeting held on 26 July 2005, having been circulated, be taken as read and signed as a correct record.

68. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.

69. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

70. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 16.

71. **References from Council and other Committees/Panels:**

RESOLVED: To note that no references were received.

72. **The Authority's Accounts 2004-2005 - The External Auditor's SAS610 report:**

The Committee received the External Auditor's SAS610 report to the Authority, which was presented by the Authority's appointed auditor, Nigel Johnson and Angus Fish of Deloitte and Touche LLP.

The Committee had a lengthy discussion in relation to bad debt provision. It was noted that this matter had been re-visited by officers in light of the Auditor's comments and that an officer-working group considering this issue would report to Members. A Member enquired about bad debt in general and how it would be dealt with. The Member was advised that a different approach was required for each debt area. The Auditor indicated that it was for the Committee to conclude whether it was appropriate to provide for additional bad debt in the 2004-05 accounts. He confirmed that the Auditors had yet to be convinced that the Authority's method of assessing bad debt for Council Tax arrears was reasonable. Members also noted the Auditor's concerns in relation to the uncollected 1% of Council Tax each year.

In response to a Member's concern in relation to the 'slow progress in implementing internal audit recommendations', an officer advised that internal audit had made improvements and that a 'traffic light' reporting and escalation system had been introduced.

During the course of the discussion on the External Auditor's report, the following issues were raised/considered by Members:-

- The possibility of increasing bad debt provision;
- The level of contingency the Auditor would support;
- That there was insufficient information available to draw a final conclusion in relation to the level of Council Tax arrears bad debt provision and that the Committee required further advice;
- The cyclical plan for revaluing fixed assets;
- That the Auditors had not yet been able to provide a response on debt premia as they were awaiting information from Council officers;
- That there were other areas, such as insurance provisions and schools PFI scheme where the Auditors were evaluating additional information;
- Concern in relation to the Auditor's response on spreading of government grants funding schools PFI balance and that it would have been helpful to have been advised of this issue at an early stage;
- The treatment in the accounts of an expected business rate rebate, notified this financial year but relating to previous years;
- That the Auditor was seeking clarification that the Pension scheme was properly identified and accounted for.

An officer advised that the amendments to the accounts outlined in the Auditor's report had been actioned.

With reference to the draft Letter of Representation circulated as an Appendix to the Auditor's report, a Member sought clarification that all minutes of Member level meetings in the financial year concerned had been made available. The Auditor confirmed that this reference was to formal Member level meetings. It was suggested that the Auditor might find it beneficial to have sight of the minutes of the Budget Review Working Group.

The Chair indicated that it would be necessary to hold a further meeting of the Committee to ensure that Members were satisfied with the Accounts for publication.

RESOLVED: That the External Auditor's SAS610 report to the Authority be received and noted.

73. **The Authority's Accounts 2004-2005 - The Statement of Accounts 2004-2005:**
The Committee received a report from the Director of Financial and Business Strategy on the amended Statement of Accounts for 2004-2005 and draft Letter of Representation, which had been circulated as an Appendix to the External Auditor's SAS610 report.

An officer tabled an amendment to the recommendation, which sought consideration only of the amended accounts and agreement to meet again on 27 October 2005 to approve the accounts. It was reported that approval was sought to the resubmitted Statement of Accounts by the end of October 2005. Members noted that the Audit and Accounts Regulations required a shorter timetable for closing and reporting the annual accounts, and that for the year 2005-06 the deadline was 30 June 2006. A Member commented that there might be significant difficulties in the Authority meeting this earlier deadline and suggested that resource planning was required.

The External Auditor advised that a review of resources assessment work had been carried out and would be finalised following the quality review process. He suggested that the Committee might wish to consider this at a future meeting.

The Chair urged Members to contact the Director of Financial and Business Strategy if they had any specific queries or issues in relation to the Accounts.

Members commended officers for their work to date on the Accounts and thanked the Auditors for their work.

RESOLVED: That the Committee consider the approval of Statement of Accounts for 2004-2005 and Letter of Representation at their meeting on 27 October 2005.

74. **Compliance with Financial Regulations and Contract Procedure Rules:**
The Committee received a report from the Director of Financial and Business Strategy that had been prepared in response to Members' requests for a report on compliance with financial regulations and contract procedure rules.

A Member commented that, in relation to contract procedure rules, officers should be required to declare interests in writing and seek authorisation and a signature from the relevant Director. This exercise should be repeated on an annual basis and updated as necessary throughout the year.

In relation to the section of the report detailing action that could be taken, a Member expressed the view that this needed strengthening.

In response to a Member's query in relation to the roll out of the Harrow Rules Programme of training, the officer confirmed that the sessions had been taking place and that he understood that the aspirations of the Rules would form part of the Council's financial regulations.

RESOLVED: That the action proposed to promote compliance with the financial regulations and contract procedure rules be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.44 pm).

(Signed) COUNCILLOR JOHN COWAN
Chair

REPORT OF AUDIT COMMITTEE

MEETING HELD ON 27 OCTOBER 2005

Chair: * Councillor John Cowan

Councillors: * Branch * Mark Ingram
* Idaikkadar * Pinkus (1)

* Denotes Member present
(1) Denotes category of Reserve Members

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

75. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Romain	Councillor Pinkus

76. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

77. **Arrangement of Agenda:**

The Chair stated his intention to consider item 9 (b), the External Auditor's SAS610 report as the first item of business followed by item 9 (a), the Statement of Accounts 2004-2005.

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
9. The Authority Accounts 2004-2005	These reports were submitted on the supplemental agenda as the accounts were subject to changes following discussions with the external auditors. The Committee was required to consider, approve and publish the accounts by 31 October 2005 in order to comply with the 2003 Accounts and Audit Regulations.
(a) The Statement of Accounts 2004-2005	
(b) The External Auditor's SAS610 report to the Authority	

(2) all items be considered with the press and public present.

78. **Minutes:**

RESOLVED: That the signing of the minutes of the meeting held on 10 October 2005 be deferred until printed in the Council Bound Minute Volume.

79. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.

80. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

81. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 16.

82. **The Authority Accounts 2004-2005:**

The Director of Financial and Business Strategy commented on the process of compiling the Statement of Accounts and highlighted the need continue to improve next year in order to meet the deadline, which in accordance with the Accounts and Audit Regulations, would be moved forward one month. The Chair thanked officers and the external auditors for their efforts.

The Director of Financial and Business Strategy tabled a report that proposed two final amendments to the consolidated balance sheet. The amendments proposed that £3.025 million be added to the general fund reserve and proposed the transfer of £1 million from the general fund reserve to the provision for doubtful debts.

- (a) The External Auditor's SAS610 report to the Authority (the Authority's appointed auditor, Mr. Nigel Johnson of Deloitte & Touche LLP, was in attendance to present this report):

The Committee received the External Auditor's SAS610 report to the Authority, which was presented by Angus Fish of Deloitte and Touche LLP. Members were referred to page 1 of the report, which listed the outstanding points, some of which had been resolved since the publication of the report. The Committee were provided with several points of clarification contained within the report. On page 17 of the report, it was noted that the figure £0.1 million had been amended to £0.6 million. On page 22 it was clarified that the figure was £3.5 million, which was not a material sum.

RESOLVED: That the External Auditor's SAS610 report to the Authority be received and noted.

- (b) The Statement of Accounts 2004-2005:

Members received a report of the Director of Financial and Business Strategy on the 2004-2005 Statement of Accounts. The Committee considered the Statement of Accounts and agreed:

- that an amendment be made on page 2 of the Statement of Accounts clarifying that it was a requirement to seek Audit Committee approval for the Statement of Accounts;
- that an explanatory note be inserted on page 36 to reflect that the figures relating to audit fees were not measuring comparative figures; and
- that an additional column be added to the Valuation Bands table on page 46 to highlight the total property numbers.

On page 14 of the Statement of Accounts it was noted that the wording 'reasonable level' was a term issued from the CIPFA guidance. The Chair felt that the internal system of control should endeavour to eliminate all risk of failure even if it was not an achievable objective. The Director of Financial and Business Strategy made several further clarifications including an explanation for the decline of Urban Living dwellings and the fall in the Pinner War Memorial Fund. The Committee also discussed the debt owed to the Council by Harrow Primary Care Trust (PCT). It was reported that the People First finance team had been meeting with the PCT regularly in order to ensure that the Council continued to receive payments.

RESOLVED: That (1) subject to the amendments made at the meeting, the Statement of Accounts for 2004-2005 and the Letter of Representation be approved; and

(2) in noting the comments of the External Auditor on the 2004/05 Statement of Accounts in relation to debt recovery and the level of provision for bad debts, the Audit Committee request that Cabinet:

- (a) carry out a full review of debt recovery policy, sums outstanding, write offs required, the appropriate level of bad debt provision for the authority and the adequacy of the current provision as a high priority and in time for the next annual audit;

(b) make adequate provision in future budget plans for effective debt management; and

(c) take action to take write off debt where required.

83. **Date of Next Meeting:**

RESOLVED: To note that the next meeting would be held on 26 January 2006.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.00 pm).

(Signed) COUNCILLOR JOHN COWAN
Chair

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 10 OCTOBER 2005

Chair: Councillor Jean Lammiman

Councillors: * Blann * Pinkus
 * Bluston * Seymour
 * Mrs Champagne (2) * Mrs R Shah (1)
 * Mitzi Green (in the Chair) * Toms (5)
 * Lavingia (4) * Versallion
 * John Nickolay (4)

* Denotes Member present
 (1), (2), (4) and (5) Denote category of Reserve Members

[Note: Councillor Marie-Louise Nolan also attended this meeting to speak on the items indicated at Minutes 333, 334 and 335 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES

322. **Election of Chair for the Meeting:**
 In the absence of both the Chair and Vice-Chair, Councillor Mitzi Green was nominated and duly seconded to Chair this meeting. Upon being put to a vote, it was
- RESOLVED (unanimously):** That Councillor Mitzi Green be elected as Chair for this meeting.
323. **Councillor Jean Lammiman:**
 It was noted that Councillor Lammiman was unwell. All Members of the Committee joined in wishing her a speedy recovery.
324. **Attendance by Reserve Members:**
- RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-
- | <u>Ordinary Member</u> | <u>Reserve Member</u> |
|--------------------------|--------------------------|
| Councillor Gate | Councillor Mrs R Shah |
| Councillor Mark Ingram | Councillor Toms |
| Councillor Jean Lammiman | Councillor John Nickolay |
| Councillor Osborn | Councillor Mrs Champagne |
| Councillor Thammaiah | Councillor Lavingia |
325. **Declarations of Interest:**
 Councillor Bluston declared a personal interest in respect of agenda item 10, "Annual Report of the Human Resources Portfolio Holder for 2004/05", by virtue of the fact that the report made reference to the percentage of employees retiring and that he was the Chair of the Early Retirement Sub-Committee. During consideration of the same item, Councillor Bluston declared a further personal interest by virtue of the fact that he was also the Chair of the Pension Fund Investments Panel.
- RESOLVED:** To note the interests declared by Councillor Bluston in relation to agenda item 10, and that the Member participated in the discussions and decisions on that item.
326. **Arrangement of Agenda:**
- RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda Item</u>	<u>Special Circumstances/Grounds for Urgency</u>
17. Harrow IT Services Update Report	The report had not been available for circulation when the original agenda was despatched due to the considerable amount of effort that was required to conclude the contract negotiations for the Business Transformation Project (BTP).

(2) all items be considered in the order set out in the agenda and with the press and public present.

327. **Minutes:**
RESOLVED: That the minutes of the meeting held on 19 July 2005, having been circulated, be taken as read and signed as a correct record.
328. **Public Questions:**
RESOLVED: To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.
329. **Petitions:**
RESOLVED: To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.
330. **Deputations:**
RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.
331. **Appointment of Members to Sub-Committees for the remainder of the Municipal Year 2005/06:**
RESOLVED: To confirm the following changes to the membership of the Scrutiny Sub-Committees for the remainder of the Municipal Year 2005/06:
- (1) Councillor Gate to replace Councillor Groves as a Member of the Health and Social Care Sub-Committee.
 - (2) Councillor Ann Groves to replace Councillor Gate as a Member of the Strengthening Communities Sub-Committee.
332. **References from Council/Cabinet:**
RESOLVED: To note that there were no references from Council or Cabinet.
333. **Annual Report of the Human Resources Portfolio Holder:**
The Committee considered a report of the Executive Director (Business Development) which outlined the key Human Resources and Organisational Development activities in 2004/05.
- The report was presented to the Committee by the Acting Director of Human Resources as Councillor Marie-Louise Nolan, Portfolio Holder for Communications, Partnership and Human Resources, had only recently assumed that Portfolio.
- The Acting Director of Human Resources outlined some of the key changes and achievements of personnel services in 2004/05. These included:
- an organisational review which had established a new service area
 - the departure of the Director during 2004/05
 - the restructuring of the personnel service into three new units
 - the provision of a comprehensive human resources service to the Council.
- The Acting Director of Human Resources reported that Human Resources was responsible for monitoring and reporting on the Council's performance against a range of performance indicators. He highlighted a number of performance indicators where the Council had significantly exceeded its target and those where the trend showed a movement downwards. Recent figures obtained for the first quarter of 2005/2006 did however show marked improvements on those performance indicators.

