

2006 – 2007
October 2006 Volume 5



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

VOLUME 5: OCTOBER 2006

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THE CABINET,
CABINET ADVISORY PANELS
AND
CONSULTATIVE FORUMS

CABINET

REPORT OF CABINET

MEETING HELD ON 4 OCTOBER 2006

Chairman: * Councillor Chris Mote

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

* Denotes Member present
 † Denotes apologies received

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
85. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
20a. Urgent item – Progress on Unitary Development Plan Site 6: Harrow on the Hill Station and	Councillor Mrs Kinnear	The Member declared a personal interest in that she lived on the edge of the town centre. She would remain in the room whilst these matters were considered and voted upon.
22. Key Decision - Harrow College and Town Centre Redevelopment	Councillor Eric Silver	The Member declared a personal interest in that he had a business on the edge of the town centre. He would remain in the room whilst these matters were considered and voted upon.
	Councillor Navin Shah	The Member, who was not a member of Cabinet, declared a personal interest in that he lived on the edge of the town centre. He would remain in the room whilst these matters were considered and voted upon.
	Councillor Paul Scott	The Member, who was not a member of Cabinet, declared a personal interest in that he lived on the edge of the town centre. He would remain in the room whilst these matters were considered and voted upon.
22. Key Decision - Harrow College and Town Centre Redevelopment	Councillor Bill Stephenson	The Member, who was not a member of Cabinet, declared a personal interest in that he was a local authority appointed governor of the College. He would remain in the room whilst this matter was considered and voted upon.

86. **Minutes:**

RESOLVED: That (1) the minutes of the Special Cabinet meeting held on 4 September 2006, having been agreed subject to an amendment on 14 September, be signed as a correct record;

(2) the minutes of the meeting held on 14 September 2006, be taken as read and signed as a correct record.

87. **Arrangement of Agenda:**

During the course of the meeting, the Chairman indicated that he was prepared to consider item 20a, Progress on Unitary Development Plan Proposal Site 6, as a matter of urgency and which had been circulated on the supplemental agenda. Members were asked to consider the report to enable the outcome to be reported to the Learning and Skills Council when it considered Harrow College's funding bid in October 2006.

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>
21. Key Decision – Voluntary Aided Hindu Primary School: Use of William Ellis Playing Fields	The report contained exempt information under paragraph 3 of Part I 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).
22. Key Decision – Harrow College and Town Centre Redevelopment	The report contained exempt information under paragraph 3 of Part I 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).

88. **Petitions:**

RESOLVED: To note that no petitions had been received.

89. **Public Questions:**

RESOLVED: To note that the following public question had been received:-

1.

Questioner: Howard Bluston

Asked of: Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview and External Affairs

Question: "The development of Harrow Town Centre is of paramount importance to the future of Harrow and also its viability, compared with other local shopping centres, prior to the 2012 Olympics.

Now that the Town Centre Manager has resigned, what provisions are being made for her successor and what concrete measures are being made to ensure development of the Post Office site now that Dandara's plans have been deemed unacceptable?"

[Notes: (i) In accordance with Executive Procedure Rule 16.3, Councillor Mote arranged for the Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) to answer the question on his behalf;

(ii) under the provisions of Executive Procedure Rule 16.4, the questioner asked a supplementary question which was additionally answered].

90. **Councillor Question Time:**

RESOLVED: To note that no Councillor Questions had been received.

91. **Forward Plan 1 October 2006 - 31 January 2007:**

RESOLVED: To note the contents of the Forward Plan for the period 1 October 2006 – 31 January 2007.

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

RESOLVED: To note that no reports had been received.

93. **Budget Review Working Panel:**

RESOLVED: That (1) the Budget Review Working Panel be disestablished as an Advisory Panel of the Council;

(2) it be noted that an informal Group would be convened on an ad hoc basis.

Reason for Decision: To facilitate informal private discussion on matters due to be submitted to Cabinet.

94. **Key Decision - Medium Term Budget Strategy:**

The Director of Financial and Business Strategy introduced the report, which set out the context for the next medium term budget strategy, the current funding gap, some proposed budget principles, an update on the five strategic savings project and the next steps.

The Director of Financial and Business Strategy reported that Harrow was a low spending but high Council Tax authority and that this was due to the level of Government grants received. She advised that the scope to reduce spending was therefore limited. The Portfolio Holder for Business Development added that an approach had been made to the relevant Minister in relation to the low level of grant funding received by the Council.

The Portfolio Holder for Business Development advised that the proposed budget principles would be discussed with the Open Budget Panel and Budget Review Working Group. He added that any further progress would be reported to Cabinet in November 2006.

The Director of Financial and Business Strategy drew Members' attention to the tabled briefing paper in relation to comparative cemetery fees and advised that Harrow's were broadly in line with other boroughs.

RESOLVED: That (1) the factors that would influence the medium term budget for 2007-08 to 2009-10, the scale of the funding gap and the proposed next steps in the process be noted;

(2) the principles that would underpin the budget process detailed in paragraph 33 of the report of the Director of Financial and Business Strategy be approved;

(3) the new fees and charges for the cemetery be approved.

Reason for Decision: To ensure that Cabinet was fully engaged in the development of the new medium term plan.

(See also Minute 93).

95. **Key Decision - Voluntary Aided Hindu Primary School: Use of William Ellis Playing Fields:**

The Director of Planning Services introduced the report, which had been deferred from the meeting on 14 September 2006 pending negotiations on the site acquisition, and updated Members on the progress made on the negotiations with the I-Foundation, the promoters of the Hindu School. He drew attention to the Part II report, which had been circulated for Members' information only.

The Director of Planning Services advised that the report sought approval to an in principle decision in relation to the use of the site but that any decision made by Cabinet would also be subject to the grant of planning permission. The School Organisation Committee would also consider the proposal. A Member added that it was important to keep those schools in the vicinity of the site informed of progress.

The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that in supporting the recommendations she wished to make it

clear that Members were considering policy issues and criteria against which any future planning application would be judged. She wished to make it clear that she was keeping a completely open mind about any later planning application, which would have proper planning consideration at the time. The Portfolio Holder added that there was, at this stage, no application and that Portfolio Holders were only concerned, as the Executive, in seeking to set down a policy framework for the possible redevelopment of this site.

The Chairman made reference to information that had been circulated anonymously to some Members of the Council and advised that all Members, including those forming the previous Administration, had taken this information into account when agreeing to support the I-Foundation bid.

RESOLVED: That (1) the use of approximately 5.5 acres of the William Ellis Playing Fields be agreed, in principle, for the development of a Voluntary Aided Hindu Primary School;

(2) subject to (1) above, a lease with Belmont Football Club be negotiated for the remaining approximate 5.5 acres on terms to be agreed.

Reason for Decision: To facilitate the development of a Hindu School in the Borough.

(See also Minute 105).

96. **Key Decision - Byron Recreation Ground Improvement Proposals and Disposal of Development sites:**

The Director of Planning Services introduced the report, which set out a coordinated and corporate approach to the improvement and development of Byron Recreation Ground and the neighbouring Unitary Development Plan sites, taking account of Council service requirements and value for money.

The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that in supporting the recommendations she wished to make it clear that Members were considering policy issues and criteria against which any future planning application would be judged. She wished to make it clear that she was keeping a completely open mind about any later planning application, which would have proper planning consideration at the time. The Portfolio Holder added that there was, at this stage, no application and that Portfolio Holders were only concerned, as the Executive, in seeking to set down a policy framework for the possible redevelopment of this site.

The Portfolio Holder for Issues facing People with Special Needs welcomed the confirmation of £10m Private Finance Initiative funding from the Department of Health for three Neighbourhood Resource Centres.

RESOLVED: That (1) the overall strategy for Byron Recreation Ground and adjacent development sites be agreed;

(2) it be noted that discussions with Leisure Connection regarding the future of the Leisure Centre and options would be reported to Cabinet in due course;

(3) the improvement to Byron Recreation Ground to Green Flag standard be agreed, in principle;

(4) the funding of Byron Recreation Ground improvements from receipts be agreed, in principle, the capital sum to be agreed following a further report on costs necessary to bring the Recreation Ground up to Green Flag standard;

(5) the location of the proposed Neighbourhood Resource Centre and Learning Disability Residential scheme to replace 79 Bessborough Road be agreed;

(6) the sale of the Parks Depot and Former Mortuary site for residential development be agreed and the Executive Director (Urban Living) be authorised to market the property and conclude a disposal at best consideration;

(7) the appropriation of land at Christchurch Avenue (PS 29) (as identified on the plans attached at Appendix 2 to the report of the Director of Planning Services) under section 122 of the Local Government Act 1972 to facilitate development be agreed.

Reason for Decision: To agree a coordinated and corporate approach to the various development and improvement proposals in the area.

97. **Business Incubation Management Company - Innovation and Acceleration in Harrow and West London:**

The Director of Planning Services introduced the report, which sought approval to the principle of supporting the incubation of new businesses through this new entity. He advised that early development work would be carried out by the University of Westminster and Harrow in Business, in consultation with the Council.

RESOLVED: That (1) the development of business incubation in the Borough should be predicated by setting up an incubation management company with the University of Westminster and Harrow in Business;

(2) the principle of supporting the incubation of new businesses through this new entity be approved;

(3) responsibility for establishing the company be delegated to the Director of Planning Services, who would keep the relevant Portfolio Holder informed of progress.

Reason for Decision: To enable work to start on developing incubation in Harrow.

98. **Harrow Economic Development and Regeneration Review: Towards an Enterprise Strategy:**

The Director of Planning Services introduced the report, which sought the endorsement of the principles of the new Harrow Economic Development and Regeneration Review and the realignment of the functions of Harrow in Business and tourism.

RESOLVED: That (1) the principles of the Harrow Economic Development and Regeneration Review be accepted;

(2) a revised economic development strategy, which focussed on enterprise, be developed;

(3) the opportunity to realign the functions of Harrow in Business and tourism into strategic planning and economic regeneration be approved.

Reason for Decision: In the longer term, the final strategy would mean that the Council and partners would provide a more supportive environment for businesses to operate and grow in the Borough.

99. **Greater London Authority - Government Proposals for Additional Planning Powers:**

The Director of Planning Services introduced the report, which set out the recommendations from the Strategic Planning Advisory Panel in relation to the Government's proposals for additional planning powers. He advised that the Panel had expressed concern in relation to the extension of the Mayor for London's powers.

The Chairman advised that the Association for London Government was putting forward an all-party motion in relation to the proposals and that he would be submitting a motion on this issue to Council on 19 October 2006.

RESOLVED: That the comments set out in the report of the Director of Planning Services considered by the Strategic Planning Advisory Panel, and amended in accordance with their views, be agreed and forwarded to the Department for Communities and Local Government and the Association of London Government.

Reason for Decision: To ensure that the Council's views were made known to Government.

100. **Housing and Planning Delivery Grant - Government Proposals for Additional Planning Powers:**

The Director of Planning Services introduced the report, which set out the recommendations from the Strategic Planning Advisory Panel in relation to the Housing and Planning Delivery Grant and the Government's proposals for additional planning powers. He advised that the Panel had expressed concern in relation to the potential loss of funding.

RESOLVED: That the comments set out in the report of the Director of Planning Services considered by the Strategic Planning Advisory Panel, and amended in accordance with their views, be forwarded to the Department for Communities and Local Government and the Association of London Government.

Reason for Decision: To make the Government aware of the Council's views.

101. **Delegated Authority in respect of Licensing of Houses in Multiple Occupation:**
The Executive Director (Urban Living) introduced the report and outlined the purpose of the licensing arrangements.

RESOLVED: That (1) the Executive Director (Urban Living) be delegated the power to determine (approve not refuse) applications for the Licensing of Houses in Multiple Occupation under Part 2 of the Housing Act 2004;

(2) in respect of the delegation in (1) above, the Executive Director (Urban Living) be authorised to further delegate the power to other Council officers;

(3) the power to refuse applications for the Licensing of Houses in Multiple Occupation under Part 2 of the Housing Act 2004 be delegated to the Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic).

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

102. **Key Decision - Review of Waste Management:**

The Executive Director (Urban Living) introduced the report, which reviewed the planning and implementation of the waste management scheme, identified problem areas and suggested areas for further improvement/refinement. Options for future development were also set out in the report.

The Executive Director (Urban Living) reported that the new collection arrangements had been introduced on 3 July 2006 and that, from the outset, there had been inconvenience and disruption. He offered his apologies to Cabinet, Councillors and customers for the inconvenience and thanked all members of the public realm team who had dealt with the problems in the excessive hot weather. He also expressed his gratitude to colleagues within Access Harrow who had dealt with in excess of 35,000 calls from customers following the introduction of the new arrangements.

An officer advised that the report should be considered in conjunction with the joint waste strategy, which appeared elsewhere on the agenda for the meeting. He reported that the Government had set a recycling target of 40% by 2010 and that since 3 July 2006, 25,000 green boxes and 2,000 compostors had been delivered to Harrow residents. The officer added that the Development Control Committee were actively asking questions in relation to waste/recycling.

An officer advised Members on the key operational issues that had arisen since the introduction of the new arrangements, which included the reorganisation of collection rounds, frequency of collection and the introduction of compulsory recycling. He reported that the overall contact volume had been a major issue and that, in hindsight, it might have been better to phase in the new arrangements. Lessons had been learnt and he advised that, in future, such changes would be trialled in the first instance. He added that the response from residents in relation to the amount of recycling had been exceptional.

The Portfolio Holder for Urban Living – Public Realm stated that it was important to use and learn from best practice and referred to the increased number of assisted collections and the potential benefits of a computerised system to record complaints. She advised that Unison had submitted comments in relation to the report and these had been taken into consideration and were tabled for Members' information. She also expressed her thanks to the crews for their hard work and to the residents of Harrow for their recycling efforts.

The Chairman reiterated his statement made at a previous meeting of Cabinet that abuse of Council staff would not be tolerated and action would be taken against individuals as appropriate.

The Portfolio Holder for Urban Living – Public Realm moved an additional recommendation and it was

RESOLVED: That (1) frequency of collection be weekly Brown Bin and alternate week Waste Bin;

(2) there be further consideration of restriction on the number of Waste Bins – subject to compulsory recycling and a waste audit and that second, and subsequent bins be subject to a one-off charge of £80;

(3) the weekly collection of Brown Bins be retained over the winter period;

- (4) the collection of Waste Electronic and Electrical Equipment and textiles on Green Box vehicles be ceased;
- (5) a charity partner to collect textiles from households be sought;
- (6) agreement with Materials Recycling Facility operator for the acceptance of co-mingled Green Box waste be sought;
- (7) there be an operational trial co-mingled collection of dry recyclables from November 2007 on two Green Box rounds (out of 12), that is, in 11,000 households;
- (8) if (7) above is successful, the remaining ten rounds be converted to co-mingled collection in December 2006/January 2007;
- (9) there be an operational trial Blue (wheeled) bins in February/March 2007 in one round (11,000 households);
- (10) the Blue Bins be rolled out across Borough from April to November 2007, subject to provision of capital funding;
- (11) the revised Service Aims detailed in Section 2.1 of the report of the Executive Director (Urban Living) be adopted;
- (12) the policy to supply all new bins with RfiD tags be confirmed;
- (13) the Council send a letter to the Department for Communities and Local Government/DEFRA/Mayor for London on the production of packaging by supermarkets
- (14) future publicity material be cleared by the Portfolio Holder for Urban Living - Public Realm;
- (15) the details of real nappy grant payment be amended;
- (16) the proposed post of Nappy Officer be deleted;
- (17) the position be kept under review and a further report be submitted to Cabinet in the new year.

Reason for Decision: The Council would increase its recycling rate in line with the proposals in the West London Waste Authority joint waste strategy, achieve its statutory target for 2005/6 and reduce its future liabilities under the Landfill Allowance Trading Scheme.

(See also Minute 103).

103. **Key Decision - West London Waste Authority - Joint Waste Strategy:**

An officer introduced the report, which sought agreement to the joint waste strategy. He advised that there was an update in terms of the content of the report in that the Mayor for London had not yet lifted the Direction on the West London Waste Authority (WLWA) that prevented it seeking alternative waste treatment arrangements for the disposal of 150,000 tonnes of waste. If this were not to be lifted, WLWA and the six constituent authorities would be at significant risk of incurring substantial Landfill Allowance Trading Scheme costs in the future.

The Portfolio Holder for Public Realm – Urban Living confirmed that she had requested that the General Manager of West Waste write to the Mayor for London in relation to his Direction as there would be significant financial implications for Harrow and the five other constituent boroughs in 2010 should it remain in place.

RESOLVED: That (1) the Joint Waste Strategy be approved;

(2) environmental assessment of the joint strategy under the Environmental Assessment of Plans and Programmes Regulations 2004 was not feasible and that this determination be notified to the public on the Council's website.

