

2006 – 2007  
December 2006 Volume 7



**CABINET  
AND  
COUNCIL  
MINUTES**



**CABINET AND COUNCIL MINUTE BOOK**

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COUNCIL  
AND  
COUNCIL  
COMMITTEES



STANDARDS  
COMMITTEE



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**REPORT OF STANDARDS COMMITTEE**

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**MEETING HELD ON 5 DECEMBER 2006**

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Chairman: The Right Revd Peter Broadbent

Councillors: \* Mrs Janet Cowan \* Jean Lammiman  
\* B E Gate \* Joyce Nickolay (Vice-Chairman in the Chair)  
\* Mrs Kinnear \* Phillip O'Dell

Independent Persons: \* Ms Sheila Darr \* Mr Mohammad Rizvi  
† Dr J Kirkland

\* Denotes Member present  
† Denotes apologies received

**PART I - RECOMMENDATIONS****RECOMMENDATION I - Protocols - Monitoring Officer and Chief Financial Officer**

Members received the draft of the proposed Protocols for the Monitoring Officer and Chief Financial Officer. Members noted that adoption of the Protocols would demonstrate that arrangements were in place to ensure that these two statutory officers would carry out their responsibilities with the support of Members and officers. It was noted that the roles had not been changed in any way, but were now clearly defined with particular reference to the provisions of the Code of Conduct.

**Resolved to RECOMMEND:** (to Council)

That the Protocols for the Monitoring Officer and Chief Financial Officer, as set out at Appendix 1 to these minutes, be adopted.

**PART II - MINUTES**28. **Attendance by Reserve Members:**

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

29. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared by Members in relation to the business to be transacted at the meeting:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
9. Review of Whistleblowing Policy	) Councillor Jean Lammiman	During the course of the meeting the Member declared a personal interest, in relation to items 9 and 13 in that she was Chairman of the Member Development Panel.
13. Recommendation from the Member Development Panel – Annual Development Programme		
	) Councillor B E Gate	During the course of the meeting the Member declared a personal interest in relation to items 9 and 13, in that he was Vice-Chairman of the Member Development Panel.

30. **Arrangement of Agenda:**

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

31. **Minutes:**

Members indicated that they had some difficulty in approving the minutes of the previous meeting as they had not been circulated. The Chairman advised that the minutes could be accessed via the intranet but that she would raise this issue with the Leader of the Council.

**RESOLVED:** That the minutes of the meeting held on 19 September 2006 be deferred until the next meeting.

32. **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 19, 16 and 17 (Part 4B of the Constitution) respectively.

33. **Members' Register of Interests:**

Members considered a report of the Director of Corporate Governance, which detailed findings of a survey carried out of the practices of other boroughs in relation to the publication of the Members' Register of Interest forms.

Members were reminded that at the last meeting officers had put forward the option of placing the Members' Register of Interests electronically onto the intranet or internet in order to enhance public accessibility. Prior to any decision being made, Members had requested officers to investigate the practice in other boroughs and to report back the results of the survey. It was noted that Harrow still had a few teething problems with the software and it was hoped that the monthly email reminder function would be working and in use within the next few months. It was agreed that Members' addresses and signatures would not be published and that they would be consulted prior to any implementation of the software facility, concerning publishing details on the internet.

Concerns were raised in relation to the publication of Councillors' personal details on the website and Members queried the necessity for doing this. Whilst the Committee appreciated the need for transparency, it was acknowledged that the Register of Interest forms were already publicly available in a hard copy format for inspection at any time. Officers were requested to further investigate why some boroughs had decided to publish the Register.

The Committee expressed the view that all Members of Council should be sent a copy of the report for consideration and discussion at Group Meetings.

**RESOLVED:** That (1) officers, subject to teething problems above, use the upgraded modern.gov software to implement a system of automatic monthly e-mail reminders to Members to keep their entries in the Register of Interests up to date;

(2) officers write to all Members of Council advising of the proposal to publish Members' Register of Interests onto the website, and seek their views;

(3) officers ascertain why some boroughs have chosen to publish the Members' Register of Interests on the website, whilst others had opted out;

(4) subject to (2) above, Members view their Register of Interest form via the intranet, but update them through the normal officer procedures.

34. **Review of Whistleblowing Policy:**

The Committee received a report of the Head of Human Resources, which detailed the progress made in revising the Whistleblowing Policy.

Members were informed that the draft policy now included improved guidance on the whistleblowing procedure and how workers could raise a concern. A flowchart with a list of regulatory bodies who could assist had been appended to the draft to assist an employee, if they were unsatisfied with the outcome or felt that the matter was outside the Authority's jurisdiction. The draft policy was currently subject to consultation, which had a deadline of 12 December 2006 for comments. The result of the consultation would be reported to a future meeting and, once approved, the policy would be placed on the intranet.

**RESOLVED:** That (1) a Reference on the Whistleblowing Policy be made to the Member Development Panel, for consideration to incorporate the Policy into the Members training;

(2) the progress on the review of the Whistleblowing Policy be noted.

(See also Minute 29).

35. **Protocols – Monitoring Officer and Chief Financial Officer:**

(See Recommendation I).

36. **Review of the Code of Conduct:**

The Committee received a report of the Director of Corporate Governance, which updated Members on the timescale for the introduction of the Code of Conduct.

Members noted that the revised deadline for receipt of the Code was now January 2007, and that the Livingstone High Court case may have attributed to the Standards Board of England's (SBE) delay in revising the Code. The officer explained that the intention was to circulate the Code to all Members of Council for consultation, once it had been received from the SBE.

It was suggested that a Special meeting of the Standards Committee be arranged, to review and finalise the revised Code, following the feedback from Members' consultation.

**RESOLVED:** That (1) the revised timescale be noted;

(2) a Special meeting of the Committee be arranged to discuss the Code of Conduct.

37. **Confidential Information:**

Members received a report of the Director of Corporate Governance which set out the current practice of the Standards Board for England regarding its practice in relation to confidential information.

**RESOLVED:** That the report be noted.

38. **Member Development:**

Further to Recommendation 1 of the meeting of the Member Development Panel on 13 September 2006, Members received a report of the Director of People, Performance and Policy which set out the Member Development Strategy 2006-2010 and the learning and development programme for elected Members.

A Member drew attention to the schedule of meetings and events for 2006-2010, which had been circulated to all Members of Council.

**RESOLVED:** That the Member Development Programme for 2006-2010 be approved.

(See also Minute 29).

(Note: The meeting, having commenced at 7.30 pm, closed at 8.58 pm).

(Signed) COUNCILLOR JOYCE NICKOLAY  
Vice-Chairman in the Chair

APPENDIX 1

## LONDON BOROUGH OF HARROW

## PROTOCOL FOR MONITORING OFFICER RESPONSIBILITIES

**1. Introduction**

- 1.1 This protocol describes the principal functions of the Monitoring Officer and the way in which the Council expects him or her to discharge those functions.
- 1.2 The Monitoring Officer is a statutory appointment required by section 5 of the Local Government and Housing Act 1989 ('the Act').
- 1.3 A summary list of the statutory responsibilities of the Monitoring Officer appears in the table annexed to this document.
- 1.4 The current responsibilities of the Monitoring Officer rest with the Director of Legal Services, Hugh Peart, who shall appoint a deputy, (should he be unable to act) and who shall keep him briefed on any relevant issues that he/she may be required to deal with in his absence.

**2. Roles and responsibilities**

- 2.1 Under the Act, the Monitoring Officer has a duty to prepare a report if it appears to him/her that any proposal, decision or omission by the Authority would:
  - breach any enactment or rule of law; or
  - constitute maladministration or injustice as defined by the Local Government Act 1974.

In order to determine whether to prepare such a report, the following arrangements and principles will operate between Members and officer colleagues on the one hand, and the Monitoring Officer on the other.

- 2.2 Reports and decision-making
  - (a) As a member of the Corporate Management Team, the Monitoring Officer will have advance notice of those meetings, their agenda and reports, and the right to attend and speak;
  - (b) The Monitoring Officer or his/her staff will be provided with copies of all reports to Members in good time (i.e. at least 10 working days) before the reports are submitted for printing in order to confirm whether the proposal, decision or omission, by the Authority as outlined in the report would breach any enactment or rule of law; or constitute maladministration or injustice.
  - (c) Officers are obliged to incorporate the comments of the Monitoring Officer into reports. If this is not observed the Monitoring Officer reserves the right to recommend the withdrawal of the report or issue a separate report to Members explaining his/her views on the matter for consideration;
  - (d) Officers and Members must alert the Monitoring Officer to any informal or formal meeting between Cabinet Members or Committee Chairs and senior officers where procedural, vires or constitutional issues are likely to arise;
  - (e) The Monitoring Officer will have the right to attend any meeting of the Council, featuring either Members or officers, (including the right to be heard) before any binding decision of the Council is made;

- (f) The Monitoring Officer will act as the Proper Officer in relation to the preparation, publication and retention of records of decisions taken by or on behalf of the Executive;
- (g) As required by statute, the Monitoring Officer will report to Council as necessary on the staff, accommodation and resources he/she requires to discharge his statutory duties;
- (h) In consultation with the Mayor, Cabinet, Standards Committee and the Standards Board for England, the Monitoring Officer may defer the making of a formal report under section 5 of the Local Government and Housing Act 1989 (a Monitoring Officer Report), where another investigative body is involved.

### 2.3 Legality, vires and constitutional issues

- (a) Senior Officers will alert the Monitoring Officer to all emerging issues of concern including legality, vires and constitutional issues;
- (b) The Monitoring Officer will meet regularly with the Chief Executive and the Chief Finance Officer (the Section 151 Officer) to consider and recommend action in connection with corporate governance issues and other matters relating to legal, procedural, impropriety or other constitutional issues that are likely to, or do, arise;
- (c) The Monitoring Officer will be available for Members and officers to consult on any issues relating to the Council's legal powers, possible maladministration, propriety and probity issues and for advice on the Constitution;
- (d) After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will have the right to notify the Police, the Council's Auditors and other regulatory agencies of his concerns in respect of any matter and to provide them with the documents to assist them in their statutory functions;

### 2.4 Ethics and probity

- (a) The Monitoring Officer will ensure the Standards Committee is supported in its mission to maintain high standards of ethics and probity;
- (b) The Monitoring Officer will develop good working relationships with the Standards Committee, Ombudsman, the District Auditor and the Standards Board for England;
- (c) In carrying out investigations of any kind, the Monitoring Officer will have unqualified access to any information held by the Council and to any officer who can assist in the discharge of his functions;
- (d) The Monitoring Officer will be expected to support the Standards Committee in the local determination of complaints against Members where allegations of misconduct are referred to him by the Standards Board for investigation, or where investigations are referred for local determination by an Ethical Standards Officer;
- (e) The Monitoring Officer may give informal advice and undertake relevant enquiries into allegations of misconduct by Members in the absence of a written complaint received by the Standards Board for England, and if appropriate will make a written report to the Standards Committee, unless the Chair of the Standards Committee, the Chief Executive and the Monitoring Officer decide that a report is unnecessary;
- (f) The Monitoring Officer will carry out investigations of misconduct allegations in compliance with any direction of Ethical Standards Officers;

- (g) The Monitoring Officer will have the power to delegate any part of his role in relation to investigations in compliance with directions of Ethical Standards Officers to another appropriately qualified officer within the Legal Services Department or externally;
- (h) The Monitoring Officer will be responsible for preparing a training programme for Members on the ethical framework, subject to approval of the Standards Committee;
- (i) The Monitoring Officer will maintain the registers of Members' Financial and other Interests, Gifts and Hospitality;
- (j) The Monitoring Officer will investigate any application for a dispensation and report as necessary to the Standards Committee for decision;
- (k) Officers and Members will alert the Monitoring Officer to any issues of concern to the Council concerning ethics and probity;
- (l) The Monitoring Officer has the right to obtain external legal advice, from an independent barrister or solicitor, on any matter. He/she shall be given sufficient resources to enable this to be done;
- (m) The Monitoring Officer will be able to appoint an independent legal adviser to assist the Council in relation to an investigation where a Member is alleged to be in breach of the Code of Conduct. He/she shall be given sufficient resources to enable this to be done;
- (n) To ensure the effective and efficient discharge of this Protocol, the Chief Finance Officer will ensure that adequate insurance and indemnity arrangements are in place in order to protect and safeguard the interests of the Council and the proper discharge of the role of the Monitoring Officer.

### **3. Conflicts**

- 3.1 Where the Monitoring Officer receives a complaint or becomes aware of a potentially reportable issue or event relating to a matter on which he/she has already advised, the matter shall be dealt with by the Deputy Monitoring Officer who will report to the Chief Executive and/or the authority as appropriate.

### **4. Sanctions for breach of this Protocol**

- 4.1 Complaints about a breach of any matters in this Protocol by Members may be referred to the Standards Committee of the Council and the relevant Leader and/or Chief Whip of the Party Group concerned.
- 4.2 Complaints about breaches of this Protocol by officers will be referred to the relevant Chief Officer and/or the Chief Executive.

**Summary of Monitoring Officer functions**

<b>Function</b>	<b>Source of Function</b>
1. Report on contravention or likely contravention of any enactment or rule of law.	Section 5 Local Government and Housing Act 1989.
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3. Appointment of Deputy Monitoring Officer.	Section 5 Local Government and Housing Act 1989.
4. Report on resources needed to undertake Monitoring Officer functions.	Section 5 Local Government and Housing Act 1989.
5. Investigate misconduct in compliance with Regulations and directions of Ethical Standards Officers (ESO).	Regulations under Section 66(1) and 66(6) Local Government Act 2000. Direction from ESO in individual cases.
6. Establish and maintain registers of members interests and gifts and hospitality.	Section 81 Local Government Act 2000 and Members' Code of Conduct.
7. Advice to Members on interpretation of the Code.	Members' Code of Conduct
8. Key role in the framework for local determination of complaints. Advice to Members, officers and the public on the operation of the Code and how alleged breaches should be investigated.	S66 of the LGA 2000 Statutory guidance para. 8.20
9. Liaison with Standards Board for England and Ethical Standards Officers.	Regulations under sections 54(4), 57(3) and 66 of the LGA 2000.
10. Compensation or remedy for maladministration.	S.92 Local Government Act 2000.
11. Advice on vices issues, maladministration, financial impropriety, probity, budget and policy framework to all members.	DCLG guidance.

**LONDON BOROUGH OF HARROW****PROTOCOL FOR CHIEF FINANCE OFFICER RESPONSIBILITIES****1. Introduction**

- 1.1 This protocol describes the principal functions of the Chief Finance Officer and the way in which the Council expects him or her to discharge those functions.
- 1.2 The Chief Finance Officer is a statutory appointment required by section 151 of the Local Government Act 1972, who shall be responsible for the proper administration of financial affairs of the Authority.
- 1.3 A summary list of the statutory responsibilities of the Chief Finance Officer appears in the table annexed to this document.
- 1.4 The current responsibilities of the Chief Finance Officer rest with the Director of Financial & Business Strategy, Myfanwy Barrett who shall nominate a member of her staff as Chief Finance Officer (if she is unable to act owing to absence or illness).