The Acting Director of Human Resources also reported on other key areas of work which included:

- negotiations on the Council's Single Status Agreement
- a lead role on the Middle Management Review process
- the development of the Absence Management Project which had shown some success in reducing absence
- the development and roll-out of the Individual Performance and Development (IPAD) process which was the subject of a separate report on the agenda.

The Acting Director of Human Resources added that during 2004/05, the Council had also gone through a challenging period in its working relationship with UNISON at a local level. However, he added that since then the relationship had improved markedly.

Finally, he outlined the key priorities set out in the 2004-2008 Action Plan titled "Strategy for Managing and Developing People", as set out in the appendix to the report.

In response to a number of questions, the Acting Director of Human Resources and the Portfolio Holder for Communications, Partnership and Human Resources:

- stated that the target for BV11b (the percentage of top-paid 5% of local authority staff who were from an ethnic minority community) was 40% and that the target had been set to reflect the community of Harrow. It was appreciated that this target could alter and that it was dependent on the demographic changes;
- stated that BV14 (the percentage of employees retiring early) and BV15 (the percentage of employees retiring on grounds of ill-health) could not be considered as targets, and that the Council had minimal control over these;
- stated that the workforce had increased because of the increase in staff employed in the Public Realm Service area such as the grounds maintenance and street cleaning areas;
- acknowledged that BV14 (the percentage of employees retiring early) was significantly higher but that this had been as a result of the Change Management programme. The Acting Director of Human Resources added that the figure might increase further when the Middle Management Review was completed. He was of the view that the Council needed to consider whether offering early retirement was in its interest and explained that a Business Case for each case was prepared and presented to Members before a decision was taken;
- pointed out that the Council was taking active measures in relation to BV17a (the percentage of Black and Minority Ethnic (BME) employees of the total workforce) which included measures such as Positive Action initiatives to improve career development opportunities for those staff. The Portfolio Holder for Communications, Partnership and Human Resources advised that these measures were offered to all BME staff;
- mentioned that the Council was working with Harrow Association of Disabled People to improve the proportion of employees with a disability. The Acting Director of Human Resources outlined the benefits of the partnership approach and stated that he was pleased to report that since May 2005, seven new staff with disabilities had joined the Council;
- acknowledged that the trend in the number of working days lost due to sickness absence was affected by the number of employees who were sick long term. The figures were also affected by an ageing workforce;
- recognised the need to keep staff up to date with developments in relation to the reviews. The Portfolio Holder for Communications, Partnership and Human Resources stated that there was an ongoing dialogue with staff, including face to face meetings, and that further work was being done in this area.

A Member, who was also the Chair of the Pension Fund Investments Panel, thanked officers for the proactive approach in relation to Pensions which had led to a rise in the membership of the Local Government Pension Scheme in Harrow. He commended

the work done in educating employees and was of the view that the seminar programme ought to continue.

The Chair thanked the Portfolio Holder for Communications, Partnership and Human Resources, for her report and it was

RESOLVED: That the report of the Portfolio Holder for Communications, Partnership and Human Resources be noted.

(See also Minute 325).

334. **Report of Asian Applicants Review Group:**

The Committee considered a report of the Executive Director (Business Development) which provided a summary of the work commissioned and undertaken by the Asian Applicants Review Group (AARG) and the progress made on its findings.

The Acting Director of Human Resources stated that the AARG had been established in September 2003 with the remit to investigate the disproportionate adverse impact between BME and white job applicants and ways of improving the success of Asian applicants. He outlined the work undertaken by this multi-agency group, the methodologies used and its findings. He reported on the Action Plan developed by the Group and highlighted the main improvements recommended.

The Portfolio Holder for Communications, Partnership and Human Resources added that consultations were underway with UNISON, the Black Workers Group and the Disability Awareness and Information Support Group thereby giving those Groups an opportunity to raise other related issues.

The Acting Director of Human Resources informed the Committee that the Council was still seen as an 'Employer of Choice' by Asian applicants. He referred to the action being taken by the Council to address the findings of the Group.

In response to a question from a Member, the Acting Director of Human Resources clarified that Asian applicants had felt that the Panel was biased in favour of internal applicants and that there was no suggestion that the bias was on racial grounds. He added that English as a second language was potentially a barrier and that it might be hindering expression of views. He mentioned that the Council was examining how this issue could be addressed.

It was agreed that this report be submitted to the Community Consultative Forum.

RESOLVED: That the report be noted.

335. **Individual Performance Appraisal and Development:**

The Committee received a revised report of the Executive Director (Business Development), circulated with the second supplemental agenda, which set out how Individual Performance Appraisal Development (IPAD) had been introduced in Harrow. The report also provided information on the progress made in implementing the scheme and plans for the future.

Members were informed of the benefits of the scheme and the progress made on the different phases, details of which were set out in the report. Members were also advised of the training that was being provided to staff and the consultations undertaken so far.

In response to questions from Members, the officer stated that:

- training needs would be identified jointly by the appraiser and the appraisee;
- quality checks would be carried out which would give an opportunity to provide feedback on the quality of managers;
- all work so far had been managed internally but the Council would be working with Unipart and the Harrow Corporate University (HCU);
- the resources allocated in the Council's Medium Term Budget Strategy (MTBS) would be spent on a number of projects and not only on IPAD;
- all staff would be appraised;
- the current IPAD scheme in Harrow was not linked to pay but that the Council was committed, as part of the HR Strategy, to investigate this option;

- IPAD was intended to provide individuals with a clear direction for their career with the Council. In addition, staff would be provided with opportunities for secondment and shadowing.

RESOLVED: That (1) the report be noted; and

(2) the Executive Director (Business Development) be requested to submit a progress report to the March 2006 meeting of the Committee.

336. **Update on Current Reviews:**

The Committee received a report of the Director of People, Performance and Policy (Business Development) which set out the progress made on the following reviews:

- the Middle Management Review (MMR)
- the "Hear/Say" Review (formerly known as Community Engagement).

Members were informed of the scope of the reviews and the methodologies used.

MMR Review

Members noted that in order to expedite the evidence-gathering phase of the MMR review, a series of round table discussions, which would involve senior officers from other authorities/organisations and focus groups would take place, as set out in the report.

"Hear/Say" Review

Members were informed that arrangements would be made to visit beacon local authorities which were at the forefront on community engagement. It was noted that a visit to Ealing Council had been arranged and that arrangements to visit Brent Council would be made soon.

Members were informed that both reviews would be completed in December 2005.

RESOLVED: (1) To note the progress made to date on the reviews currently underway;

(2) that a progress report be submitted to either the January or March 2006 meeting of the Committee.

337. **Principles of Scrutiny:**

Members considered a report of the Director of People, Performance and Policy (Business Development) which outlined the changing environment within which the scrutiny function operated and the opportunities this offered to Members to contribute to service improvement in Harrow.

The Director of People, Performance and Policy's representative outlined the areas in which scrutiny should play a vital role. She referred to the recently published paper on 'Vibrant Local Leadership' which presented a significant opportunity for scrutiny to help deliver effective formally structured local challenges to the performance of all the delivery agencies in a locality, including the Council. In addition, there was scope for the scrutiny function to play a central role in supporting the delivery of improved services and thus an improved Comprehensive Performance Assessment (CPA) rating. She added that longer term proposals for the development of CPA suggested a shift away from external inspections and more emphasis on meeting performance targets. Scrutiny would also have a role to play in measuring the performance of partners. She stressed the need to grasp the opportunities and highlighted the importance of scrutinising the important areas in the work programme, given the limited resources available. She also highlighted the need to examine various ways of working and the importance of communicating the role and understanding of scrutiny throughout the Council.

The Director of People, Performance and Policy's representative highlighted the impact of elections in the context within which the scrutiny function operated. She stressed the need for scrutiny to continue operating as a politically neutral, challenging and critical friend both within and outside the Council. She stressed the need to safeguard the excellent reputation scrutiny had achieved in the run up to the 2006 local government elections. She made a number of suggestions which would help ensure that this reputation was secured.

Finally, she thanked Members for their support and work in ensuring the highest standards.

Members welcomed the report and made the following comments:

- that scrutiny was better resourced compared to previous years
- that it was important to liaise with other local authorities
- the need to promote the work carried out by scrutiny at a local level
- the need to communicate, within the Council, the essence of the democratic process in which Members were responsible for policy making and officers were responsible for implementing those policies.

They emphasised that it was imperative that scrutiny was Member led.

Following a short discussion on the recommendations set out in the report, it was

RESOLVED: (1) To note the extended opportunities offered to Scrutiny in the changing local government context;

(2) that the Service Manager Scrutiny ensure that this report be discussed by management teams throughout the Council in order to inform and advise them of the role of scrutiny;

(3) that the practical issues relating to the development of the work programme and the new review processes be agreed;

(4) that a final report on improved communications be submitted to the Committee;

(5) that the proposals recommended to safeguard the impartiality of scrutiny during election campaigning be agreed.

338. **Strategic Performance Report - Quarter 1 2005/06:**

The Director of People, Performance and Policy (Business Development) introduced the report which provided information on the Council's performance.

He informed Members that the Council was meeting the majority of its targets and was also seen as the lead authority on Performance Management. He thanked Members for driving the process forward.

The Director of People, Performance and Policy (Business Development) expressed the view that the Comprehensive Performance Assessment (CPA) for 2005 would remain unchanged from the previous year in which the Council had received a 'Fair' rating. He reported on the notable achievements made by the Council in the first quarter of 2005/06, particularly in the planning area. He also highlighted the challenges facing the Council in the following areas:

- equalities, where Level 3 of the Equality Standard Assessment had yet to be achieved;
- the MMR process which had suffered from delays and the impact of the delay in carrying out job evaluations;
- the work relating to the Licensing Act 2003.

In response to questions from Members, the Director of People, Performance and Policy (Business Development) stated that to achieve a better rating, the Council would need to ensure:

- value for money was provided
- customer satisfaction
- better partnership working.

RESOLVED: To note the report and the action being taken.

339. **HSE Audit Feedback:**

The Executive Director's (Business Development) representative reported on the outcome of the Health and Safety Executive (HSE) Management Audit and the action plan developed to address the issues raised. He added that the next audit exercise

would examine the ways in which the Council measured and monitored its performance.

A Member stated that he was pleased to see the significant steps taken by the Council and the work undertaken by officers. The Chair echoed this view and suggested that a report be submitted to the Committee after the next review had been carried out.

Another Member highlighted the need to place greater emphasis on Fire and Safety within Civic 1. She was informed that this matter came under the remit of the Council's Facilities Manager.

RESOLVED: (1) That the findings of the HSE Management Audit and the action plan be noted;

(2) that a further report be submitted to the Committee after the next review scheduled to be held in March 2006.

340. **Harrow IT Services (HITS) Update Report:**

The Director of Business Transformation's representative introduced the report and outlined the current status of the programme of works being implemented as part of the Council's ICT Strategy. He also tabled colour copies of the appendices circulated with the report.

The officer highlighted the key achievements and the problems being experienced with new technology. He also explained how IT systems had played a major role in improvements to the planning systems and that the Council was now considered to have the third best planning service in the country. He added that the investment made in IT had allowed officers to implement a resilient and robust network and that the projects which had been implemented as part of the government's initiatives had also been successful. In addition, the achievements made could also help the Council improve its 2006 CPA rating.

The Director of Business Transformation's representative informed Members that HITS would be restructured shortly and that a draft report on the proposals would be submitted to the next meeting of the Committee. He added that the customer focus programme was ongoing with the HITS tours proving a great success. In addition, HITS had played a key role in ensuring that office moves were smooth and efficient.

Members were also informed that:

- HITS had continually improved on its Performance Indicators (PIs) and that a review on the applicability of the PIs would be conducted shortly;
- a great deal of progress had been made towards achieving e-government targets;
- between £150k - £1m of the total money allocated for IT projects/improvements would remain unspent, and that this money would be returned to the People First budget.

Members requested that officers encourage all Members to attend the HITS tours.

RESOLVED: That the report be noted.

341. **Update on Business Continuity Planning:**

The Committee received a report of the Director of Financial and Business Strategy on the current position of Business Continuity Planning (BCP) across the Council.

The Director of Financial and Business Strategy's representative informed Members of the problems associated with the recruitment to the new post of Business Continuity Officer. As a result, work on BCP had not progressed as quickly as had been anticipated. However, he was confident that the post would be filled soon.

The Director of Financial and Business Strategy's representative stressed that the Council was prepared for adverse incidents. He explained the role of the training consultants who had been engaged to 'kick-start' the formal planning process across the Council. In response to a question from a Member, he stated that the Council would apply BCP to all buildings, including schools.

RESOLVED: That the current position on Business Continuity Planning across the Council be noted and that a further report be submitted to the Committee in six months time.

342. **Medium Term Budget Strategy (MTBS):**

The Director of Financial and Business Strategy's representative introduced the report on the reprinted MTBS for 2006-2007. She explained that this was a technical exercise and did not reflect any policy decisions. She informed Members that the report had been considered by Cabinet at its meeting held on 6 October 2005.

The Director of Financial and Business Strategy's representative highlighted the impact of the key factors on the MTBS – the Schools' Funding Transfer and the review being conducted by the Government on how the Rate Support Grant (RSG) was to be distributed. She outlined a number of areas in which the Government was proposing changes and that these changes could have an adverse impact on Harrow. She also acknowledged that the grant allocation process was complicated, but stated that the Government was looking to simplify the Formula Grant.