Reason for Decision: The agreement of Harrow and the other five constituent authorities would allow the West London Waste Authority to proceed with the procurement of alternative disposal and treatment facilities for the West London area.

(See also Minute 102).

104. **Urgent Item - Progress on UDP Proposal Site 6: Harrow on the Hill Station:**
The Director of Planning Services introduced the report, which set out the recommendation of the Town Centre Project Panel in relation to the progress on the Harrow on the Hill Station site.
- The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that the Executive was considering policy issues and that she was keeping an open mind in relation to planning permission considerations.
- The Chairman acknowledged receipt of a letter from the Leader of the Labour Group and advised that his comments had been taken on board.
- RESOLVED:** That (1) all developments within the proposal site 6 (PS6) site should contribute to the delivery of the key objective of a new transport hub for the Borough; contributions were likely to be both financial through a Section 106 Agreement and, where necessary, in the form of land;
- (2) the provision of improved public transport infrastructure should be the Council's primary objective and, where necessary, take priority over other policy considerations;
- (3) contributions from individual sites would be determined on the basis of the estimated overall cost of public transport improvements together with an economic appraisal of the appropriate level of contribution;
- (4) the progress made in discussions with Harrow College, Transport for London/Metronet, Quintains and Dandara, as set out in the Director of Planning Services' report, be noted;
- (5) formal representations be made to Transport for London/Metronet on the need for comprehensive proposals to make Harrow on the Hill Station fully accessible
- Reason for Decision:** To ensure that the Council's primary objective of securing a step change in public transport was achieved.
- (See also Minutes 85 and 106).
105. **Key Decision - Voluntary Aided Hindu Primary School: Use of William Ellis Playing Fields:**
Members considered a confidential report of the Director of Planning Services in relation to the Hindu Primary School.
- The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that the report before Members did not relate to planning permission.
- Members discussed the issues in relation to the disposal of the site and suggested a number of provisos.
- RESOLVED:** That, subject to the provisos suggested by Members, the terms and conditions for disposal as set out in Section 2 in the report of the Director of Planning Services be agreed.
- Reason for Decision:** To enable the proposal for a voluntary aided Hindu School to proceed.
- (See also Minute 95).
106. **Key Decision - Harrow College and Town Centre Redevelopment:**
Members considered a confidential report of the Director of Planning Services in relation to Harrow College and the town centre redevelopment. The Director of Planning Services drew Members' attention to tabled revised recommendations, which had been prepared following discussions with the Council's legal advisers and the College.
- RESOLVED:** That (1) Harrow College be informed of the agreement, in principle, to their request for support of their proposals to allow the College to build on part of the Lowlands Recreation Ground (Metropolitan Open Land) broadly as set out in the College's bid to the Learning and Skills Council;
- (2) Harrow College be informed of the agreement, in principle, to an exchange of land between the College and the Borough to facilitate the College's development;

(3) resolutions (1) and (2) above be subject to

- (i) planning permission;
- (ii) detailed consideration of the heads of terms for any transfer and agreement regulating the use of the land following the principles set out in paragraph 2.2 of the Director' of Planning Services' report;
- (iii) a contribution of £5m towards the cost of the public transport infrastructure;
- (iv) an overage agreement based on financial appraisal at the time of disposal of the College's land at Lowlands Road for housing;
- (v) flexibility on the Council's part to reduce the normal affordable housing requirement, where necessary, to ensure that the public transport contribution could be delivered;
- (vi) involvement of both Transport for London and Quintains (owners of the Station car park) in determining a final boundary for the land exchange.

Reason for Decision: To enable a formal response to Harrow College's request.

(See also Minutes 85 and 104).

(Note: The meeting, having commenced at 7.30 pm, closed at 8.56 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman

CABINET
ADVISORY
PANELS

SUPPORTING PEOPLE ADVISORY PANEL

9 OCTOBER 2006

Chairman: * Councillor Eric Silver

Councillors: * Mrs Margaret Davine
David Gawn* Mrs Myra Michael
* Narinder Singh Mudhar (1)* Denotes Member present
(1) Denotes category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**12. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-Ordinary MemberReserve Member

Councillor Mrs Vina Mithani

Councillor Narinder Singh Mudhar

13. **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.14. **Arrangement of Agenda:****RESOLVED:** That (1) all items be considered with the press and public present with the exception of the following item for the reasons set out below:ItemReason8. Supporting People
Programme – Appendix 4

This 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 relating to the financial or business affairs of any particular person (including the authority holding that information).

(2) 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:-

Agenda itemSpecial Circumstances/Grounds for Urgency8. Supporting People
Programme – Appendix 4

This appendix was not available at the time the main agenda was printed and circulated as the site and provider involved officially could not be named until 3 October 2006. Members were asked to consider this report alongside the main agenda item so that they were fully updated on the Supporting People Programme.

15. **Minutes:****RESOLVED:** That the Chairman be given authority to sign the minutes of the meeting held on 6 July 2006, as a correct record, once printed in the Council Bound Minute Volume.16. **Public Questions:****RESOLVED:** To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

17. **Petitions:**

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

18. **Deputations:**

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

19. **The Supporting People Programme:**

The Panel received a report of the Director of Adult Community Care Services which updated Members on the key developments within the Supporting People Programme since the last meeting of the Panel.

Members were briefed on the budget, policy developments, contract monitoring, the commissioning of new services, progress on the Older Peoples' Housing Review, the bid for funding from the Department of Health (DoH) for extra care provision, and performance.

Members discussed the report fully and asked many questions regarding the Supporting People Programme. In particular, Members felt that the unexpected rise of 3.5% in the Supporting People Grant in 2007/08 might be due to the Council being realistic and prudent in earlier years. Officers also advised that the government's plan was to keep the grant ring-fenced for the foreseeable future.

Members asked if the new charging scheme for domiciliary care would increase the Supporting People budget projections. Officers advised that this would not be known until the end of the consultation period but that Members could be provided with provisional figures. Members also queried why the row in Appendix 1 entitled 'Contribution to joint Commissioned Services' was blank. Officers replied that they would investigate.

Members raised concern that the government intended to examine the case for putting Supporting People on a statutory basis. Officers explained that consultation would take place on this issue and that the Panel would be kept informed.

Members requested a chart showing how the Panel would link with the Commissioning Panel and the Health and Social Care Integration Board.

Officers advised Members that an officer and stakeholder meeting would take place on 18 October 2006 to consider Older Peoples' Services. Members were invited to attend.

RESOLVED: That (1) the report be noted;

(2) officers prepare a draft programme of visits the Panel might wish to undertake, including a visit to Harrow View, for Members to consider;

(3) officers provide Members with provisional figures on whether the new charging scheme for domiciliary care would increase the Supporting People budget projections;

(4) officers provide Members with further information on the contribution to joint commissioned services;

(5) officers provide a chart to show the Panel's link with the Commissioning Panel and the Health and Social Care Integration Board.

(Note: The meeting having commenced at 10.10 am, closed at 11.55 am)

(Signed) COUNCILLOR ERIC SILVER
Chairman

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****10 OCTOBER 2006**

Chairman: Councillor Mrs Janet Cowan

Councillors: * Mrinal Choudhury (Vice-Chairman) (in the Chair) * Mrs Vina Mithani (2)
* Joyce Nickolay

Advisers: * Mr D A Jones (Vacancy)

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

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

On 10 October 2006, there were 11 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>
H69	10	Harrow High
H70	10	Bentley Wood
H71	10	Canons
H72	10	Harrow High
H73	10	Hatch End
H75	10	Rooks Heath
H76	10	Park High
H77	11	Park High
H78	11	Canons
H80	11	Hatch End
H81	9	Park High

[Note: Cases H74 and H79 were withdrawn from the agenda as offers of places had already been made].

PART II - MINUTES**54. 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 Mrs Janet Cowan	Councillor Mrs Vina Mithani

55. 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.

56. 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>
8. Admissions to County Schools	The applications detailed in these reports had been received after the main agenda was printed and circulated. Members were asked to consider these reports, in order to allocate
8. (a) Admissions to County	

Schools

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 individuals.
8. (a) Admissions to County Schools	

57. **Minutes:**

RESOLVED: That the minutes of the meetings held on 4 July, 18 July, 29 August, 13 September and 26 September 2006 be deferred until printed in the Council Bound Minute Volume.

58. **Public Questions:**

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

59. **Petitions:**

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

60. **Deputations:**

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

61. **Admissions to County Schools:**
(See Recommendation 1)

(Note: The meeting having commenced at 5.00 pm, closed at 5.15 pm)

(Signed) COUNCILLOR MRINAL CHOUDHURY
Vice-Chairman (in the Chair)

HARROW
ADMISSIONS
FORUM

HARROW ADMISSIONS FORUM

9 OCTOBER 2006

Chairman:	* Councillor Bill Stephenson		
Councillors:	† Mrs Janet Cowan * Dinesh Solanki		
Community School Representatives:	<u>Governor</u> (Vacancy)	<u>Primary</u> Sue Jones	<u>Secondary</u> Allan Jones
Jewish School Representative:	* Mrs D Palman		
Roman Catholic School Representative:	* Mike Murphy		
Church of England School Representative:	† Mrs S Hinton		
Church of England Diocese Representative:	* Reverend Paul Reece (see Minute 16)		
Catholic Schools Diocese Representative:	* Mr Billiet		
Primary Elected Parent Governor Representative:	† Mr H Epie		
Secondary Elected Parent Governor Representative:	* Mr R Sutcliffe		
Harrow Council for Racial Equality Representative:	Prem Pawar		
Early Years Development Partnership Representative:	Helena Tucker		
Children's Services Representative:	(Vacancy)		

* Denotes Member present
† Denotes apologies received

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

16. **Attendance by Reserve Members:**

RESOLVED: To note that the Reverend Paul Reece was reserving for Mrs K Uttley.

17. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Councillor Dinesh Solanki	Declared a personal interest in that he was a governor at Belmont First and Middle School. Accordingly, he remained in the room and took part in the discussion and decision-making.
Paul Reece	Declared a personal interest in that he was Chair of Governors at St John's School and a member of the London Diocesan Schools Board. Accordingly, he remained in the room and took part in the discussion and decision-making.
Mr R Sutcliffe	Declared a personal interest in that he was a governor at Nower Hill School. Accordingly, he remained in the room and took part in the discussion and decision-making.

18. **Arrangement of Agenda:**

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

19. **Minutes:**

RESOLVED: That the minutes of the meeting held on 19 July 2006 be deferred until printed in the Council Bound Minute Volume.

20. **Public Questions:**

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

21. **Petitions:**

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

22. **Deputations:**

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

23. **Admissions Arrangements 2008-9:**

The Forum received a report of the Director of Strategy, People First, which provided an overview of the proposed amendments to Harrow's admission rules for consultation.

An officer informed the Forum that feedback from Anne Lyons, Chair of the Primary Heads Group, expressed agreement with the proposed timetable for the Co-ordinated Primary Scheme, but that it was sufficient to make the application forms available in September as opposed to June.

Members agreed the need to make the following amendments to the report:

- Admissions arrangements must be determined by 15 April 2007, and not 15 April 2006 (p5)
- Parents could express four preferences and not three (p35)
- The words "teaching groups" should be used instead of "classes" (p38)
- "RC" should be deleted from Salvatorian College (p56)
- A note explaining the Hard to Place Protocol to be included in the arrangements for casual admissions
- In respect of Medical Claims, a member noted that evidence should be from a hospital Consultant, and not simply a Consultant, as stipulated in the report.

RESOLVED: That (1) Harrow's admissions arrangements be noted, subject to changes detailed above; and

(2) the consultation process on proposed admission arrangements to apply to Harrow community primary and high schools for the school year 2008/2009 be agreed.

24. **Consultation on Draft Code of Practice for Admission Arrangements:**

The Forum received a report of the Director of Strategy, People First, which gave an overview of the consultation on the draft School Admissions Code of Practice (COP). An officer informed the Forum that the primary motivation of the new COP was to provide more equity and equality across all schools.

It was noted that every Local Education Authority in London had signed up to the Equal Preference Scheme, and that under the new COP, schools would no longer be permitted to operate a First Preference First system. The officer stated that the Forum would have a duty to monitor compliance with the COP, which meant that it would have to report schools whose admissions arrangements did not abide by it to the Schools Adjudicator. The officer confirmed that she would write to Voluntary Aided schools and invite them to consider the COP, with the aim of submitting their comments together

with those of the Local Authority by the deadline of 21 November 2006. Forum Members asked that the information provided on the requirements of the draft COP be forwarded to all Voluntary Aided schools, requesting them to consider these and to review whether their admissions rules met these requirements. A Member noted that it would be beneficial for Faith Schools to provide the Forum with information on their procedures for Hard to Place students (e.g. permanently excluded, managed moves, pupils arriving outside the normal admission round).

RESOLVED: That (1) the provisions in the draft Code of Practice (COP) be noted;

(2) Voluntary Aided schools be requested to submit their comments on the COP by 21 November 2006;

(3) Voluntary Aided schools be invited to consider the requirements of the COP and review whether their admissions rules met these requirements;

(4) Faith Schools be requested to provide the Forum with information on their procedures for Hard to Place students.

25. **Admissions Panel Decisions 2005-6:**

The Forum received a report of the Director of Strategy, People First, which provided information on the number of Admission Appeals in the 2005-6 academic year. An officer stated that the figures reflected a general pattern that had emerged over recent years, and that there was a particular problem in years 9, 10, and 11.

RESOLVED: That the report be noted.

(Note: The meeting having commenced at 6.00 pm, closed at 7.10 pm)

(Signed) COUNCILLOR BILL STEPHENSON
Chairman

CONSULTATIVE
FORUMS

**TENANTS' AND LEASEHOLDERS'
CONSULTATIVE FORUM****30 OCTOBER 2006**

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Phillip O'Dell
* Bob Currie

* Denotes Member present

[Note: Councillors Mrs Camilla Bath, Mrs Kinnear and Susan Hall also attended this meeting in a participatory capacity].

Tenants and Leaseholder Representatives

Representatives from the following Associations were in attendance:-

Alexandra Avenue Tenants' and Residents' Association
 Antoney's Close Tenant's and Resident's Association
 Berridge Estate Tenants' and Residents' Association
 Brookside Close Tenants' and Residents' Association
 Cottesmore Tenants' and Residents' Association
 Eastcote Lane Tenants' and Residents' Association
 Harrow Federation of Tenants' and Residents' Associations
 Harrow Weald Tenants' and Residents' Association
 Honeybun Community Association
 Stonegrove Gardens Tenantss and Residents' Association
 Weald Village Tenants and Residents' Association

(In total, 19 representatives were in attendance.)

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES****17. Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.**18. Declarations of Interest:****RESOLVED:** To note that the following interest was declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Bob Currie	Declared a personal interest in that he attended meetings of ELTRA and Brookside Close TRA.

19. Arrangement of Agenda:**RESOLVED:** That all items be considered with the press and public present.**20. Minutes:****RESOLVED:** That the minutes of the meeting held on 27 July 2006 be taken as read and signed as a correct record.**21. Public Questions:****RESOLVED:** To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).**22. Petitions:****RESOLVED:** To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

23. **Deputations:**

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

24. **Tenant Compact:**

The Forum received a report from the Head of Housing outlining work undertaken on revising the Tenant Compact, which had first been published in 2000.

It was stated that the new agreement would give tenants and leaseholders opportunities to shape and influence a range of housing services. A recent example of this was said to be the establishment of the leaseholders' forum. The Compact had been through a comprehensive consultation, and would be the charter by which services would be provided.

In response to questions, the Forum heard that all residents would be receiving a copy of the revised Compact, and a summary would appear in the next edition of 'Homing In'.

It was also stated that whilst tenants were not advised when estate inspections were taking place, the current program was scheduled at six monthly intervals. The Chairs of relevant Tenants' and Residents' Associations (TRAs) were invited to the meetings, at which formal minutes were taken.

RESOLVED: That the report be noted.

25. **Progress on Revisions to the Standard Tenancy Agreement:**

The Forum heard that the last review of the Tenancy Agreement had taken place in 1992, and therefore a revision was required to reflect changes in Housing Acts. Another objective of revising the agreement was to help establish a clear contract between the Council and tenants.

It was noted that the new agreement was out to consultation with tenants, and 20 meetings were being arranged as set out in Appendix A to the officer report. An officer stated that it was planned that the revised agreement would be recommended to Cabinet in January 2007, for implementation the following April.

The Forum heard that comments from individual Tenants and Residents would be included in the revised agreement subject to legal compliance.

Residents were encouraged to attend one of the scheduled consultation meetings, in order that their comments on the agreement could be received.

On opening the item to questions, various aspects of the proposed agreement were discussed, including policy on pets, sub-letting, and the size of the Council's housing stock.

RESOLVED: That the report be noted.