**2. Roles and responsibilities**

- 2.1 Under the Local Government Financial Act 1988 ("the 1988 Act"), the Chief Finance Officer has a duty to prepare reports if it appears to him/her that:
- Any Council decision or likely decision would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
  - Any Executive decision or likely decision would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
  - The expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.

Under the Local Government Act 2003 ("the 2003 Act") the Chief Finance Officer has a duty to prepare reports on:

- The robustness of the authority's budget calculations;
- The adequacy of the authority's proposed financial reserves; and
- Previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate including recommendations for appropriate actions.

The Chief Finance Officer will assist the Council in the carry out regular budget monitoring in accordance with section 28 the 2003 Act. If as a result it appears that there has been a deterioration in its financial position, the Council, must take such action, as it considers necessary to deal with the situation.

In order to determine whether to prepare a report in accordance with the roles and responsibilities, the following arrangements and principles will operate between Members and officer colleagues on the one hand, and the Chief Finance Officer on the other.

- 2.2 Reports and decision-making

- (a) As a member of the Corporate Management Team, the Chief Finance Officer will have advance notice of those meetings, their agenda and reports, and the right to attend and speak;
- (b) The Chief Finance Officer or his/her staff will be provided with copies of all reports to Members in good time (i.e. at least 10 working days) before the reports are submitted for printing in order to confirm whether the proposal, decision or likely decision would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
- (c) Officers are obliged to incorporate the comments of the Chief Finance Officer into reports. If this is not observed the Chief Finance Officer reserves the right to recommend the withdrawal of the report or issue a separate report to Members explaining his/her views on the matter for consideration;
- (d) The Chief Finance Officer is responsible for the proper administration of the financial affairs of the Council and will have unqualified access to all financial information held by all the departments of the Council and to any officer within those departments who can assist in the discharge of his/her functions;
- (e) The Chief Finance Officer will have the right to attend any meeting of the Council, featuring either Members or officers, (including the right to be heard) before any binding decision of the Council is made;
- (f) As required by statute, the Chief Finance Officer will report to Council as necessary on the staff, accommodation and resources he/she requires to discharge his/her statutory duties;
- (g) In consultation with the Chief Executive and the Monitoring Officer the Chief Finance Officer may defer the making of a formal report under section 114 of "the 1998 Act" or section 25 of "the 2003 Act" (a Chief Finance Officer Report), where another investigative body is involved.

### 2.3 Legality, vires and constitutional issues

- (a) Senior Officers will alert the Chief Finance Officer to all emerging issues of concern including contractual, financial, budgetary or other relevant issues referred to in the constitutional;
- (b) The Chief Finance Officer will meet regularly with the Chief Executive and the Monitoring Officer to consider and recommend action in connection with corporate governance framework, contract procedure rules, financial regulations and budgetary issues that are likely to, or do, arise;
- (c) The Chief Finance Officer will be available for Members and officers to consult on any issues relating to the Council's, impropriety, probity, budget and policy framework issues, contract procedure rules or financial regulations or other relevant issues referred to in the constitution;
- (d) The Chief Finance Officer will have the right to add further contractual, financial or other relevant guidance as he/she considers appropriate from time to time;
- (e) After consulting with the Chief Executive and Monitoring Officer, the Chief Finance Officer will have the right to notify the Police, the Council's Auditors and other regulatory agencies of his/her concerns in respect of any matter and to provide them with the documents to assist them in their statutory functions;

### 2.4 Ethics and probity

- (a) The Chief Finance Officer will develop a good working relationship with the External Auditor appointed by the Audit Commission;

- (b) In carrying out investigations of any kind, the Chief Finance Officer will have unqualified access to any information held by the Council and to any officer who can assist in the discharge of her functions;
- (c) The Chief Finance Officer will be expected to support the Audit Committee;
- (d) Officers and Members will alert the Chief Finance Officer to any issues of concern to the Council concerning financial impropriety and probity;
- (e) The Chief Finance Officer has the right to obtain external advice, on any matter. He/she shall be given sufficient resources to enable this to be done;
- (f) To ensure the effective and efficient discharge of this Protocol, the Chief Finance Officer will ensure that adequate insurance and indemnity arrangements are in place in order to protect and safeguard the interests of the Council and the proper discharge of the role of the Chief Finance Officer.

### **3. Sanctions for breach of this Protocol**

- 3.1 Complaints about a breach of any matters in this Protocol by Members may be referred to the Standards Committee of the Council and the relevant Leader and/or Chief Whip of the Party Group concerned.
- 3.2 Complaints about breaches of this Protocol by officers will be referred to the relevant Chief Officer and/or the Chief Executive.

**Summary of Chief Finance Officer functions**

<b>Function</b>	<b>Source of Function</b>
1. Responsibility for the proper administration of financial affairs of the Council	Section 151 Local Government Act 1972
2. Duty to nominate a member of his/her staff as chief financial officer (if unable to act owing to absence or illness)	Section 114 Local Government Financial Act 1988
3. Duty to report on a Council decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114 Local Government Financial Act 1988
4. Duty to report on an Executive decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114A Local Government Financial Act 1988
5. Duty to report if the expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure	Section 114 Local Government Financial Act 1988
6. Duty to report on the robustness of the authority's budget calculations.	Section 25 Local Government Act 2003
7. Duty to report on the adequacy of the authority's proposed financial reserves	Section 25 Local Government Act 2003
8. Duty to report on previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate, including recommendations for appropriate actions to rectify	Section 27 Local Government Act 2003
9. Duty to assist the Council in carrying out regular budget monitoring	Section 28 Local Government Act 2003

STRATEGIC  
PLANNING  
COMMITTEE



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**REPORT OF STRATEGIC PLANNING COMMITTEE**


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**MEETING HELD ON 6 DECEMBER 2006**


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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Robert Benson (2) \* Narinder Singh Mudhar  
 \* Don Billson \* Joyce Nickolay  
 \* Graham Henson (2) \* Mrs Rekha Shah (3)  
 \* Thaya Idaikkadar

\* Denotes Member present  
 (2) and (3) Denote category of Reserve Members

**PART I - RECOMMENDATIONS - NIL**
**PART II - MINUTES**
**17. 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 Mrinal Choudhury	Councillor Graham Henson
Councillor Keith Ferry	Councillor Mrs Rekha Shah
Councillor Manji Kara	Councillor Robert Benson

**18. Right of Members to Speak:**

**RESOLVED:** That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda item indicated:

Councillor Paul Scott	Planning Application 1/05
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[Note: Councillor Paul Scott, having indicated that he may wish to speak on the above item, subsequently did not attend the meeting].

**19. 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.

**20. 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>
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.

15. Former Government Offices Site, Honeypot Lane, Stanmore (Ref: P/2246/06) and Common Land Adjoining Edgware Brook between Honeypot Lane,	The applicants had appealed subsequent to the agenda having been prepared and the report was necessary to update the Committee on action being taken by officers prior to the next meeting of the Committee.
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Whitchurch Lane and  
Former Government Offices  
Site, Stanmore (Ref:  
P/2317/06)

(2) all items be considered with the press and public present with the exception of the following item for the reason given below:

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
15. Former Government Offices Site, Honeypot Lane, Stanmore (Ref: P/2246/06) and Common Land Adjoining Edgware Brook between Honeypot Lane, Whitchurch Lane and Former Government Offices Site, Stanmore (Ref: P/2317/06)	This item was considered to contain exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

21. **Minutes:**

**RESOLVED:** That the Chairman be given authority to sign the minutes of the meeting held on 8 November 2006 as a correct record once they have been printed in the Council Bound Minute Volume.

22. **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 19, 16 and 17 (Part 4B of the Constitution) respectively.

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

**RESOLVED:** To note that there were no references from Council or other Committees or Panels received at this meeting.

24. **Representations on Planning Applications:**

**RESOLVED:** That in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 1/03 and 1/04 on the list of planning applications.

25. **Planning Applications Received:**

**RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

26. **Planning Appeals Update:**

The Committee received a report of the Head of Planning which listed those appeals being dealt with and those awaiting decision.

**RESOLVED:** To note the report.

27. **Member Site Visits:**

**RESOLVED:** To note that there were no Member site visits to be arranged.

28. **Former Government Offices Site, Honeypot Lane, Stanmore (Ref: P2246/06 and Common Land Adjoining Edgware Brook between Honeypot Lane, Whitchurch Lane and Former Government Offices Site, Stanmore (Ref: P2317/06):**

The Committee received a confidential information report of the Director of Planning Services in this regard.

**RESOLVED:** That the report be noted.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.32 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

**SECTION 1 – MAJOR APPLICATIONS**

**LIST NO:** 1/01                      **APPLICATION NO:** P/2822/06/CFU

**LOCATION:** Harrow View Service Station, Harrow View/Victor Road, Harrow

**APPLICANT:** Asep Ltd for London and Regional Properties

**PROPOSAL:** Construction of part 4, part 3 storey block of 14 flats with car parking and access road

**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

[Note: The Committee wished it to be recorded that the vote to grant the application was unanimous].

**LIST NO:** 1/02                      **APPLICATION NO:** P/1234/06/CAD

**LOCATION:** The Grove, Warren Lane, Stanmore, Middlesex, HA7 4LY

**APPLICANT:** Crest Nicholson (Chiltern) Ltd

**PROPOSAL:** Installation of 13 externally illuminated flags and poles

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported, with the following amendments to the conditions:

Condition 1 be amended to read:  
 “The period of this consent shall be 2 years, or until the last dwelling is sold, or whichever is the sooner, following which the advertisements shall be removed and the site reinstated.”

Condition 5 be added:  
 “The advertisements displayed shall not be illuminated when the sales office is closed.”

**LIST NO:** 1/03                      **APPLICATION NO:** P/2605/06/CFU

**LOCATION:** Land at R/O Pinner United Reform Church, Paines Lane

**APPLICANT:** Gibberd Ltd for Care Capital Ltd

**PROPOSAL:** Erection of health centre, pharmacy, undercroft car parking and two bridges

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant’s representative, which were noted;

(2) the Committee wished it to be recorded that the vote to grant the application was unanimous].

**LIST NO:** 1/04                      **APPLICATION NO:** P/2602/06/DCA

**LOCATION:** Land at R/O Pinner United Reform Church, Paines Lane

**APPLICANT:** Gibberd Ltd for Care Capital Ltd

**PROPOSAL:** Demolition of Scout HQ

**DECISION:** GRANTED Conservation Area consent for the development described in the application and submitted plans, subject to the conditions and informative reported.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;

(2) the Committee wished it to be recorded that the vote to grant the application was unanimous].

**LIST NO:** 1/05 **APPLICATION NO:** P/2874/06/CFU

**LOCATION:** 74 Uxbridge Road, Harrow Weald, HA3 6DL

**APPLICANT:** Hepher Dixon for London & Regional Properties

**PROPOSAL:** Construction of 14 flats and health centre in a part two/part three storey building

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

[Note: The Committee wished it to be recorded that the vote to grant the application was unanimous].

**LIST NO:** 1/06 **APPLICATION NO:** P/2588/06/CFU

**LOCATION:** 1 Eastcote Road, 200-203 Grove Avenue, Pinner

**APPLICANT:** CHBE Architects for Galley Homes Ltd

**PROPOSAL:** Redevelopment to provide part three storey part two storey car home with new open space; parking and landscaping

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

- (i) The proposal represents an over-intensive development by reason of excessive site coverage and building bulk giving rise to an unacceptable form of development in this location.
- (ii) The scale, mass and bulk of the development would be overbearing and would give rise to an unacceptable loss of residential amenity to the adjoining occupiers.
- (iii) The proposed layout of the frontage to Eastcote Road would be unacceptable due to the excessive hard surfacing and lack of space for landscaping.

[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) Councillors Marilyn Ashton, Robert Benson, Don Billson, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;

(3) the Head of Planning had recommended that the above application be granted].

**LIST NO:** 1/07 **APPLICATION NO:** P/2737/06/CFU

**LOCATION:** 44-46 Kenton Road, Harrow, HA3 8AB

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<b>APPLICANT:</b>	C Stewart & R Casey for Jaysam Contractors Ltd
<b>PROPOSAL:</b>	Demolition of 2 houses and construction of block of 12 flats
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, with the following amendments to the conditions:  <u>Condition 17 be added:</u> Eleven homes in this development, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.  [Note: Councillor Narinder Singh Mudhar wished to be recorded as having abstained from voting].

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### **SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

<b>LIST NO:</b>	3/01	<b>APPLICATION NO:</b>	P/2610/06/CFU
<b>LOCATION:</b>	Land at Copse Farm, Brookshill Drive, Harrow		
<b>APPLICANT:</b>	Planning Potential for Zed Homes		
<b>PROPOSAL:</b>	Alterations and change of use of barn to workspace (B1); extensions to farm buildings for 2 houses and construction of 12 houses		
<b>DECISION:</b>	WITHDRAWN by applicant		

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<b>LIST NO:</b>	3/02	<b>APPLICATION NO:</b>	P/2607/06/CCA
<b>LOCATION:</b>	Land at Copse Farm, Brookshill Drive, Harrow		
<b>APPLICANT:</b>	Planning Potential for Zed Homes		
<b>PROPOSAL:</b>	Conservation Area Consent: Demolition of farm buildings and outhouses		
<b>DECISION:</b>	WITHDRAWN by applicant		

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<b>LIST NO:</b>	3/03	<b>APPLICATION NO:</b>	P/2443/06/CFU
<b>LOCATION:</b>	Land R/O 71 Bridge Street, Pinner		
<b>APPLICANT:</b>	Planning Potential for Zed Homes		
<b>PROPOSAL:</b>	Demolition of existing buildings and construction of 7-storey building to provide 34 flats		
<b>DECISION:</b>	WITHDRAWN by applicant		

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<b>LIST NO:</b>	3/04	<b>APPLICATION NO:</b>	P/2813/06/ADK
<b>LOCATION:</b>	Land rear of 47-51 Gayton Road, Harrow, HA1 2LT		
<b>APPLICANT:</b>	SLLB Architects Ltd		
<b>PROPOSAL:</b>	Construction of part 3 part 4 storey block of 14 flats with gardens and car parking		
<b>DECISION:</b>	REFUSED permission for the development described in the application and submitted plans for the reasons reported.  [Note: The Committee wished it to be recorded that the vote to refuse the application was unanimous].		