Members were informed that all local authorities would be notified of their settlements in November or December 2005.

RESOLVED: That the report be noted.

343. **Update on the Open Budget Process:**

It was noted that the report which the Director of Financial and Business Strategy had intended to table at the meeting was not available. It was also noted that Councillor Lent, who had been invited to give evidence to the meeting on the Open Budget Process, had submitted his apologies.

RESOLVED: That the report be submitted to the next meeting of the Committee.

344. **Any Other Business:****Information Item on Scrutiny Annual Work Programme 2005/06**

Members were informed that should they wish to raise matters relating to the work programme, they should make a request to the Chair for the matter to be included on the agenda.

Councillor Mitzi Green

Members of the Committee thanked Councillor Mitzi Green for chairing the meeting that evening.

345. **Extension and Termination of the Meeting:**

In accordance with the provisions of Overview and Scrutiny Procedure Rule 6.7(ii)(b), it was

RESOLVED: At 10.00 pm to continue until 10.15 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.05 pm).

(Signed) COUNCILLOR MITZI GREEN
Chair for the Meeting

SCRUTINY
SUB-COMMITTEES

HEALTH AND SOCIAL CARE SCRUTINY SUB-COMMITTEE (SPECIAL)**6 OCTOBER 2005**

Chair: * Councillor Bluston

Councillors: * Gate (4) * Vina Mithani
 * Lavingia * Mrs Joyce Nickolay
 * Myra Michael * Mrs R Shah

Advisor (non-voting): Jean Bradlow

* Denotes Member present
 (4) Denotes category of Reserve Member

[Note: Councillor Margaret Davine also attended this meeting to speak on the items indicated at Minutes 271, 272, 274 and 275 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**266. **Welcome and Introductions:**

The Chair welcomed Members, officers and representatives of three NHS Trusts serving Harrow to the meeting. He noted a change to the advertised attendance list, and thanked Martin Whittle (Director of Strategic Development, Central and North West London Mental Health Trust) for attending. Jean Bradlow had forwarded her apologies to the meeting.

The Chair noted that a special meeting of the Cabinet would be starting at 7.30pm, and that the Portfolio Holder, amongst others, may need to leave the meeting early.

RESOLVED: That the above be noted.267. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Ann Groves	Councillor Gate

268. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared:

(1) The following Members declared a personal interest in the business transacted at the meeting, and remained and took part in the discussion relating to that item:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
9(a) Reference from the Development Control Committee meeting on 27 July 2005	Councillor Bluston	Declared a personal interest in that he was a Member of the Development Control Committee.
	Councillor Mrs Joyce Nickolay	Declared a personal interest in that she was a Member of the Development Control Committee.

(2) The following interests were also declared.

<u>Member</u>	<u>Nature of Interest</u>
Councillor Lavingia	Declared an interest in that he was coordinator of Northwick Park Hindu Services.
Councillor Mrs R Shah	Declared an interest by virtue of her employment with Brent Social Services.

- Councillor Vina Mithani Declared an interest by virtue of her employment with the Health Protection Agency, who sometimes liaised with Northwick Park Hospital, and as a Reserve Member on the Joint Overview and Scrutiny Committee on the redevelopment of Northwick Park Hospital.
- Councillor Bluston Declared an interest in that he was Chair of the Joint Overview and Scrutiny Committee on the redevelopment of Northwick Park Hospital.
- Councillor Myra Michael Declared an interest in that she was a member of the Joint Overview and Scrutiny Committee on the redevelopment of Northwick Park Hospital.

269. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
4. NHS Trusts' Annual Health Submissions	This report had not been available at the time the agenda was printed and circulated. Members were requested to consider this item in order to complete the consultation within the required timeframe.
10. Any Other Business: Chief Executive of Harrow PCT	Members requested an update on the position of the Chief Executive of Harrow PCT. Members felt that changing circumstances may have had a significant impact on the management of Harrow PCT.

(2) all items be considered with the press and public present.

270. **NHS Trusts' Annual Health Check Submissions:**

Members received the Annual Health Check Submissions from the three NHS Trusts covering Harrow. Richard Milner was present from the Harrow PCT, Mike Thompson was attending on behalf of North West London Hospitals NHS Trust and Martin Whittle was representing Central and North West London Mental Health NHS Trust.

Mr Milner opened the discussion by introducing the new performance management system for the NHS. He explained that prior to 2005/06, performance in the NHS had been assessed by two annual reviews: the 'Star Rating' review and the Commission for Health Inspection (CHI) review. The Annual Health Check (AHC) was the new approach to assessment in the NHS. The meeting was informed that the AHC had five elements to it, including an assessment of how the NHS organisation fulfilled the requirements of the 24 Core Standards identified by the Healthcare Commission (HCC). The Sub-Committee was invited to comment on the Trusts' draft Declarations, which stated their compliance against each of the Core Standards. All NHS Boards were expected to have signed off their draft Declarations, including comments from the appropriate Overview and Scrutiny Sub-Committee, by the end of October 2005. The HCC would then assess approximately 20% of all NHS organisations to review the evidence base supporting their draft Declaration. Each element would then be marked to produce an overall rating for that element.

Each Trust introduced their AHC submission, and Members commented as follows.

Harrow PCT

Mr Milner tabled the statement of compliance for all standards. In addition he provided members with the commentary received from the Harrow PPI Forum. Members expressed unease over the statement: "Harrow is a very ethnically and religiously diverse borough, which causes difficulty in service provision, but the PCT is trying to overcome these difficulties". In particular, it was noted that Harrow was historically diverse, and that 'difficulties' was an inappropriate word to use. A Member asked what steps were being taken to ensure that equal opportunities in service were addressed, and was referred to Core Standard C18 in the report and informed that a Voluntary Services Manager worked with groups in Harrow to address their service requirements.

Members discussed the reference to local problems such as those experienced with phlebotomy service provision. It was identified that the PCT had not received

complaints about the phlebotomy service and would be grateful if Members were able to relay complaints received from the public on this or any other matter.

Mr Milner informed the Sub-Committee that for a Core Standard to be rated 'compliant', the organisations needed to have plans in place to ensure that the standard was being met. It was added that the AHC contained a greater emphasis on clinical governance.

North West London Hospitals NHS Trust

Mr Thompson tabled a more detailed breakdown of the evidence to support the rating of each standard. He informed the Sub-Committee that the Trust expected to be included in the HCC assessment, due to the issues surrounding maternity services at Northwick Park Hospital, and had therefore been over-cautious in its initial assessment. He then highlighted changes to the circulated report, to show standards where the compliance rating had been improved. The main reason cited was that the Trust had processes in place to support the standard, but no written procedure to use as evidence for compliance. Also, some standards had been rated 'Not Met' because there had been insufficient communications between departments to ensure that the evidence was available across the board.

In relation to Core Standards C14a)-c), Members stressed that there ought to be a Complaints Action Plan in place to process complaints effectively, and was informed that a new Sub-Committee within the Trust had been established to address this. With reference to Core Standard C22b), Members felt that the Trust ought to improve communication with the Director of Public Health and develop a more formal process to ensure the standard was met.

With reference to Core Standard C4a), relating to the risk of healthcare acquired infection to patients, Members discussed the risk of MRSA in Northwick Park Hospital and general levels of cleanliness within the wards. Although Members were assured that the Trusts were compliant with the Core Standards, Members emphasised that there was a perception that they weren't. It was requested that the Sub-Committee receive a presentation on the steps taken to minimise the risk of healthcare acquired infection.

Central and North West London Mental Health NHS Trust

Mr Whittle informed the Sub-Committee that the Trust had rated itself compliant in every Core Standard. It was reported that the Mental Health Trust annual assessments had previously had a greater emphasis on clinical governance, which enabled them to be more prepared for the AHC process.

RESOLVED: That (1) any further comments from Members on the Annual Health Check submissions be forwarded to the scrutiny unit;

(2) using the comments of the Sub-Committee and any other comments submitted, Councillors Bluston and Myra Michael be authorised to compile, with scrutiny officers, the commentary required for the Harrow PCT, North West London Hospitals NHS Trust and Central and North West London Mental Health NHS Trust draft Declarations;

(3) Councillors Bluston and Myra Michael be authorised to compile, with scrutiny officers, the commentary required for a late submission received by the Royal National Orthopaedic Hospital;

(4) finalised comments be forwarded to the Trusts before the late October deadlines;

(5) the responses to the consultation be forwarded to Members of the Sub-Committee;

(6) a presentation be received at the next meeting of the Sub-Committee relating to the risk of healthcare acquired infection in hospitals in Harrow.

271. **Green Paper on Adult Services:**

Members considered a report of the Director of Community Care, which advised on the Council's formal response to the Government's recent consultation on the Adult Social Care Green Paper, and invited Members to consider what role they may wish to take in any future consultation process.

The meeting was informed that although the Council had found much to support within the Paper, there were key gaps and areas of uncertainty within the proposals, which had been outlined in the response. Members discussed the implications of the Green Paper, with particular regard to issues of resourcing and monitoring social care services provided by the Council.

Officers informed the meeting that since the report had been prepared, Harrow PCT had arranged a public consultation on the White Paper proposals at the Healthy Living Centre in Wealdstone. The Sub-Committee was invited to send a representative to the meeting.

Officers were congratulated for a thorough and robust response to the Green Paper. Members requested that a similar breakdown be produced when the White Paper was released.

RESOLVED: That (1) the report be noted;

(2) officers be requested to provide guidance on what role Members could take in future formal consultation processes in relation to the White Paper to be published later this year.

272. **Home Care Service Strategy:**

The Sub-Committee received a report of the Director of Community Care, which updated Members on the progress made on the recommendations arising from the Review of Homecare Services. Members discussed a range of issues relating to the review including tele-logging, complaints procedures and charging policies. Members expressed concern that key care workers had not yet been issued with parking permits. It was advised that the implementation of the scheme had proven difficult, and that a report was expected to go to Cabinet in autumn. Members requested a progress report on this issue.

RESOLVED: That (1) the progress made in implementing the recommendations of the Scrutiny Review of Homecare Services be noted, and the action taken and proposals within the report be supported;

(2) Members' comments on the proposals, as outlined above, be noted;

(3) future progress reports on the Review of Homecare Services be included in any reporting arrangements required following the forthcoming inspection of Older People's Services;

(4) Members receive a progress report on the provision of parking permits to key care workers.

273. **Review of Social Health on HIV Prevention:**

Members were advised that Brent and Harrow PCTs were reviewing their commissioning of sexual health and HIV and AIDS prevention services from the voluntary sector.

RESOLVED: That the review be noted.

274. **Strategic Performance Report:**

The Portfolio Holder for Health and Social Care introduced the Strategic Performance Report, which rated People First's performance against defined objectives for specific service areas.

The Portfolio Holder highlighted the areas where the Council was not achieving its targets. It was emphasised that the Council would never have high adoption rates, as there were not many children within the Authority to be adopted. The educational attainment of children and young people in care consistently varied due to the specific intake within a year group, and with a small intake the figures could be skewed by an individual performance.

RESOLVED: That the above be noted.

275. **Reference to Health and Social Care Scrutiny Sub-Committee from the Development Control Committee meeting on 27 July 2005:**

The Sub-Committee received a reference from the Development Control Committee meeting on 27 July 2005, highlighting concerns about the arrangements for the support provided to a care home in Torbay Road, and the role of the Council as a corporate parent.

The Portfolio Holder explained that the premises provided a 'next step' facility for looked after people approaching independent living, which supported the Council's duty as a corporate parent. A Member of the Sub-Committee, who was also a Member of the Development Control Committee, cited concerns over the amount of supervision the young people received and the impact of the site on people living nearby. The Portfolio Holder requested further information on any complaints received.

RESOLVED: That the above be noted.

(See also Minute 268)

276. **Any Other Business:**

Chief Executive of Harrow PCT

The Chair noted that the Chief Executive of Harrow PCT had been invited to the meeting, to make a statement on the impact of his involvement with Hillingdon PCT on his role at the Harrow PCT. As he had not been able to attend the meeting, officers were asked to contact him and request a statement that would be circulated to Members of the Sub-Committee.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 6.10 pm, closed at 8.40 pm)

(Signed) COUNCILLOR HOWARD BLUSTON
Chair

LIFELONG LEARNING SCRUTINY SUB-COMMITTEE**19 OCTOBER 2005**

Chair: * Councillor Mitzi Green

Councillors:	* Mrs Bath (3)	* Vina Mithani (1)
	* Gate	* Janet Mote
	* Kinsey	* Omar
	* Jean Lammiman	* Osborn
	* Lavingia (2)	

Voting Co-opted: (Voluntary Aided) (Parent Governors)

* Mrs J Rammelt	* Mr H Epie
Reverend P Reece	† Mr R Sutcliffe

* Denotes Member present
 (1), (2), (3) Denote category of Reserve Member
 † Denotes apologies received

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**230. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mary John	Councillor Mrs Bath
Councillor John Nickolay	Councillor Vina Mithani
Councillor Nana Asante	Councillor Lavingia

231. **Declarations of Interest:****RESOLVED:** To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.232. **Arrangement of Agenda:****RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
12. Restructuring of School Development Services	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency.

(2) all items be considered with the press and public present.