26. **Rent Restructuring and Service Charges:**

An officer presented a report from the Head of Housing, outlining proposals for rent restructuring and the separation of service charges.

It was stated that Harrow currently included service charges within rent, but that Government guidance called for greater transparency and required separation or 'rent de-pooling'. Services such as grounds maintenance, communal lighting and caretaking would therefore be itemised separately.

It was added that the amount of service charge levied would remain unchanged from the amount that was currently incorporated into the total weekly rent charge. The proposed reforms would therefore provide a breakdown showing a separation of charges for services relating to the amenities of the estate and the actual rent charged relating to a residents' home.

In response to queries about the nature of the charges and the requirement to pay for particular services, the Forum heard that a more detailed explanation would be brought to the next meeting, and would clarify which services would be likely to make up the service charge. It was also stated that services such as refuse cleaning and the cleaning and upkeep of public highways did not form part of the rent charged to tenants. These items fell within expenditure collected through council tax.

RESOLVED: That the report be noted.

27. **Housing Management Issues: Anti-Social Behaviour:**

The Forum received a report of the Head of Housing concerning anti-social behaviour. The Forum heard that the report provided details of how complaints of anti-social behaviour were responded to with reference to certain types of behaviour, but that the discussion was general in nature and did not discuss specific complaints. It was reported that Housing were currently investigating 22 complaints of anti-social behaviour.

The Forum heard that the following improvements were being implemented by Residents' Services in order to tackle anti-social behaviour, among others:

- Training for Staff and TRAs;
- Booklet entitled 'Tackling Anti-Social Behaviour' currently in production;
- The introduction of new tenancy agreements with stronger clauses on anti-social behaviour.

In response to questions, the Forum heard that it was not the policy of the Council to move tenants, as this action did not resolve the matter but only transported the issue to another area. In instances where a vulnerable tenant was alleged to be causing anti-social behaviour, a number of agencies would be involved with the aim of trying to sustain the tenancy, because of the statutory duty of all local housing authorities to provide a home to vulnerable people about which complaints had been received. In cases where there were particular kinds of mental health issues, there was a statutory obligation to provide housing.

A Member commented that in certain instances, criminal proceedings might be the most appropriate course of action.

RESOLVED: That the report be noted.

28. **Grounds Maintenance:**

The Forum received a report of the Head of Housing Services, which outlined the standards set out for the Grounds Maintenance Service.

The Forum heard of required standards for, amongst other: grass-cutting, maintenance of hedgerows and beds, weed control and fly-tipping. Details of the Service's monitoring arrangements through Estate Liaison officers, and proposals for its possible improvement, were also discussed.

In response to the report, a number of issues relating to grounds maintenance were raised by individual representatives, which officers responded to or agreed to respond to outside of the Forum. It was added that any issues with the service would be identified by Estate Liaison Officers during inspections. Residents were also urged to inform Housing staff or their Ward Councillors of problems soon after they arose, in order to ensure they were dealt with promptly.

A Member drew attention to recent cuts to the service, but also assured residents that the Council was seeking to provide the best possible service with the funds available, and that the resources for the service were under review.

RESOLVED: That the report be noted.

29. **Harrow's Integrated Property Services Partnership:**

The Forum received a report of the Head of Housing Services, which outlined progress in the Harrow Integrated Property Services Partnership (HIPSP). The Project Manager stated that the purpose of the partnership was to improve service delivery and achieve greater value for money by combining the response maintenance service and housing capital programme, as well as maintenance of all Council owned assets including school premises, libraries and social services buildings into a single procurement project.

The project would seek to reduce the complexity of the provision of the above services by offering long-term contracts with providers (typically 5 years) which would enhance efficiency.

It was stated that there was currently a lack of coordination in the way the Council procured these services, and that the Partnership would aim to remedy this by reducing

the number of suppliers. This could have other benefits, such as the creation of employment in the local area.

In addition, it was said that the project would have other potential benefits such as improvement in the diagnosis of repairs, and better coordination between minor and major works.

In response to questions, the Forum heard the following:

- potential suppliers would be evaluated on a number of criteria, not purely on price;
- that there would be enhanced accountability of suppliers through long-term contracts;
- improved IT would assist contractors in providing a more prompt, reliable service.

The Forum was also advised of a letter inviting tenants and leaseholders to be part of an evaluation process for the appointment of the partnering contractor. Representatives were reminded that this was an opportunity to ensure their involvement in the decision-making processes that would affect future service changes to the repair and maintenance of their homes.

RESOLVED: That the above be noted.

30. **Older People's Housing Review:**

The Forum received a report detailing the recommendation of the older People's Housing review, and its key implications for tenants and leaseholders.

An officer stated that there were 550 sheltered housing units in blocks around the Borough, and the work was being conducted jointly with People First to implement the proposals of the review.

RESOLVED: That the report be noted.

31. **Any Other Urgent Business:**

Tenant Advisor

The Forum was informed that an independent Tenant Advisor had been appointed, following a selection process including both residents and the Council.

Chairman

The Chairman stated that owing to a planned re-allocation of duties, she would not be Chairing the Forum in future. Residents expressed their thanks to the Chairman for her involvement in the Forum.

32. **Date of Next Meeting:**

RESOLVED: To note that the next meeting of the Forum was scheduled to take place on 8 January 2007.

(Note: The meeting having commenced at 7.30 pm, closed at 9.45 pm)

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

COUNCIL
AND
COUNCIL
COMMITTEES

DEVELOPMENT
CONTROL
COMMITTEE

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 5 OCTOBER 2006

Chairman: * Councillor Mrs Camilla Bath

<p>Councillors: * Robert Benson * Don Billson * Mrinal Choudhury * G Chowdhury * Keith Ferry</p>	<p>* Thaya Idaikkadar * Manji Kara * Narinder Singh Mudhar * Joyce Nickolay * Mrs Rekha Shah (2)</p>
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* Denotes Member present
(2) Denotes category of Reserve Member

[Note: Councillor Jean Lammiman also attended this meeting to speak on the item indicated at Minute 106 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
105. 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 David Gawn	Councillor Mrs Rekha Shah

106. 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 Jean Lammiman	Planning Application 1/03
--------------------------	---------------------------

107. Declarations of Interest:

RESOLVED: To note the following declaration of interest made by a Member present relating to business to be transacted at this meeting:

Planning Application 1/01 – Clementine Churchill Hospital, Sudbury Hill
Councillor Mrs Camilla Bath declared a personal interest in the above application arising from the fact that between 1986 and 1990, and before she was a Councillor, she had been on the Committee Advisory Board for the hospital. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.

108. 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 dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

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

109. **Minutes:**
RESOLVED: That the Chairman be given authority to sign the minutes of the meetings held on 6 and 11 September and 19 September 2006, as correct records, once printed in the Council Bound Minute Volume.
110. **Public Questions:**
RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.
111. **Petitions:**
RESOLVED: To note the receipt of the following petitions which were referred to the Head of Planning for consideration:
- (i) Petition objecting to the conversion of 26-28 Manor Road into 10 flats
Councillor G Chowdhury presented the above petition, which had been signed by 67 residents in and around Manor Road
 - (ii) Petition opposed to the erection of a fence at John Lyon School
Councillor Mrs Camilla Bath presented the above petition, which had been signed by 12 people.
112. **Deputations:**
RESOLVED: To note that no deputations were put at the meeting under the provisions of Committee Procedure Rule 17.
113. **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.
114. **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 item 1/02 on the list of planning applications.
115. **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.
116. **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.
117. **Member Site Visits:**
RESOLVED: That a Member site visit to the Clementine Churchill Hospital, Sudbury Hill (item 1/01 on the list of planning applications) take place on Saturday 7 October 2006.
118. **Extension and Termination of the Meeting:**
In accordance with the provisions of Committee Procedure Rule 15.2 (Part 4B of the Constitution), it was
RESOLVED: At 9.58pm that the meeting continue in the normal manner until all business remaining on the agenda had been completed.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.20 pm).

(Signed) COUNCILLOR CAMILLA BATH
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/1995/06/CFU
LOCATION: Clemetine Churchill Hospital, Sudbury Hill
APPLICANT: NAI Fuller Peiser for BMI Healthcare
PROPOSAL: Alterations to undercroft, change of use from car park to hospital, construction of multi-decked car park, alterations to access routes and landscaping
DECISION: DEFERRED for Member site visit.
(See also Minutes 107 and 117).

LIST NO: 1/02 **APPLICATION NO:** P/2123/06/CFU
LOCATION: 26 & 28 Manor Road, Harrow
APPLICANT: Preston Bennett Planning
PROPOSAL: Construction of block of ten flats with landscaping and car parking (resident permit restricted)
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) This proposal represents an overdevelopment of a detached building containing two flats to the detriment of the character of the other properties in the road mainly comprising detached and semi-detached houses.
- (ii) The number of car parking spaces will impact on the amenity space of the flats. In addition the placing of the car park at the rear of the property will cause undue disturbance to neighbours.

[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 refused for the reasons given above. Upon being put to a vote, this was carried;

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

(See also Minute 111).

LIST NO: 1/03 **APPLICATION NO:** P/2136/05/CFU
LOCATION: Pinner Park Farm, George V Avenue, Pinner
APPLICANT: Michael Burroughs Associates for Hall & Sons
PROPOSAL: Use of part of site and a building for storage, office, parking and workshop in association with engineering operation
DECISION: (1) INFORM the applicant that:

- (a) the proposal is acceptable subject to the completion of a legal agreement within three months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:
 - (i) the completion of an agreed list of remedial works to Pinner Park Farm. The agreed remedial works consists of the following:

- Removal of tipping and general earth works around existing trees to the south and west of the main farmyard and removal of tipping and earth works around field entrances to the southwest and northeast of the main farmyard so as to restore to previous level form. This material, once removed, must not be tipped elsewhere on the farm.
- Reinstate the original track adjoining the eastern boundary of the main farmyard to its traditional rural form by removing all additional material that has been placed on the tracks so that the track does not exceed 4m in width.
- Contain all machinery, equipment and materials associated with the use proposed within the confines of the application site at all times.
- Fully screen the existing pre-cast concrete retaining wall surrounding the applicant site from the public road.
- All remedial works to be identified on plan of a scale not less than 1/500.
- All remedial works to be completed to the Local Planning Authority's satisfaction within three months of the date of the execution of the agreement.

(b) a formal decision notice granting permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, and the amendment to Condition 4 shown below, will be issued only upon the completion by the applicant of the aforementioned legal agreement and the advertisement/referral of the application to the Government Office for London in accord with the Development Plans and Consultation Departure Direction 1999.

Condition 4 be amended to read:

"Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A and C in Part 6 of Schedule 2 to that Order shall be carried out on any part of Pinner Park Farm without the prior written permission of the Local Planning Authority".

(2) RESOLVED that the concerns expressed by Members of the Committee in relation to the condition of the buildings on the site be referred to Cabinet.

[Notes: (1) The Committee noted the amendment to the description of the application reported verbally by officers at the meeting;

(2) Councillor Mrs Camilla Bath wished to be recorded as having voted against the decision to grant the application].

LIST NO:	1/04	APPLICATION NO:	P/2065/05/CFU
LOCATION:	Raebarn House, 86-100 Northolt Road, South Harrow		
APPLICANT:	Bennett Urban Planning for St James Group Ltd		
PROPOSAL:	Redevelopment to provide part 4/8/10 storey building to comprise 150 flats and offices, car parking and access (duplicate)		
DECISION:	Had the applicant not appealed against non-determination, the application would have been REFUSED for the reasons reported.		

LIST NO:	1/05	APPLICATION NO:	P/2471/06/CFU
LOCATION:	Raebarn House, 86-100 Northolt Road, South Harrow		
APPLICANT:	Bennett Urban Planning		
PROPOSAL:	Redevelopment to provide 150 residential units and 834 square metres of commercial floorspace in a block varying in height three to eight storeys and tower		

DECISION: INFORM the applicant that:

(1) the proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the Council may determine) of the date of the Committee decision on this application relating to:

(i) the funding by the applicant of all costs of public consultation analysis reporting and implementation of an extension to the South Harrow Controlled Parking Zone at any time within 10 years of full occupation of the development if in the Council's opinion a monitoring period shows unacceptable on street parking provided that the developer's liability under this clause does not exceed £30,000 index linked;

(ii) the submission and approval of a Travel Plan (to include the management of an on site car club) prior to occupation of any part of the development;

(iii) the payment to the Council of a sum of £10,000 on completion of the S106 deed for the provision of improved children's and youth play areas in the locality;

(iv) the management of the improved facilities in accordance with a Community Facility Management Statement between the Council and the developer;

(v) the provision of affordable housing of a level, type and mix set out in the officer appraisal, affordable housing to be managed by an RSL, subject to a nomination agreement with the Council;

(vi) within 28 days of the execution of the agreement the developer shall pay the Council the sum of £2,000 in consideration of planning administration costs.

(2) a formal decision notice granting permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, as amended on the Addendum, will be issued only upon the completion by the applicant of the aforementioned legal agreement.

[Note: Amendments to the legal agreement were reported by the legal officer in attendance and agreed by the Committee].

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO:	2/01	APPLICATION NO:	P/2423/06/CDT
LOCATION:	Sherbourne House, 23-25 Northolt Road		
APPLICANT:	Stappard Homes for T-Mobile		
PROPOSAL:	Installation of 6 telecommunication pole mounted antennae on roof of the building and 4 ancillary equipment cabinets of ground and roof level (56 day notice)		
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:	2/02	APPLICATION NO:	P/2046/06/DFU
LOCATION:	10 College Close, Harrow		
APPLICANT:	M F Connolly		
PROPOSAL:	Single storey rear extension		
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.		

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 17 OCTOBER 2006

Chairman: * Councillor Mrs Camilla Bath

Councillors:	* Don Billson	* Thaya Idaikkadar
	* Mrinal Choudhury	* Manji Kara
	* G Chowdhury	* Narinder Singh Mudhar
	* Keith Ferry	* Joyce Nickolay
	* David Gawn	* Dinesh Solanki (1)

* Denotes Member present

(1) Denotes category of Reserve Member

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

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

Ordinary Member
Reserve Member

Councillor Robert Benson

Councillor Dinesh Solanki

120. Right of Members to Speak:

RESOLVED: To note that no Members, who were not members of the Committee, had requested to speak at the meeting.

121. Declarations of Interest:

RESOLVED: To note the following declarations of interests made by Members present relating to the business to be transacted at this meeting: -

Planning Application 2/24 – 454 Alexandra Avenue, South Harrow

Councillors Mrinal Choudhury, Manji Kara, Thaya Idaikkadar and Joyce Nickolay declared personal interests in the above application arising from the fact that they had visited the Zoroastrian Centre, which adjoined 454 Alexandra Avenue. Accordingly, they took part in the discussion and decision-making on this item.

122. Arrangement of Agenda:

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

Agenda Item
Special Circumstances/Reasons for Urgency

Addendum

This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

16(a) Any Other Urgent Business - 4
Latimer Gardens, Pinner

The report was not finalised at the time the agenda was printed and circulated. Members were asked to consider this item, as a matter of urgency, in order to allow an enforcement notice to be served for breach of planning control (subject to Committee approval) and to ensure that the breach did not become immune from enforcement action.

- 16(b) Any Other Urgent Business - 19 Victoria Terrace, Harrow on the Hill
- The report was not finalised at the time the agenda was printed and circulated. Members were asked to consider this item, as a matter of urgency, in order to allow an enforcement notice to be withdrawn and avoid costs being awarded against the Council.
- 16c. Addendum - Raeburn House (Application No. P/2471/06)
- The report, which was included in the Addendum, was not finalised at the time the agenda was printed and circulated. Members were asked to consider this item, as a matter of urgency, in order to allow the amended wording proposed to the standard condition, to be applied to all relevant applications being considered by the Committee at this meeting and to agree that the amended condition be applied to Raeburn House application decision made by the Committee on 5 October 2006 which was the subject of a legal agreement to be finalised later that week.

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

123. **Minutes:**

RESOLVED: That the minutes of the meeting held on 5 October 2006 be deferred to the next meeting of the Committee.

124. **Matters Arising from the Minutes of the Last Meeting:**

RESOLVED: To note that there were no matters arising from the minutes of the meeting held on 5 October which had been deferred to the next meeting of the Committee.

125. **Public Questions:**

RESOLVED: To note that no public questions were put at this meeting under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).

126. **Petitions:**

RESOLVED: To note the receipt of the following petition which was considered with the relevant planning application on the agenda:

Petition supporting planning application P/2195/06, The Shawl Public House, 320 Northolt Road, South Harrow

Mr Gordon presented the above petition, which was signed by 16 people. The Chairman read out the terms of the petition during consideration of the planning application.

127. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution).

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

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

129. **Representations on Planning Applications:**

Having been advised of a late request by an objector to make representation in relation to planning application 2/26, the Committee

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/07, 2/08, 2/09, 2/22, 2/24 and 2/26 on the list of planning applications.