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STANDING ADVISORY  
COUNCIL FOR  
RELIGIOUS  
EDUCATION





Councillor Mrs Lurline Champagne	She was a Governor at Hatch End High School.
Councillor Mrs Anjana Patel	She was a Governor at Vaughan First and Middle School.

(2) the following personal interests declared by non-Council members:

<u>Member</u>	<u>Nature of Interest</u>
Mr M Bishop	He was a governor at Whitmore School.
Ms P Stevens	She was the secretary of the Harrow Interfaith Council.

40. **Minutes of the Meeting Held on 20 September 2006:**

**RESOLVED:** That the minutes of the meeting held on 20 September 2006 be taken as read and signed as a correct record subject to the following amendments:

Minute 35 – Dates and Venues for the Next Meetings  
Amend the spelling of Sikh

41. **Matters Arising**

- (a) Contact with London SACREs:  
Councillor Champagne envisaged an open day with displays at the Harrow Civic Centre to which other London SACREs would be invited.

**RESOLVED:** That Councillors Ms Nana Asante and Mrs Lurline Champagne and Pat Stevens meet at the beginning of January 2007 to discuss the open day.

- (b) SACRE Showcase for Councillors:  
Paddy O'Dwyer and Pat Stevens tabled a brief paper outlining ideas for the proposed showcase. Suggestions included an overview of Harrow's range of beliefs and philosophies, with photographs and statistical material; information about the role of Harrow SACRE; samples of the Agreed Syllabus for Religious Education; sample primary and secondary lessons for Councillors, taken by the SACRE teacher members; and a question and answer session. It was also suggested that there be a presentation of children's work.

**RESOLVED:** To note that members were requested to forward any further ideas to Paddy O'Dwyer who would continue to work on this project with Pat Stevens.

- (c) Report on the Multi-Racial Forum on Racial Harassment:  
Pat Stevens reported that Elisa Santana from Nkanda and the Harrow Refugee Forum and Baldev Sharma from the Harrow Anti Racism Alliance had been appointed Chair and Vice-Chair respectively. She advised that a free conference was taking place on 8 December at City Hall to which Ian Blair and Tony McNulty were speaking. A priced conference on fostering and cohesion was taking place on 17/18 January 2007.

**RESOLVED:** That Pat Stevens would arrange that information about future conferences be circulated to SACRE members in special mailings.

- (d) SACRE Constitution:  
Pat Stevens had received comments from the Legal Services Department on the SACRE Constitution. It was noted that in the first line of the Constitution, the relevant section of the Education Act 1996 was 390 not 230. Following discussion, it was agreed that it was sometimes difficult to identify bodies representing different denominations and faiths. However it was felt appropriate to ask such bodies to nominate representatives to Group A using a nomination form.

**RESOLVED:** That (1) Pat Stevens and Mike Bishop draft possible amendments to the SACRE constitution and a nomination form and look at other representation issues; and

(2) Pat Stevens to send a new draft to members before the next meeting.

(e) Agreed Syllabus for Religious Education and Scheme of Work:

It was noted that some schools were piloting the syllabus, which would be published on the Harrow website once photographs had been added.

Introductions to the following faiths were tabled: Ba'hai, Buddhism, Humanism, Islam, Jainism, Zoroastrianism and, Sikhism. Father Pothen was collating the submission for the Christians. Mrs Niru Desai was working on an introduction to Hinduism, which would be ready by the first week in January. Pat Stevens had written to the Board of Deputies asking for an introduction to the Jewish faith and also for a nomination of a member of SACRE as the current members had not attended for some time. She expected a contribution from the Rastafarian member by the beginning of January.

Working parties were working on the schemes of work, which were being piloted in schools. Some children would be starting projects in Year 7 and continuing the work in Year 8, thereby contributing towards a smooth transition from primary to secondary school.

Pat Stevens tabled the SACRE budget business plan and monitoring form for 2006/07. This stated that 'We had hoped to print the Agreed Syllabus during 2006/07 as an extra item. The Harrow Council Communications Department has estimated a cost of £1120 for 200 copies for which the folders have already been purchased. If this were possible, the additional funding would be appreciated to complete the Agreed Syllabus publication. If not, we will finalise the design for downloading on the LGfL website and include the printing costs in the 2007-08 SACRE business plan.' It was hoped that a grant might be available to pay for the printing costs.

**RESOLVED:** That (1) Pat Stevens give the remaining faiths a deadline and draft an introduction herself if nothing was forthcoming from the outstanding faith groups;

(2) members report any errors in the introductions to Pat Stevens;

(3) Mr Baig forward corrections on the Muslim entry to Pat Stevens;

(4) in the Buddhism entry the spelling of Myanmar be corrected; and

(5) Pat Stevens liaise with the Democratic Services Manager regarding next year's financial allocation.

(f) Baha'i Materials:

Pat Stevens and Paddy O'Dwyer considered that the Baha'i materials which Dr Stephen Vickers had brought to the last SACRE meeting were of a very good quality and suitable for schools, especially for Year 7 children who studied the Baha'i faith as part of the curriculum. There was very little existing material.

There was discussion about funding for faith packs. Money had been provided by the Council for Muslim and Hindu packs for schools but it was not clear from which budget the money had been spent. It was noted that schools had RE Curriculum budgets which were unlikely to cover the cost of packs.

**RESOLVED:** To note that (1) the Council members would establish where the money for the Muslim and Hindu packs had come from and pass this information through the Chair for onward transmission to the rest of the Committee;

(2) Pat Stevens and Councillor Mrs Lurline Champagne would also look at funding for the Baha'i packs and packs about other faiths which were yet to be produced.

42. Collective Worship:

Mrs Stowe gave a talk about collective worship, charting Priestmead Middle School's response to OFSTED's comment that the school did not comply with the statutory duty to provide appropriate collective worship as set out in the School Standards and Framework Act. The National Teacher Research Conference had funded the work she had done by providing supply teacher cover.

**RESOLVED:** That Susan Bole send Mike Bishop, who had left the meeting, a copy of Mrs Stowe's hand out about Collective Worship.

43. **Advice to Schools on the Religious Needs of Pupils:**

A revised list of religious festivals between September 2006 and July 2007 was tabled.

Schools had asked SACRE for advice on the religious needs of pupils in diverse areas such as PE, music, dress and food. Mrs Stowe explained that she was about to apply for funding with the National Teacher Research Conference to do a project on the sorts of issues which schools were raising. If she obtained funding she would meet with faith group leaders in order to formulate guidance for Priestmead Middle School.

**RESOLVED:** To note that (1) on the festival days listed, pupils may, at the Headteacher's discretion, be permitted authorised absence as appropriate for religious observance; and

(2) if the project was given funding, Alison Stowe would share her findings with SACRE. The members would then evaluate them along with the groups they represented and, on making any appropriate adjustments, make the literature available to all schools in the Borough.

44. **Determinations:**

**RESOLVED:** To note that there were no determinations to report.

45. **News from the Faith Communities:**

Pat Stevens reported that the Harrow Interfaith Council was organising a young people's conference at Hatch End High School on 15 February 2007 and members were invited to take part and facilitate workshops. Eid-ul-Adha celebrations to be held on 6 January 2007 were announced.

**RESOLVED:** To note that members should contact Pat Stevens if they wanted to attend the conference.

46. **Date and Venue of the Next Meeting:**

Members had enjoyed seeing around the Zoroastrian Centre, which had been sensitively converted from a cinema. The priest, Evad Rustam Bhedwar had conducted a short time of meditation, then members had been shown the fire room before starting the formal part of the meeting.

There was some discussion about the practice of SACRE meetings taking place outside the Civic Centre. It had been hoped that the next meeting could take place at the Sikh Centre in Kingsbury or the one in Southall. However, although DfES deemed it to be good practice for SACRE members to visit different places of worship, Harrow Legal Services had concerns that there might be legal implications to holding SACRE meetings away from the Civic Centre, especially if the venue was outside the Borough.

Councillor Mrs Lurline Champagnie agreed to investigate further in relation to acceptable venues for the meeting scheduled to be held on 8 March 2007. If it was agreed that the Committee could meet at a venue within the Borough, Councillor Mrs Lurline Champagnie would liaise with Pam Wearing to establish if the March 2007 meeting could take place at St John Fisher church in Imperial Way, Rayners Lane. A committee room at the Civic Centre would be used if necessary.

**RESOLVED:** That the above be noted and that members be notified of the time and location of the March meeting when it had been confirmed.

(Note: The meeting having commenced at 8.00 pm, closed at 10.10 pm)

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE  
Chairman

LICENSING AND  
GENERAL PURPOSES  
PANELS



**CHIEF OFFICERS' EMPLOYMENT PANEL****8 DECEMBER 2006**

Chairman: \* Councillor Chris Mote

Councillors: \* David Ashton \* Navin Shah  
\* Christopher Noyce \* Bill Stephenson

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**1. **Chairman of the Panel:****RESOLVED:** To note the appointment at the Special meeting of the Licensing and General Purposes Committee on 5 June 2006, under the provisions of Committee Procedure Rule 8.2, of Councillor Chris Mote as Chairman of the Panel for the Municipal Year 2006/2007.2. **Arrangement of Agenda:****RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the meeting be called and the agenda issued less than 5 clear working days in advance of the meeting, by virtue of the special circumstances and grounds for urgency stated below:-Special Circumstances/Grounds for Urgency: Due to the need to ascertain the availability of Members to ensure a quorum at the meeting, and to schedule the meeting within the tight recruitment timetable, it was not possible to convene this meeting earlier.

(2) all items be considered with the press and public present with the exception of the following item for the reasons set out below:

<u>Item</u>	<u>Reason</u>
5. Appointment of Chief Executive	This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to individuals.

3. **Declarations of Interest:**

The following declarations of interest were made:

Councillors David Ashton, Chris Mote, Christopher Noyce, Navin Shah and Bill Stephenson each declared an interest in that they knew one of the candidates as an employee of the Council.

**RESOLVED:** That the declarations of interest made by Members in relation to the business on the agenda for this meeting, be noted.4. **Minutes:****RESOLVED:** That the minutes of the previous meetings held on 17 February (2 meetings) and 21 February 2006, having been printed into the Council Minute Volume, be taken as read and signed as correct records.5. **Appointment of Chief Executive:**

The meeting received a report from Gatenby Sanderson Recruitment Consultants on 21 applications submitted by candidates for the post of Chief Executive.

Having considered the merits of the candidates, it was

**RESOLVED:** That the 11 candidates identified be invited to longlist interview by Gatenby Sanderson.

(Note: The meeting having commenced at 3.00 pm, closed at 4.30 pm)

(Signed) COUNCILLOR CHRIS MOTE  
Chairman



## CHIEF OFFICERS' EMPLOYMENT PANEL

21 DECEMBER 2006

Chairman: \* Councillor Chris Mote

Councillors: \* David Ashton \* Navin Shah  
\* Christopher Noyce \* Bill Stephenson

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**6. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
5. Appointment of Chief Executive	This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to individuals.

7. **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.

8. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 8 December 2006 be deferred until printed into the Council Minute Volume.

9. **Appointment of Chief Executive:**

At its meeting on 8 December 2006, the Panel had agreed that 11 of the 21 candidates who had submitted applications for the post of Chief Executive be invited for long-list interview.

The Panel now received a report from Gatenby Sanderson Recruitment Consultants on the outcome of those interviews.

Having discussed the merits of the candidates, the preferred short-listing for final interview by the Panel and the arrangements for 12 January 2007 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 Chief Executive;

(2) the arrangements for 12 January 2007 for (i) candidates to make a presentation to Members; (ii) the timing of the interviews; and (iii) the design of the questions to be asked by Members in the interviews undertaken by the Panel; be as now discussed.

(Note: The meeting having commenced at 2.00 pm, closed at 3.30 pm)

(Signed) COUNCILLOR CHRIS MOTE  
Chairman



## PERSONNEL APPEALS PANEL

13 DECEMBER 2006

Chairman: \* Councillor Mrs Camilla Bath

Councillors: \* Manji Kara

\* Dhirajlal Lavingia

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**26. **Appointment of Chairman:**

**RESOLVED:** That Councillor Mrs Camilla Bath be appointed Chairman of the Panel for the purposes of the meeting.

27. **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.

28. **Arrangement of Agenda:**

**RESOLVED:** That the appeal be considered with press and public excluded on the grounds that it would involve the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), disclosure of information relating to an individual.

29. **Minutes:**

(See Note at conclusion of these minutes).

30. **Grievance Appeal:**

After consideration of the grievance presented by the appellant, and in agreement with all parties, it was

**RESOLVED:** That the grievance be referred to management in People First for fuller investigation.

(Note: The meeting having commenced at 9.36 am, closed at 11.10 am)

(Signed) COUNCILLOR CAMILLA BATH  
Chairman

[Note: Personnel Appeals Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman 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 Appeals Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman 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

14 DECEMBER 2006

Chairman: \* Councillor Mrs Lurline Champagnie

Councillors: \* Bill Stephenson \* Jeremy Zeid

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**31. **Appointment of Chairman:**

**RESOLVED:** That Councillor Mrs Lurline Champagnie be appointed Chairman of the Panel for the purposes of the meeting.

32. **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.

33. **Arrangement of Agenda:**

**RESOLVED:** That the appeal be considered with press and public excluded on the grounds that it would involve the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), disclosure of information relating to an individual.

34. **Minutes:**

(See Note at conclusion of these minutes).

35. **Grievance Appeal:**

Following careful consideration of both the verbal and written evidence presented by the appellants and management, the Panel

**RESOLVED:** That the appeal be dismissed.

(Note: The meeting having commenced at 9.36 am, closed at 3.48 pm)

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE  
Chairman

[Note: Personnel Appeals Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman 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 Appeals Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman 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

24 JULY, 23 NOVEMBER  
& 18 DECEMBER 2006

Chairman: \* Councillor Mrs Camilla Bath

Councillors: \* Mrs Lurline Champagne Dhirajjal Lavingia

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**36. **Appointment of Chairman:****RESOLVED:** That Councillor Mrs Camilla Bath be appointed Chairman of the Panel for the purposes of the meeting.37. **Declarations of Interest:****RESOLVED:** To note that there were no declarations of personal or prejudicial interests made by Members of the Panel arising from business transacted at this meeting.38. **Arrangement of Agenda:****RESOLVED:** That the appeal be considered with the press and public excluded on the grounds that it would involve the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), in that it would involve the disclosure of information relating to an individual.39. **Minutes:**

(See Note at conclusion of these minutes).

40. **Adjournment of Appeal:**

At its meeting of 24 July 2006, and in response to a request from the appellant, the Panel

**RESOLVED:** To adjourn until such time as the hearing could be reconvened.

[Note: The Panel subsequently reconvened on 23 November 2006, on which date the appellant did not attend, and it was therefore agreed to adjourn again and reconvene on 18 December 2006].