233. **Minutes:****RESOLVED:** That the minutes of the meeting held on 27 June 2005, having been circulated, be taken as read and signed as a correct record.234. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.235. **Petitions:****RESOLVED:** To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.

236. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.

237. **Annual Education Service Review 2004-2005:**

The Sub-Committee received a report of the Director of Learning and Community Development, which informed the Committee of the key achievements across the remit of 'Educational' services, in the context of significant changes within the national and local context. It was reported that there would be a move towards combined Children's Services in response to a Government strategy to join services together. In May 2005, the first Annual Performance Assessment (APA) had been submitted and the outcome was awaited.

The unvalidated Summer 2005 test results were tabled.

It was reported that all courses for students attending the newly opened vocational Skills Centre had ICT, literacy and numeracy elements. A Member queried if the recent visit by Lord Adonis had been the official opening of the Centre, and was informed that the official opening of the Centre would take place in November.

The provision for young people aged 16-19 in High Schools or College was discussed. It was reported that there was a central cluster of High Schools with sixth forms and this was the first phase in provision across the Borough. It was explained that Harrow could receive capital investment from central Government if a bid coordinated by Harrow on behalf of the schools in Harrow was submitted and successful. However this would require agreement between schools and would involve competing with other Local Authorities.

Members were informed that Lord Adonis had indicated that the provision for Year 7 pupils should be considered. Members commented that one reason children leave Harrow at the end of Year 6 was because there was no 16-19 provision in Harrow. However, it was considered important that this issue should not hold back the consideration of provision for 16-19 year olds.

A Member asked for clarification regarding the Arts Mark and Sports Mark for schools. An officer informed the Panel that they were national quality standards and that there were three levels: gold, silver and bronze. The Sports Mark was currently suspended as it was being rewritten to focus on the 5 key themes outlined in the report. It was anticipated that the new Sports Mark would be awarded at the beginning of 2006.

The Indicators for Improvement were anecdotal, for example, Members asked an for an explanation on the obesity project being undertaken in schools and an officer informed the Sub-Committee that it was a pilot scheme being run in three primary schools with a view to being rolled out across the Borough. The project involved weighing children entering reception class, having an activity programme and liaising with parents. The project was being monitored for effectiveness. Members expressed concern that the strategy should focus on healthy living and not on weighing children.

An officer reported that specific action plans for each aim were available to any Member that wished to see them. Concern was raised about the under-funding of school nurses and an officer explained that this was currently under review.

The Sub-Committee expressed regret that the Director of Learning and Community Development was unable to attend the meeting due to religious observance.

RESOLVED: That (1) the Sub-Committee receive an update from the Portfolio Holder at its meeting in January 2006;

(2) the Director of Learning and Community Development be invited to attend the meeting in January 2006;

(3) the Sub-Committee receive an update at its meeting in April 2006 when the Healthy Lifestyle review would be considered.

238. **Exclusions Routemap:**

The Sub-Committee considered the Exclusions Route map provided by the Director of Learning and Development, which had been requested at the informal meeting in September 2005. An officer explained that it was expected that following the consultant's report, the Compact would be signed on time by all parties. It was reported that there had been a 23% reduction in permanent exclusions as a result of the work of the Rapid Response Team which sought to find solutions to prevent children from being excluded.

In response to a query from Members about Managed Moves, an officer explained that where the Rapid Response Team thought the child could benefit from a change of environment, with the support of the child's parents, the child would be moved to another school in order to prevent exclusion.

RESOLVED: That the consultant's report, the routemap and a covering report be submitted to Cabinet on its information circular in December 2005.

239. **Cultural Services Inspection Report and Action Plan:**

The Sub-Committee received a report of the Director of Learning and Community Development, which reported to Members on the outcome of the Inspection of Cultural Services. The council services were assessed as 'a fair service that has promising prospects for improvement'. It was explained that the inspectors looked at how good the service offered by the Council was. An Action Plan was formulated following the inspection to respond to the recommendations made.

A Member queried how many hits the report had received since appearing on the website and an officer reported that this could be found out by contacting Harrow IT Service (HITS).

A Member commented that the Sub-Committee had advocated the building of a theatre in Harrow but there was no mention of this in the report. An officer replied that the inspectors had looked at how good the service currently being offered by the Council was, not the volume or location of service.

It was reported that the consultation of the Cultural Strategy had just been completed and would be going to Cabinet as soon as the comments had been collated and the strategy finalised.

RESOLVED: That the Sub-Committee would consider the action plan at its meeting in April 2006.

240. **Better Outcomes for Children in Care:**

The Sub-Committee received a report of the Director of Children's Services, which outlined responses to the social inclusion report – A Better Education for Children in Care and provided information about GCSE results for 2004 and 2005. The summary of attainment at GCSE of Children Looked After was considered. Members expressed concern that due to Children Looked After having a range of issues, some would not be entered for GCSEs. Following a request from the Chair, Members were updated on details of other attainments achieved by Children Looked After.

RESOLVED: That the Sub-Committee receive a report each year at the January meeting to include information on SATs results.

241. **Restructuring of School Development Services:**

The Sub-Committee received a report of the Director of Learning and Community Development which informed the Sub-Committee of the consultation being undertaken with schools and the next stage of restructuring in The Achievement and Inclusion Division. It was reported that this would involve deploying subject specialist advisors. Having practitioners in schools would allow an opportunity to link with other schools.

Information on the structure of the Achievement and Inclusion Division was tabled. It was reported that the Standards Fund which had paid for a significant proportion of the posts within the structure would be phased out. Schools would need to sign up to a service level agreement or buy back the service. If schools did not want to buy back the service they could instead use external consultants.

RESOLVED: That the Sub-Committee receive a report on the outcome of the consultation at its January 2006 meeting.

242. **Phase 3 Funding for SEN - Update:**

The Sub-Committee received a report of the Director of Children's Services, which updated members on the actions and response to the recommendations of the review of Phase 3 delegated funding for pupils with SEN in mainstream schools, which had been completed in January 2005.

In response to a Member's question as to why there had been an increase of 37% in calls logged by the Parent Partnership Service, an officer explained that this was due to an expansion in the service. Only two calls specifically about phase 3 delegation were logged which could indicate that a leaflet which had been produced to provide information to parents had been effective.

In response to a Member's question about who the parents of excluded children could contact for support, an officer explained that the Parent Partnership Service was primarily for children with special needs. When a child was excluded, parents were given advice by the Harrow Tuition Service and would be referred to the Council's Admission Manager.

RESOLVED: That (1) questions regarding Phase 3 Funding for SEN be put to the Portfolio Holder for Education at the Sub-Committee's meeting in January 2006.

(2) officers provide the Sub-Committee with details about who the parents of excluded children could contact for advice.

(3) the Sub-Committee receive an update at its meeting in April 2006.

243. **Update on the Harrow Teachers' Centre:**

The Sub-Committee received a report of the Group Manager, Lifelong Learning Services which updated Members on the outturn figures which had not been available at the Sub-Committee's meeting on 19 April 2005. At the meeting in April a loss of £72,000 had been predicted. The Sub-Committee was informed that the actual loss had been £15,000. This was partly due to a one-off income of £27,000 from an externally funded project, where outstanding rent had been collected.

It was reported that following recent software problems, improvements to the system would be in place by January 2006.

RESOLVED: That (1) the Sub-Committee be informed of any developments at the Teachers' Centre;

(2) the Panel be informed of the rates after going to Cabinet in February 2006;

(3) the Panel receive an update report at its meeting in October 2006.

244. **Verbal update on current reviews:**

A scrutiny officer explained that the Adult Community Learning review was on schedule against the scope and was expected to report to the Sub-Committee in January 2006. Visits to local centres had been scheduled for 10 November.

RESOLVED: That the Sub-Committee receive a report on the Adult Community Learning review at its meeting in January 2006.

245. **Any Other Business:**

Governors' Web Forum/Chat Rooms

The Sub-Committee received an information note about the Governors' Web Forum/Chat Rooms from the Group Manager (ICT) which informed the Sub-Committee that the initial study which would aim to resolve issues, concerns and questions of all interested parties, should be completed by the end of 2005.

Special Meeting – 5 December 2005

Members were reminded that at the close of the Sub-Committee's Special meeting on 5 December 2005, Members would meet informally to prepare questions for the Portfolio Holder, who would be attending the meeting on 10 January 2006.

RESOLVED: That (1) the above be noted;

(2) the Sub-Committee receive a report on the Governors' Web Forum/Chat Rooms at its meeting in April 2006.

246. **Extension and Termination of the Meeting:**

In accordance with the provisions of Overview and Scrutiny Procedure Rule 6.7(ii)(b), it was

RESOLVED: At 10.00pm to continue until 10.15 pm.

(Note: The meeting having commenced at 7.33 pm, closed at 10.17 pm)

(Signed) COUNCILLOR MITZI GREEN
Chair

CALL-IN SUB COMMITTEE

27 OCTOBER 2005

Chair: * Councillor Mitzi Green

Councillors: * Gate * Osborn
Jean Lammiman Thammaiah

* Denotes Member present

[Note: Councillor Arnold also attended this meeting to speak on the item indicated at Minute 60 below. Councillors Mark Ingram and Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 61 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**56. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

57. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interest made by Members in relation to the business transacted at this meeting.

58. **Arrangement of Agenda:**

RESOLVED: That (1) all items be considered with the press and public present; and,

(2) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of special circumstances and urgency detailed below:-

<u>Agenda Item</u>	<u>Reason</u>
5.(d) Advice from the Director of Corporate Governance	The Chair had requested that the Sub-Committee receive procedural advice from the Director of Corporate Governance.
6. Call-in of Environment and Transport Portfolio Holder Decision: Roxeth Green Avenue, South Harrow	A valid call-in notice for this decision was only received after the issue of the main agenda. Members are requested to consider this item, in order to meet the timescale for consideration of called-in decisions as set out in Overview and Scrutiny Rule 22.6.1.

59. **Minutes:**

RESOLVED: That the minutes of the meeting held on 23 May 2005, having been circulated, be taken as read and signed as a correct record

60. **Call-in of Environment and Transport Portfolio Holder Decision: Proposed Extension of Stanmore Controlled Parking Zone - Objections and Re-Consultation Results including Howberry Road and Howberry Close:**

The Sub-Committee considered a decision of the Environment and Transport Portfolio Holder dated 13 October 2005, which determined that the Council would implement a Controlled Parking Zone (CPZ) incorporating a residents' parking scheme in Howberry Road between Cloyster Wood and Wychwood Avenue including Howberry Close, as described in paragraph (4) of the published decision notice. Members received the notice invoking the call-in procedure, the record of the Portfolio Holder's decision, the documentation sent to the Portfolio Holder to inform his decision, and a tabled statement from the Portfolio Holder, who was unable to attend the meeting. A procedural note provided by the Director of Corporate Governance was also tabled at the meeting.

The Director of Corporate Governance advised the Sub-Committee that a decision related to the same issue had previously been called-in and therefore Members needed to determine the validity of the call-in. He described the provision in Rule 22.1

of the Overview and Scrutiny Procedure Rules stating that a decision may only be subject to the call-in procedure once, and advised that the Sub-Committee needed to decide whether this was the same decision as that considered by the Sub-Committee on 11 January 2005. While the two decisions were not worded identically, it was his view that this was the same decision. He advised that a narrow interpretation of the rule, allowing decisions to be called-in on more than one occasion unless they were identical, could enable a Call-In Sub-Committee to disrupt the business of the Executive. He stated that while the notice of the Portfolio Holder's decision sent to Members stated that call-in did apply, this did not mean that Rule 22.1 was inapplicable as it was for Members to decide whether the decision was the same.

Following questions from Members, the Director of Corporate Governance stated that it was for the Sub-Committee to decide whether the additional consultation that had taken place regarding the Controlled Parking Zone after it was considered on 11 January meant that this was now a separate decision. He also stated that the Constitution Working Party could consider this issue at its December meeting.

The Sub-Committee decided to consider the call-in on this occasion, and agreed that Officers and the Constitutional Working Party seek means of clarifying whether two decisions should be regarded as the same in these circumstances.

The decision had been called-in on three grounds: the absence of adequate evidence on which to base a decision, the action was not proportionate to the desired outcome, and a potential human rights challenge.

The Sub-Committee having decided that the call-in was valid, the Chair asked an officer to explain how the decision was taken. The officer stated that consultation had been carried out asking residents to indicate whether they preferred a residents' parking scheme or a yellow line. This consultation had shown that over a third of residents were in favour of a yellow line scheme. However, a negative consequence of a yellow line scheme was that it was highly restrictive as no cars could be left on the yellow lines during the restricted hour. Both schemes offered a deterrent to commuter parking but a residents' parking scheme allowed a greater element of choice as residents who did need to use on-street parking during the restricted hour could purchase a permit to park in the street. The Traffic and Road Safety Advisory Panel (TARSAP) had decided that the residents' permit scheme was the best option as it offered choice and would be less likely to seriously inconvenience a minority of residents.

Members of the Sub-Committee asked questions on a number of issues. The consultation process was highlighted as a central issue. An officer explained that, while a majority of respondents indicated a preference for a yellow line scheme, over a third of respondents had voted for a residents' parking scheme; this indicated that they may need to use on-street parking during the restricted hours. Any resident without off-street parking would be severely inconvenienced by a yellow line only scheme. It was stated that the consultation exercise had been small, however, and officers had received very few comments from residents, making it difficult to give clear evidence on how many would be severely inconvenienced. There had nevertheless been an excellent response to the consultation, with 32 of the 65 households consulted responding. The officer added that he had been surprised that the majority of respondents had opted for a yellow line as most areas tended to indicate a preference for residents' parking schemes.