[Notes: (i) Subsequently, items 2/07, 2/08, 2/09 and 2/22 were deferred for Member site visits;

(ii) the objector for item 2/26 was not present at the meeting].

130. **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.

131. **Planning Appeals Update:**

RESOLVED: To note that the report would be submitted to the next meeting.

132. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Head of Planning which listed those enforcement notices awaiting compliance. Some Members expressed concern about the length of the time it had taken to deal with some of the notices, in particular 8 Cecil Road, 482 Kenton Road, 4 Elm Park, 81 Roxeth Hill and 9 Green Lane Cottages.

Officers briefed Members on the latest position with regard to some of the premises listed above and it was agreed that the Council's Enforcement Officer attend future briefing meetings held with Members.

A Member asked that a premises opposite 8 Cecil Road be investigated.

RESOLVED: That the report be noted.

133. **46 Howberry Road, Edgware:**

The Committee received a report of the Head of Planning which related to the construction, without planning permission, following incorrect verbal advice provided by an officer, of a front extension located at the corner plot at the junction of Howberry Road and Cloyster Wood.

Officers advised Members to consider whether it was expedient to issue an enforcement notice bearing in mind that costs might be awarded against the Council. They also advised that the recommendation, if agreed by the Committee, would not set a precedent as each case would have to be considered on its merits. In response to a Member's query as to whether estoppel could apply to bind the Council, Members were advised that the rule of estoppel did not apply in planning control because of the need to protect the wider public interest following the ruling of the House of Lords in one planning case.

Having been put to a vote it was

RESOLVED: That, having regard to the provisions of the Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), no further action be taken in respect of the unauthorised front extension to the existing garage within the curtilage of 46 Howberry Road, Edgware.

[Note: Councillor Mrs Camilla Bath wished to be recorded as having abstained from voting on this matter].

134. **4 Latimer Gardens, Pinner:**

The Committee received a report of the Head of Planning which sought authority to serve an enforcement notice following a refusal for the retention of the replacement windows and the dismissal of a subsequent appeal by the Planning Inspectorate in relation to 4 Latimer Gardens.

Some Members were of the view that recommendation (a)(ii) of the officer's report would not provide an incentive to the owner to resolve the matter and it was

RESOLVED: That, having had regard to the provisions of the Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of

the Town and Country Planning Act 1990 (as amended), the Director of Legal Services be authorised to:

- (a) take all necessary steps for the preparation, issue and service of an enforcement notice requiring, within three calendar months;
 - (i) the removal of all uPVC replacement windows to the front (northern), elevation of the dwellinghouse;
 - (ii) the permanent removal of all materials and debris from the land arising from compliance with requirement (i).
- (b) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to this alleged breach of planning control.
- (c) institute legal proceedings, should it be considered in the public interest to do so, in the event of failure to;
 - (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990, and/or;
 - (ii) fully comply with the requirements of the enforcement notice.

135. **19 Victoria Terrace, Harrow on the Hill:**

The Committee received a report of the Head of Planning which sought authority to withdraw an enforcement notice for the reasons set out in the officer's report.

RESOLVED: That the Council exercise its rights under Section 173A of the Town and Country Planning Act 1990 (as amended) to withdraw an enforcement notice issued by the Council on 14 June 2006 in relation to the installation of two windows in the ground floor northern elevation of the property at 19 Victoria Terrace, Harrow on the Hill.

136. **Raeburn House - Application No. P/2471/06:**

The Committee received a report of the Chief Planning Officer - included in the Addendum - which sought authority to amend the wording of the standard condition 'WT-STORAGE - Water Storage Works', which had been incorrectly drafted in respect of the development of Raeburn House, which had been granted permission on 5 October 2006, subject to a legal agreement.

Authority was also sought for the amended condition to be applied to a number of planning applications on this agenda, which were to be considered by the Committee that evening.

RESOLVED: That (1) the condition 'WT-STORAGE - Water Storage Works' be amended to read as follows:

The development of **any foundations and / or buildings** hereby permitted shall not be commenced until surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

(2) the amended condition be applied to Raeburn House and to the planning applications indicated on the Schedule attached to these minutes.

(See also items 2/03 and 2/30 in the attached Schedule).

137. **Member Site Visits:**

RESOLVED: That (1) Member visits to the following sites take place on Saturday 18 November 2006 from 9.30 am:

2/07, 2/08 and 2/09 - East End Farm, Moss Lane, Pinner
 2/13 - The Vine PH, Stanmore Hill, Stanmore
 2/15 - 40 Fairview Crescent, Harrow
 2/18 - Land at Holly Grove, Hatch End

2/22 – Land rear of 123-135 Whitchurch Lane;

(2) the Democratic Services Officer be requested to write to Members of the Committee to confirm the order and timing of the visits.

138. **Vote of Thanks:**

In view of a motion that was due to be considered by Council on 19 October 2006 relating to the restructuring of the planning committee, it was unanimously

RESOLVED: To record a vote of thanks to Councillor Mrs Camilla Bath for her work as Chairman of this Committee.

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

In accordance with the provisions of Committee Procedure Rule 15.2 (Part 4B of the Constitution), it was

RESOLVED: At 10.00 pm to continue until all the remaining business had been considered.

(Note: The meeting, having commenced at 7.32 pm, closed at 11.01 pm).

(Signed) COUNCILLOR CAMILLA BATH
Chairman

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/1602/06/DFU
LOCATION: Land at rear of 107-109 Byron Road, Wealdstone
APPLICANT: Alan Ward Architects for Lionel D Frewin
PROPOSAL: Single storey building for Class B1 (Business) use.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/02 **APPLICATION NO:** P/2189/06/CFU
LOCATION: The Bothy, Old Redding, Harrow Weald
APPLICANT: Mr & Mrs D Blount
PROPOSAL: Single storey conservatory side extension.
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/1468/06/CFU
LOCATION: 16 – 24 Lowlands Road, Harrow
APPLICANT: Malcolm Pawley Architects for Clio Estates Ltd
PROPOSAL: Redevelopment of site comprising part single, part two and part three storey building to provide 9 self-contained residential dwellings with basement car park (Resident Permit Restricted).
DECISION: GRANTED permission for the development described in the application and submitted plans subject to:
 (i) the conditions and informatives reported and Condition 12 ('WT-STORAGE') being amended to read as set out in Minute 136;
 (ii) the substitution of the word 'buildings' with 'building' in the description of the development, as reported in the Addendum.

LIST NO: 2/04 **APPLICATION NO:** P/765/06/DVA
LOCATION: 25 Broadwalk, Pinner Road, Harrow
APPLICANT: Thomas O'Flaherty
PROPOSAL: Variation of Condition 2 of Planning Permission Ref: LBH/38056, dated 25-JUL-1989 to provide opening hours Sun-Thur 10.00 am to 11.30 pm Fri-Sat 10.00 am to 00.30 am on the following day.
DECISION: GRANTED permission for the variation described in the application and submitted plans, subject to the condition and informative reported.

LIST NO: 2/05 **APPLICATION NO:** P/2033/06/DRE
LOCATION: University Building, 35 Pinner Road, Harrow
APPLICANT: Dr S S Kapoor for Khalsa College London
PROPOSAL: Continued use of premises for offices (Class B1) on ground floor and education (Class D1) on first and second floors.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO:	2/06	APPLICATION NO:	P/1161/06/DFU
LOCATION:	159 Canterbury Road, North Harrow		
APPLICANT:	Ms N Ghumac		
PROPOSAL:	Conversion of dwellinghouse into two self-contained flats, including rear dormer and single storey rear extensions.		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the following reasons:		
	(i) The conversion of a single dwelling into two flats would be out of character in a road, which was characterised by terraced single family dwellings.		
	(ii) There is an underprovision of parking of 1-8 spaces, to the maximum standard, giving rise to overspill parking to the detriment of the amenities of the residents in Canterbury Road.		
	(iii) The flat on the first and second floor would not have access to amenity space, giving rise to a loss of residential amenity to future occupiers.		
	(iv) The proposal will give rise to more activity, which will be generated by the conversion of one single dwelling into two flats giving rise to additional disturbance to the neighbouring properties, resulting in a loss of residential amenity.		
	[Notes: (1) During discussions on the above item, it was moved and seconded that the application be refused for the same reasons that application P/391/05/CFU was refused on 17 June 2005 as set out on page 45 (large) of the report. Upon being put to a vote, this was carried;		
	(2) the Head of Planning had recommended that the above application be granted].		

LIST NO:	2/07	APPLICATION NO:	P/1931/06/DFU
LOCATION:	East End Farm, Moss Lane, Pinner		
APPLICANT:	T Clapp (Foundation Architecture) for Mr & Mrs B Leaver		
PROPOSAL:	Demolition of Barns D, E and F; two storey detached dwelling and single storey linked outbuilding; conversion of Barn C to ancillary residential use for new dwelling.		
DECISION:	DEFERRED for Member site visit. (See also Minute 137).		

LIST NO:	2/08	APPLICATION NO:	P/1935/06/DLB
LOCATION:	East End Farm, Moss Lane, Pinner		
APPLICANT:	T Clapp (Foundation Architecture) for Mr & Mrs B Leaver		
PROPOSAL:	Listed Building Consent; demolition of Barns, D, E and F. Repairs and alterations to Barn C to create ancillary residential use, including the installation of a WC.		
DECISION:	DEFERRED for Member site visit. (See also Minute 137).		

LIST NO: 2/09 **APPLICATION NO:** P/1941/06/DCA
LOCATION: East End Farm, Moss Lane, Pinner
APPLICANT: T Clapp (Foundation Architecture) for Mr & Mrs B Leaver
PROPOSAL: Conservation Area Consent: Demolition of Barns D, E and F.
DECISION: DEFERRED for Member site visit.
(See also Minute 137).

LIST NO: 2/10 **APPLICATION NO:** P/2032/06/DFU
LOCATION: 45 High Street, Harrow
APPLICANT: DPG Development Consultants for Mr T Harris
PROPOSAL: Change of use of basement and ground floors from residential (Class C3) to office (Class A2)
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/11 **APPLICATION NO:** P/1622/06/DFU
LOCATION: 11 Temple Mead Close, Stanmore
APPLICANT: David R Yeaman & Associates for Mr D Balaria
PROPOSAL: Redevelopment to provide 2 two storey detached houses with parking (revised)
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) The proposed development by reason of excessive height, scale, bulk and massing would have an unacceptably over dominant effect on the single storey bungalows in Capuchin Close and have a detrimental impact on the appearance and character of the area.
- (ii) The proposal would represent overdevelopment of the site by reason of excessive site coverage and loss of openness characteristic of the original development.
- (iii) The proposed development by reason of excessive bulk would be unduly obtrusive and would have an unacceptable impact on the visual and residential amenities of adjacent residents. The proposed development would detract from the established pattern of development in the street scene and the character of the locality.
- (iv) One parking space per dwelling will lead to overspill parking in the surrounding close to the detriment of the amenity of the neighbours.

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

LIST NO: 2/12 **APPLICATION NO:** P/953/05/CFU
LOCATION: South Winds, 1 South View Road, Pinner
APPLICANT: Mr Anil Patel

PROPOSAL: Retention of fencing to front and rear boundaries

DECISION: (1) REFUSED permission for the development described in the application, as amended in the Addendum, and submitted plans, for the following reason:

The timber fencing fronting South View Road and Pinner Hill by reason of the concrete posts and the bright colour of the untreated timber panels is considered to be visually obtrusive and would be out of character to the detriment of the character and appearance of this part of the Conservation Area.

(2) RESOLVED that the Head of Planning be requested to submit a report with a view to taking enforcement action against the unauthorised development.

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

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

LIST NO: 2/13 **APPLICATION NO:** P/2149/06/CCO

LOCATION: The Vine PH, Stanmore Hill, Stanmore

APPLICANT: MacKenzie Architects for Raw Lasan Ltd

PROPOSAL: Retention of air extractor unit on north west elevation.

DECISION: DEFERRED for Member site visit.

(See also Minute 137).

LIST NO: 2/14 **APPLICATION NO:** P/2690/05/DFU

LOCATION: H.I.C.C. 205/205A Station Road, Harrow

APPLICANT: M W Carr for Harrow Int'l Christian Centre

PROPOSAL: Resite 4 No. air conditioning units from rear (west) elevation to area under stairs on south side at rear.

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

LIST NO: 2/15 **APPLICATION NO:** P/1676/06/DFU

LOCATION: 40 Fairview Crescent, Harrow

APPLICANT: Benjamin Associates Ltd for Mr K Marcelle

PROPOSAL: Alterations to roof to form end gable and rear dormer; conversion to two self-contained flats with forecourt parking (Resident Permit Restricted).

DECISION: DEFERRED for Member site visit.

(See also Minute 137).

LIST NO: 2/16 **APPLICATION NO:** P/2325/06/CFU

LOCATION: 127 Potter Street, Pinner

APPLICANT: Orchard Associates for Mr & Mrs Prior

PROPOSAL: Two storey rear extension; alterations, porch at front, enlargement of sunken

patio area at rear, including removal of existing outbuildings.

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

LIST NO: 2/17 **APPLICATION NO:** P/2235/06/DLB

LOCATION: Sweetmans Hall, 90 West End Lane, Pinner

APPLICANT: Orchard Associates for Mr & Mrs G Atkinson

PROPOSAL: Listed Building Consent: Internal alterations to remove partition walls & ceilings, replacement of internal doors, flooring & bathroom fittings; replacement of external 2nd floor window.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to:

- (i) the conditions and informatives reported, as amended in the Addendum;
- (ii) the description being amended as set out in the Addendum and set out in the 'proposal' above.

LIST NO: 2/18 **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: DEFERRED for Member site visit.

(See also Minute 137).

LIST NO: 2/19 **APPLICATION NO:** P/1621/06/CFU

LOCATION: Heriots, The Common, Stanmore

APPLICANT: Jane Duncan Architects Ltd for Mr & Mrs L Portnoi

PROPOSAL: Single & two storey front, side and rear extensions, alterations to roof and external alterations.

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

LIST NO: 2/20 **APPLICATION NO:** P/1093/06/DFU

LOCATION: 140 Wemborough Road, Stanmore

APPLICANT: Mr Pravin Patel

PROPOSAL: Resiting of four air-conditioning units from side to rear elevation.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported and additional Condition 3, as set out in the Addendum.

LIST NO: 2/21 **APPLICATION NO:** P/1658/06/DDP

LOCATION: 15 Gordon Avenue, Stanmore

APPLICANT: Robin Bretherick Associates for Cosway Homes Ltd

PROPOSAL: Details pursuant to Condition 2 (Design & Appearance of Building) of Outline

Planning Permission P/584/04/COU allowed on appeal for a detached 3-storey building to provide 8 flats with associated parking dated 5 January 2006.

DECISION: APPROVED details pursuant to permission for the development described in the application and submitted plans, as set out in the Addendum, subject to the informatives reported.

LIST NO: 2/22 **APPLICATION NO:** P/1017/06/COU
LOCATION: Land rear of 123-135 Whitchurch Lane, Edgware
APPLICANT: D Peddar for Mr F Steinberg
PROPOSAL: Outline: 6 retirement flats in 2x2 storey blocks; access from Stratton Close; parking.
DECISION: DEFERRED for Member site visit.
(See also Minute 137).

LIST NO: 2/23 **APPLICATION NO:** P/2490/06/DFU
LOCATION: 125 Eastcote Road, Pinner
APPLICANT: G M Simister FRICS for Mr & Mrs Ian Slaney
PROPOSAL: Single and two storey side extension (revised).
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/24 **APPLICATION NO:** P/764/06/DFU
LOCATION: 454 Alexandra Avenue, South Harrow
APPLICANT: Jeremy Peters Associates for Stampdile Ltd
PROPOSAL: Change of use: Ground floor and basement from retail (Class A1) to restaurant and hot food takeaway (Class A3 & A5); extract flue at rear.
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:-

- (i) The visual appearance of the frontage of a 'takeaway restaurant' and the noise and litter created by such an operation would be detrimental to the appearance and character of the adjacent building which is Grade II listed and used as a place of worship.
- (ii) The proposal would result in an increased disturbance and general activity at unsocial hours to the detriment of the neighbouring residents contrary to policies EM25 and EP25 of the Harrow Unitary Development Plan (HUDP).
- (iii) The takeaway element will cause a large amount of traffic in Alexandra Avenue, which is defined as a main arterial route in the UDP.

[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 refused. Upon being put to a vote, this was carried;

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

(See also Minute 121).