41. **Grievance Appeal:**

Following careful consideration of both the verbal and written evidence presented by the appellant and management, the Panel

**RESOLVED:** That the appeal be dismissed.

(Note: The meeting having commenced at 9.35 am on 24 July 2006 and adjourned at 9.55am, reconvened at 9.30 am on 23 November 2006 and adjourned at 9.50 am, and then reconvened at 9.30 am on 18 December 2006, closed at 1.48 pm on 18 December 2006).

(Signed) COUNCILLOR CAMILLA BATH  
Chairman

[Note: Personnel Appeals Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman 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 Appeals Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].



**EARLY RETIREMENT SUB-COMMITTEE**

**19 DECEMBER 2006**

Chairman: \* Councillor Richard Romain

Councillors: \* Miss Christine Bednell \* Mano Dharmarajah

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL**

**PART II - MINUTES**

1. **Appointment of Chairman:**

**RESOLVED:** To note the appointment at the Special meeting of the Licensing and General Purposes Committee on 5 June 2006 of Councillor Richard Romain as Chairman of the Sub-Committee for the 2006/07 Municipal Year.

2. **Attendance by Reserve Members:**

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

3. **Declarations of Interest:**

**RESOLVED:** To note that the following interest was declared in relation to the business to be transacted at the meeting:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
11. Exercise Discretion under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended).	Councillor Richard Romain	During the course of the meeting the Member declared a personal interest in that he knew of the employee referred to in the report.

4. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
9. Exercise Discretion under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended)	These items were considered to contain exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended), in that they contained information relating to individuals.
10. Exercise Discretion under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended)	
11. Exercise Discretion under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended)	
12. Exercise Discretion under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended)	

5. **Minutes:**
- RESOLVED:** That the minutes of the meeting held on 22 December 2005, having been circulated, be taken as read and signed as a correct record.
6. **Public Questions. Petitions and Deputations:**
- RESOLVED:** To note that there were no public questions, petitions or deputations submitted to this meeting under the provisions of Committee Procedure Rules 19, 16 and 17 (Part 4B of the Constitution) respectively.
7. **Exercise Discretion under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended):**
- An officer reported on an application by an employee under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) Regulations 2000, requesting that the employer exercise discretion and agree early retirement.
- RESOLVED:** That (1) it be agreed that this was a suitable case for consideration under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) Regulations 2000 amended); and
- (2) having determined that the application met the criteria for early retirement, discretion be exercised under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) Regulations 2000 and the early retirement of SG be agreed, and SG be awarded with an additional period of 6 years and 243 days.
8. **Exercise Discretion under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended):**
- An officer reported on an application by an employee under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) Regulations 2000, requesting that the employer exercise discretion and agree early retirement.
- RESOLVED:** That (1) it be agreed that this was a suitable case for consideration under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) Regulations 2000 amended); and
- (2) having determined that the application met the criteria, discretion be exercised under Regulation 8 of the Local Government (Early Termination) (Discretionary Compensation) Regulations 2000 and the early retirement of AP be agreed, and AP be awarded with an additional period of 2 years and 361 days.
9. **Exercise Discretion under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended):**
- An officer presented a report of the Executive Director, (Urban Living) which detailed an application by an employee under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended), requesting that the employer exercise discretion and agree early retirement.
- RESOLVED:** That (1) it be agreed that this was a suitable case for consideration under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended); and
- (2) having determined that the application met the criteria set at the Licensing and General Purposes Committee on 4 March 2004, discretion be exercised and the early retirement of SW under Regulation 31 be agreed.
- (See also Minute 3).
10. **Exercise Discretion under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended):**
- An officer presented a report of the Executive Director, (Urban Living) which detailed an employee under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended), requesting that the employer exercise discretion and agree early retirement.
- RESOLVED:** That (1) it be agreed that this was a suitable case for consideration under Regulation 31 of the Local Government Pension Scheme Regulations 1997 (as amended); and

(2) having determined that the application met the criteria set at the Licensing and General Purposes Committee on 4 March 2004, discretion be exercised and the early retirement of PW under Regulation 31 be agreed.

11. **Contents of Reports to the Sub-Committee:**

Further to the formal consideration of the reports detailed above, Members felt that the information provided in the substantive reports and the appendices ought to be simplified, and in particular should include a fuller explanation of the calculations of the costings. It was also suggested by Members that the officer recommendations ought to be reworded

**RESOLVED:** That the relevant information be provided for inclusion in the substantive Departmental report, such that Members could be assured that issues raised in consultation had been appropriately accounted for and were addressed in the officer recommendations as necessary.

(Note: The meeting having commenced at 7.30 pm, closed at 8.05 pm)

(Signed) COUNCILLOR RICHARD DAVID ROMAIN  
Chairman



## LICENSING PANEL

20 DECEMBER 2006

Chairman: \* Councillor Mrs Lurline Champagne

Councillors: \* Phillip O'Dell \* Jeremy Zeid

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**74. **Appointment of Chairman:**

**RESOLVED:** That Councillor Mrs Lurline Champagne be appointed Chairman of the Panel for the purposes of this meeting.

75. **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.

76. **Arrangement of Agenda:**

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

77. **Minutes:**

(See Note at conclusion of these minutes).

78. **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 19, 16 and 17 (Part 4B of the Constitution) respectively.

79. **Licensing Procedures:**

The Chairman introduced the Panel and the officers present and the legal officer outlined the procedure for the conduct of an oral hearing, which was not set out in the agenda.

80. **Application to vary a Premises Licence for South Harrow Food and Wine, 234-236 Northolt Road, South Harrow:**

The Chief Environmental Health Officer's representative advised that the representation that had been made by the Metropolitan Police in respect of the application to vary a Premises Licence for South Harrow Food and Wine, 234-236 Northolt Road, South Harrow, had been withdrawn as they had reached an agreement with the applicant, and that, as a result, the application would not now require determination by the Panel.

**RESOLVED:** To note that an application to vary a Premises Licence for South Harrow Food and Wine, 234-236 Northolt Road, South Harrow would be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

81. **Application to vary a Premises Licence for The Shawl, 320 Northolt Road, South Harrow:**

The Panel received a report of the Chief Environmental Health Officer which detailed an application to vary a Premises Licence for The Shawl, 320 Northolt Road, South Harrow.

The application had been made by John Joseph and Seamus Anthony McCabe, and had been referred to the Panel as unresolved representations had been received from the Environmental Health Authority, the Metropolitan Police and Interested Parties. The officer informed the Panel that the Environmental Health Authority had withdrawn their representation following the applicant's agreement to three conditions prior to the meeting. Sergeant Carl Davies was in attendance on behalf of the Metropolitan Police. Also present were Joseph McCabe, the applicant, Ambrose Gordon, the Designated Premises Supervisor, and Ian Mann, Counsel for the applicant.

The applicant's representative clarified that the application had been amended, as detailed in the letter from Pettman Smith Solicitors dated 13 November 2006 and included in the agenda pack. Mr Mann drew the Panel's attention to the fact that no objectors were present at the meeting, and that the premises was a family-run business offering a traditional Irish atmosphere. Mr McCabe and his brother had run the business since October 2006, and had four years experience of owning a public house. Since taking over the premises, the owners had introduced a number of measures to make sure noise emanating from the premises was kept to a minimum and security was maximised.

In response to a question from Sergeant Carl Davis, the applicant confirmed that the 'fifteen occasions' on which non-standard timings would apply would be days such as St Patrick's Day. The officer stated that the application did not specify the hours requested, and that having been published, it would not be possible to do so without making a fresh application. The applicant therefore agreed to withdraw this part of the application. The officer also noted that the common law right for the premises to remain open at any time for non-licensable activities, referred to by the applicant on page 71 of the agenda, no longer existed under the Licensing Act 2003.

Sergeant Carl Davis informed the Panel that, in light of the amendments made to the application, the Police had no objections to the application.

**RESOLVED:** That the application to vary a Premises Licence for the Shawl, 320 Northolt Road, South Harrow, be granted as amended, but that the Panel be not minded to approve the fifteen days of non-standard timings in Section M of the application and not accede to the alleged common law right in Section O.

82. **Application to vary a Premises Licence for the Comfort Inn, 2-12 Northwick Park Road, Harrow:**

The Panel received a report of the Chief Environmental Health Officer which detailed an application to vary a Premises Licence for the Comfort Inn, 2-12 Northwick Park Road, Harrow.

The application had been made by Grangebrook Ltd, and was referred to the Panel as representations had been received from the Metropolitan Police and an Interested Party, Mr Saperia. Sergeant Carl Davis represented the Metropolitan Police. Mr Richard Jackson, the applicant, and Mr Saperia were also present.

The applicant informed the Panel that the application was to vary the Premises Licence of the function room only. This was used exclusively for private bookings, such as weddings and other family occasions, and corporate functions. In response to a question from Mr Saperia, the applicant confirmed that a planning application had been submitted to modernise the function room, but stated that the location of the function room would remain the same. The officer confirmed that any change in the floor plan of the premises would require an application for a new Premises Licence.

In response to questions from Members, the applicant stated that a glass screen had been fitted at the rear of the premises to deflect noise away from the neighbours, that the function room had air conditioning fitted, and that there had been no official complaints regarding noise in the past three years. The applicant informed the Panel that corporate events were usually held on weekdays and family parties were generally held at weekends. For this reason the application sought to extend the hours for licensable activities on all nights of the week, although it was noted that this did not necessarily mean the function room would be open until 2.00 am every night of the week. The applicant explained that, since many functions were booked at short notice, it would not be possible to apply for Temporary Event Notices in time.

In response to questions from Sergeant Davis the applicant confirmed that the fire doors were alarmed, that all events were pre-booked, and that a digital colour CCTV system and intruder alarm were all fitted in the function room. The premises catered for approximately ten weddings per year, and it was mainly this sort of function that involved music.

In his representation, Mr Saperia stated that music caused a disturbance whenever the fire doors at the rear of the function room were left open. Although a condition of licence granted to the premises in 1988 had been to keep the fire doors shut, on a number of occasions since then Mr Saperia had inspected the premises and found the doors to be open. Mr Saperia expressed concerns that the doors would continue to be left open, and that if granted the variation to the Premises Licence, this would result in disturbances even later at night. In response to questions from Members, Mr Saperia

confirmed that since the new management had taken over the premises he had had very few causes for complaint.

**RESOLVED:** That the application to vary a Premises Licence for the Comfort Inn, 2-12 Northwick Park Road, Harrow be granted, subject to the following additional conditions:

1. Noise or vibration shall not be permitted to emanate from the function room so as to cause a nuisance to nearby properties.  
**REASON:** Prevention of public nuisance
2. External doors shall be kept shut during operating hours.  
**REASON:** 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:** Prevention of public nuisance

(Note: The meeting having commenced at 7.30 pm, closed at 9.15 pm)

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE  
Chairman

[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 Chairman 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 Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].



COUNCIL





**MINUTES**  
**of the**  
**EXTRAORDINARY MEETING**  
**of the**  
**COUNCIL**  
**of the**  
**LONDON BOROUGH OF HARROW**  
**held on**  
**MONDAY 11 DECEMBER 2006**

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

**Councillors:**

Nana Asante  
David Ashton  
Mrs Marilyn Ashton  
Mrs Camilla Bath  
Miss Christine A. Bednell  
Robert Benson  
Don Billson  
Mrs Lurline Champagnie  
John Cowan  
Bob Currie  
Margaret Davine  
Mano Dharmarajah  
Anthony Ferrari  
Keith Ferry  
Archie T. Foulds  
Brian E. Gate  
David Gawn  
Mitzi Green

Susan Hall  
Graham Henson  
Thaya Idaikkadar  
Nizam Ismail  
Manji. Kara  
Mrs E.M. Kinnear  
Ashok Kulkarni  
Dhirajlal Lavingia  
Barry Macleod-Cullinane  
Julia Merison  
Salim Miah  
Jerry J. Miles  
Vina Mithani  
Chris Mote  
Mrs Janet Mote  
Narinder Singh Mudhar  
John Nickolay  
Mrs Joyce Nickolay

Phillip O'Dell  
Anjana Patel  
David Perry  
Raj Ray  
Richard David Romain  
Paul Scott  
Mrs Rekha Shah  
Stanley Sheinwald  
Eric Silver  
Dinesh Solanki  
Bill Stephenson  
Mrs Sasikala Suresh  
Yogesh Teli  
Keekira Thammaiah  
Mark A. Versallion  
Thomas Weiss  
Jeremy Zeid

**85. EXTRAORDINARY COUNCIL:****RESOLVED:**

**TO NOTE THAT THIS EXTRAORDINARY COUNCIL MEETING IS SUMMONED UNDER THE PROVISION OF COUNCIL PROCEDURE RULE 3.1(i), BY DECISION OF PREVIOUS COUNCIL MEETINGS ON 13 JULY 2006 (RESOLUTION 53) AND 19 OCTOBER 2006 (RESOLUTION 84).**

**86. DECLARATIONS OF INTEREST:****Item 4 on the Council Summons – Gambling Policy**

Councillors Macleod-Cullinane and Tom Weiss both declared personal interests in the above item, and accordingly remained in the Chamber and took part in the discussion and decision thereon.

**RESOLVED:**

**THAT THE DECLARATIONS OF INTEREST MADE BY TWO MEMBERS OF COUNCIL IN RESPECT OF THE BUSINESS TO BE TRANSACTED AT THIS MEETING, AS SET OUT ABOVE, BE DULY RECEIVED AND RECORDED.**

**87. COUNCIL MINUTES:****RESOLVED:**

**THAT THE MINUTES OF THE COUNCIL MEETING HELD ON 19 OCTOBER 2006 BE DEFERRED TO THE NEXT ORDINARY COUNCIL MEETING.**

**88. GAMBLING POLICY:**

Further to Item 4 on the Summons for this Extraordinary Meeting, the Council received Recommendation I arising from the Licensing and General Purposes Committee meeting of 27 November 2006 in the matter of the Authority's Gambling Policy, which required consideration and adoption by the full Council.

The Chairman of the Licensing and General Purposes Committee, Councillor Mrs Lurline Champagnie, formally moved Recommendation I, which was duly seconded by Councillor John Nickolay.

**RESOLVED:**

**THAT THE AUTHORITY'S GAMBLING POLICY, IN ACCORDANCE WITH THE RELEVANT REQUIREMENTS OF THE GAMBLING ACT 2005, BE ADOPTED AS SET OUT AT APPENDIX 1 TO THE LICENSING AND GENERAL PURPOSES COMMITTEE RECOMMENDATION I (27 NOVEMBER 2006).**

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the meeting closed at 7.05 pm).