The Chair asked a Member representing the signatories to the call-in to explain why councillors requesting the call-in had felt there was inadequate evidence on which to base the decision. In response, he stated that the original decision on the CPZ had been called in, and referred back to the Portfolio Holder by the Call-in Sub-Committee, because a yellow line option had not been included in the initial consultation. The referral back of the decision had led to further consultation, in response to which residents indicated their support for a yellow line scheme. Despite this, the Portfolio Holder had decided to implement a residents' parking scheme. He stated that Canons Park Residents' Association (CAPRA) had carried out an independent consultation, with an 83% response rate, in which 54% of respondents expressed a preference for a yellow line scheme with 44% supporting a residents' parking scheme. He stated that if it was possible for TARSAP to override the view expressed by a consultation exercise then this should be made clear from the start of the process.

The Chair thanked the Member for attending the meeting, and noted that Ward Councillors had wished to attend but had been unable to do so. She apologised that it had not been possible to hold the meeting on the only other date that Members were available, but explained that this coincided with a major religious festival.

At the invitation of the Chair, a representative of CAPRA addressed the meeting. She opposed a residents' parking scheme and supported a yellow line scheme. She stated that CAPRA had asked for an extension to the existing yellow line scheme since 1996 and added that the Council's 2001 consultation exercise had shown a significant majority of residents in the affected roads were in favour of a yellow line scheme.

Members of the Sub-Committee, having considered all the evidence, summarised their views about the grounds for call-in, and expressed concern over the evidence on which the decision had been based. A Member stated that officers had assumed that a minority of residents would be severely inconvenienced by a yellow line scheme but clear evidence of this had not been provided. It was also suggested that the view of the majority of residents had been given insufficient prominence in the officer report. It was therefore agreed to uphold the call-in on the grounds of inadequate evidence on which to base a decision. The call-in of the decision on the grounds that the action was not proportionate to the outcome, or on the grounds of a potential human rights challenge, however, was rejected.

RESOLVED: That (1) the call-in of paragraph (4) of the decision be upheld on the grounds of the absence of adequate evidence on which to base a decision, and that this part of the decision be referred back to the Portfolio Holder for re-consideration;

(2) the remainder of the decision be implemented immediately; and

(3) the Constitution Working Party be requested to clarify the provisions of Overview and Scrutiny Procedure Rule 22.1.

61. **Call-in of Environment and Transport Portfolio Holder Decision: Roxeth Green Avenue, South Harrow:**

The Sub-Committee considered a decision of the Environment and Transport Portfolio Holder dated 13 October 2005, which determined that the Council would implement a congestion relief scheme in Roxeth Green Avenue, as described in Appendix D of the published officer report. Members received the notice invoking the call-in procedure, the record of the Portfolio Holder's decision, the documentation sent to the Portfolio Holder to inform his decision, and a tabled statement from the Portfolio Holder, who was unable to attend the meeting.

The decision had been called-in on three grounds: the absence of adequate evidence on which to base a decision, the action was not proportionate to the desired outcome, and a potential human rights challenge.

The Chair asked an officer to explain how the decision was taken. The officer stated that the objective of the scheme was to reduce traffic congestion in Roxeth Green Avenue following concerns raised by members of the public through both a MORI poll and a public meeting held as part of the New Harrow Project. The design process for the project had included a local consultation exercise and the public exhibition of drawings. Following the receipt of public comments, the design process had continued with officers noting these comments. There had then been a second public consultation on the refined scheme and the additional proposals. Throughout the process it had been agreed that the scheme was necessary and no significant adverse comment had been received. The officer added that the design process was complex and the report sent to the Portfolio Holder contained only what was necessary to enable the Portfolio Holder to take an informed decision.

The Chair asked a Member representing the signatories to the call-in to explain the reasons for the call-in. In response, she stated that other traffic measures in South Harrow had increased congestion and led to increased speeds as cars accelerated on leaving them. She added that the building out of junctions would reduce the width of already narrow roads without assisting pedestrians. The scheme also included the planting of new trees, which could impinge visibility, and a new cycle lane which had the potential to be used by cars to increase speed. The Member had had input into the scheme, having been included in the second round of consultation in her capacity as a Ward Councillor, but felt that there was a lack of evidence in the report to the Portfolio Holder to support the conclusions reached as it did not address the potential negative impact on safety of some parts of the scheme.

An officer responded by stating that many of the features in the scheme were widely used and the Portfolio Holder would not have needed detailed descriptions. Engineers had decided what details were necessary for the Portfolio Holder to make an informed decision. The building out of junctions was a very common feature of traffic schemes and did not lead to the narrowing of side roads. The scheme was intended to achieve a balance in reducing vehicle speed but providing adequate parking. The Officer stated that he did not believe the report could be improved.

The Chair invited a Ward Councillor who was present to give his views on the scheme. He stated that he felt that the scheme was an effective balance between reducing congestion and avoiding dangerous increases in speed, and that adequate consideration had been given to the views of local residents. He agreed that there may be problems of traffic displacement and increased speed arising from that scheme, but there had been comments on this at an early stage and he was satisfied that consideration had been given to these issues by officers, and that they would continue to monitor them post-implementation. He concluded by stating that he did not support the call-in and felt there had been sufficient evidence on which to base a decision.

Members of the Sub-Committee asked questions on a number of issues. The degree of discretion officers would have to amend the scheme after approval by the Portfolio Holder was highlighted as a central issue. An officer explained that it was possible that minor amendments to the scheme would be made during the detailed design process but in the event of any major changes it was necessary for a new report to be submitted to the Portfolio Holder for a decision. The officer agreed that section 2.3.6a of the report may have given the Portfolio Holder the impression that further speed-reduction measures were to be added during the design process when all measures to be implemented had been included in the report.

Members of the Sub-Committee, having considered all the evidence, summarised their views about the grounds for call-in. A Member stated that a Ward Councillor had explained that residents were happy with the scheme. Another Member stated that while the report should have contained more detail, it had provided sufficient evidence on which to base a decision. Members agreed that the report did contain sufficient evidence on which to base a decision, the action was proportionate to the desired outcome and there was not a potential human rights challenge.

RESOLVED: That the grounds for the call-in be rejected and the decision be implemented.

62. **Guidance on Issues Arising at the Meeting:**

Further to this having been raised as an item of other business, a Member noted that the Portfolio Holder was not present at the meeting due to other commitments but stated that it would assist the Sub-Committee in reaching a decision if Members were able to question the Portfolio Holder directly. He requested that the Director of Legal Services provide some guidance on Portfolio Holder attendance at Call-in Sub-Committee meetings.

Clarification was also sought on the routing of Portfolio Holder decisions relating to traffic schemes, and specifically whether Ward Councillors and Nominated Members of the Traffic and Road Safety Advisory Panel (TARSAP) could request that such matters be considered by TARSAP prior to referral to the Portfolio Holder for decision.

RESOLVED: That the Director of Legal Services be requested to provide the Call-In Sub-Committee with guidance to clarify the issues outlined above.

(Note: The meeting having commenced at 7.30 pm, closed at 9.35 pm)

(Signed) COUNCILLOR MITZI GREEN
Chair

DEVELOPMENT
CONTROL
COMMITTEE

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 11 OCTOBER 2005

Chair: * Councillor Anne Whitehead

Councillors:	* Marilyn Ashton	* Idaikkadar
	* Mrs Bath	* Kara (1)
	* Bluston	* Miles
	* Choudhury	* Mrs Joyce Nickolay
	* Janet Cowan	* Thornton

* Denotes Member present
(1) Denotes category of Reserve Member

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 991 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
990. Attendance by Reserve Members:

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Billson	Councillor Kara

991. Right of Members to Speak:

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who are not member of the Committee, be allowed to speak on the agenda items indicated:

Councillor Mrs Kinnear Planning Application 2/21 and main agenda item 15

[Note: Subsequently, Councillor Mrs Kinnear elected not to speak on planning application 2/21, and agenda item 15 was deferred by the Committee to enable complainants to be notified (See also Minute 992)].

992. Declarations of Interest:

RESOLVED: (1) To note the following declarations of interest made by Members present relating to business to be transacted at this meeting:

- (i) Planning Application 1/03 – Rooks Heath High School, Eastcote Lane, South Harrow
Councillor Miles declared a personal in the above application arising from the fact that he was an LEA governor for the school. Accordingly, he remained in the room and took part in the discussion and decision-making on this item.
- (ii) Planning Application 2/05 – 21 Little Common, Stanmore
Councillor Janet Cowan declared a personal interest in the above application in that she was acquainted with the agent for the applicant. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.
- (iii) Planning Application 2/09 – Third Floor, Premier House, 1 Canning Road, Wealdstone
Councillor Anne Whitehead declared a personal in the above application arising from the fact that she worked in the building. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.

- (iv) Planning Application 2/21 – 49 High Street, Harrow on the Hill
Councillor Marilyn Ashton declared that Conservative Members of the Committee had a prejudicial interest in the above application. Accordingly, Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Kara and Mrs Joyce Nickolay left the room and took no part in the discussion or decision-making on this item.
- (v) Planning Application 2/21 – 49 High Street, Harrow on the Hill
Councillor Mrs Kinnear, who was not a Member of the Committee, declared a personal interest in the above application.
- (vi) Planning Application 3/01 – Wards PH, 38/40 Lowlands Road, Harrow
Councillor Bluston declared a prejudicial interest in the above application arising from the fact that he had made representations on behalf of residents at the Licensing Panel which had determined the licensing application. Accordingly, he left the room and took no part in the discussion or decision-making on this item.
- (vii) Planning Application 3/01 – Wards PH, 38/40 Lowlands Road, Harrow
Councillor Idaikkadar declared a prejudicial interest in the above application arising from the fact that he had been Chair of the Licensing Panel which had determined the licensing application. Accordingly, he left the room and took no part in the discussion or decision-making on this item.
- (viii) Agenda item 15 – 102, 104, 106 High Street, Harrow on the Hill
Councillor Mrs Kinnear, who was not a Member of the Committee, declared a personal interest in the above agenda item.
- (ix) Agenda items 15 and 21 – 102, 104, 106 High Street, Harrow on the Hill
Councillor Marilyn Ashton declared that Conservative Members of the Committee had a prejudicial interest in the above application. Accordingly, Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Kara and Mrs Joyce Nickolay left the room and took no part in the discussion or decision-making on this item.
- (x) Agenda item 17 – Copse Farm, 2 Brookshill Cottages, Dairy Cottages, Brookshill Drive, Harrow
Councillor Anne Whitehead declared a personal interest in the above item. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.
- (xi) Agenda item 17 – Copse Farm, 2 Brookshill Cottages, Dairy Cottages, Brookshill Drive, Harrow
Councillor Marilyn Ashton declared a personal interest in the above item. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.

(2) that, arising from the various declarations (made on behalf of Conservative Group Members) referred to in (1) above, the Monitoring Officer be requested to clarify the position regarding the obligations of Group Membership as referred to in the Protocol for Dealing with Planning Applications and Lobbying, in light of the recommendation made by the Standards Committee's Hearing Panel on 22 June 2005.

[Note: Agenda Items 15 and 21 were subsequently deferred by the Committee to enable complainants to be notified that the report would be considered at the next meeting of the Committee].

993. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following item/information be admitted to the agenda by reason of the special circumstances and grounds for urgency stated:

<u>Agenda Item</u>	<u>Special Circumstances/Reasons for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's despatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

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|-----|--|--|
| 14. | Urgent Non-Executive Action – The Timber Carriage Public House, 19 Northolt Road, South Harrow | In order to progress the Section 106 Agreement and issue the Planning Permission. |
| 15. | 102, 104, 106 High Street, Harrow on the Hill | To report back to the Committee following a previous instruction by the Committee on a matter involving additional technical information and legal advice. |
| 16. | 354-366 Pinner Road, North Harrow | In order to progress the Section 106 Agreement and issue the Planning Permission. |
| 20. | Sage House, 319 Pinner Road – Section 106 Agreement | In order to progress the Section 106 Agreement and issue the Planning Permission. |
| 21. | 102, 104, 106 High Street, Harrow on the Hill | To report back to the Committee following a previous instruction by the Committee on a matter involving additional technical information and legal advice. |
| 23. | Common Areas at Stanmore Park | To report on progress arising from the residents' petition presented to the Committee on 7 September 2005 |
| 24. | Statutory Notification Protocol | To discuss procedure in the area at the earliest possible opportunity |
| 25. | Restructuring of the Planning Department | The restructure was already underway and the next meeting of the Committee was not until 9 November 2005 |

and

(2) all items be considered with the press and public present, with the exception of the following item, which would be considered with the press and public excluded for the reason indicated:

<u>Agenda Item</u>	<u>Reason</u>
21. 102, 104, 106 High Street, Harrow on the Hill	The report relating to this item contained exempt information under paragraph 12(b) of Part I of Schedule 12A to the Local Government Act 1972 in that it contained legal advice.

994. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 7 September 2005, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume.

995. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.

996. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

997. **Deputations:**

The Panel received a deputation from a resident of Stanmore Park, which outlined residents' concerns regarding the poor condition of the landscaping following the redevelopment of RAF Stanmore Park, Uxbridge Road, Stanmore. The depute stated that newly-planted young trees had not been looked after and had consequently died, and that there was a stagnant pool of water on the site. The condition of the landscaping had deteriorated particularly in the last year.

Some Members of the Committee, who had visited the site, supported the depute's comments, and noted that it would be important for any corrective action to be taken quickly so as not to miss the planting period.

RESOLVED: That the Chair and Vice-Chair, on behalf of the Committee, write to the developer expressing dissatisfaction with the condition of the site.

998. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of items 2/11 and 2/15 on the list of planning applications.

999. **Planning Applications Received:**

RESOLVED: That authority be given to the Group Manager (Planning and Development) to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

1000. **Planning Appeals Update:**

The Committee received a report of the Group Manager (Planning and Development) which listed those appeals being dealt with and those awaiting decision.

RESOLVED: That (1) the report be noted;

(2) Councillor Marilyn Ashton be appointed as the nominated member for the public enquiry for 19 & 21 R/O 11-29 Alexandra Avenue.

1001. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Group Manager (Planning and Development) which listed those enforcement notices awaiting compliance.

RESOLVED: That the report be noted.

1002. **Urgent Non-Executive Action - The Timber Carriage Public House, 19 Northolt Road, South Harrow:**

The Committee received a report of the Director of Legal Services outlining action taken following consultation with the Chair and Nominated Members of the Development Control Committee, since the meeting of the Committee held on 27 July 2005, under the Urgent Non-Executive Action Procedure.

RESOLVED: To note the following action, taken under the Urgent Non-Executive Action Procedure:

Subject: The Timber Carriage Public House, 19 Northolt Road, South Harrow

Action Proposed: To amend para 1 a) of the Development Control Committee Resolution of 15 June 2005 in respect of The Timber Carriage Public House, 19 Northolt Road (planning application 1/01) to read as follows: "...the submission and approval by the Local Planning Authority of an Affordable Housing Scheme to provide six units on the ground floor of the building as shared ownership/key worker housing...".

Reason for Urgency: The next meeting of the Development Control Committee was not until 7 September 2005. The applicant wished to commence development as soon as possible and wished to complete the Section 106 Agreement so that the planning permission could be issued.

Decision: Officer Recommendation agreed.

1003. **102, 104, 106 High Street, Harrow on the Hill:**

The Committee received a report of the Group Manager (Planning and Development) in this regard and an associated confidential report which detailed Counsel's Opinion.

RESOLVED: That (1) consideration of the report be deferred to the next meeting of the Committee; and

(2) officers be requested to notify complainants that the report would be considered at the next meeting of the Committee.

(See also Minutes 991 and 992)

1004. **354-366 Pinner Road, North Harrow:**
The Committee received a report of the Group Manager (Planning and Development) on the above matter.
- RESOLVED:** To approve drawing no: C81-431/105D in place of the previously approved drawing no: PP1-006 Rev C.
1005. **Copse Farm, 2 Brookshill Cottages, Dairy Cottages, Brookshill Drive, Harrow:**
The Committee received a report of the Group Manager (Planning and Development) in this regard.
- RESOLVED:** That the Director of Legal Services be authorised to:
- (1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (i) dismantling of metal mesh fence panels and stabilising mounts
 - (ii) permanent removal of their constituent elements from the land.
- (i) and (ii) should be complied with within a period of one (1) month from the date on which the Notice takes effect;
- (2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;
- (3) institute legal proceedings in the event of failure to:
- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
 - (ii) comply with the Enforcement Notice.
- (See also Minute 992)
1006. **56 Lake View, Edgware:**
The Committee received a report of the Group Manager (Planning and Development) on the above matter.
- RESOLVED:** That the Director of Legal Services be authorised to:
- (1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (i) demolition of the front porch extension and canopy
 - (ii) permanent removal of their constituent elements from the land.
- (i) and (ii) should be complied with within a period of three (3) months from the date on which the Notice takes effect;
- (2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;
- (3) institute legal proceedings in the event of failure to:
- (i) supply the information required by the Director of Legal Services through the issue of Notice under Section 330 of the Town and Country Planning Act 1990; and/or
 - (ii) comply with the Enforcement Notice.
1007. **Sage House, 319 Pinner Road - Section 106 Agreement:**
The Committee received a report of the Director of Legal Services in this regard.
- RESOLVED:** To extend the time for completion of the legal agreement to 31 January 2006.

1008. **Common Areas at Stanmore Park:**
This item had been placed on the agenda at the request of a Member, who advised that the issues that she had wished to raise in this regard had already been considered and dealt with as part of the deputation earlier in the meeting.

(See also Minute 997)
1009. **Statutory Notification Protocol:**
The Nominated Member of the Conservative Group advised the Committee that it had been brought to her attention that, in some cases, residents of properties abutting proposed development sites had not been notified that a planning application had been submitted.

RESOLVED: That the Group Manager (Planning and Development) be requested to ensure that the practice notes for notification are followed by planning staff, in particular with regard to properties that abut development sites.
1010. **Restructuring of the Planning Department:**
The Nominated Member of the Conservative Group advised the Committee that it had been brought to her attention that the Planning Department was undergoing a restructure.

RESOLVED: That the Group Manager (Planning and Development) be requested to provide a report on the proposed changes for the next meeting of the Committee.
1011. **Any Other Business:**
RESOLVED: That (1) the following site visits be held on Saturday 29 October 2005:

9.30 am - 83 Drury Road, Harrow
10.00 am - Land rear of 45-51 Southfield Park, North Harrow
10.30 am - Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore

(2) officers be requested to arrange a further daytime visit to RNOH for Members unable to attend on 29 October 2005.
1012. **Extension and Termination of the Meeting:**
In accordance with the provisions of Committee Procedure Rule 14.2 (Part 4B of the Constitution) it was

RESOLVED: (1) At 10.00 pm to continue until 10.30 pm;
(2) at 10.30 pm to continue until 11.00 pm;
(3) at 11.00 pm to continue until 11.15 pm;
(4) at 11.15 pm to continue until 11.30 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.30 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/1834/05/CFU
LOCATION: 190-194 Station Road, Harrow
APPLICANT: Design West Architectural for Scan Corporation Ltd
PROPOSAL: Extensions and alterations to provide a part 3/part 4 storey building, restaurant (A3 use) at ground floor, 13 flats at 1st, 2nd and 3rd floors
DECISION: WITHDRAWN at applicant's request.

LIST NO: 1/02 **APPLICATION NO:** P/1783/05/CFU
LOCATION: Greek Orthodox Church, Kenton Road, Kenton
APPLICANT: Koupparis Associates for Trustees of St Panteleimon
PROPOSAL: Replacement church with detached single/2 storey playgroup/community building at rear, access, parking (revised)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 1/03 **APPLICATION NO:** P/1589/05/CLA
LOCATION: Rooks Heath High School, Eastcote Lane, South Harrow
APPLICANT: Howard Fairbairn & Partners for Harrow Council
PROPOSAL: Part single/part two storey building with glazed link at Eastcote Lane frontage of site
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the additional informative set out in the Addendum.

(See also Minute 992)

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/1627/05/CVA
LOCATION: 383 Station Road, Harrow
APPLICANT: Four in One
PROPOSAL: Variation of Condition 3 of Permission LBH/38315 to allow opening 11:00 to 02:00 Sunday to Wednesday and 11:00 to 02:00 Thursday to Saturday
DECISION: GRANTED variation in accordance with the development described in the application and submitted plans, subject to the condition and informative reported.

LIST NO: 2/02 **APPLICATION NO:** P/1493/05/DFU
LOCATION: Freshfields, 12 Reenglass Road, Stanmore
APPLICANT: Mance Design & Architecture for Mr Nilesh Shah
PROPOSAL: 1st floor extension to provide two storey house, single and 2 storey rear extension, front porch, alterations to elevations (revised)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/03 **APPLICATION NO:** P/1711/05/CLA
LOCATION: Roxbourne Middle School, Torbay Road, Harrow
APPLICANT: Urban Living Department for People First Department
PROPOSAL: Single storey extension to existing detached building
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.
[Note: The Committee noted the correction to the location address, as set out in the Addendum].

LIST NO: 2/04 **APPLICATION NO:** P/1917/05/CFU
LOCATION: 15-21 Headstone Drive, Harrow
APPLICANT: Pearson Associates for Valuetimes Ltd
PROPOSAL: Change of use of 1st, 2nd & 3rd floors to alternative, either offices (B1) or healthcare (D1). Alterations to parking.
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.
[Note: The Committee noted the amendment to the site description, as set out in the Addendum].

LIST NO: 2/05 **APPLICATION NO:** P/1770/05/CFU
LOCATION: 21 Little Common, Stanmore
APPLICANT: Abe Hayeem for B & M Isaacs
PROPOSAL: Rear conservatory with retractable roof
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.
(See also Minute 992)

LIST NO: 2/06 **APPLICATION NO:** P/944/05/DFU
LOCATION: 120 Old Church Lane, Stanmore
APPLICANT: P Witham, ADT Consultants Ltd for Mr Hasnaini
PROPOSAL: Replacement two storey house with accommodation in roof
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/07 **APPLICATION NO:** P/1942/05/CFU
LOCATION: Centenary Park Pavilion, Stanmore
APPLICANT: T P Bennett for Metropolitan Police, Harrow

PROPOSAL: Alterations and change of use from pavilion (class D2) to police office (class B1)

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/08 **APPLICATION NO:** P/1591/05/DFU

LOCATION: Land R/O 47- 49 Gayton Road, Harrow

APPLICANT: Gillett Macleod Partnership for Mr S O'Brien

PROPOSAL: Two semi-detached bungalows, forecourt parking and access from Northwick Park Road (resident permit restricted)

DECISION: (1) GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following amendment to the conditions:

Condition 8 to read:

"No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority. Such boundary treatment shall include fencing to a minimum height of 2 metres particularly along the Hanbury Court boundary. The boundary treatment shall be completed before the building(s) is/are occupied. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality."

(2) RESOLVED: That officers be requested to write to the residents of Hanbury Court informing them of the amendment to the conditions.

LIST NO: 2/09 **APPLICATION NO:** P/1749/05/CFU

LOCATION: 3rd floor, Premier House, 1 Canning Road, Wealdstone

APPLICANT: Adrian Salt and Pang Ltd for London Institute of Technology

PROPOSAL: Change of use of 550 sq.m. of 3rd floor from offices (class B1) to offices/educational uses (class B1/D1c)

DECISION: GRANTED variation in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

(See also Minute 992)

LIST NO: 2/10 **APPLICATION NO:** P/1802/05/CFU

LOCATION: Green Verges, 22 Priory Drive, Stanmore

APPLICANT: The Drawing Room for Mr & Mrs Rosenberg

PROPOSAL: 2 storey side to rear extension and alterations (revised)

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/11 **APPLICATION NO:** P/1943/05/COU

LOCATION: Land rear of 45-51 Southfield Park, North Harrow

APPLICANT: Christopher Pring for Mr Drew, Dr & Mrs Marsden

PROPOSAL: Outline: Construction of five houses with access and parking

DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector;

(2) there was no indication that a representative of the applicant was present and wished to respond].

(See also Minute 998)

LIST NO: 2/12 **APPLICATION NO:** P/1883/05/DFU

LOCATION: 1 Butler Avenue, Harrow

APPLICANT: David R Yeaman & Associates for Mr V Ibrahim

PROPOSAL: Rear dormers and conversion to provide five flats, forecourt parking

DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

(i) The additional fifth flat would have access to the communal garden which would give rise to excessive activity in a garden which, in its totality, would be shared by five units, giving rise to a loss of residential amenity to the neighbouring properties by reason of increased disturbance and general activity.

(ii) The extra unit, together with the other units, will give rise to an over intensification of the property resulting in excessive activity to the detriment of the residential amenities of the surrounding properties.

[Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused. Upon being put to a vote, this was carried;

(2) the decision to refuse the application was unanimous;

(3) the Group Manager (Planning and Development) had recommended that the above application be granted].

LIST NO: 2/13 **APPLICATION NO:** P/1469/05/DFU

LOCATION: Park View, 14 Mount Park Road, Harrow

APPLICANT: Paul Archer Design Ltd for Bobby Anand

PROPOSAL: Outbuilding to provide domestic study

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Notes: (1) During the discussion on the above item, it was moved and seconded that the application be refused for the following reason:

The proposal would be out of character in the Mount Park Conservation Area and Area of Special Character and would represent an unwelcome addition to the garden area which would be at odds with the otherwise traditional buildings which characterise the area.

Upon being put to a vote, this was not carried;

(2) the substantive motion to grant the above application was carried;

(3) Councillors Marilyn Ashton and Mrs Bath wished to be recorded as having voted against the decision to grant the application].