LIST NO: 2/25 **APPLICATION NO:** P/1797/06/CFU
LOCATION: Weald Cottage, Brookshill Drive, Harrow
APPLICANT: Mr & Mrs C Bennett
PROPOSAL: Conversion of car port to habitable room.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/26 **APPLICATION NO:** P/1423/06/DFU
LOCATION: The John Lyon School Playing Fields, Sudbury Hill
APPLICANT: Kenneth W Reed & Associates for The John Lyon School
PROPOSAL: 2 metre high fencing to South Vale and Sudbury Hill boundaries; 2 metre high metal gates across site accesses from South Vale and Sudbury Hill and alterations to hardsurfaced area from Sudbury Hill; 2 metre high fencing to west side of playing field and concrete demarcation posts to Green Lane boundary and Sudbury Hill access.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to:

(i) the conditions and the informative reported;
(ii) an additional condition on landscaping being included.

[Notes: (1) During discussion on the above item, it was moved that the application be refused for the reasons given at the meeting, however, this was not seconded and the refusal was therefore not put to a vote;
(2) Councillor Don Billson wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/27 **APPLICATION NO:** P/1584/06/DFU
LOCATION: 49 High Street, Harrow-on-the-Hill
APPLICANT: DPG Development Consultants for Mr T Harriss
PROPOSAL: New shopfront.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions reported.

LIST NO: 2/28 **APPLICATION NO:** P/1806/06/DLB
LOCATION: 49 High Street, Harrow-on-the-Hill
APPLICANT: D P Gamblin for Mr T Harriss
PROPOSAL: Listed Building Consent: Installation of new shopfront and entrance to above premises.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/29 **APPLICATION NO:** P/2223/06/CDP
LOCATION: Land rear of 2 Maple Avenue & 56-58 Eastcote Lane, South Harrow
APPLICANT: A Lambert for Ian J Tait Ltd
PROPOSAL: Discharge of Conditions 9 (car parking) and 12 (refuse disposal) pursuant to Planning Permission P/2035/05/CFU.
DECISION: APPROVED the details, subject to the deletion of the informative, as reported in the Addendum.

LIST NO: 2/30 **APPLICATION NO:** P/2227/06/CDP
LOCATION: Land rear of 2 Maple Avenue & 56-58 Eastcote Lane, South Harrow
APPLICANT: A Lambert for Ian J Tait Ltd
PROPOSAL: Discharge of Conditions 13 (foul drainage) and 14 (storm water drainage) pursuant to Planning Permission P/2035/05/CFU.
DECISION: APPROVED the details, subject to the condition 'WT-STORAGE' being amended as set out in Minute 136.

LIST NO: 2/31 **APPLICATION NO:** P/1784/06/CFU
LOCATION: 19 Stanmore Hall, Wood Lane, Stanmore
APPLICANT: Mr S C Mistry for Mr S Geller
PROPOSAL: Extension and alteration of first floor stair landing.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/32 **APPLICATION NO:** P/1786/06/DLB
LOCATION: 19 Stanmore Hall, Wood Lane, Stanmore
APPLICANT: Mr S C Mistry for Mr S Geller
PROPOSAL: Listed Building Consent: Extension and alteration of first floor stair landing.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to:

- (i) the deletion of condition 1, as reported in the Addendum;
- (ii) the remaining conditions and informatives reported;
- (iii) the remaining conditions being renumbered.

LIST NO: 2/33 **APPLICATION NO:** P/2412/06/CFU
LOCATION: West House, 50 West End Lane, Pinner
APPLICANT: Cotterell Thomas & Thomas LLP for The West House & Heath Robinson
PROPOSAL: Partial demolition and part single and part two storey extension on south side to provide café, exhibition and function rooms, new pitched roof incorporating dormers over the building to provide office accommodation at loft level and external alterations.
DECISION: Authorise the Head of Planning to GRANT planning permission after 24 October 2006, as set out in the Addendum, for the development

described in the application and submitted plans, subject to:

- (i) the receipt of no material representations;
- (ii) the conditions and informative reported;
- (iii) condition 9 being amended to read: 8.00 am – 11.00 pm Sun-Thu and 8.00 am – 12 midnight Fri and Sat;
- (iv) the additional conditions 12 and 13 as set out in the Addendum.

[Note: During consideration of the application, the applicant, with the Chairman's permission, clarified the hours of opening required].

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/1656/06/DVA
LOCATION: 12 Village Way East, Harrow
APPLICANT: Mahmoud Khatibi-Fard
PROPOSAL: Variation of Condition 6 on Planning Permission WEST/745/98/FUL to permit opening to customers from 10.30hrs until 02.00hrs of the following day.
DECISION: REFUSED variation in accordance with the development described in the application and submitted plans for the reason and informative reported.

LIST NO: 3/02 **APPLICATION NO:** P/1719/06/DVA
LOCATION: The Last Post, Alexandra Avenue, Rayners Lane
APPLICANT: London & Edinburgh Inns
PROPOSAL: Variation of Condition 3 of Planning Permission WEST/48/96/FUL (allowed on appeal: APP/M5450/A/96/266675) to permit hours of use 09.00 hours to 02.00 hours of the following day.
DECISION: REFUSED variation in accordance with the development described in the application and submitted plans for the reason and informative reported.

LIST NO: 3/03 **APPLICATION NO:** P/2195/06/DVA
LOCATION: The Shawl Public House, 320 Northolt Road, South Harrow
APPLICANT: P D S Licensing for Mr Ambrose Gordon
PROPOSAL: Variation of Condition 6 of Planning Permission WEST/719/94/FUL (allowed on appeal T/APP/M5450/A/95/250478/P2) to allow opening to customers (excluding drinking-up time). From 10.00 hours to midnight Mondays; 10.00 hours to 23.00 hours Tues-Thurs; 10.00 hours to 01.00 hours the following day on Fridays and Saturdays and 11.00 hours to midnight on Sundays.
DECISION: REFUSED variation in accordance with the development described in the application and submitted plans for the reason and informative reported.

[Notes: (1) Prior to discussing the above application, the Chairman read out the terms of a petition submitted by the applicant, Mr Gordon, in support of the application so that Members were aware of its contents when considering the application;

(2) during discussion on the above item, it was moved and seconded that the application be deferred to enable renotification to take place as some Members were minded to grant the application. Upon being put to a vote, this was not carried].

(See also Minute 126).

LIST NO: 3/04 **APPLICATION NO:** P/2037/06/DFU
LOCATION: Green Court, Orley Farm Road, Harrow
APPLICANT: W J MacLeod Architect for K & A Property Ltd
PROPOSAL: Redevelopment to provide 2 x single storey detached dwellings with rear dormers; new vehicular access.
DECISION: REFUSED planning permission for the development described in the application and submitted plans for the reasons and informative reported.

LIST NO: 3/05 **APPLICATION NO:** P/2036/06/DCA
LOCATION: Green Court, Orley Farm Road, Harrow
APPLICANT: W J MacLeod Architect for K & A Ltd
PROPOSAL: Conservation Area Consent: Demolition of dwelling house and outbuildings.
DECISION: REFUSED conservation area consent for the development described in the application and submitted plans for the reason and informative reported.

LICENSING AND
GENERAL PURPOSES
PANELS

PERSONNEL APPEALS PANEL

6 OCTOBER 2006 &
12 OCTOBER 2006

Chairman: * Councillor Mrs Camilla Bath

Councillors: * Mrs Margaret Davine * Manji Kara

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**16. **Appointment of Chairman:****RESOLVED:** That Councillor Mrs Camilla Bath be appointed Chairman for the purposes of the meeting.17. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Mrs Margaret Davine	Declared a personal interest in that she had formerly been a Unison officer.

18. **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), in that it would involve the disclosure of information relating to an individual.19. **Minutes:**
(See Note at conclusion of these minutes).20. **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 9.30 am on 6 October, adjourned at 8.00 pm, reconvened on 12 October at 7.30 pm, and closed at 9.50 pm)

(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].

LICENSING PANEL

9 OCTOBER 2006

Chairman: * Councillor John Nickolay

Councillors: * Mrs Lurline Champagnie * Raj Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**42. **Appointment of Chairman:**

RESOLVED: To appoint Councillor John Nickolay as Chairman of the Panel for the purposes of this meeting.

43. **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.

44. **Arrangement of Agenda:**

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

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

<u>Item</u>	<u>Special Circumstances/Grounds for Urgency</u>
8. Application for a new Premises Licence for 'TSK Enterprises', a general grocery store and off licence at 406 Alexandra Avenue, Rayners Lane, HA2 9TR.	The document listed was not available at the time the main agenda was printed and circulated and in order to ensure that all the relevant information was available to ensure a fair hearing, the item was tabled.

45. **Minutes:**
(See Note at conclusion of these minutes).46. **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.

47. **Licensing Procedures:**

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

48. **Application to Vary a Premises Licence:**

An officer introduced a report of the Chief Environmental Health Officer, which outlined an application to vary a premises license for Ned Hylands Public House, 66-69 Station Road, North Harrow, HA2 7SJ.

The application had been referred to the Panel as representations had been received from the Planning Authority, Environmental Health Authority (Pollution and Environmental Enforcement) and the Metropolitan Police. Nicholas Ray from the Planning Authority and Sergeant Carl Davis from the Metropolitan Police were also in attendance.

The Planning Authority had made a representation as the hours the applicant had applied for were contrary to the hours on the condition attached to the planning permission granted by the Planning Department. The applicant, who was not in attendance, had notified the Licensing officer that he wished to request an adjournment whilst the application was considered by the Planning Department to remove the condition.

The Legal officer advised that it was within the powers of the Panel to adjourn the meeting, but that they should first hear the views of any parties present.

RESOLVED: That (1) the case be adjourned in accordance with the Hearings Regulations to a specified date, determined by the Licensing Officer and agreed with the applicant;

[**Reason:** To enable consideration of the representations and ensure that an informed decision is made with all parties present.]

(2) the same Panel Members attend the adjourned hearing as they had already considered part of the case.

49. **Application for a New Premises Licence for 'TSK Enterprises' a General Grocery Store and Off Licence at 406 Alexandra Avenue, Rayners Lane HA2 9TR:**

An officer introduced a report of the Chief Environmental Health Officer, which outlined an application for a new premises license for TSK Enterprises, 406 Alexandra Avenue, Rayners Lane, HA2 9TR. The application had been made by the owner and Designated Premises Supervisor (DPS), Mr Sooriya Kumar Tharmalingam.

The application had been referred to the Panel as a representation had been received from the Metropolitan Police. Sergeant Carl Davis was in attendance on behalf of the Metropolitan Police. Mr Sooriya Kumar Tharmalingam, owner and DPS, Mr Joshua Simons, agent, Mr Michael Rudd, Counsel, and Mr M Manicavasagar solicitor for the applicant, were also in attendance to present the application.

The officer presenting the case referred the Panel to the representation made by Sergeant Carl Davis and to the convictions against the applicant. He tabled guidance issued under the Licensing Act 2003 on copyrighting and advised that this issue was taken seriously under the Licensing Act.

The applicants' representative, Mr Simons, confirmed that his applicant had agreed to any further recommendations from the Crime Prevention Officer (CPO) and the following, as listed on pages 86 and 87 of the agenda;

- A DPS would be on site whilst the premises was open.
- An under 21 policy.
- CCTV.
- Monitored digital alarm
- Regularly skimmed tills.
- Signage highlighting that access to cash and valuable items were controlled by time delay.
- Safe controlled by time delay.
- Indelible note staining and smoke system.
- A till guard.
- Minimum of three staff on duty beyond 11pm.
- 180 degree door viewer fitted to the door.
- Rear door designated as a fire exit.

Mr Rudd stated that the convictions were not significant and suggested, should the Panel wish, that a second DPS be placed on the premises license as an interim measure, but that a 3 month transitional period should be permitted for the handover to a new DPS.

Members questioned the applicant in relation to the convictions and the statement made by the Police, which challenged his character. In response, the applicant indicated that the statements were not an exact record of events and that he had pleaded guilty to avoid further problems.

Sergeant Carl Davis confirmed that in his opinion Mr Sooriya Kumar Tharmalingam was not a suitable DPS and requested the Panel refuse the premises licence. In light of the above, it was:

RESOLVED: That the application for a premises license TSK Enterprises, 406 Alexandra Avenue, Rayners Lane, HA2 9TR be refused.

Reason: The promotion of the four Licensing Objectives; the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

(Note: The meeting having commenced at 1.30 pm, closed at 3.04 pm)

(Signed) COUNCILLOR JOHN NICKOLAY
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].

LICENSING PANEL

12 OCTOBER 2006

Chairman: * Councillor John Nickolay

Councillors: * Thaya Idaikkadar * Mrs Vina Mithani

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**50. **Appointment of Chairman:**

RESOLVED: That Councillor John Nickolay be appointed Chairman of the Panel for the purposes of this meeting.

51. **Declarations of Interest:**

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

52. **Arrangement of Agenda:**

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

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

<u>Item</u>	<u>Special Circumstances/Grounds for Urgency</u>
7. Application to Vary a Premises Licence – Site Floor Plan	This document was not available at the time the main agenda was printed and circulated and in order to ensure that all the relevant evidence was available to Members and to ensure a fair hearing, the document was tabled.

53. **Minutes:**
(See Note at conclusion of these minutes).54. **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.

55. **Licensing Procedures:**

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

56. **Application to Vary a Premises Licence:**

The Panel received a report of the Chief Environmental Health Officer, which detailed a variation to an application for a premises licence for Raw Lasan, 154 Stanmore Hill, Stanmore, Middx, HA7 3DA.

The application had been made by Punch Taverns PLC and had been referred to the Panel as there had been unresolved representations from interested parties.

Ms Doyle and Mr Versallo from Punch Tavern PLC, Mr A Ranantnga barrister for Punch Taverns PLC, Mr G and Mr P Kothari Directors of Raw Lasan and Mr P Naik Designated Premises Supervisor (DPS) attended the meeting. Several residents including those who had made a representation, were also present. Mr D Gottler was elected to act as spokesman for the objectors.

The officer introduced the case, advising that the applicant sought a variation to a condition regarding children having to vacate the premises by 9.00 pm, and referred the Panel to the statutory guidance extract circulated on the agenda, provided by the

Secretary of State in relation to children on licensed premises. He circulated a floor plan to all attendees to assist with the understanding of the layout of the premises, as the layout was a focal point of concern to the objectors.

Mr Gottler challenged the advertisements and posters situated around the premises to advertise the change to the licence, stating that they were not displayed in accordance with the Licensing regulations. He also made reference to the description of the premises location being near a small number of houses. This was, in his view, inaccurate as the premises were located within a residential conservation area surrounded by flats and houses.

Members noted the Legal advice that the hearing procedures did not allow questioning of the Licensing officer by the objector, however, the officer could respond if he wished to clarify any points. In response, the Licensing officer confirmed that on the two visits made by officers to the premises, the advertisements were placed in accordance with the Licensing regulations.

The applicant's representative, Mr Ranantnga, reminded the Panel that this issue did not form part of any representation and to ensure fairness, and following Legal's advice, the Panel should proceed to hear the variation application. Mr Ranantnga summarised the application by stating that the only request was to amend the existing condition to "No children to be permitted on the premises after 21.00 hours unless accompanied by an adult and taking a table meal in an area set aside for dining". He outlined the background to the premises, explaining that the condition was pre-existing and related to the previous owner and premises and that Raw Lasan was more a food led than bar led business, and was affected by the time constraint on the condition.

The DPS, Mr Naik confirmed that he had 6 years experience in the licensing trade and that he had bought the premises at the beginning of the year 2006 and spent over £200,000 on refurbishments. He confirmed that the dining area, where children were allowed, was to the rear of the bar with its own separate toilets and was a designated non smoking area. He explained that the majority of his trade was from the restaurant, of which his patrons were mainly families who were regular customers. Mr Naik also confirmed that children were not allowed outside into the garden area, that the garden had never been used and that the rear doors were kept locked.

Responding to questions by Mr Gottler, spokesperson for the objectors, Mr Naik confirmed that children had to walk through the bar, which was a smoking area, to access the dining area. He expressed the view that it was the parents' responsibility to keep their children under control and that he had 6 members of staff designated to work in the dining area. The DPS confirmed that he did have screens displaying music and, on occasion, sports. Mr Gottler expressed concern at the type of viewings, whilst children were on the premises, bearing in mind music and television classifications shown on screen. He also raised concerns in relation to children playing outside the premises whilst the parents were finishing their meals/drinks. He also felt that accessing the dining area through a smoke filled drinking area was harmful to children's health. Mr Gottler indicated that there were insufficient measures to safeguard the protection of children and requested the condition that no children should remain on the premises beyond 9.00 pm.

Summing up, Mr Ranantnga asked the Panel to consider the following;

- That representations had not been made by any Responsible Authorities.
- The establishment had been on this site for over 100 years so residents were aware of the situation when they bought their property.
- The 9.00 pm watershed was not stated in either the statute or Harrow's Licensing Policy.
- Children were accompanied onto the premises by an adult and staff were on hand to regulate the area.
- A review would be sought should there be a breach in the condition.
- To date, no one had sought a review of the premises, which suggested that the DPS was not breaking any rules.
- The condition was historical and needed to be revised.