**MINUTES  
of the  
EXTRAORDINARY MEETING  
of the  
COUNCIL  
of the  
LONDON BOROUGH OF HARROW  
held on  
MONDAY 11 DECEMBER 2006**

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

**Councillors:**

Nana Asante  
David Ashton  
Mrs Marilyn Ashton  
Mrs Camilla Bath  
Miss Christine A. Bednell  
Robert Benson  
Don Billson  
Mrs Lurline Champagnie  
John Cowan  
Bob Currie  
Margaret Davine  
Mano Dharmarajah  
Anthony Ferrari  
Keith Ferry  
Archie T. Foulds  
Brian E. Gate  
David Gawn  
Mitzi Green

Susan Hall  
Graham Henson  
Thaya Idaikkadar  
Nizam Ismail  
Manji. Kara  
Mrs E.M. Kinnear  
Ashok Kulkarni  
Dhirajlal Lavingia  
Barry Macleod-Cullinane  
Julia Merison  
Salim Miah  
Jerry J. Miles  
Vina Mithani  
Chris Mote  
Mrs Janet Mote  
Narinder Singh Mudhar  
John Nickolay  
Mrs Joyce Nickolay

Phillip O'Dell  
Anjana Patel  
David Perry  
Raj Ray  
Richard David Romain  
Paul Scott  
Mrs Rekha Shah  
Stanley Sheinwald  
Eric Silver  
Dinesh Solanki  
Bill Stephenson  
Mrs Sasikala Suresh  
Yogesh Teli  
Keekira Thammaiah  
Mark A. Versallion  
Thomas Weiss  
Jeremy Zeid

**89. EXTRAORDINARY COUNCIL:****RESOLVED:**

**TO NOTE THAT THIS EXTRAORDINARY COUNCIL MEETING HAS BEEN CONVENED IN ACCORDANCE WITH THE PROVISIONS OF COUNCIL PROCEDURE RULE 3.1, FURTHER TO A REQUEST FROM THE MONITORING OFFICER.**

**90. DECLARATIONS OF INTEREST:**

It was noted that there were no declarations of interests made by Members with regard to the business to be transacted at this Extraordinary Council Meeting.

**91. COUNCIL MINUTES:****RESOLVED:**

**THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 OCTOBER AND OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 11 DECEMBER 2006 BE DEFERRED TO THE NEXT ORDINARY COUNCIL MEETING.**

**92. MONITORING OFFICER AND RETURNING OFFICER ROLES:**

At Item 4 on the Summons for this Extraordinary Meeting, the Council received a report of the Acting Chief Executive, which set out the requirement to re-allocate the Monitoring Officer and Returning Officer roles with effect from 1 February 2007, arising from the retirement of the present incumbent of the post of the Director of Corporate Governance and the consequent deletion of that post as at 31 January 2007.

**RESOLVED:**

**THAT (1) THE STATUTORY FUNCTIONS OF THE MONITORING OFFICER, TOGETHER WITH THE RESPONSIBILITIES OF THE ELECTORAL REGISTRATION AND RETURNING OFFICER AS SET OUT IN THE REPORT OF THE ACTING CHIEF EXECUTIVE, BE TRANSFERRED TO THE EXISTING POST OF THE DIRECTOR OF LEGAL SERVICES WITH EFFECT FROM 1 FEBRUARY 2007;**

**(2) ARTICLE 12 OF THE CONSTITUTION BE AMENDED TO REFLECT THE RE-ALLOCATION OF ROLES NOW AGREED.**

**93. JOHN ROBINSON:**

The Members of the Council took the opportunity of the occasion of this Extraordinary Council Meeting to extend their best wishes to John Robinson, Director of Corporate Governance and Monitoring Officer, upon his impending retirement.

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the meeting closed at 7.18 pm).

OVERVIEW AND  
SCRUTINY  
COMMITTEE



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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**SPECIAL MEETING HELD ON 11 DECEMBER 2006**


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Chairman: \* Councillor Jean Lammiman

Councillors:	* B E Gate	* Christopher Noyce
	* Mitzi Green	* Richard Romain
	* Salim Miah	* Mrs Rekha Shah
	* Mrs Myra Michael	* Mark Versallion
	* Jerry Miles	* Jeremy Zeid (5)

\* Denotes Member present  
(5) Denotes category of Reserve Member

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

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

Ordinary Member
Reserve Member

Councillor Anthony Seymour

Councillor Jeremy Zeid

**80. 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.

**81. Arrangement of Agenda:**

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

**82. Minutes:**

**RESOLVED:** That the minutes of the ordinary meetings held on 10 October 2006, the Special meeting held on 14 November 2006 and the ordinary meeting held on 21 November 2006 be deferred until the next ordinary meeting.

**83. Appointment of Members to the Adult Health and Social Care Scrutiny Sub-Committee:**

Further to the nomination submitted in relation to this Committee's Sub-Committees membership, it was

**RESOLVED:** That Councillor Mrs Vina Mithani replace Councillor Mrs Lurline Champagnie on the membership of the Adult Health and Social Care Scrutiny Sub-Committee, for the remainder of the Municipal Year 2006/07.

(Note: The meeting, having commenced at 7.22 pm, closed at 7.24 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN  
Chairman



SCRUTINY  
SUB-COMMITTEES



**ADULT HEALTH AND SOCIAL CARE SCRUTINY  
SUB-COMMITTEE**
**12 DECEMBER 2006**

Chairman:	* Councillor Mrs Myra Michael	
Councillors:	* Mrs Margaret Davine	* Mrs Vina Mithani
	* David Gawn	* Joyce Nickolay
	* Julia Merison	* Mrs Rekha Shah
Advisers (non-voting):	* Jean Bradlow	
	* Owen Cock	

\* Denotes Member present

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

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

**55. Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Julia Merison	Declared a personal interest in that her husband had recently received treatment at Northwick Park Hospital, and that a family member was in receipt of mental health services.
Councillor Mrs Vina Mithani	Declared a personal interest in that she worked for the Health Protection Agency and had close links with Northwick Park Hospital.
Councillor Joyce Nickolay	Declared a personal interest in that her husband had recently received treatment at Northwick Park Hospital.
Councillor Mrs Rekha Shah	Declared a personal interest in that she was an employee of Brent Council Social Services.
Owen Cock	Declared a personal interest in that he had received treatment at Northwick Park Hospital.

**56. Arrangement of Agenda:**

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

**57. Minutes:**

**RESOLVED:** That (1) the minutes of the meeting held on 13 September 2006 be taken as read and signed as a correct record; and

(2) the minutes of the meeting held on 31 October 2006 be deferred until printed in the Council Bound Minute Volume.

**58. Public Questions:**

**RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.

**59. Petitions:**

**RESOLVED:** To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.

60. **Deputations:**

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

61. **13th Annual Report on Complaints Procedures for Social Services Responsibilities:**

The Sub-Committee received a report of the Executive Director (People First) on Complaints Procedures for Social Services Responsibilities for the period April 2005 to March 2006. An officer informed Members that new Complaints Regulations had come into force on 1 September 2006, that a Complaints Protocol had been agreed with Harrow Primary Care Trust (PCT), and that the Council was in negotiations with the Complaints departments at North West London Mental Health Trust and Northwick Park Hospital.

In response to questions from Members, the officer confirmed that, as Complaints Service Manager, he was responsible for the implementation of the new Regulations. Training had been arranged for Community Care managers to help ensure the twenty day time-limit for Stage 1 complaint responses was met, and new leaflets had been printed to advise service users of their right to request a Stage 2 Investigation. Members were informed that the Complaints team had been increased from three to four staff, which meant that all complaints were now registered and acknowledged centrally. In partnership with Capita, a new complaints database was being built which would allow for more detailed categorisation of the root causes of complaints, and quicker response times to complaints.

Two officers of the Complaints team were trained mediators and sixteen of the nineteen mediations undertaken had been successful. The rigorousness of Stage 1 complaints meant there were now fewer Stage 2 complaints than in the past, but one of the disadvantages of using independent investigators for formal complaints was that it was more difficult to meet the prescribed timescales.

Members commented that they were in favour of the new proforma being used for the next annual report.

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

(2) the next annual report be presented in the new proforma.

62. **Infection Control Annual Report 2005-2006:**

The Sub-Committee received the Annual Report of the Director of Infection Prevention and Control, North West London Hospitals Trust. Dr Nielsen, Director of Infection Prevention and Control, was in attendance for this item. The Sub-Committee was informed that significant progress had been made in 2005/06 on the organisation and management of infection control, with a reduction in cases of both MRSA bacteraemia and *Clostridium difficile*. The latter was able to survive in particularly difficult environments, and chlorine was required to eradicate it. The Department of Health estimated the cost of hospital acquired infections in 2003/04 at £10 million, which meant that infection prevention and control was essential both in terms of patient care but also financially. Dr Nielsen confirmed that Northwick Park Hospital was participating in 'Saving Lives', a national programme for infection prevention and control.

The Sub-Committee was informed that, over time, clinical directors would take control of infection prevention and control in their divisions. In response to questions from Members, it was noted that daily cleaning had been found to be more effective than deep-cleaning to prevent the spread of infection when patients were diagnosed with multi-resistant bacteria. It was also vital to ensure patients, medical staff and visitors all regularly used the appropriate hand wash, and the Sub-Committee was informed that Northwick Park hospital had just completed a two week programme to raise awareness of infection control using alcohol based gel.

Dr Nielsen confirmed that the Infection Control team operated an education programme for all cleaning staff, and new cleaning methods were adopted in collaboration with the cleaning contractors. The Sub-Committee was also informed that the Infection Control team employed a rolling audit of all wards. In addition, two independent organisations carried out annual audits of the hospital.

Mary Wells, Chief Executive of Northwick Park Hospital, invited the Sub-Committee to visit the hospital early in 2007. Members of the Sub-Committee thanked Dr Nielsen for his presentation and all the hard work put in by his team over the past year.

**RESOLVED:** That (1) the above be noted; and

(2) the Sub-Committee visit Northwick Park Hospital in early 2007.

63. **Preparations for Question and Answer Session with Portfolio Holder:**

The officer invited the Sub-Committee to express views on the issues it would want to examine at the Question and Answer Session with the Portfolio Holder at its meeting on 20 March 2007. Members stated that one key area for discussion would be Domiciliary Care, and that Councillors Miss Christine Bednell, Janet Mote and Eric Silver should be invited to attend the meeting. The officer confirmed that she would write to all backbench Councillors asking them to note their questions, then circulate this list to the Sub-Committee for their approval, before sending the final version to the Portfolio Holders in advance of the Question and Answer session.

**RESOLVED:** That (1) the above be noted; and

(2) Councillors Miss Christine Bednell, Janet Mote and Eric Silver be invited to the next meeting of the Sub-Committee, to be held on 20 March 2007.

64. **Scope for Review of Obesity:**

The Sub-Committee received a report of the Director of People, Performance and Policy, which set out the scope for the Review of Obesity. Members were satisfied with the scope, and they all agreed to participate in the Review when possible.

**RESOLVED:** That (1) the scope be agreed, pending comments from either the Children and Young People Scrutiny Sub-Committee or the Overview and Scrutiny Committee; and

(2) all Members of the Sub-Committee participate in the Review when possible.

(Note: The meeting having commenced at 7.30 pm, closed at 9.40 pm)

(Signed) COUNCILLOR MYRA MICHAEL  
Chairman



DEVELOPMENT  
MANAGEMENT  
COMMITTEE



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**REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE**


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**MEETING HELD ON 13 DECEMBER 2006**


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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Don Billson \* Manji Kara  
 \* Keith Ferry \* Narinder Singh Mudhar  
 \* Graham Henson (2) \* Joyce Nickolay  
 \* Thaya Idaikkadar

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

[Note: Councillors Jerry Miles and Paul Scott also attended this meeting to speak on the item indicated at Minute 18 below].

**PART I - RECOMMENDATIONS - NIL**
**PART II - MINUTES**
**17. 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 Mrinal Choudhury	Councillor Graham Henson

**18. Right of Members to Speak:**

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

Councillor Jerry Miles	Planning Application 2/01
Councillor Paul Scott	Planning Applications 2/07 and 5/02

**19. 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.

**20. 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>
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.
15. Confirmation of Tree Protection Order No. 856 – Barrow Point Avenue	The Tree Protection Order (TPO) was due to expire on 26 December 2006, making this the last meeting at which it could be confirmed. After 26 December 2006 the trees currently covered by this TPO would have no statutory protection.

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

21. **Minutes:**

**RESOLVED:** That the Chairman be given authority to sign the minutes of the meeting held on 23 November 2006 as a correct record once printed in the Council Bound Volume.

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

**RESOLVED:** To note that no public questions, petitions or deputations were received under the provisions of Committee Procedure Rules 19, 16 and 17 (Part 4B of the Constitution) respectively.

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

**RESOLVED:** To note that there were no references from Council or other Committees or Panels received at this meeting.

24. **Representations on Planning Applications:**

**RESOLVED:** That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/01 and 2/06 on the list of planning applications.

25. **Planning Applications Received:**

**RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

26. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Head of Planning which listed enforcement notices awaiting compliance.

**RESOLVED:** To note the report.

27. **Member Site Visits:**

**RESOLVED:** That a Member visit to the following site take place on Saturday 20 January 2007 at 9.30am:

2/01 – 17 Westwood Avenue, South Harrow

28. **Confirmation of Tree Protection Order No. 856 - Barrow Point Avenue:**

The Committee received a report of the Director of Planning Services in this regard.

**RESOLVED:** That the TPO be confirmed, notwithstanding the objection.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.55 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

**SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT**

**LIST NO:** 2/01                      **APPLICATION NO:** P/2629/06/DFU

**LOCATION:** 17 Westwood Avenue, South Harrow

**APPLICANT:** Advanced Management for Vela Properties Ltd

**PROPOSAL:** Single and two storey side and single storey rear extension; front porch; conversion to two self-contained flats

**DECISION:** DEFERRED for a Member site visit.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;

(2) during discussion on the above item, it was moved and seconded that the application be deferred for a Member site visit. Upon being put to a vote, this was carried].

(See also Minute 27).