LIST NO:	2/14	APPLICATION NO:	P/1701/05/CVA
LOCATION:	Land at the R/O 1-3 Canada Park Parade, Columbia Avenue, Edgware		
APPLICANT:	Ashmount Properties Ltd		
PROPOSAL:	Removal of Condition 13 of Planning Permission EAST/1277/01/FUL, subject to provision of capital sum for affordable housing		
DECISION:	INFORM the applicant that:		
	<p>(1) the proposal is acceptable subject to the provision of a unilateral undertaking under S.106 of the Town and Country Planning Act 1990 within one year (or such period as the Council may determine) of the date of the Committee decision on this application relating to:</p> <p style="padding-left: 40px;">the provision of a capital sum equivalent to 17.5% of the open market realised value of the 4 units outlined on the approved drawings prior to occupation of the four units</p> <p>(2) A formal decision granting the removal of Condition 13 of Planning Permission EAST/1277/01/FUL will be issued only upon the provision by the applicant of the aforementioned legal agreement.</p> <p>[Note: The Committee noted the amendment to the Recommendation, as set out in the Addendum].</p>		

LIST NO:	2/15	APPLICATION NO:	P/1882/05/DFU
LOCATION:	83 Drury Road, Harrow		
APPLICANT:	Mr K Desai		
PROPOSAL:	Single storey rear extension		
DECISION:	DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.		
	<p>[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector;</p> <p>(2) there was no indication that a representative of the applicant was present and wished to respond].</p> <p>(See also Minute 998)</p>		

LIST NO:	2/16	APPLICATION NO:	P/403/05/DFU
LOCATION:	Amberley, 7 Clamp Hill, Stanmore		
APPLICANT:	Jak Design for Shaileshbhai Patel		
PROPOSAL:	Double garage and store at rear with access from Acacia Close		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the additional Condition set out in the Addendum.		
	[Note: The Committee noted the amendment to the description, as set out in the Addendum].		

LIST NO: 2/17 **APPLICATION NO:** P/1712/05/CFU
LOCATION: Land R/O 71-83 Canterbury Road, North Harrow
APPLICANT: Gillett Macleod Partnership for Clearview Homes Ltd
PROPOSAL: Two detached two storey blocks to provide 8 terraced properties with access and parking (revised access arrangements at Allerford Court)
DECISION: DEFERRED at Committee's request to enable the Appeal Decision on the previous refusal of planning permission to be circulated to Members before considering the application.

LIST NO: 2/18 **APPLICATION NO:** P/1801/05/CFU
LOCATION: 17 Little Common, Stanmore
APPLICANT: John L Sims for Beazer Investments Ltd
PROPOSAL: Single storey side extension
DECISION: GRANTED variation in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/19 **APPLICATION NO:** P/1080/05/CFU
LOCATION: 18 Brookshill Avenue, Harrow
APPLICANT: B Taylor for Mr & Mrs Hooper
PROPOSAL: Two storey side and single storey rear extension
DECISION: GRANTED variation in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/20 **APPLICATION NO:** P/2005/05/CFU
LOCATION: 74 & 76 Station Road, Harrow
APPLICANT: Try Homes Ltd
PROPOSAL: Revisions to Permission P/2140/04/CFU to allow use of ground floor retail (A1), financial and professional services (A2), business (B1) or medical/health (D1)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

[Note: The Committee noted the amendment to the proposal details, as set out in the Addendum].

LIST NO: 2/21 **APPLICATION NO:** P/817/05/CFU
LOCATION: 49 High Street, Harrow on the Hill
APPLICANT: JRA Design Associates for Mr T J Harriss
PROPOSAL: Single storey rear extension and formation of roof terrace; change of use of basement/ground floor to restaurant/café and bar (class A3 and A4), alterations to rear elevation

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

(See also Minute 991 and 992)

LIST NO: 2/22 **APPLICATION NO:** P/1558/05/CLB

LOCATION: 49 High Street, Harrow on the Hill

APPLICANT: JRA Design Associates for Mr T J Harriss

PROPOSAL: Listed Building Consent: Ground floor single storey rear extension, alterations to rear elevation and internal alterations

DECISION: GRANTED Listed Building Consent in accordance with the works described in the application and submitted plans, subject to the conditions and informative reported.

(See also Minute 991 and 992)

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/1618/05/CVA

LOCATION: Wards PH, 38/40 Lowlands Road, Harrow

APPLICANT: Patrick Ward

PROPOSAL: Variation of Condition 6 of Permission E/450/02 to allow opening 10:00 to midnight Mon-Wed; 10:00 to 12:30 Thurs; 10:00 to 01:30 Fri-Sat; 11:00 to 12:30 Sun

DECISION: REFUSED permission for the variation described in the application and submitted plans for the reason and informative reported.

[Note: The Committee noted the amendment to the Appraisal, as set out in the Addendum].

(See also Minute 992)

LIST NO: 3/02 **APPLICATION NO:** P/1630/05/DCO

LOCATION: 147 Roxeth Green Avenue, South Harrow

APPLICANT: Nilesh Pankhania for Joseph Gomes

PROPOSAL: Alterations to, and retention of, covered area at rear

DECISION: REFUSED permission for the development described in the application and submitted plans for the reason and informative reported, and the following amendment to the informative:

Informative 1 to read:
 "The following policies in the 2004 Harrow Unitary Development Plan are relevant to this decision: SC1, D4, D5, C16 and the development is contrary to these policies".

[Note: The decision to refuse the application was unanimous].

SECTION 5 – PRIOR APPROVAL APPLICATIONS

LIST NO: 5/01 **APPLICATION NO:** P/2313/05/CDT

LOCATION: Signal House, Lyon Road, Harrow

APPLICANT: Marconi Apt

PROPOSAL: Determination: 6 pole-mounted roof-top antennae and 4 equipment cabins adjacent to rear car park

DECISION: REFUSED approval of details of siting/appearance for the reasons and informative reported.

COUNCIL



**MINUTES
of the
MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 20 OCTOBER 2005**

Present: **The Worshipful the Mayor (Councillor Paddy Lyne)
The Deputy Mayor (Councillor Mary John)**

Councillors:

R. Arnold
Nana Asante
David Ashton
Mrs Marilyn Ashton
Mrs Camilla Bath
Miss C A Bednell
F. Billson
Alan Blann
H. Bluston
J. Branch
K. Burchell
Mrs L. Champagne
M. Choudhury
Mrs Janet Cowan
John Cowan
Bob Currie
Margaret Davine
M. Dharmarajah
Sanjay Dighé
A.T. Foulds

Brian Gate
Mitzi Green
Ann Groves
C. Harrison
C. Harriss
T. Idaikkadar
Mark Ingram
N. Ismail
M. Kara
Mrs E.M. Kinnear
M. Kinsey
A.C. Knowles
Jean Lammiman
D. Lavingia
A. Lent
Myra Michael
Jerry J. Miles
Vina Mithani
Chris Mote
Mrs Janet Mote

John Nickolay
Mrs Joyce Nickolay
Marie-Louise Nolan
Phillip O'Dell
A. Omar
P. Osborn
Anjana Patel
A. Pinkus
R. Ray
R.D. Romain
Anthony Seymour
Navin Shah
Mrs Rajeshri Shah
E. Silver
Bill Stephenson
S. Thornton
Keith Toms
M. Versallion
Anne Whitehead
G.G.V. Williams

PRAYERS

The meeting opened with Prayers offered by the
Reverend Terence H. MacMath

A **OPENING PROCEEDINGS****340.** **SOUTH ASIA EARTHQUAKE - 8 OCTOBER 2005:**

Following the Chaplain's prayers, the Mayor requested Council to remain standing in a minute of silence to pay honour to all those who had lost their lives consequent to the earthquake which had occurred in South Asia on 8 October 2005.

The Mayor confirmed that Letters of Condolence on behalf of the Council had been sent to:

The High Commissioner for India
The High Commissioner for Pakistan

341. **QUEEN'S BIRTHDAY HONOURS LIST:**

- (i) The following Harrow residents had received awards in the Queen's New Year's Honours List:

Mrs Ruth Fasht	– Order of the British Empire
Mr Thomas Ryall	– Member of the British Empire
Mrs Ita McNamara	– Member of the British Empire
Mr Colin Tufnell	– Member of the British Empire
Mrs Bertha Leveryon	– Member of the British Empire

- (ii) Members of Council paid tribute to Thomas ('Freddie') Ryall, a well-respected, long-serving former officer in the Council's Education Department.

342. **ENGLAND CRICKET TEAMS' "ASHES" VICTORIES:**

On behalf of Council, the Mayor offered congratulations to the England Men's Cricket Team on their victory in the "Ashes" Test Match series, and to the England Women's Team on their series victory over Australia also. Particular congratulations were offered to Beth Morgan, a resident of Harrow, and member of the England Women's cricket team.

RESOLVED:

THAT THE MAYOR WRITE TO BETH MORGAN CONGRATULATING HER ON HER PARTICIPATION IN THE ENGLAND WOMEN'S TEAM VICTORY.

343. **COUNCILLOR VERSALLION:**

Congratulations were offered to Councillor Mark Versallion following the birth of his son.

B **PROCEDURAL MATTERS****344.** **COUNCIL MINUTES:****RESOLVED:**

THAT THE MINUTES OF THE ANNUAL COUNCIL MEETING HELD ON 12 MAY 2005, HAVING BEEN CIRCULATED, BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD.

345. **DECLARATIONS OF INTEREST:**

Item 17(2) on the Council Summons: RAF Bentley Priory

Having declared a personal interest in the above item, Councillor David Ashton remained and took part in the discussion and voting on this item.

RESOLVED:

THAT THE DECLARATION OF INTEREST MADE BY A MEMBER OF COUNCIL IN RESPECT OF THE BUSINESS TO BE TRANSACTED AT THIS MEETING SET OUT ABOVE BE DULY RECEIVED AND RECORDED.

346. MAYOR'S ANNOUNCEMENTS:**RESOLVED:**

THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF THE WORSHIPFUL THE MAYOR, AS TABLED, UPON HER OFFICIAL DUTIES, TOGETHER WITH THOSE OCCASIONS ON WHICH SHE WAS REPRESENTED BY HER DEPUTY MAYOR AND A PAST MAYOR, SINCE THE ANNUAL COUNCIL MEETING ON 12 MAY 2005.

347. PROCEDURAL MOTIONS:

Councillor Mark Ingram sought leave of the Council to withdraw the procedural motions advised in his name, to which the Council assented. In consequence, the emergency motion which had also been notified by the Member was not admitted to this meeting.

C PUBLIC REPRESENTATIONS**348. PETITIONS:**

The following petitions were submitted by Members of Council:

- (1) Submitted by Councillor Bill Stephenson containing 63 signatures of residents of Parkside Way, North Harrow, requesting the Council to resurface the road, introduce speed cameras and provide a pedestrian crossing.

[The petition stood referred to the Traffic Advisory Panel].

- (2) Submitted by Councillor Chris Mote containing some 290 signatures of residents in the Pinner South Ward objecting to the erection of an O2 mobile telephone mast at the rear of Cannons Newsagent, Coronation Parade, Cannon Lane in close proximity to residential dwellings, without local consultation.

[The petition had also been submitted to the local Member of Parliament].
[The petition stood referred to the Development Control Committee].

- (3) Submitted by Councillor Anjana Patel comprising 45 letters from residents of Alfriston Avenue, North Harrow, requesting the Council to introduce a Controlled Parking Zone system in their road to counter its use as a traffic "rat run" between Imperial Drive to the Ridgeway.

[The petition stood referred to the Traffic Advisory Panel].

349. PUBLIC QUESTIONS:

Further to item 6 on the Summons, the following two questions were submitted by members of the public, in accordance with Council Procedure Rule 12.3:

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Mr P Seedher	The Portfolio Holder for Social Care and Health (Councillor Margaret Davine)	"If after the new year budget has been prepared and implemented – your dept was to receive an additional £500,000 or even an additional £1m on top of your requirement – how would you like to spend it? Do you have a wish list of essential items?"
(2) Mrs B Mandalia	The Leader of the Council and the Portfolio Holder for Planning, Housing and Development (Councillors N Shah and Burchell)	"Can you please explain the role of the Authority's Planning Enforcement Officers in investigating adherence to imposed planning conditions and the responsibility of elected Members, including Ward representatives and the Leader of the Council, for the performance of the Council in applying the requirements of the statutory and regulatory planning framework?"

[Notes: (i) Questions (1) and (2) above were answered orally and additionally a supplementary question in each case received an oral response;

(ii) In regard to the second question, the Portfolio Holder agreed also to send the questioner a written copy of the reply and related documentation].

D RECOMMENDATION FROM CABINET

350. SERVICE PLANNING AND FINANCIAL PLANNING 2006-07:

Further to Item 7 on the Summons, the Council received Recommendation I of the Cabinet meeting of 28 July 2005 in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

E RECOMMENDATIONS FROM COMMITTEES AND OTHER BODIES

351. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2004/05:

Further to Item 8 on the Summons, the Council received Recommendation I of the Overview and Scrutiny Committee meeting of 26 April in this matter.

(i) The Chair of the Overview and Scrutiny Committee formally moved acceptance of the Annual Report for 2004/05. Council had been provided with the Annual Report as now produced as a separate printed booklet with enhanced textual and artwork presentation.

(ii) In the course of debate a number of Members expressed their appreciation of the work of the Overview and Scrutiny Committee.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

352. OVERVIEW AND SCRUTINY COMMITTEE: CONSTITUTIONAL AMENDMENT:

Further to Item 9 on the Summons, the Council received Recommendation I of the Overview and Scrutiny Committee meeting of 19 July 2005 in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

353. REVISIONS TO THE CONSTITUTION:

(i) The Chair of the Constitution Review Working Group, Councillor Ann Groves, formally moved the Recommendations arising from the Review Group.