- The DPS had offered up a condition of “No children to be permitted on the premises after 22.30 hours unless accompanied by an adult and taking a table meal in an area set aside for dining.”
- The premises were mainly food led and not drink led.

Summing up, Mr Gottler asked the Panel to consider the following;

- The establishment was a bar and not a restaurant.
- It was harmful for children to walk through a smoke filled bar
- If children were allowed in after 9pm, consideration of the screenings had to be considered.
- The condition should remain as 2 of the objectives under the Licensing Act applied, harm to children and the prevention of public nuisance.
- Children had been seen playing in the outside areas of the premises, causing disturbance to the residents.

Mr Ranantnga added that should the residents have any complaints he asked that they should speak to the DPS to seek resolution, as they wished to work in harmony and partnership with the residents.

Having considered the relevant matters, the Panel

RESOLVED: To grant the application with the following amended condition and two further conditions:

AMENDED CONDITION

1. No children to be permitted on the premises after 21.00 pm unless accompanied by an adult and taking a table meal in an area set aside for dining.

FURTHER CONDITIONS

9. No children to be permitted at all after 22.30 pm
REASON: The protection of children from harm and the prevention of public nuisance.
10. No children to be permitted in the outside seating areas after 21.00 pm.
REASON: The protection of children from harm and the prevention of public nuisance.

(Note: The meeting having commenced at 7.30 pm, closed at 9.19 pm)

(Signed) COUNCILLOR JOHN NICKOLAY
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].

LICENSING PANEL

23 OCTOBER 2006

Chairman: * Councillor Tom Weiss

Councillors: * G Chowdhury * Thaya Idaikkadar

* Denotes Member present

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 64 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**57. **Appointment of Chairman:**

RESOLVED: That Councillor Tom Weiss be appointed Chairman of the Panel for the purposes of this meeting.

58. **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.

59. **Arrangement of Agenda:**

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

60. **Minutes:**

(See Note at conclusion of these minutes).

61. **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.

62. **Licensing Procedures:**

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

63. **Application for a New Premises Licence for 'Papa JI's' 865 Honeypot Lane, Stanmore, HA7 1AR:**

The Panel received a report of the Chief Environmental Health Officer which detailed the application for a new Premises Licence for Papa JI's, 865 Honeypot Lane, Stanmore, HA7 1AR.

The application had been made by Mr Satwinder Sarl and referred to the Panel as there had been unresolved representations from responsible authorities. It was noted that the Environmental Health Authority had withdrawn its representation, and that Nicholas Ray was in attendance at the meeting on behalf of the Planning Authority.

The applicant informed the Panel that at the time of making the application for a new Premises Licence, he had not been aware of the existing planning conditions on the premises which restricted its opening hours to 10.30am to 11.00pm on Mondays to Saturdays, and 10.30am to 10.30pm on Sundays. The applicant stated that if granted the new Premises Licence he would apply to vary this planning condition, but that he was also prepared to reduce the hours requested in the application for the new Premises Licence. The Planning Officer confirmed that trading outside the permitted hours would result in a breach of Planning Control, and that the applicant would need to reconcile the planning condition with whatever hours the Panel was minded to grant in the Premises Licence.

In response to questions from Members, the applicant confirmed that the restaurant was to operate a no-smoking policy, and that films being shown would mainly be music videos for background entertainment. The applicant also confirmed that children would not be encouraged in the restaurant, and steps would be taken to ensure there was no under-age drinking on the premises. The dining area of the restaurant accommodated between eighty and one hundred people, and the dance floor would be big enough for

between ten and fifteen people. The applicant also confirmed that his premises was a restaurant and not a wine bar, although it would cater for occasional parties and functions. It was noted that there was no seating outside the restaurant, and that the applicant would make sure no drinks were taken off the premises.

The officer present informed the Panel that the basis for the withdrawal of the Environmental Health Authority's representation was the applicant's agreement to implement the measures detailed in that representation.

RESOLVED: To grant the application with the following amendments and additional condition:

AMENDMENTS TO THE APPLICATION:

Live music, recorded music, performance of dance, provision of facilities for dance all granted as per the application. All other licensable activities to finish half an hour before the terminal hours, as shown below.

Hours premises open to the public:

Sundays to Thursdays: 10.00am to 1.00am
Fridays and Saturdays: 10.00am to 1.30am

ADDITIONAL CONDITION:

No children to be allowed on the premises after 10.30pm

REASON: The protection of children from harm.

64. **Application for a New Premises Licence for 'Oakwoods' 43 High Street, Harrow on the Hill, HA1 3HT:**

The Panel received a report of the Chief Environmental Health Officer which detailed an applicant for a new Premises Licence for Oakwoods, 43 High Street, Harrow on the Hill, HA1 3HT.

The application had been made by Mr Imran Sattar and referred to the Panel, as there was one unresolved representation from an interested party, Carole Okin, who was in attendance at the meeting.

The applicant's advisor, Mr J Simons of Accu-Price Licensing Services, informed the Panel that there was widespread local support for the premises to be granted a Licence to sell alcohol, and that most customers would purchase alcohol as part of their weekly shopping. A full CCTV system was in operation for the prevention of crime and disorder, and Mr Simons drew the Panel's attention to the fact that the Police had not made a representation in respect of the application. With regard to Mrs Okin's concern about parking and congestion on the High Street, the Panel was informed that a single yellow line prevented parking on both sides of the road until 6.30pm.

The applicant provided the Panel with a photograph of the shop frontage which showed that the shop's lights were dipped at night, and confirmed that no major changes had been made to the front of the shop. Although the stand placed on the pavement reduced the depth of the pavement from eleven feet to nine feet, the applicant stated that this did not impede pedestrian access, but that as a gesture of goodwill, he was happy to remove it. Mr Simons stated that boys from Harrow School crossed the road at various points on the High Street, and confirmed that a pedestrian crossing was situated about ten metres from the shop. The Panel was informed that the applicant already operated a no-ID, so sale policy for the sale of cigarettes and solvents, and that this would be continued if granted a Licence to sell alcohol.

In response to questions from the Panel, the applicant confirmed that around two hundred of his regular customers were students of Harrow School, and that this figure amounted to approximately half of his total number of customers. Mr Simons stated that there were two other establishments in the vicinity that served alcohol. The applicant argued that because students of Harrow School frequented the premises, it would be unfair to prevent him from selling alcohol in his shop.

Mrs Okin expressed the concern that with a large proportion of Oakwoods' customers coming from Harrow School, and given the proximity of St Dominic's College, allowing the shop to sell alcohol would be potentially harmful to children, especially as there were no other off-licences in Harrow on the Hill.

RESOLVED: That the application for a new Premises Licence be rejected.

REASON: Protection of children from harm. The Chairman noted that in light of the high proportion of school children who used the shop, a higher level of safeguards than the applicant had put in place would be required to prevent harm to children if the premises were granted a Licence to sell alcohol.

65. **Application for a New Premises Licence for the 'Old Bank Tavern', 91 High Street Wealdstone, HA3 5DL:**

The representative of the Chief Environmental Health Officer informed the Panel that, following the withdrawal of the representations made by the Planning Authority, the Environmental Health Authority and the Metropolitan Police, the application for a new Premises Licence for the Old Bank Tavern, 91 High Street, Wealdstone, no longer needed to be determined by the Panel.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 7.30 pm, closed at 9.10 pm)

(Signed) COUNCILLOR TOM WEISS
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].

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 10 OCTOBER 2006

Chairman: * Councillor Jean Lammiman

Councillors: * B E Gate * Jerry Miles
* Mitzi Green Christopher Noyce
* Julia Merison (2) * Mrs Rekha Shah
* Salim Miah * Mark Versallion
* Mrs Myra Michael * Jeremy Zeid (5)

* Denotes Member present
(2) and (5) Denote category of Reserve Member

[Note: Councillor Paul Scott also attended this meeting to speak on the item indicated at Minute 39 below].

PART I - RECOMMENDATIONS**RECOMMENDATION I - Scrutiny Discussion Forum**

Members considered a report of the Director of People, Performance and Policy, which set out proposals for an online discussion forum for scrutiny Members. The forum would be a web-based service that would allow Members to put questions, exchange ideas and share information. Harrow's forum would be based on the Council's intranet site and the establishment costs would be met from existing budgets. Users would be expected to abide by a 'use' policy.

In agreeing the establishment of the scrutiny discussion forum, which would initially be piloted for a period of three months, the Committee, inter alia,

Resolved to RECOMMEND: (to Council)

That (1) the establishment of an online forum for the development of scrutiny activity in Harrow be noted, and that

(2) access to the scrutiny online discussion forum be restricted to non-executive Members* and officers within the scrutiny team.

**[Note: The forum will not be available to the Executive Members and their support Members.]*

(See also Minute 47).

PART II - MINUTES**30. 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 Richard Romain Councillor Anthony Seymour	Councillor Jeremy Zeid Councillor Julia Merison

31. Declarations of Interest:

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

- (i) Agenda Item 18 - Scrutiny Work Programme
Councillor Mitzi Green declared a personal interest in that her adult son, who had a learning disability, received support from Harrow Learning Disabilities Team and Housing Benefits. She would remain in the room whilst the matter was considered and voted upon.
- (ii) Agenda Item 19 – Business Continuity Management Update
During consideration of this item, Councillor Mark Versallion declared a personal interest in that he owned a business in Harrow. He would remain in the room whilst the matter was considered and voted upon.
- (iii) Agenda Items 13 and 23 - Business Transformation Partnership
During consideration of this item, Councillor B E Gate declared a personal interest due to his professional interest in call centres. He would remain in the room whilst the matter was considered and voted upon.

32. Arrangement of Agenda:

The Chairman stated that Item 18 - Scrutiny Work Programme – would be considered before Item 17 – Scopes for Scrutiny Reviews. During the course of the meeting, the order of business was further varied and the minutes are recorded in the order items on the agenda were considered.

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

<u>Agenda Item</u>	<u>Reason</u>
23. Business Transformation Partnership	The report contained exempt information under paragraph 3 of Part I 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).

33. Minutes:

RESOLVED: That (1) the minutes of the special meeting held on 5 June 2006 be taken as read and signed as a correct record;

(2) the minutes of the ordinary meeting held on 18 July 2006 be deferred until printed in the Council Bound Minute Volume.

34. Public Questions, Petitions and Deputations:

RESOLVED: To note that no public questions were put, or petitions or deputations received at the meeting under the provisions of Overview and Scrutiny Procedure Rules 8, 9 and 10 (Part 4F of the Council's Constitution) respectively.

35. Appointment of Members to the Scrutiny Sub-Committees for the remainder of the Municipal Year 2006/07:

RESOLVED: To note that the appointments to the Scrutiny Sub-Committees would be considered at the next ordinary meeting of the Committee.

36. **Reports from Other Committees:**

RESOLVED: To note that no reports were received.

37. **Financial Position - Item placed on the agenda at the request of a Member of the Committee and Medium Term Business Strategy:**

The Chairman stated that the two reports were linked and would be considered together. She advised that the Portfolio Holder for Business Development and the Leader had been unable to attend the meeting to respond to questions from Members as they were both indisposed and had sent their apologies. However, the Leader had provided written responses to the questions together with a briefing note on the financial position, both of which were circulated at the meeting.

The officer introduced the reports which set out:-

- (i) the poor financial position of the Council, the position on the reserves, the level of savings required and how these would be achieved;
- (ii) the context for the next medium term budget strategy (MTBS), the current funding gap, some prepared budget principles, an update on the five strategic saving projects and the next steps.

She alluded to the reports and responded to questions from Members as follows:-

- it was important to note that Council Tax accounted for only 18% of the Council's gross funding;
- savings from the organisational structure review had been built into the MTBS;
- value for money exercises had been undertaken and the costs and performance of Harrow had been compared with all the London boroughs, neighbouring boroughs and those boroughs that had achieved a three-star rating;
- all comparisons had shown that Harrow was a low spending but high Council Tax authority and that this was due to the low level of grant funding received by the Council;
- the Council would receive a grant of 2.7% during 2007/08 and that the grant assumption of 2% had been made in the MTBS for 2008/09 and 2009/2010;
- the situation on the level of grant received would be investigated and it was hoped that appropriate representations could be made to the relevant Minister.

The Chairman stated that the Harrow Vitality Profiles would support the Council's case for a higher grant than currently received. A Member was of the view that historical data was important as former administrations in Harrow might have set low parameters which continued to impact on the grant received. He suggested that officers ought to investigate this issue.

The Chairman proposed a way forward in relation to the written questions. Concern was expressed that Executive Members had not been able to attend the meeting(s) of the Committee and that it was incumbent on all Scrutiny Members to ensure that important issues were brought to the Scrutiny Committees for consideration. Following further discussion, it was

RESOLVED: That (1) in the absence of the Leader of the Council and the Portfolio Holder for Business Development (Deputy Leader of the Council), the questions – including a written supplemental question provided at the meeting – and written answers circulated at the meeting, together with the reports of the Director of Financial and Business Strategy, be deferred to the special meeting of the Committee scheduled to be held on 14 November 2006 when the Leader and the Acting Chief Executive would be in attendance and the Portfolio Holder for Business Development also would be invited to attend;

(2) it be noted that the special meeting on 14 November 2006 would consider questions on the following matters:-

- Delivering the Corporate Strategy
- Budget/Financial Issues
- Access Harrow

- Acting Chief Executive's priorities.

38. **Action in response to Scrutiny Review of the Middle Management Review:**

The Director of People, Performance and Policy introduced the report, which set out the action taken by the Council in response to the recommendations from the Overview and Scrutiny Committee Review of the Council's Middle Management Review (MMR).

The Director responded to questions from Members and highlighted the following points:-

- lessons learnt from the MMR process had been applied to the Business Transformation Partnership (BTP) process which had been delivered on time, within budget and in consultation with the Unions;
- systems for the use of external consultants had been strengthened following concern expressed by the Committee and that the process now allowed the use of consultants to be challenged by the Council's procurement team prior to their appointment;
- the arm's length approach to the management of the consultants had been replaced by a robust managerial structure to ensure accountability;
- consultants were appointed following a competitive process;
- the MMR was complete and that 17 members of staff had been displaced and redundancy might be the end process for those individuals;
- three months' notice had been given to staff who had not been redeployed or taken up temporary assignments;
- an overall saving of £0.7m had been achieved in the salaries budget. However not all the savings were as a result of the MMR process.

A Member of the Committee, who had led on the Scrutiny review of the MMR, commented that he was generally pleased with the actions taken. Members were informed by an officer that it had been a strategic decision to launch the Management Information System (MIS) later than anticipated, as an analysis of the risks involved had shown that more testing was required, thereby ensuring credibility of the system.

There was consensus that a glossary of terms used ought to be provided on all future reports, following which it was

RESOLVED: That (1) the report of the Director of People, Performance and Policy be noted;

(2) the Director of People, Performance and Policy be requested to submit a report on the Middle Management Review to the 29 January 2007 meeting of the Committee, which would focus on human resources issues.

39. **Business Transformation Partnership:**

The Committee considered a report of the Director of Business Transformation, which provided an update on the performance of the Business Transformation Partnership (BTP), its early projects and issues together with the developments in Harrow Information Technology Services (HITS) in relation to its transformation plan. A confidential report on the BTP, which contained financial information in relation to the contract, had been circulated with the agenda.

Representatives from Capita and the consultant appointed to programme manage the BTP introduced their relevant sections of the reports and highlighted the achievements and identified areas where improvements were required, such as the One Stop Shop and the Call Centre. They highlighted the need to stabilise the projects that had been launched and the importance of optimising the use of the systems launched. An action plan had been agreed to resolve the issues around the safety of the site(s) and the Committee was advised that the implementation would be overseen by appropriate officers and inspected by the Executive Director (Urban Living).

The representatives responded to numerous questions from Members on:-

- the opening hours of the Call Centre/One Stop Shop
- performance management and training provided to staff;

- application of best practice;
- revision of policies;
- the length of time taken to answer telephone calls which, in some instances, was unacceptable;
- customer care issues/relationships;
- methods for transactions;
- payments to the contractor;
- the support provided by Harrow Information Technology Service (HITS) to the BTP process;
- the outcome of the Middle Management Review (MMR) process in HITS;
- service desk problems experienced by HITS;
- the refreshment of the Council's website and the management of any slippage.

It was noted that the customer satisfaction survey carried out in relation to the One Stop Shop had been positive.

Following a lengthy discussion, it was

RESOLVED: That (1) the reports be noted;

(2) a report be submitted to the next ordinary meeting of the Committee scheduled to be held on 21 November 2006 covering the following issues relating to Access Harrow and how these would be addressed:

- performance/stress management and training;
- extension of opening hours of the One Stop Shop/Call Centre;
- consideration of a review of the waiting area/entrance and exit points to ensure that the First Contact Centre was 'welcoming';
- extension of CCTV;
- issues raised by a Member in relation to telephone numbers provided, trends and improvements, details of which would be agreed separately with the Chairman and Vice-Chairman outside of the meeting.