**LIST NO:** 2/02                      **APPLICATION NO:** P/2619/06/CFU

**LOCATION:** Mulberry House, Pinner Hill, Pinner

**APPLICANT:** Orchard Associates for Mr & Mrs Weerasekera

**PROPOSAL:** Timber plant room to replace existing detached outbuilding at side; hardsurfacing and provision of swimming pool at rear

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

**LIST NO:** 2/03                      **APPLICATION NO:** P/1879/06/DFU

**LOCATION:** Land at Mount Park Road, near junction with Mount Park Avenue, Harrow

**APPLICANT:** Mrs D Hinton for Mount Park Residents' Association

**PROPOSAL:** Repositioning of gate across vehicle carriageway; audio/keypad entry post; equipment housing; pole mounted CCTV camera; alterations to road markings and ducting

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

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

**LIST NO:** 2/04                      **APPLICATION NO:** P/3185/05/DFU

**LOCATION:** 192-194 Kingsill Drive, Harrow

**APPLICANT:** Motion Architecture for Mr Zahid Mahmood

**PROPOSAL:** Combining nos 192 & 194 including existing garages to provide care home with single-storey rear linking extension and external alterations

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

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

**LIST NO:** 2/05                      **APPLICATION NO:** P/348/06/DFU  
**LOCATION:** 26/28 Kenilworth Avenue, Harrow  
**APPLICANT:** Saxton Design for Auto Crash Properties Ltd  
**PROPOSAL:** Single storey front and 2 storey side and rear extensions to both houses. Conversion from 2 houses to 4 flats, parking at front  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

**LIST NO:** 2/06                      **APPLICATION NO:** P/2959/06/CFU  
**LOCATION:** Land rear of 54 Colburn Avenue, Pinnerwood Farm, Hatch End  
**APPLICANT:** Knapp Hicks & Partners Ltd for O<sup>2</sup> UK Ltd  
**PROPOSAL:** Replacement of existing 15M monopole with 17.5M dual user monopole with two sets of six antennae each, one 0.6M diameter dish and three equipment cabinets within the existing O<sup>2</sup> compound  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:

(i) The increase in height, additional antennae, dish and equipment cabinets will amount to an excessive proliferation of telecommunication equipment and will have a detrimental impact on the residential and visual amenity of the neighbouring occupiers within the locality.

[Notes: (1) Prior to discussing the above application, the Committee received representation from an objector, which was noted;

(2) there was no indication that the applicant or their representative was present and wished to respond;

(3) during discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;

(4) Councillors Marilyn Ashton, Don Billson, Manji Kara, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;

(5) the Head of Planning had recommended that the above application be granted].

**LIST NO:** 2/07                      **APPLICATION NO:** P/2378/06/DFU  
**LOCATION:** 19 Mephram Gardens, Harrow  
**APPLICANT:** Sophie Ungerer for Warden Housing Association  
**PROPOSAL:** Part two, part three storey block of five terraced houses, with parking  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and the following amendments to the conditions:

Condition 5 be amended to read:  
 "Notwithstanding any indication given in the approved drawings, the development hereby permitted shall not commence until it has been demonstrated that the materials to be used in the construction of external surfaces noted below have been submitted to, and approved in writing by, the Local Planning Authority, should be in keeping with those of Artillery Place:

- (a) the buildings;
- (b) the ground surfacing;
- (c) the boundary treatment.

The development shall be completed in accordance with the approved details and shall be thereafter retained.”

An additional condition be added:

“Detailed drawings of the design of the front and rear elevations to indicate alignment of windows and delineation of individual units.”

[Note: Councillor Marilyn Ashton wished to be recorded as having abstained from voting].

<b>LIST NO:</b>	2/08	<b>APPLICATION NO:</b>	P/2655/06/DFU
<b>LOCATION:</b>	74, 76 & 78 Chandos Crescent, Edgware		
<b>APPLICANT:</b>	David Kann Associates for Harrow Council People First		
<b>PROPOSAL:</b>	Change of use of ground floor from storage or distribution to children’s centre with single-storey rear extension (Class B8 to D1)		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.		
<b>LIST NO:</b>	2/09	<b>APPLICATION NO:</b>	P/2094/06/DFU
<b>LOCATION:</b>	Wilsmere House, Wilsmere Drive, Harrow Weald		
<b>APPLICANT:</b>	Salmon Speed Architects for Barchester Healthcare Ltd		
<b>PROPOSAL:</b>	Single storey extensions to east and west elevations, formation of ancillary café and external alterations		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.		
<b>LIST NO:</b>	2/10	<b>APPLICATION NO:</b>	P/1909/06/DLB
<b>LOCATION:</b>	Wilsmere House, Wilsmere Drive, Harrow Weald		
<b>APPLICANT:</b>	Salmon Speed Architects for Barchester Healthcare Ltd		
<b>PROPOSAL:</b>	Listed Building Consent: Single storey extensions to east and west elevations; internal alterations to existing rooms		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		
<b>LIST NO:</b>	2/11	<b>APPLICATION NO:</b>	P/2299/06/CFU
<b>LOCATION:</b>	Priory House, 95 Clamp Hill, Stanmore		
<b>APPLICANT:</b>	Jeremy Peter Associates for L Johnson		
<b>PROPOSAL:</b>	Conversion of stable block into self-contained dwelling house, including demolition of conservatory, single storey rear extension, external alterations, use of coach house and car port for ancillary parking		

- DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reasons:
- (i) The proposal to create a self-contained dwelling would result in an unsatisfactory relationship in respect of the access to Mulberry Cottage, which shares a driveway to the stables and ancillary garage thereof, and would give rise to an unacceptable loss of residential amenity to the occupiers of Mulberry Cottage and the future occupiers of the stables.
  - (ii) The use of the stables as a separate dwelling with the Priory House garage as ancillary to it, together with the restricted and narrow access to the entire site from Clamp Hill, will give rise to an unacceptable situation in respect of access to the newly formed separate dwelling and ancillary garage, and the existing dwellings within the estate, to the detriment of the residential amenities of Priory House, Mulberry Cottage and the future occupiers of the stables.
  - (iii) The conversion of the stables into a separate dwelling would result in a loss of privacy to the future occupiers of the newly created dwelling in respect of overlooking from the existing garden area of Priory House and the shared driveway thereof. The absence of any indication of boundary treatment in the 'front' garden area of the stables would give rise to overlooking and an unacceptable loss of privacy to the occupiers of stables and that of the occupiers of Priory House in respect of the use of the extensive garden facing the front entrance of the stables.

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

(2) the Head of Planning had recommended that the above application be granted].

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<b>LIST NO:</b>	2/12	<b>APPLICATION NO:</b>	P/2300/06/CLB
<b>LOCATION:</b>	Priory House, 95 Clamp Hill, Stanmore		
<b>APPLICANT:</b>	Jeremy Peter Associates for L Johnson		
<b>PROPOSAL:</b>	Listed Building Consent: Conversion of stable block into self-contained dwelling house, including demolition of conservatory, single storey rear extension, internal and external alterations, use of coach house and car port for ancillary parking		
<b>DECISION:</b>	REFUSED Listed Building Consent for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:		
	<ul style="list-style-type: none"> <li>(i) The proposed demolition and alterations, in the absence of an acceptable proposal for the conversion of the building(s), would be premature and inappropriate development in the Green Belt and would be detrimental to the character and setting of the adjacent Listed Building, Priory House, contrary to Policies SD1, SD2, D11, D13, EP32, EP33, EP34 and EP37 of the Harrow Development Plan.</li> </ul>		
	<p>[Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;</p> <p>(2) the Head of Planning had recommended that the above application be granted].</p>		

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**LIST NO:** 2/13                      **APPLICATION NO:** P/822/06/CFU  
**LOCATION:** 16A Uxbridge Road, Stanmore  
**APPLICANT:** Arablu Architects for Mr Bowry  
**PROPOSAL:** Re-development to provide 3 flats in 2 storey building with rooms in roof, access, parking  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported.

**LIST NO:** 2/14                      **APPLICATION NO:** P/2739/05/CFU  
**LOCATION:** Land at Holly Grove, Hatch End  
**APPLICANT:** Gillett Macleod Partnership for Mr T Gallagher  
**PROPOSAL:** Construction of 5 detached houses with access from Holly Grove  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.  
  
[Note: The decision to grant the application was unanimous].

#### **SECTION 5 – PRIOR APPROVAL APPLICATIONS**

**LIST NO:** 5/01                      **APPLICATION NO:** P/3070/06/CDT  
**LOCATION:** Land adj to east side of access to Belmont Health Centre, Kenton Lane  
**APPLICANT:** Mason D Telecoms for Orange Ltd  
**PROPOSAL:** Prior Approval Determination: Erection of 11.5M telecom pole with two cabinets at ground level  
**DECISION:** (1) RESOLVED that prior approval of details of siting and appearance be required;  
(2) REFUSED prior approval of details of siting and appearance for the reason reported.

**LIST NO:** 5/02                      **APPLICATION NO:** P/3108/06/CDT  
**LOCATION:** Land outside Leefe Robinson public house, Uxbridge Road, Stanmore  
**APPLICANT:** Waldon Telecom Ltd  
**PROPOSAL:** Prior Approval Determination: 15m high replacement column with antennae and one ground based equipment cabinet  
**DECISION:** (1) RESOLVED that prior approval of details of siting and appearance be required;  
(2) REFUSED prior approval of details of siting and appearance for the following reason:  
(i) The increase in height of two and a half metres in association with the two existing 15 metre masts in the vicinity would give rise to a greater loss of visual amenity and would appear to be more visually obtrusive than the existing mast and would be detrimental to the visual and residential amenity in the locality and the future occupiers of the flatted development and health centre at 74 Uxbridge Road.

[Notes: (1) The decision to refuse the application was unanimous;  
(2) the Head of Planning had recommended that the above application be granted].

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<b>LIST NO:</b>	5/03	<b>APPLICATION NO:</b>	P/3043/06/CDT
<b>LOCATION:</b>	Land at junction Uxbridge Road and St Thomas Drive, Harrow		
<b>APPLICANT:</b>	Mason D Telecoms		
<b>PROPOSAL:</b>	Prior Approval Determination: 10M lampost microcell column on footpath and equipment cabinets on green verge, new vehicular access and hardsurfaced area		
<b>DECISION:</b>	(1) RESOLVED that prior approval of details of siting and appearance be required; (2) REFUSED prior approval of details of siting and appearance for the reason reported.		

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THE CABINET  
AND  
CABINET ADVISORY PANELS



CABINET



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**REPORT OF CABINET**


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**MEETING HELD ON 14 DECEMBER 2006**


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Chairman: \* Councillor Chris Mote

Councillors: \* David Ashton \* Janet Mote  
 \* Marilyn Ashton \* Paul Osborn  
 \* Mrs Camilla Bath \* Mrs Anjana Patel  
 \* Miss Christine Bednell \* Eric Silver  
 \* Mrs Kinnear

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL**

**PART II - MINUTES**

128. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared by Members present in relation to the business to be transacted at the meeting:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
20. Key Decision – Building Schools for the Future: One-School Pathfinder Project	Councillor Miss Christine Bednell	During the course of the meeting, the Member indicated a personal interest in that she was a governor of Whitmore High School. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Bill Stephenson	During the course of the meeting, the Member, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Hatch End High School. The Member remained in the room whilst the matter was considered and voted upon.
21. Adoption of Safety and Amenity Standards in respect of Houses in Multiple Occupation	Councillor Eric Silver	During the course of the meeting, the Member indicated an interest in that he owned a flat above his business which might be used for multiple occupation. The Member remained in the room whilst the matter was considered and voted upon.

[Note: Following Councillor Eric Silver's declaration of interest, the Director of Corporate Governance sought clarification as to whether the interest was personal or prejudicial. He indicated that if the Member's interest were prejudicial he should not have remained in the room whilst the matter was considered and voted upon].

129. **Minutes:**

**RESOLVED:** That the minutes of the Cabinet meeting held on 9 October 2006 be taken as read and signed as a correct record, subject to noting that the Councillor Question submitted by Councillor Bill Stephenson was answered by Councillor Paul Osborn.

130. **Arrangement of 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>
26. Key Decision – Land at Gayton Road	The report contained exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in relation to the financial or business affairs of a particular person (including the Authority holding that information).
27. Key Decision – Disposal of Greenhill Road Car Park	The report contained exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in relation to the financial or business affairs of a particular person (including the Authority holding that information).
28. Key Decision – Disposal of Tenby Hall	The report contained exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in relation to the financial or business affairs of a particular person (including the Authority holding that information).

131. **Petitions:**

- (1) Councillor Paul Scott presented a petition containing 370 signatures opposing to the closure of Harrow Arts Centre. He read the terms of the petition to the meeting, which were as follows:-

“We, the undersigned, are opposed to the closure of Harrow Arts Centre. Closure of these premises will result in not only an absence of venue for any resident and visiting theatre companies, comedians, musical artistes and artistic enterprises which bring entertainment and education to the Borough but will also mean the cessation of classes that are designed for the benefit of the general public e.g. Yoga, tap-dancing, children’s activities and the wide variety of recreation it offers.”

**RESOLVED:** To note that the petition be received and noted.

- (2) Councillor Bill Stephenson presented a petition containing 29 signatures from the Kingsfield Estate Residents’ Action Group, opposing the proposed back garden development of a property on Kingsfield Road. He read the terms of the petition to the meeting, which were as follows:-

“We, the undersigned, wish to protest against the application for proposed back garden development behind 87 Kingsfield Avenue. It will be gross over development, incur loss of communal, green, council owned space and the new house will not fit in with the present houses in Allington Road. The proposed crossover will be in a dangerous place for pedestrians and too near a blind corner. Traffic and congestion, already problems, will be increased.”

**RESOLVED:** That the petition be received and noted.

- (3) Councillor Mrs Kinnear presented a petition containing 180 signatures from the Herga Road and Masons Avenue Community Association requesting a safer crossing in Masons Avenue, Wealdstone. She read the terms of the petition to the meeting, which were as follows:-

"We the undersigned wish to make London Borough of Harrow aware that the crossing at traffic island P8/P9 on Masons Avenue is incorrectly positioned too close to the roundabout. Motorists approaching from the Wealdstone direction are unable to see if anyone wishes to cross the busy road. The pedestrian community need a safe place to cross for the Leisure Centre, Byron Park and H9/H10 bus stops.

We kindly request that LBH investigate this matter and identify an appropriate solution to provide a safer pedestrian crossing as soon as possible to avoid serious injury to residents and visitors to the borough."

**RESOLVED:** That the petition be received and noted.

132. **Public Questions:**

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

1.

**Questioner:** Mr R Pollard

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters

**Question:** "If there is a shortfall in the Council's budget why are the old and sick and vulnerable being asked to shoulder the burden rather than the community as a whole?"

2.

**Questioner:** Gloria Wright

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters

**Question:** "Re number 23 on Wisework Consultation – Would you agree the possibility of Wiseworks will become a viable business proposition, financially secure and a flagship in Harrow of what can be done with understanding and companionship, should sway everyone on this Cabinet to consider Wiseworks to be renewed. Recovery means pride in oneself – work and social contact together with hope."

3.

**Questioner:** Patrick Stoup

**Asked of:** Councillor Eric Silver, Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs

**Question:** "The report comments in the appendix No 25 that an employment adviser will assist service users. My question is what will current users do in the hours they are not seeing an employment adviser?"

4.

**Questioner:** Joan Penrose

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters

**Question:** "As the answer we receive to so many of our questions about Wiseworks is that the Council has no money, why do you not consider a social enterprise model which could attract new funding into Harrow – a model which is supported by the Department of Health?"

5.

**Questioner:** Joan West**Asked of:** Councillor Eric Silver, Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs**Question:** " Exactly which services currently provided at Wiseworks will be merged with all those at the Bridge?"