(ii) Councillor Jean Lammiman moved and Councillor Gate seconded an amendment to the Recommendation in relation to Overview and Scrutiny Rules 16.1 and 16.2 (Part 4F of the Constitution) in the following terms:

“Propose retain ‘next meeting’ and retain the present time frames, rather than ‘the next appropriate meeting’ and changing the time frames in accordance with this”.

This was agreed by general assent of the Council.

(iii) The Recommendation in relation to the particular Rules was adopted as amended.

RESOLVED:

THE RECOMMENDATIONS ARISING FROM THE CONSTITUTION REVIEW WORKING GROUP BE ADOPTED, SUBJECT TO THE AMENDMENT SET OUT AT (i) ABOVE IN RESPECT OF RULES 16.1 AND 16.2.

354. PROPOSED VARIATIONS IN COUNCIL MEETING DATES:

Further to Item 11 on the Summons, the Leader of the Council (Councillor Navin Shah) proposed:

(1) the cancellation of the 19 January 2006 Council Meeting (as had been nominally anticipated in the printed Calendar of Meetings 2005/06);

(2) that within future Municipal Years the January Council Meeting be replaced by a July Meeting; and

(3) that the Calendar of Meetings for 2006/07 include a Council Meeting in July 2006.

RESOLVED:

THAT THE ABOVE PROPOSALS BE ADOPTED.

355. COMPLAINTS AGAINST COUNCILLORS - PROCEDURE FOR LOCAL INVESTIGATIONS OF COMPLAINTS REFERRED FROM THE STANDARDS BOARD FOR ENGLAND:

Further to Item 12 on the Summons, the Council received Recommendation I of the Standards Committee meeting of 21 September 2005 in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

356. COMPLAINTS AGAINST COUNCILLORS - PROCEDURE FOR LOCAL DETERMINATION OF COMPLAINTS REFERRED FROM THE STANDARDS BOARD FOR ENGLAND:

Further to Item 13 on the Summons, the Council received Recommendation II of the Standards Committee meeting of 21 September 2005 in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

357. APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE:

Further to Item 14 on the Summons, the Council received Recommendation III of the Standards Committee meeting of 21 September 2005 in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

F EXECUTIVE REPORT**358. REPORT OF THE LEADER OF THE COUNCIL: PORTFOLIO HOLDER DELEGATIONS:**

Further to Item 15 on the Summons, the Leader of the Council (Councillor Navin Shah) sought the approval of Council to effect that an existing delegation be appropriately transferred from the remit of the Deputy Leader, Portfolio Holder for Business Connections and Performance to the delegations ascribed to the Portfolio Holder for Communications, Performance and Human Resources. The particular delegation read as follows:

“the development of the Council’s response to crime, substance abuse and associated issues and the maintenance of good working relationships with other agencies to secure a safe living and working environment within the Borough”.

RESOLVED:

THAT THE VARIATION IN THE ALLOCATION OF PORTFOLIO HOLDER REMITS BE AGREED AS SET OUT ABOVE.

G QUESTIONS UNDER COUNCIL PROCEDURE RULE 13**359. QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13.2):**

Further to Item 16 on the Summons, the following five questions had been submitted by Members of the Council, notice of which had duly been given under the provisions of Council Procedure Rule 13.2. Of these, all except question 5 were answered orally (see notes below):

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Councillor Williams	Portfolio Holder for Business Connections and Performance (Councillor Dighé)	“How much does this Council expend, in terms of money, time and facilities, in promoting Black History Month, and what is the expend, on an equal basis, in terms of promoting White History?”
(2) Councillor Marilyn Ashton	The Leader of the Council (Councillor Navin Shah)	“Would the Leader of the Council confirm if he and his Portfolio Holders are dealing in a respectful and polite manner with questions and queries from Harrow residents?”
(3) Councillor Silver	Portfolio Holder for Planning, Development and Housing (Councillor Burchell)	“Will Councillor Burchell please explain and justify why the Council is insisting on increasing the rent of the Harrow Rifle and Pistol Club, at the Bisley House site in North Harrow, from £850 to £12,000 per annum, an increase of 1400%?”
(4) Councillor Seymour	The Leader of the Council (Councillor Navin Shah)	“Would the Leader of the Council tell us what are the most important matters of concern to Harrow Residents arising from the recent Mori Poll?”
(5) Councillor Bluston	Portfolio Holder for Planning, Development and Housing (Councillor Burchell)	“Has Councillor Burchell seen the article in ‘Building’ magazine on 7 October regarding Harrow Town Centre and would he comment upon it?”

[Notes: (1) Under the provisions of Council Procedure Rule 13.5, the Members submitting the above questions 1 to 4 asked an oral supplementary question each, which were also answered;

(2) the time allowed under Procedure Rule 13.2 expired and the fifth notified question and a further urgent question submitted under Rule 13.3(b) could not be asked at Council. It was noted that written responses would be provided].

360. QUESTION WITHOUT NOTICE (COUNCIL PROCEDURE RULE 13.1):

During the consideration of Item 15 on the Summons (Resolution 358), Councillor Knowles asked one question of the Leader of the Council under the provisions of Rule 13.1, relating to a Petition previously reported to a Cabinet Meeting from residents of Tillotson Road.

The Leader of the Council agreed to provide a written response, which would be copied to all Members of Council.

H MOTIONS**361. MOTION AT ITEM 17(1) - FAIR TRADE BOROUGH:**

- (i) Councillor Thornton moved and Councillor Marie-Louise Nolan seconded the Motion appearing at Item 17(1) of the Summons.

- (ii) The Motion was the subject of an agreed alteration under the provisions of Council Procedure Rule 17.7 as follows:

In paragraph 4 to delete the word “outside” and to insert between the words “Borough and” and the words “to ensure” the following additional wording:

“liaise with surrounding Boroughs practising Fair Trade”.

The amended paragraph would then read in full:

- “4. to request that officers work with Fair Trade Groups in the Borough and liaise with surrounding Boroughs practising Fair Trade to ensure continued commitment to Harrow becoming a Fair Trade Borough.”

- (iii) Following debate the substantive motion was moved and upon a vote agreed in the following terms:

“This Council resolves

1. To express its support for the principles of Fair Trade as part of the Council’s commitment to Local Agenda 21 and in pursuit of sustainable development;
2. To commit itself to promote awareness of Fair Trade through the Council’s communications and its website;
3. To encourage the serving of Fair Trade products at its meetings and Council run outlets;
4. To request that officers work with Fair Trade Groups in the Borough and liaise with surrounding Boroughs practising Fair Trade to ensure continued commitment to Harrow becoming a Fair Trade Borough.”

RESOLVED:

THAT THE MOTION SET OUT AT (iii) ABOVE BE ADOPTED.

[Notes: (1) During the course of the debate, Councillor Miss Bednell moved at 8.45 pm, under the provisions of Procedure Rule 17.10(d), “that the question be now put”. This was carried by general consensus and the meeting then moved to a vote;

(2) the Worshipful the Mayor, Councillor Paddy Lyne, the Deputy Mayor, Councillor Mary John, Councillors Arnold, Nana Asante, D Ashton, Marilyn Ashton, Camilla Bath, Miss Bednell, Billson, Blann, Bluston, Branch, Burchell, Mrs Champagnie, Choudhury, Janet Cowan, John Cowan, Currie, Margaret Davine, Dharmarajah, Dighé, Foulds, Gate, Mitzi Green, Ann Groves, Harrison, Harriss, Idaikkadar, Mark Ingram, Ismail, Kara, Mrs Kinnear, Kinsey, Jean Lammiman, Lavignia, Lent, Myra Michael, Miles, Vina Mithani, C Mote, Janet Mote, John Nickolay, Mrs Joyce Nickolay, Marie-Louise Nolan, O’Dell, Omar, Osborn, Anjana Patel, Pinkus, Ray, Romain, Seymour, N Shah, Mrs R Shah, Silver, Bill Stephenson, Thornton, Toms, Versallion, Anne Whitehead and Williams wished to be recorded as having voted in favour of adopting the above Motion].

362. MOTION AT ITEM 17(2) - RAF BENTLEY PRIORY:

- (i) In the tabled documents the Council was notified of a proposed change of the seconder to this Motion, from Councillor C Mote to Councillor Burchell, which was agreed.

- (ii) Councillor John Cowan moved and Councillor Burchell seconded the Motion at Item 17(2) of the Summons, in the following terms:

“This Council regrets that the Ministry of Defence is contemplating selling RAF Bentley Priory with its historical significance to a property developing company and calls upon the Borough’s two MPs to use all their best endeavours to keep the Priory within public ownership, for the future benefit of the British people.”

- (iii) Following debate, the Motion was adopted with the unanimous approval of Council.

RESOLVED:**THAT THE MOTION SET OUT AT (ii) ABOVE BE ADOPTED.**

[Note: During the course of the debate, Councillor Gate moved at 9.03 pm, under the provisions of Procedure Rule 17.10(d), "that the question be now put". This was carried by general consensus and the meeting then moved to a vote].

363. MOTION AT ITEM 17(3) - HARROW BOROUGH CONTROLLED DRINKING ZONE:

- (i) Councillor C Mote moved and Councillor D Ashton seconded the Motion at Item 17(3) of the Summons.
- (ii) Councillor O'Dell moved and Councillor Idaikkadar seconded the following amendment:

To insert after the words "calls for", in the third line, the following additional wording:

"an officer report to be made to the Licensing and General Purposes Committee on the required processes and consultation necessary for"

- (iii) The mover and seconder of the original Motion indicated their willingness to accept the amendment, which was adopted with the consent of the Council.
- (iv) Following debate the substantive Motion, as amended, was agreed as follows:

"This Council notes the success of controlled drinking zones in other London boroughs, in particular Westminster where it has been adopted for the whole borough, and calls for an officer report to be made to the Licensing and General Purposes Committee on the required processes and consultation necessary for the introduction of a controlled drinking zone to cover the whole of Harrow, thereby giving the police power to act against anti-social drinking".

RESOLVED:**THAT THE MOTION SET OUT AT (iv) ABOVE BE ADOPTED.**

[Notes: (1) During the course of the debate, Councillor Ann Groves moved at 9.18 pm, under the provisions of Procedure Rule 17.10(d), "that the question be now put". This was carried by general consensus and the meeting then moved to a vote;

(2) Councillors Branch, Kinsey and Thornton wished to be recorded as having voted against adopting the above Motion].

I MISCELLANEOUS**364. STATUTORY OFFICERS:**

Having received the report of the Chief Executive in the Supplemental Summons, further to Item 18 on the Summons, Council was requested to agree the designation of two Statutory Officers.

RESOLVED:

(1) THAT IN ORDER TO COMPLY WITH THE REQUIREMENT OF THE CHILDREN ACT 2004, THAT A DIRECTOR OF CHILDREN'S SERVICES AND A DIRECTOR OF ADULT SERVICES BE DESIGNATED;

(2) TO AUTHORISE THE LEADER OF THE COUNCIL IN CONJUNCTION WITH THE LEADERS OF THE MAIN OPPOSITION PARTIES TO DETERMINE WHICH OFFICERS SHALL BE DESIGNATED TO THESE STATUTORY POSTS;

(3) THE POSITION OF LEAD MEMBER FOR CHILDREN'S SERVICES BE DETERMINED AT THE ANNUAL MEETING OF THE COUNCIL IN MAY.

365. COUNCIL APPOINTEES AS MEMBERS OF COMMITTEES AND REPRESENTATIVES ON OUTSIDE BODIES:

Further to Item 19 on the Summons, Council received confirmation of the nominations by the political groups for Council appointees as Members of Committees and Representatives on an Outside Body.

RESOLVED:**THAT THE APPOINTMENTS BE MADE AS FOLLOWS:****(1) Joint Health Overview and Scrutiny Committee On The Redevelopment Of Northwick Park Hospital: Membership**

That Councillor Gate replace Councillor Ann Groves as Reserve Member for the Labour Group.

(2) Standing Advisory Council for Religious Education: Council Side Membership

(i) That Councillor Mrs Champagne replace Councillor Janet Cowan as Member for the Conservative Group.

(ii) Councillor Janet Cowan replace Councillor Mrs Champagne as Reserve Member.

(3) Outside Body Representation: LGA Rural Commission

That Councillors Blann and Burchell be appointed as representatives for 2005/06.

366. URGENT DECISION TAKEN ON A MATTER RESERVED TO THE COUNCIL:

An urgent decision which was a matter reserved to Council had in accordance with the delegations to Chief Officers been the subject of consultation with the Leaders of the three political groups on the Council and had been agreed on behalf of Council, and was now reported, relating to the Election Administration for the General Election called for 5 May 2005.

RESOLVED:

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

367. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND THE USE OF THE SPECIAL URGENCY PROCEDURE:

In accordance with the Council's Overview and Scrutiny Procedure Rules and Access to Information Rules set out in Part 4 of the Constitution, the Meeting received a report at Item 21 of the Summons regarding decisions taken as a matter of urgency on behalf of the Executive (that is, as individually authorised by the Portfolio Holders).

RESOLVED:

THAT THE DECISIONS TAKEN UNDER THE SPECIAL URGENCY PROCEDURE ON BEHALF OF THE EXECUTIVE AS NOW REPORTED BE NOTED.

368. ATTENDANCE BY TENANTS AND RESIDENTS:

The Mayor thanked the members of local Tenant Associations for their attendance at the meeting.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 9.23 pm).