(See also Minute 31(iii)).

40. **Business Continuity Management Update:**

Members considered the report of the Director of Financial and Business Strategy, which set out details of the current position of business continuity management across the Council and the promotion of Business Continuity generally to small and medium size enterprises in the Borough. An officer highlighted the pertinent points in the report and responded to questions from Members.

The officer reported that the Civil Contingencies Act 2004 placed a duty on Councils to implement a business continuity management process within the Council and promote Business Continuity. The work being done in Harrow would be contained within existing budgets and workshops had been delivered to assist managers to write their Critical Service Assessments for their service areas. Businesses would be leafleted and guidance would be carried out within the provisions of the Act. In addition, Harrow Information Technology Service (HITS) would be taking steps to build resilience and were examining devices to reduce risks and 'clutters'. Information on the steps taken to remedy risks would be provided to Members by HITS.

The Officer stated that some of the issues raised by Members in relation to provision of reception centres and arrangements with the police/armed forces in an emergency were the remit of the Emergency Planning Officer. She added that the Council had a Major Incident Plan in place and there were currently 8 reception centres and that the Council would be 'building' on this. She also explained that 'Exercise Adelaide' undertaken in June 2006 was an exercise that had involved the Police, Ambulance

Services, Fire Service and other category 1 responders and the plan had been tested as part of this. Each Directorate had its own Emergency Plan. Members were informed that the Emergency Planning Officer would be requested to address the issues raised above, including the actions being taken to mitigate losses to residents.

RESOLVED: That the current position with regard to Business Continuity Management within the Council and the promotion of business continuity generally to local small and medium sized enterprises be noted.

(See also Minute 31(ii)).

41. **Progress Report following Recommendation of the HSE Inspection January 2005:**

Members considered the report of the Director of Financial and Business Strategy, which set out the activities undertaken to meet the recommendations in the Health and Safety Executive's (HSE) inspection report of January 2005, including the development of a health and safety scorecard to monitor performance to ensure good management.

An officer identified some of the key work done which had benefited from the 'top-down' approach taken by the Council. He informed Members that occupational health illness was an issue and that a 'well-being' group (Health at Work Group) had been set up to co-ordinate effectively the future direction of health at work.

The officer responded to questions from Members in relation to training and how this was being delivered to employees, the powers of the HSE and plans to train Members. The Director of People, Performance and Policy undertook to take the training of Members forward and to address the issue of whether or not the Health and Safety at Work Act 1974 placed a legal duty on Members and the resultant implications.

RESOLVED: That (1) the progress made with respect to meeting the HSE inspection of January 2005 recommendation be noted;

(2) 'exception' reports be submitted to the Committee and that a report on the Health at Work Group be submitted to the January 2007 meeting of the Committee.

42. **Corporate Assessment Challenge Panel:**

The Director of People, Performance and Policy presented his report, which set out the findings of the Challenge Panel set up to consider the Council's draft self-assessment for the forthcoming corporate assessment. He stated that the Challenge Panel had been constructive, valuable and that it had engaged with officers and partners.

A Member, speaking in his capacity as the Chairman of the Challenge Panel, thanked officers and partners for their contributions and recommended that its principles be applied elsewhere.

The Chairman stated that the Challenge Panel had been helpful and added that it had been refreshing to challenge our Partners and for them to challenge the Council. She thanked all those who had participated.

RESOLVED: That (1) the findings of the Challenge Panel be noted;

(2) the recommendations included in the report of the Director of People, Performance and Policy be endorsed.

43. **Consultation Draft of the Refreshed Community Plan:**

Members considered the report of the Director of People, Performance and Policy, which invited comments on the refreshed Community Plan by 27 October 2006.

An officer reported that the Community Plan had been split into three sections: Vision, Medium Ambitions and the Three Year Action Plan. Consultation would take place on the first two sections only. The Committee was briefed on the extensive distribution of the Plan.

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

- the Community Plan embraced the Children and Young People's Plan and the Community Safety Strategy in one place;
- the remarks from Members, set out below, would be included as comments in the Community Plan:

- to let youngsters organise themselves (Young Harrow)
- need to be cohesive (Stronger Communities in Harrow);
- he would work with the Scrutiny Manager to take on board outcomes of scrutiny reviews - Fear of Crime, Social Inclusion – which might help ‘inform’ the Plan better;
- the purpose of the MORI survey was not qualitative; however future surveys would be made equitable;
- the refreshed website might help to engage the young and boost on-line responses generally.

A Member suggested that the Portfolio Holder for Community Equality and the relevant officer be invited to a future meeting of the Committee.

RESOLVED: That the report be noted and that the comments detailed in the preamble above be taken on board.

44. **Procurement Update:**

The Committee considered the report of the Director of Financial and Business Strategy, which provided a general overview of procurement activity in 2006/07, as requested by the Committee.

An officer introduced the report and summarised its key points.

The Chairman stated that the Committee’s concerns related to the effectiveness of the procurement process and whether the procurement plan was achieving savings at the right time.

Officers responded to questions from Members and commented on the benefits of shared working. Following further discussion, it was

RESOLVED: That (1) the report be noted;

(2) a Member be provided with details on the initiative to reduce the number of printers/photocopiers which will result in a saving to the Council;

(3) examples of successful outcomes and tendering processes as a result of joint working with Capita and the Capita proposal for the Procurement Team structure be submitted to the Overview and Scrutiny Committee;

(4) social care procurement procedures be submitted to the Adult Health and Social Care Scrutiny Sub-Committee.

45. **Scrutiny Work Programme:**

Members received a report of the Director of People, Performance and Policy, which proposed the scrutiny work programme for 2006/10. An officer introduced the report and reported on the methodologies that could be used to deliver the programme.

It was noted that some of the following projects had been established, of which some had been completed:-

- Budget Challenge Panel (ongoing)
(Councillor Christopher Noyce to chair the group. Councillors Salim Miah and Mark Versallion to join the group. Labour Members to notify their representatives).
- NHS Review (ongoing)
(Councillor Mrs Myra Michael to chair the group).
- Procurement (to be added to the Work Programme)
(Councillor Richard Romain (or Councillor Jeremy Zeid) to co-lead the group. Councillor Jean Lammiman to join the group).
- Culture Programme (to be set up)
(Councillor Mitzi Green to chair. Councillor Lammiman to join the group. To note that Councillor Bill Stephenson had expressed an interest in joining this group).
- Olympics Programme (to be set up)

- Investors in People (to be set up)
(Councillor Jean Lammiman to chair this group. Councillor Julia Merison to join the group)
- Human Resources Programme (for 2007/08)
- Local Area Agreement (LAA) (unnecessary)
- Review on the Impact of Savings on Services (to be programmed)

RESOLVED: That (1) subject to the preamble above, the proposed work programme for the Overview and Scrutiny Committee, attached as Appendix One to the report of the Director of People, Performance and Policy, be agreed;

(2) the work programmes for the Safer and Stronger Communities and Sustainable Development and Enterprise Sub Committees, attached as Appendices Two and Three respectively to the report of the Director of People, Performance and Policy, be noted;

(3) the full list of agenda items for the scrutiny committees, attached as Appendix Four to the report of the Director of People, Performance and Policy, be noted;

(4) the work programmes for the Children and Young People and Adult Health and Social Care Scrutiny Sub-Committees be submitted to Committee in November 2006;

(5) that the work programme be submitted either to the December 2006 Extraordinary Council (providing it was procedurally acceptable) or February 2007 Council meeting;

(6) Councillors Christopher Noyce and Jean Lammiman chair the Budget and Investor in People Challenge Panels respectively and that Councillor Mitzi Green chair the Procurement Review Programme;

(7) a working group be set up to consider the Cultural Services Inspection Improvement Plan.

(See also Minute 31(i)).

46. **Scopes for Scrutiny Reviews:**

An officer introduced the report, which introduced scopes for the summer/autumn scrutiny reviews and which had been agreed as part of the Overview and Scrutiny committee's work programme for 2006-10. It also identified some of the methodological changes that had been introduced since the election in May 2006. It was noted that a full evaluation of these new methodologies would be reported to the January 2007 meeting of the Overview and Scrutiny Committee.

RESOLVED: That (1) the scopes for each of the following reviews be agreed:-

- Standing Scrutiny Review of NHS Finances (Overview and Scrutiny);
- Budget Challenge Panel;
- Investor In People Challenge Panel.

(2) the scope for the Corporate Assessment Challenge Panel, which was undertaken in September 2006, be noted.

47. **Scrutiny Discussion Forum:**

Further to Recommendation I above, a Member highlighted the need to tighten up the 'use' policy – rule 4. In response, the Chairman stated that this issue would be revisited after the pilot. She undertook to provide examples of 'acceptable language'.

RESOLVED: That (1) a scrutiny discussion forum be established;

(2) the forum be structured around the headings of scrutiny processes, scrutiny projects and scrutiny committees;

(3) subject to the comments made in the preamble above, the attached draft acceptable 'use' policy attached at Appendix A to the report of the Director of People, Performance and Policy, for the scrutiny online forum be agreed;

(4) the forum be piloted for a period of three months and that an interim report be submitted to the Overview and Scrutiny Committee on progress at that stage;

(5) users of the forum be set up with login details and passwords.

48. **Business Transformation Partnership:**

See Minute 39.

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

In accordance with the provisions of Overview and Scrutiny Procedure Rule 6.6 (ii)(b), it was

RESOLVED: (1) At 10.00 pm to continue until 10.30 pm;

(2) at 10.30 pm to continue until 10.45 pm;

(3) at 10.45 pm to continue until 11.00 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.56 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN
Chairman

SCRUTINY
SUB-COMMITTEES

CALL-IN SUB COMMITTEE

17 OCTOBER 2006

Chairman: * Councillor Anthony Seymour

Councillors: * Mrs Lurline Champagnie (3) * Graham Henson (2)
* Mitzi Green * Jeremy Zeid (1)

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

[Note: Councillors Margaret Davine, B E Gate, Mrs Kinnear, Navin Shah and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 14 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**9. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor B E Gate
Councillor Jean Lammiman
Councillor Mark Versallion

Reserve Member

Councillor Graham Henson
Councillor Mrs Lurline Champagnie
Councillor Jeremy Zeid

10. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Agenda Item

6. Call-in of the Decision of the Property, Housing, Planning (Development) and Planning (Strategic) Portfolio Holder: Vaughan Centre

Nature of Interest

Councillor B E Gate declared a personal interest arising from his involvement as a Ward Councillor and also that the premises was nearby his residence. Accordingly he remained in the room and took part in the discussion on this item.

Councillor Navin Shah declared a personal interest in that he a Member of the Harrow Heritage Trust appointed by the Authority. Accordingly he remained in the room and took part in the discussion on this item.

Councillor Bill Stephenson declared a personal interest in that he was a Member of the Harrow Heritage Trust appointed by the Authority. Accordingly he remained in the room and took part in the discussion on this item.

11. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the meeting be called with less than 5 clear working days' notice by virtue of the special circumstances and grounds for urgency stated below:-

Special Circumstances/Grounds for Urgency

Under Overview and Scrutiny Procedure Rule 22, a meeting of the Call-in Sub-Committee must be held within 7 clear working days of the receipt of a request for call-in. This meeting therefore had to be arranged at short notice and it was not possible for the agenda to be published 5 clear working days prior to the meeting

(2) in accordance with the Local Government (Access to Information) Act 1985, the following papers be admitted to the meeting by virtue of the special circumstances and grounds for urgency stated below:-

<u>Item</u>	<u>Special Circumstances/ Grounds for Urgency</u>
6. Call-in of the Decision of the Property, Housing, Planning (Development) and Planning (Strategic) Portfolio Holder: Vaughan Centre – Tabled Documents: <ul style="list-style-type: none"> • Council Motion from meeting held on 20 January 2005 entitled Locally Listed Buildings • Section D12 of Harrow’s Unitary Development Policy regarding Locally Listed Buildings 	The lead signatory to the Call-in tabled these papers to support the Call-in request. The papers were admitted onto the agenda in order to enable Members to consider all information relevant to the item before them for decision.

(3) it be noted that agenda item 5 “Protocol for the Operation of the Call-in Sub-Committee” had been admitted erroneously onto the agenda and was therefore removed;

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

(See also Minute 13).

12. **Minutes:**

RESOLVED: That the minutes of the meeting held on 22 August 2006 be deferred until printed in the Council Bound Minute Volume.

13. **Protocol for the Operation of the Call-In Sub-Committee:**

RESOLVED: That (1) the Protocol, which had not been formally approved by the Call-In Sub-Committee, and was admitted erroneously onto the agenda, therefore be withdrawn; and

(2) the Protocol be informally discussed and agreed between the Chairman and Vice-Chairman and submitted to a future meeting of the Call-In Sub-Committee for approval.

14. **Call-in of the Decision of the Property, Housing, Planning (Development) and Planning (Strategic) Portfolio Holder: Vaughan Centre:**

The Sub-Committee considered a decision of the Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) dated 29 September 2006, which had determined that the former Vaughan School should be de-listed.

At its meeting on 12 September 2006, the Strategic Planning Advisory Panel had received a report of the Director of Strategic Planning, advising of the need to de-list the Vaughan Centre as the building was no longer fit for purpose. A recommendation from the Strategic Planning Advisory Panel was referred to the Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) for decision. The Portfolio Holder had agreed to the recommendation to de-list the Vaughan Centre. A call-in notice was subsequently received, calling in the decision relating to the de-listing of the Vaughan Centre. This decision had therefore been referred to the Call-In Sub-Committee for consideration under the call-in procedure.

The decision had been called-in on two grounds: inadequate consultation with stakeholders prior to the decision and that the decision was contrary to the policy framework of the Council

The Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) and the Leader were both unable to attend the meeting. In accordance with the Appendix to the Executive Procedure Rules 4C, (Delegated Powers of Portfolio Holders (Temporary Arrangements)) the Leader of the Council had temporarily transferred responsibilities and power to the Portfolio Holder for Urban Living – Public Realm, who attended the meeting. A letter had been circulated to all Members notifying them of this temporary transfer. Four of the six signatories and the Ward Councillor also attended the meeting.

Members considered the notice invoking the call-in procedure, the record of the Portfolio Holder’s decision and the documentation sent to the Portfolio Holder to inform her decision. In addition, an extract from the Unitary Development Policy (UDP), Section D12; Locally Listed Buildings and a motion regarding Locally Listed Buildings, which was passed at Council on 20 January 2005, was tabled by the signatories.

The Members of the Sub-Committee considered the call-in notice and an officer was invited to explain the reasoning behind the recommendations to his report and to respond to the grounds for call-in, and a Member representing the signatories to the call-in notice was invited to explain the reasons for the call-in.

The Director of Strategic Planning reported that the Vaughan Centre, a locally listed building, was no longer fit for its operational purpose by People First and a way forward to utilise the site was sought. The proposed option was to de-list the site but to maintain it for one of three Neighbourhood Resource Centres. This was possible through submitting an application to the Development Control Committee with a case to de-list and demolish (if necessary) the site. The officer explained that not only were the cost implications significant, but that the planning application could take six to nine months to progress. There was no certainty the application would succeed and the Neighbourhood Resource Centre project would therefore be delayed. A report to the Strategic Planning Advisory Panel would expedite matters, save time, expense and uncertainty for the project. He advised out that consultation was not necessary for the de-listing of the site, and was never carried out.

A Member representing the signatories to the call-in stated that the call-in of this decision should be upheld on the grounds of inadequate consultation with stakeholders prior to the decision, and as the decision was contrary to the policy framework of the Council. He referred Members to Section D12 of Harrow's UDP and stated that although there was no need to consult, it was good practice to consult with stakeholders including the Harrow Heritage Trust. He indicated that community groups using the centre were concerned in terms of security and loss of facilities. He added that it would have also been helpful to consult with the Ward Councillors. The Member stated that the site was of architectural interest and was fundamental to Harrow's heritage and sought to preserve the status. He further explained that the locally listed site had townscape value and that there would be a significant loss to the community. He requested that the decision to de-list the site be referred to Cabinet for re-consideration.

The Portfolio Holder for Urban Living – Public Realm, responded that as there was no requirement for consultation it was not carried out. The Portfolio Holder advised that this issue had been discussed in depth at the Strategic Planning Advisory Panel and that it was permissible for the Portfolio Holder to agree the proposal under such circumstances. The Portfolio Holder also advised Members that the UDP was only guidance and therefore the decision to de-list the Vaughan Centre was not contrary to the policy framework of the Council.