6.

**Questioner:** Ann Freeman**Asked of:** Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview and External Affairs and Property**Question:** "In view of my response, which has been circulated to Cabinet, to the apparent flawed report to Cabinet on re-provision of services currently at Wiseworks, how is the Cabinet going to reflect the wishes of Harrow residents when making a decision?"

7.

**Questioner:** Alan Brown**Asked of:** Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview and External Affairs and Property**Question:** "In the proposed merger of Wiseworks with the Bridge, can you assure me that all existing Wiseworks users will be guaranteed a transfer to the Bridge and that the client group who would be considered suitable for referral to Wiseworks will be guaranteed immediate membership of the Bridge service. I am particularly concerned about the present extended membership waiting list at the Bridge."

[Notes: (i) The Chairman indicated that in relation to Wiseworks (questions 2-7), each questioner would be asked to submit their question, following which the Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs would provide a composite answer. Each questioner would then be invited to submit a supplemental question;

(ii) the Chairman noted that questioner 7, Alan Brown, was unwell and permitted Eammon O'Connell to submit the question on his behalf;

(iii) in accordance with Executive Procedure Rule 16.4, the questioners each asked a supplementary question which was additionally answered;

(iv) the Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs indicated that he would provide a written response to the supplemental questions submitted by questioners 2, 5 and 6].

133. **Councillor Question Time:****RESOLVED:** To note the following Councillor Questions had been received:

1.

**Questioner:** Councillor Nana Asante**Asked of:** Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview, External Affairs and Property**Question:** "Regarding the urgent Portfolio Holder Decision of 30th November, reported as Agenda item 20, could you please name the high school headteachers present at the 1st November meeting and the members of the cross party Member panel which met on 27th November?"

2.

**Questioner:** Councillor Bill Stephenson

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters.

**Question:** "In the papers for Cabinet this evening it is assumed that there will be a Council Tax increase of just under the capping limit of 5%. Do you envisage any flexibility in the budget, which will enable you to bring this down to a lower figure when we decide the actual council Tax increase and, if so, what sort of percentage do you have in mind?"

3.

**Questioner:** Councillor Bill Stephenson

**Asked of:** Councillor Christine Bednell, Portfolio Holder for Lifelong Learning, Cultural Services and Issues facing Older People

**Question:** "In the papers this evening there is a saving of £28K for 'review of Sunday opening of library'. This would seem to be the full cost for not opening Gayton Road library on Sundays for a whole year. Is it envisaged that Gayton Library will not open on Sundays as from April 1 2007?"

4.

**Questioner:** Councillor Thaya Idaikkadar

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters.

**Question:** "Since this administration came to power, how many people have been made redundant, had their contracts terminated or left Harrow Council and how many of these were: agency staff and Council employees? Please provide a breakdown."

5.

**Questioner:** Councillor Thaya Idaikkadar

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters.

**Question:** "How much is it costing the council in total to headhunt the new Chief Executive?"

6.

**Questioner:** Councillor Thaya Idaikkadar

**Asked of:** Councillor David Ashton, Portfolio Holder for Finance and Business Matters.

**Question:** "We have been told that the Planning department is going to employ a consultant due to a lack of staff, an apparent u-turn in this administration's policy of not hiring consultants, how much will this new consultant will cost the Council, how many consultants have been hired since May 2006 and what was the cost?"

[Notes: (i) In accordance with the Councillor Question Time rules, each questioner asked a supplemental question that was additionally answered.

(ii) the Portfolio Holder for Finance and Business Matters indicated that he would follow up his oral answer to question 4 with a written response].

134. **Strategic Performance Report - Quarter 2 2006/7:**  
The Director of People, Performance and Policy introduced the report to Cabinet in its role as Performance Board and drew attention to the key improvers and key challenges. He also took the opportunity to thank Members, officers and partners for their assistance with the recent Audit Commission, Joint Area Review and Ofsted Inspections and indicated that the final reports were expected in March 2007 and would be reported to Cabinet.
- Each Portfolio Holder highlighted the key challenges and improvers within their remit.
- RESOLVED:** That (1) the Performance Report be noted;
- (2) Portfolio Holders work with officers to achieve improvement against key challenges and receive monthly updates.
- Reason for Decision:** To enable Cabinet to be informed of performance against key measures and to identify and assign corrective action where necessary.
135. **Forward Plan 1 December 2006 - 31 March 2007:**
- RESOLVED:** To note the contents of the Forward Plan for the period 1 December 2006 – 31 March 2007.
136. **Reports from the Overview and Scrutiny Committee or Sub-Committees - Section 17 Crime and Disorder Act 1998 - Response to report from the Safer and Stronger Scrutiny Sub-Committee:**  
Cabinet received the report, which provided a commentary against the Safer and Stronger Communities Scrutiny Sub-Committee report and recommendations and proposed an outline of how these might be progressed.
- The Portfolio Holder for Urban Living – Community Safety and Public Realm indicated her gratitude to the Scrutiny Sub-Committee for their comprehensive report. She advised that training on Section 17 appeared to be a key area of weakness and that, in order to raise its profile, it would be included as part of the Member Development Programme. She added that an event would be held for Members on 6 February 2007 and officers advise all Members of Council accordingly.
- RESOLVED:** That the recommendations of the Safer and Stronger Communities Scrutiny Sub-Committee, as set out on pages 39 and 40 and in Appendix B to the officer report, be approved.
- Reason for Decision:** To support efforts to increase the profile of the requirements of Section 17 of the Crime and Disorder Act 1998 within the organisation.
137. **Car Parking Charges:**  
The Director of People, Performance and Policy introduced the report, which highlighted the key issues impacting on the proposed charging for car parks project and provided Cabinet with options. The proposals had been subject to an extensive consultation exercise.
- Cabinet noted that officers would keep car parking space at the civic centre under constant review and make whatever adjustments were needed to minimise congestion and waiting times for residents.
- RESOLVED:** That a review of the Council Essential Car Use Scheme be commissioned and that the introduction of car park charges be reconsidered once the review had been completed.
- Reason for Decision:** Consultation had pointed up some potential anomalies in car use arrangements and a comprehensive review would resolve these and ensure car park charging decisions were soundly based.
138. **Key Decision - Outcome of Statutory Consultations on Three Particular Community Care Services:**  
The Portfolio Holder for Adult Community Services and Issues Facing People with Special Needs introduced the report, which set out the public response to the statutory consultation on the proposed merger of Anmer Lodge Day Centre and Milmans Resource Centre, proposed changes to Home Care charges, the proposed re-provision of services currently at Wiseworks and proposed a review of the Direct Payments Scheme. He outlined each of the consultation exercises and the recommendations arising.

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues facing Older People stated that the consultation processes had been time consuming but informative and she paid tribute to the carers, users and officers. She added that modifications to the proposals had been made in response to the consultation exercises.

**RESOLVED:** That (1) Anmer Lodge Day Care Centre in Stanmore and Milmans Resource Centre in Pinner be merged and that Milmans Day Centre be retained;

(2) in relation to Home Care charges

- (i) the level of subsidy be reduced to £3.10 for those assessed as being able to afford it, setting a new hourly rate of £15.00;
- (ii) a new level of cap for the maximum assessed weekly charge be set at £250 (from the existing £85);
- (iii) that 100% of disposable income be taken into account when assessing the amount to charge;

(3) in relation to Wiseworks,

- (i) that the proposal to provide a centre-based service, merging services at Wiseworks and the Bridge Day Centre and to be based at the Bridge, be agreed, with up to a three month transition period to implement any necessary changes;
- (ii) the alternative arrangements put forward by MIND in Harrow/Harrow User Group and Harrow Rethink be considered for future services should resources become available to expand the services beyond the core statutory functions of the local authority;
- (iii) officers seek to identify a location for Wiseworks to meet on a social basis so that they could continue to derive benefit from support and social interaction that would result;

(4) a review of the Direct Payment Scheme be undertaken following implementation of proposals contained within the report of the Director of Adult Community Care Services and that the outcome of that review be reported back to Cabinet.

**Reason for Decision:** Cabinet had agreed at its meeting on 3 August 2006 to a twelve week consultation exercise covering these services and for the results of this consultation exercise to be reported back so that Members could make a decision about the proposals concerning the future delivery of these services

139. **Revenue and Capital Budget Monitoring to 30 September 2006:**

The Director of Financial and Business Strategy introduced the report, which set out the monitoring of the Council's revenue and capital budgets. She advised that although the forecast was to remain in budget, it would not be possible to make a contribution to reserves.

The Portfolio Holder for Finance and Business Matters emphasised the Council's difficult financial position in relation to the level of reserves and the importance of trying to 'claw' back the £900,000 savings.

**RESOLVED:** That (1) the current revenue and capital monitoring position at the end of the second quarter for 2006/2007 be noted;

(2) the virement of capital budgets, as set out in Appendix 8 to the report of the Director of Financial and Business Strategy, be approved.

**Reason for Decision:** To monitor effectively the Council's revenue and capital budgets. The budget represented the financial resources approved to implement the Council's corporate priorities. Budget monitoring was particularly critical for 2006/2007 given the low level of reserves and the additional savings programme introduced at Cabinet on 3 August 2006.

140. **Key Decision - Revenue Budget 2007-08 to 2009-10:**

The Director of Financial and Business Strategy introduced the report, which set out the draft Revenue Medium Term Budget Strategy (MTBS) for 2007-08 to 2009-10. She advised that the Council would be receiving the minimum Government grant next year and that it would be necessary to identify considerable savings to deal with

unavoidable issues alone. In terms of the Housing Revenue Account, a rent increase of 4.7% was proposed.

The Director of Financial and Business Strategy advised that there would be a range of meetings with individual stakeholder groups in relation to the draft budget. She added that there would also be a special edition of Harrow People in January 2007, information placed on the Council's website – harrow.gov.uk and that comments could also be submitted to the dedicated email address – budget@harrow.gov.uk.

The Portfolio Holder for Finance and Business Matters tabled a chart, which he used to explain Harrow's position. He reiterated that much of the financial difficulty experienced by the Council was due to the under funding by Central Government. He emphasised that whilst the budget was a draft, it was unlikely to change given the financial position.

**RESOLVED:** That (1) the draft revenue budget of £155.074m for 2007-08 and the draft MTBS for consultation with stakeholders be approved;

(2) in addition to the general consultation with stakeholders, officers be instructed to commence specific consultation on the following proposals, as detailed in the report of the Director of Financial and Business Strategy:-

- (i) Access to Care Eligibility Criteria
- (ii) Day Care Charging

(3) officers be authorised to initiate and conduct such other consultations as might be required to support the proposals identified in the report of the Director of Financial and Business Strategy, and report the outcome to a future meeting of Cabinet so that decisions could be made on those proposals;

(4) the target level of reserves and the strategy for reaching that level be noted;

(5) the draft Housing Revenue Account (HRA) for 2007/08 to 2009/10 be approved and referred to the Tenants' and Leaseholders' Consultative Forum on 8 January 2007.

**Reason for Decision:** To enable the publication of the draft budget.

141. **Key Decision - Draft Capital Programme 2007/8 to 2009/10:**

The Director of Financial and Business Strategy introduced the report, which set out the draft Capital Programme for 2007-08 to 2009-10. She advised that the Capital Programme was being scaled back.

**RESOLVED:** That the draft Capital Programme for 2007-08 to 2009-10 be approved.

**Reason for Decision:** To enable the publication of the draft Capital Programme.

142. **Estimated Collection Fund Surplus/Deficit at 31 March 2007:**

The Director of Financial and Business Strategy introduced the report, which set out the estimated financial position on the Council Tax Collection Fund as at 31 March 2007. The Portfolio Holder for Finance and Business Matters stated that the collection rate of 99.0% was untenable and would be reduced to 98%.

**RESOLVED:** (1) That an estimated deficit of £444,470 on the Collection Fund as at 31 March be approved;

(2) to note that an amount of £349,840 would be transferred from the General Fund in 2007-08.

**Reason for Decision:** There was a statutory obligation to make an estimate of the surplus or deficit on the Collection Fund by 15 January 2007.

143. **Terms of Reference - Grants Advisory Panel:**

The Director of Financial and Business Strategy introduced the report, which set out proposed changes to the terms of reference of the Grants Advisory Panel.

**RESOLVED:** That the terms of reference attached at Appendix 1 to these minutes be approved.

**Reason for Decision:** To clarify the role of the Panel.

144. **Performance Ratings for Adult Social Services - 30 November 2006:**  
Cabinet considered a report of the Director of Adult Community Care Services, which advised of the outcome of the Annual Performance rating for Adult Social Services published by the Commission for Social Care Inspection (CSCI) on 30 November 2006.
- RESOLVED:** That the contents of the report of the Director of Adult Community Care Services be noted.
- Reason for Decision:** CSCI regulations required that the Annual Performance Rating was reported to the Cabinet.
145. **Amalgamation of Cedars First and Middle Schools:**  
An officer introduced the report, which advised that following a feasibility study and consultations into the possibility of amalgamating Cedars First and Middle Schools, the Governing Bodies of the schools had decided to seek the approval of Cabinet for statutory notices to be issued. The plan would be to open as a combined two form entry school in September 2007.
- RESOLVED:** That the Statutory Notices be published for the proposed amalgamation of Cedars First and Middle Schools.
- Reason for Decision:** The Council's Amalgamation Policy required the Governing Bodies of all separate first and middle schools to consider combining the two schools when specified circumstances arose.
146. **Kenton Learning Centre Project:**  
An officer introduced the report, which set out the need and reasons for Cabinet to approve a retrospective waiver appointing Wintersgill Architectural Practice as the planning architects to lead on the Kenton Learning Centre Project.
- RESOLVED:** That a retrospective waiver for the appointment of Wintersgill as the commissioned architects leading on the Kenton Learning Centre project be approved.
- Reason for Decision:** Wintersgill had been commissioned by Glebe School to lead on the Kenton Learning Centre project. The company was qualified and competent to carry out the task, however, the appointment process in selecting Wintersgill failed to adhere to the laid down Council procedures. To date, Wintersgill had overseen the demolition phase of the old Kenton Learning Centre buildings, carried out tendering and selection process for the building work and had their recommendations for the contractor appointment approved in accordance with the Council procedures. At this stage of the project, it would be neither practical nor cost effective to re-run the commissioning process for the project lead.
147. **Key Decision - Building Schools for the Future: One-School Pathfinder:**  
An officer introduced the report, which set out details on the Building Schools for the Future: One-School Pathfinder project, and the process for deciding for the Harrow high school that was selected to participate in the project.
- The Portfolio Holder for People First - Children's Services reported that the proposal had received unanimous support at the cross party Member meeting on 27 November 2006 and that the decision to select Whitmore High School for the project had been taken by the Leader on 30 November 2006.
- RESOLVED:** That the proposal to move forward with the Building Schools for the Future: One-School Pathfinder project be formally approved.
- Reason for Decision:** The Department for Education and Skills had offered Harrow the opportunity to rebuild a high school by December 2009.
- (See also Minute 128).
148. **Adoption of Fire Safety and Amenity Standards for Houses in Multiple Occupation and amendments to the Statutory Fees for Licensing of Houses in Multiple Occupation:**  
The Portfolio Holder for Housing introduced the report, which recommended the adoption of standards for fire safety and amenities for Houses in Multiple Occupation that were subject to Licensing under the Housing Act 2004. It also proposed minor amendments to the Statutory Fees for Licensing Houses in Multiple Occupation.
- RESOLVED:** That (1) the standards for Fire Safety in respect of Houses in Multiple Occupation, attached at Appendix 1 to the officer report, be adopted;

(2) the standards for Amenities in respect of Houses in Multiple Occupation, attached at Appendix 2 to the officer report, be adopted;

(3) the Statutory Fees for Licensing Houses In Multiple Occupation be varied in accordance with the schedule detailed in Appendix 3 to the officer report.

(See also Minute 128).

**Reason for Decision:** The proposed delegations were consistent with best practice in decision making and making Harrow safe, sound and supportive.

149. **Annual Monitoring Report:**

The Director of Planning Services introduced the report, which advised that it was a statutory requirement that the Council prepare and submit an annual report to the Secretary of State before 31 December 2006. The report had to assess the implementation of the Local Development Scheme and the extent to which the Council's planning policies were being implemented. Following consideration of this matter by the Local Development Framework Panel on 30 November 2006, Members were requested to approve the submission of the Annual Monitoring Report.

**RESOLVED:** That (1) the contents of the Annual Monitoring Report 2005-06, as attached at Appendix 1 to the report of the Executive Director (Urban Living), be noted;

(2) the Annual Monitoring Report 2005-06 be submitted to the Secretary of State through the Government Office for London before 31 December 2006.

**Reason for Decision:** To approve the submission of the Annual Monitoring Report 2005-06 to the Secretary of State in accordance with Section 35 of the Planning and Compulsory Purchase Act 2004.

150. **Draft further Alterations to the London Plan (Spatial Development Strategy for Greater London):**

The Director of Planning Services introduced the report and advised that it was a requirement that the Council's Local Development Framework conformed to the London Plan.

The Portfolio Holder for Planning, Development and Enterprise reported that there had been a full discussion of the proposals at the Local Development Framework Panel and that it was difficult to determine what would be required in the future. She expressed her concern that the Mayor for London appeared to place more emphasis/importance on other London Boroughs whilst the west of London was seemingly ignored.

**RESOLVED:** That (1) Harrow's response to the Draft Alterations to the London Plan, as circulated on the supplemental agenda, be approved;

(2) the draft West London Response, as circulated on the supplemental agenda, be noted.

**Reason for Decision:** To ensure that the Council's views were made known to the Greater London Authority.

151. **Disabled Person's Parking Space - Objections (Risingholme Road) (PHD 030/06):**

The Portfolio Holder for Urban Living – Community Safety and Public Realm introduced the report, which set out her suggestion for a different course of action to the officer recommendation in a recent Portfolio Holder report and sought Cabinet's views on the decision in relation to this matter.

**RESOLVED:** That the officer recommendation detailed in the Portfolio Holder report (PHD 030/06) not be agreed and instead that the "set down" arrangements proposed by the Portfolio Holder for Urban Living – Community Safety and Public Realm be agreed as sufficient.

**Reason for Decision:** To meet the requirements of the Council's Constitution as set out in paragraph 2.3 of the Appendix to the Executive Procedure Rules (Part 4D of the Constitution) which stated that where the Portfolio Holder was considering taking a decision which differed from the recommendation, the matter must be referred to Cabinet for decision.

152. **Key Decision - Land at Gayton Road:**

Members received a confidential report of the Director of Planning Services in relation to land at Gayton Road.

**RESOLVED:** That it be agreed, in principle, to dispose of the land in the Gayton Road to Fairview Homes Limited in order to facilitate the provision of a library/performing arts/exhibition centre and replacement car park and that officers be authorised to negotiate terms.

**Reason for Decision:** To enable officers to negotiate terms for the disposal of land in Gayton Road.

153. **Key Decision - Disposal of Greenhill Road Car Park:**  
Members received a confidential report of the Executive Director (Urban Living) in relation to the disposal of Greenhill Road Car Park.

**RESOLVED:** That (1) the disposal of the eastern part of Greenhill Road Car Park to the adjoining land owner as a replacement car park be approved;

(2) the disposal of the western part of Greenhill Road Car Park by auction, in conjunction with land from the adjoining land owner, be approved;

(3) the Executive Director (Urban Living) be authorised to negotiate and conclude the disposal on the most favourable terms;

(4) the amendment of the Off-Street Parking Places Order to delete Greenhill Road Car Park be authorised.

**Reason for Decision:** To generate a capital receipt for the Council, giving value for money in line with the corporate objectives.

[Note: Councillor Mrs Kinnear wished to be recorded as having voted against the above resolution].

154. **Key Decision - Disposal of Tenby Hall:**  
Members received a confidential report of the Executive Director (Urban Living) in relation to the disposal of Tenby Hall.

**RESOLVED:** That Tenby Hall was surplus to requirements and that the Executive Director (Urban Living) be authorised to negotiate the best possible price by effecting a joint disposal with North West London Mental Health Trust, who owned the adjacent Tenby Clinic, on an equal share and cost basis.

**Reason for Decision:** To enable a redundant and a semi-derelict property to be sold raising a capital receipt for the Council at best consideration. The proposal was consistent with the Council's new corporate priority of tackling waste and giving real value for money.

155. **Extension and Termination of the Meeting:**  
In accordance with the provisions of Executive Procedure Rule 24.2(ii)(6) (Part 4D of the Council's Constitution) it was

**RESOLVED:** At 9.59 pm to continue until 10.10 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.10 pm).

(Signed) COUNCILLOR CHRIS MOTE  
Chairman

## APPENDIX 1

**GRANTS ADVISORY PANEL –TERMS OF REFERENCE**

- (a) To regularly review the arrangements for receiving, processing, and approving applications for support from the voluntary sector, including grants, concessionary lettings, use of the community premises and other council premises, and discretionary rate relief
- (b) To review grant applications annually ensuring that they meet agreed criteria and conditions, and make recommendations for funding to cabinet or the portfolio holder as appropriate
- (c) To consider matters relating to concessionary lettings, and make recommendations to cabinet or the portfolio holder as appropriate
- (d) To consider applications for accommodation within the Community Premises; and make recommendations to cabinet or the portfolio holder as appropriate
- (e) To consider the arrangements for use of other Council premises, and make recommendations to cabinet or the portfolio holder as appropriate
- (f) To review the criteria for the granting of discretionary rate relief to non-profit making organisations, and make recommendations to cabinet or the portfolio holder as appropriate
- (g) To monitor the impact of support to the voluntary sector
- (h) To consider matters relating to the London Boroughs Grants Scheme, administered by London Councils
- (i) To consider applications for funds from the Edward Harvist Trust and make recommendations to Cabinet or Portfolio Holders
- (j) To consider any other matters relating to support to the voluntary sector

CABINET  
ADVISORY  
PANELS



**EDUCATION ADMISSIONS AND AWARDS  
ADVISORY PANEL**
**5 DECEMBER 2006**

Chairman: \* Councillor Mrs Janet Cowan  
 Councillors: Joyce Nickolay \* Asad Omar (1)  
 Advisers: † Mr D A Jones  
 (Vacancy)

\* Denotes Member present  
 (1) Denotes category of Reserve Member  
 † Denotes apologies received

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

On 5 December 2006, there was 1 child for whom 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.

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

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H96	11	Harrow High

[Note: Case H95 was withdrawn from the agenda as an offer of a place had already been made].

**PART II - MINUTES**
**78. 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 Mrinal Choudhury	Councillor Asad Omar

**79. 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.

**80. 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>
9. (a) Admissions to County Schools	The applications detailed in this report had been received after the main agenda was printed and circulated. Members were asked to consider this report, in order to allocate appropriate places to the applicants.

(2) the items 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>
9. Admissions to County Schools	These items were considered to contain exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) contained information relating to any individual.
9. (a) Admissions to County Schools	

81. **Minutes:**

**RESOLVED:** That the minutes of the meetings held on 29 August, 13 September, 26 September, 10 October, 7 November and 21 November 2006 be deferred until printed in the Council Bound Minute Volume.

82. **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 16.

83. **Petitions:**

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

84. **Deputations:**

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

85. **Dates of Future Meetings:**

**RESOLVED:** That future meetings of the Panel be held on the following dates:

Tuesday 19 December 2006 at 5.00 pm	Tuesday 20 February 2007 at 5.00 pm
Tuesday 9 January 2007 at 5.00 pm	Tuesday 6 March 2007 at 5.00 pm
Tuesday 23 January 2007 at 5.00 pm	Tuesday 20 March 2007 at 5.00 pm
Tuesday 6 February 2007 at 5.00 pm	Tuesday 3 April 2007 at 5.00 pm

86. **Admissions to County Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 5.00 pm, closed at 5.08 pm)

(Signed) COUNCILLOR JANET COWAN  
Chairman

**EDUCATION ADMISSIONS AND AWARDS  
ADVISORY PANEL****19 DECEMBER 2006**

Chairman: \* Councillor Mrs Janet Cowan

Councillors: Mrinal Choudhury \* Joyce Nickolay

Advisers: Mr D A Jones  
(Vacancy)

\* Denotes Member present

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

On 19 December 2006, there were 8 children for whom 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.

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

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H97	10	Bentley Wood
H98	10	Harrow High
H99	10	Rooks Heath
H100	10	Bentley Wood
H101	10	Harrow High
H102	10	Canons
H103	10	Park High
H104	10	Nower Hill

**PART II - MINUTES****87. Attendance by Reserve Members:**

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

**88. Declarations of Interest:**

**RESOLVED:** To note that there were no declarations of personal or prejudicial interests made by Members of the Panel arising from the business transacted at this meeting.

**89. 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	The applications detailed in this report had been received after the main agenda was printed and circulated. Members were asked to consider this report, in order to allocate appropriate places to the applicants.

(2) the items 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 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that they contained information relating to any individual.
8. (a) Admissions to County Schools	

90. **Minutes:**

**RESOLVED:** That (1) the minutes of the meetings held on 29 August, 13 September and 26 September 2006 be taken as read and signed as correct records;

(2) the minutes of the meetings held on 10 October, 7 November, 21 November and 5 December 2006 be deferred until printed in the Council Bound Minute Volume.

91. **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 16.

92. **Petitions:**

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

93. **Deputations:**

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

94. **Admissions to County Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 5.00 pm, closed at 5.05 pm)

(Signed) COUNCILLOR JANET COWAN  
Chairman

## GRANTS ADVISORY PANEL

18 DECEMBER 2006

Chairman: \* Councillor Joyce Nickolay

Councillors: \* Ms Nana Asante \* Mrs Anjana Patel  
 \* Don Billson \* Mrs Rekha Shah  
 \* Ashok Kulkarni \* Stanley Sheinwald  
 \* Mrs Myra Michael \* Mrs Sasi Suresh  
 \* Asad Omar

Adviser: \* Deven Pillay, Chief Executive, Mencap

\* Denotes Member present

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Edward Harvist Trust Charity - Grant Applications 2006/07**

The Panel received a report of the Director of Financial and Business Strategy which presented applications for funding that had been made for the balance of the Edward Harvist Trust monies from the 2006/07 funds for allocation in January 2007.

The officer advised that, since the agenda had been printed and circulated, the total fund amount had changed to £15,344.

During the discussion on the report a number of amendments were proposed in respect of the grants to individual organisations and it was

**Resolved to RECOMMEND:** (to the Portfolio Holder for Finance and Business Matters)

That (1) £500 be released to Harrow Weald Bowling Club;

(2) £2000 be released to Lifestyle Development (Off da Street On the Ball);

(3) £1,000 be related to Special Connection;

(4) £2,000 be reserved for London Kalibari pending confirmation that the membership meets the criteria for Harrow residency;

(5) £2000 be reserved for Harrow Community Transport pending information on what other funding applications they have made.

**[Reason for Recommendation:** To allocate funding to voluntary organisations from monies received from the Edward Harvist Trust in 2006/07].

(See also Minutes 33 and 37).

**PART II - MINUTES**32. **Attendance by Reserve Members:**

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

33. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

Agenda item 8 – Edward Harvist Trust Charity – Grant Applications 2006/07  
 Councillor Ms Nana Asante and Mr Deven Pillay declared personal interests arising from the fact that the London Kalibari had applied for funds from the Black History Month Committee, of which they had been members.

34. **Arrangement of Agenda:**

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

35. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 20 November 2006 be deferred until printed in the Council Bound Volume.

36. **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 16, 14 and 15 (Part 4B of the Constitution) respectively.

37. **Edward Harvist Trust Charity - Grant Applications 2006/07:**

Having made a recommendation to the Portfolio Holder in relation to grants for individual organisations (see Recommendation 1 above), the Panel discussed the frequency of distribution of Edward Harvist Charity grants. It was noted that only £7,500 of the £15,344 fund had been allocated. In view of this, the Panel agreed that it would be necessary to have an additional round of grant allocations in the 2006/07 financial year.

Some Members expressed a preference for the introduction of a 'rolling' system, in which applications would be dealt with as and when they were received. Other Members favoured a single closing date, which would enable applications to be considered together and in one go. Officers advised that a rolling system would require additional officer time for processing and monitoring applications, and that this would have resource implications.

**RESOLVED:** To (1) have two rounds of funding allocations in 2006/07;

(2) aim to have a single closing date for applications in 2007/08.

(See also Minute 33).

38. **Any Other Business:**(i) **Charging for Use of Community Premises**

The Chairman reported that she had received a letter signed by a number of users of a community premises requesting a meeting to discuss issues relating to charging for use of the premises.

**RESOLVED:** That the Chairman write to the premises users to invite them to meet with Councillors Ms Nana Asante, Joyce Nickolay, Asad Omar and Mrs Anjana Patel to discuss the issue.

(ii) **Equalities Profile for Grants Applications**

The Adviser to the Panel suggested that the grant application form be amended to include a more detailed section on equalities impact, in which organisations would be requested to provide a breakdown of their member profile.

Officers advised that it would be difficult to amend the form in such a way that a full breakdown of membership could be provided. Some members of the Panel expressed the view that it might be problematic for organisations to provide very specific information about their membership profile.

**RESOLVED:** That officers be requested to review the form.

(Note: The meeting having commenced at 7.30 pm, closed at 9.06 pm)

(Signed) COUNCILLOR JOYCE NICKOLAY  
Chairman