Some Members of the Sub-Committee had mixed views concerning the lack of consultation and expressed concern, although acknowledging that was not statutory. It was felt that stakeholders, residents, Ward Councillors and the community groups using the premises should have been consulted as a matter of good practice. Other Members queried why no representatives of stakeholders, residents or Ward Councillors had attended the Strategic Planning Advisory Panel to present their case. The Strategic Planning Advisory Panel was an open public meeting and the agenda had been published on the internet, so attending that meeting would have been an appropriate forum to lobby the Members. The general view by Members was that the decision was not contrary to the policy framework of the Council.

RESOLVED: That the grounds for the call-in be rejected and the decision of the Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) to de-list the Vaughan Centre be implemented.

(Note: The meeting having commenced at 7.30 pm, closed at 9.19 pm)

(Signed) COUNCILLOR ANTHONY SEYMOUR
Chairman

**CHILDREN AND YOUNG PEOPLE SCRUTINY
SUB-COMMITTEE****18 OCTOBER 2006**

Chairman:	* Councillor Mark Versallion	
Councillors:	* G Chowdhury * B E Gate * Mitzi Green * Jean Lammiman * Julia Merison	* Narinder Singh Mudhar * Joyce Nickolay (6) * Dinesh Solanki * Mrs Sasi Suresh (3) * Jeremy Zeid
Voting Co-opted:	(Voluntary Aided) † Mrs J Rammelt * Reverend P Reece	(Parent Governors) * Mr H Epie * Mr R Sutcliffe

* Denotes Member present
(3) and (6) Denote category of Reserve Members
† Denotes apologies received

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Terms of Reference**

Members received the terms of reference of the Sub-Committee.

Resolved to RECOMMEND: (to the Overview and Scrutiny Committee)

That the terms of reference of the Children and Young People Scrutiny Sub-Committee be amended, as set out at Appendix 1 to the minutes.

PART II - MINUTES**15. 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 David Perry Councillor Yogesh Teli	Councillor Sasi Suresh Councillor Joyce Nickolay

16. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Member</u>	<u>Nature of Personal Interest</u>
Councillor Jeremy Zeid	Councillor Jeremy Zeid declared a personal interest in that it was likely that he would soon be appointed to the Governing body of Priestmead School.

17. 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>
AOB – Children Looked After – Green Paper (Summary, Action taken by the Council, and reaction).	These documents were not available at the time the main agenda was printed and circulated as the Green Paper had not been released. Members were requested to consider this information with the work programme item.

A0B – Special meeting of the Children and Young People Scrutiny Sub-Committee – 9 January 2007

This item was not listed at the time the agenda was printed and circulated. Members were asked to consider this item so that they were aware that there would be an informal session on 4 December 2006 to formulate questions for the Special meeting on 9 January 2007.

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

18. **Minutes:**

RESOLVED: That the minutes of the meeting held on 26 June 2006, be taken as read and signed as a correct record.

19. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8 (Part 4F of the Council's Constitution).

20. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9 (Part 4F of the Council's Constitution).

21. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10 (Part 4F of the Council's Constitution).

22. **Terms of Reference of the Children and Young People Scrutiny Sub-Committee:**
See Recommendation 1 above.

23. **Final Report of the Light Touch Review of the Education of Looked After Children:**

The Sub-Committee received a report of the Director of People, Performance and Policy, alongside a verbal report of the Chairman of the Review Group, on the findings of the review of the education of Looked after Children.

Members commended the work of the Review Group and its report. However, concern was expressed at the projected cost of an event being held to reward Looked after Children (LAC) that had emerged during the Review. Members urged that this costing be explored further. Members were also of the view that all Members should be trained on corporate parenting.

Members requested that Recommendation 5 of the report be placed before Recommendation 4, as it linked with Recommendation 3.

RESOLVED: That (1) the final report of the light touch review of education of Looked after Children be noted;

(2) the findings and recommendations of the light touch review, as set out in the review report, be endorsed;

(3) the report be forwarded to Cabinet for consideration at the next meeting;

(4) the Corporate Parenting Group be requested to ensure that every Member of the Council attends as many as possible Looked after Children events per year to ensure they remain in touch with looked after children and young people and fulfil their responsibilities as corporate parents;

(5) the Member Development Panel be requested to organise a seminar on corporate parenting for the current intake of Members, and consider the valuable input that the Corporate Parenting Group could play in this training;

(6) the Director of Children's Services be requested to prepare a plan of action resulting from the light touch review and report back to the Sub-Committee, at its meeting on 13 February 2007, when the relevant Portfolio Holder would also be invited to attend to participate on this matter.

24. **Update on Extended Schools:**

The Sub-Committee received a report of the Director of Lifelong Learning and Culture, which provided an update on progress regarding extended schools since the Community Schools Pilot Evaluation had been presented to the Overview and Scrutiny Committee on 30 January 2006.

Members asked for clarification on a number of issues to which officers responded as follows:

- parents who undertook voluntary work in schools should have been subject to a Criminal Records Bureau check before having unsupervised access to children;
- funding was in place to support the roll-out of the seventh extended schools cluster, but there was concern about funding in future years;
- where a children's centre was on a school site, the headteacher would oversee the management of the centre but would also appoint a manager;
- headteachers of schools in a cluster considered their school as part of a cluster group and considered needs beyond those of their individual school. All clusters had a steering group to consider the cluster's priorities and the headteachers' priorities in the allocation of funding.

A Member expressed concern about the child database that was being set up and requested that the issue of privacy be considered. An officer informed the Member that there was a small working group involved in this project.

Members raised concern about private sector providers and commented that ethical parameters should be set. Officers reported that guidance on working with partners had been issued to schools.

RESOLVED: That the report be noted.

25. **Verbal Feedback on the Challenge Session Looking at the Corporate Assessment and JAR self-assessment:**

The Sub-Committee received verbal feedback on the challenge session looking at the Corporate Assessment and a Joint Area Review (JAR) self-assessment. Members were informed that the JAR self-assessment had been completed and the grades had been co-ordinated with the Corporate Performance Assessment grades. The Council had submitted ten case studies and a neighbourhood study of South Harrow to the inspectors.

Members who had attended the challenge session expressed the view that the challenge panel had been productive and were pleased that, in their role as scrutineers they had been able to contribute to the document that had been produced as a result of the session.

RESOLVED: That the report be noted.

26. **School Food Improvement Strategy:**

The Sub-Committee received a report of the Director of Strategic Services (People First) which informed Members of the progress made in relation to the new food-based standards, with special reference to the provision of drinking water in schools. Members were informed that the Council was actively promoting the provision of drinking water in schools but many children, particularly in high schools, had expressed the view that they did not want to drink water during lessons. Also, the Council could not control the way in which schools provided the water as it was not providing funding.

It was reported that where capital improvements were being undertaken, adequate provision would be ensured.

In response to questions from Members about the provision of free school meals, an officer explained that headteachers had commented that some meals provided by caterers barely met the required standard. Also, the increase in government funding was minimal. The officer also explained that around the country it had been noticed that where the meal options had been changed to healthy options, there had been a significant drop in the uptake. However, in schools where there was a holistic approach to healthy eating, this scheme had been more successful.

RESOLVED: That the report be noted.

27. **Consultation Draft of the Refreshed Community Plan:**

The Panel received a report of the Director of People, Performance and Policy, which asked Members to consider and make comments on the consultation draft of the refreshed Community Plan. An officer explained that the Community Plan would replace the Community Strategy and set out the way in which Harrow would develop over the next 15 years. Consultation was taking place with over 70 community groups and Members. Members of the Sub-Committee were invited to provide comments individually or as a Sub-Committee before 27 October 2006.

Members requested that low-level lighting for parks be considered and that and a reference to litter should be made in the report. It was also suggested that the bullet point 'Increase the uptake of sexual health services' needed to be rephrased.

RESOLVED: That the report and comments be noted.

28. **Work Programme:**

The Sub-Committee received a report of the Director of People, Performance and Policy, which asked Members to consider and agree the main topics for inclusion in the work programme for 2006/07 and consider the scheduling of longer term topics for the four-year programme of work (2006-2010).

RESOLVED: That (1) Members of the Sub-Committee, who had agreed to conduct a review on School Nursing, conduct a Challenge Panel and report back to the Sub-Committee at its special meeting on 9 January 2007;

(2) Key Performance indicators be considered as an agenda item, annually;

(3) Parent Partnership Services be considered as an agenda item at a future meeting of the Sub-Committee;

(4) School Meals and Water Provision be considered as part of the joint review being undertaken by the Adult Health and Social Care and Children and Young People Scrutiny Sub-Committees in 2007;

(5) the Sub-Committee monitor general music provision in the latter part of Year 2.

29. **Any Other Business:**

(i) **Children Looked After – Green Paper**

Members received tabled documents on the Green Paper on Children Looked After. It was reported that in the Green Paper, the Council had been mentioned for good practice.

RESOLVED: To note the report.

(ii) **Special meeting of the Children and Young People Scrutiny Sub-Committee – 9 January 2007**

Members were reminded that there would be an informal session on 4 December 2006 to formulate questions for the Portfolio Holder question and answer session on 9 January 2007.

RESOLVED: That (1) the Portfolio Holders for People First and Issues Facing Young People be invited to attend the Special meeting on 9 January 2007 for the question and answer session;

(2) all other Portfolio Holders be notified of the date of the above meeting in case they were be invited to attend the meeting on 9 January 2007, following the formulation of questions on 4 December 2006.

- (iii) Co-optees
Members thanked the two co-optees on the Sub-Committee who would cease to be co-optees on 21 October 2006.

30. **Extension and Termination of the Meeting:**
In accordance with Overview and Scrutiny Procedure Rule 6.7 it was

RESOLVED: To continue until 10.10 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.03 pm)

(Signed) COUNCILLOR MARK VERSALLION
Chairman

APPENDIX 1**Children and Young People Scrutiny Sub-Committee**

The Children and Young People Scrutiny sub-committee has the following powers and duties:

- a) **to hold relevant Portfolio Holders to account on a regular basis:**
- b) to develop a work programme for scrutiny of the children and young people related functions of the Council and partners in consultation with the Overview and Scrutiny Committee;
- c) to have specific responsibility for policy development and scrutiny of the following functions:
 - Every Child Matters outcomes (including health)
 - Education Authority functions
 - Youth participation and engagement
 - Youth offending
 - 0 – 19 learning
 - Early Years Services
 - Extended Schools
- d) to hold the HSP and its management groups to account for the delivery of the Local Area Agreement;
- e) to review and make reports and recommendations to the Executive and the Council in respect of the functions within its terms of reference;
- f) assist the Council and the Executive in the development of the budget and policy framework by analysis of policy issues;
- g) **conduct research and consultation including with community and other appropriate stakeholders in the analysis of policy issues and possible options:**
- h) to consider, report and make recommendations on any matter within the Sub-Committee's terms of reference affecting the area and/or those who live **in**, work **in**, or travel through Harrow;
- i) to conclude reviews promptly, normally within 6 months;
- j) to contribute to the annual report of the work of scrutiny.

**ADULT HEALTH AND SOCIAL CARE SCRUTINY
SUB-COMMITTEE****31 OCTOBER 2006**

Chairman: * Councillor Mrs Myra Michael

Councillors: Mrs Lurline Champagnie * Julia Merison
* Mrs Margaret Davine * Joyce Nickolay
* David Gawn * Mrs Rekha Shah

Advisers (non-voting): Jean Bradlow

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**39. **Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.40. **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 was undergoing treatment of Northwick Park Hospital, and that a family member was in receipt of mental health services.
Councillor Mrs Rekha Shah	Declared a personal interest in that she was an employee of Brent Council Social Services

41. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.42. **Appointment of Adviser:****RESOLVED:** That Mr Owen Cock be appointed as a non-voting adviser to the Sub-Committee for the remainder of the Municipal Year 2006/2007.43. **Minutes:****RESOLVED:** That (1) the minutes of the meeting held on 21 June 2006, be taken as read and signed as a correct record;

(2) the Chairman be given the authority to sign the minutes of the meeting held on 13 September 2006 as a correct record, once printed in the Council Minute Volume.

44. **Public Questions:****RESOLVED:** That the following questions be received under the provisions of Overview and Scrutiny Procedure Rule 8:

1.

Questioner: Ann Freeman**Asked of:** Councillor Myra Michael, Chairman of the Adult Health and Social Care Scrutiny Sub-Committee**Question:** What are the implications for mental health service users, including those at Wiseworks Enterprises and The Bridge Day Centre, of Harrow Council's eligibility criteria for community services?

2.

- Questioner:** Maurice Hoffman, Chairman PPI Forum for CNWLH MH Trust
- Asked of:** Councillor Myra Michael, Chairman of the Adult Health and Social Care Scrutiny Sub-Committee
- Question:** "Has the Council produced commissioning guidance based on the Vocational services for people with severe mental health problems: Commissioning guidance?"

[Notes: (i) An oral answer was given to question 1. A supplementary question was asked, which was referred to the Adult Community Care Services and Issues Facing People with Special Needs Portfolio Holder for a written response;

(ii) the second questioner was absent from the meeting. The Chairman gave an oral response, and elected to also provide a written answer.]

45. **Petitions:**

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

46. **Deputations:**

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

47. **Terms of Reference for the Adult Health and Social Care Scrutiny Sub-Committee:**

RESOLVED: That the terms of reference of the Sub-Committee be noted.

48. **Northwick Park Hospital: Update on Maternity Services:**

The Sub-Committee received a verbal update from the Director of Operations, Northwick Park Hospital, on the hospital's Maternity Ward.

The Sub-Committee heard that as of the end of September 2006, special measures had been lifted, although the unit would continue to be monitored by the Strategic Health Authority (SHA).

It was reported that staffing rates were now maintained at the ration of one mid-wife per thirty births, which was the officially recognised safe ratio. Vacancy rates for mid-wives were down 9% as a consequence.

In relation to protocols for reporting 'near-misses', the Sub-Committee heard that there were systems in place such as monthly meetings at which any clinical incident could be reported, as well as investigations of more serious incidents, and the establishment of a maternity action group.

The Director of Operations also reported that there was now over 60 hours of consultant cover on the ward, one of the highest in London.

In response to questions, the Sub-Committee heard that the employment of certain locum staff had continued on advice, and that extra consultants would be recruited when appropriate. The Sub-Committee was also informed that there were opportunities for patients and the public to become involved in the administration of the ward, taking part as they could in Forums that met with senior staff on a monthly basis.

RESOLVED: That the above be noted.

49. **Strategic Options for North West London Hospitals Trust:**

The Sub-Committee received a report of the Director of Operations, North West London Hospitals' Trust, and the Director of Strategy and Innovation North West London Hospitals' Trust, setting out plans for a consultation strategy regarding potential changes to health care provision in Brent and Harrow.

The Sub-Committee heard that the timetable for the consultation had altered, and that the first phase would be a period of informal discussion, culminating in early January 2007. A second phase of formal consultation would then begin at the end of January, depending on approval from NHS London.

It was reported that there were no current plans to close Accident and Emergency Departments at Northwick Park and Central Middlesex Hospitals.

A number of topics were discussed on opening the item to questions, including:

- The composition of the project team;
- The involvement of the public and clinicians in the consultation process and its accessibility to various audiences;
- The reasons behind the consultation and the need to update current clinical models;
- The continued provision and form of emergency care facilities.

The Sub-Committee heard that it was hoped the consultation would help provide guidance on the most appropriate model of services for the future, and that it was not a financially motivated endeavour.

It was advised that a significant re-shaping of public ideas about appropriate provision would have to occur, and that the Sub-Committee's comments would be welcomed in the consultation process accordingly.

RESOLVED: That the report be noted.

50. **Obesity Strategy and its Links to Diabetes:**

The Sub-Committee received a report from the Head of Health Promotion Harrow Primary Care Trust, presenting information about obesity and its links to diabetes.

The Sub-Committee heard that obesity was a particular public health concern in the United Kingdom with 20% of the population now clinically obese, a figure treble that of 20 years ago.

There were also concerns about obesity and its links to chronic conditions such as heart disease, cancers, arthritis and diabetes. The estimated cost of treating diabetes alone was reported to be £3.6 billion, with additional social costs of £7.4 billion.

The Sub-Committee heard that rates of Type 2 diabetes were increasing, with around 1.8 million sufferers currently diagnosed. It was reported that those with a body mass index (BMI) in excess of 35 had an 80% chance of developing Type 2 diabetes. In Harrow, over 1 in 20 people were said to have Type 2 diabetes, with over 20% of the population categorised as obese, according to recent surveys. Owing to the necessity of long-term treatment of these conditions, with no available cures, focusing on prevention in the form of education programs and other measures was said to be key.

On discussing the item, the Sub-Committee heard of progress in implementing healthier school meals in the Borough, and of the links between diabetes, deprivation and genetics. Mental health issues relating to obesity were also discussed.

RESOLVED: That (1) the report and subsequent discussions form the basis of a draft scope for a joint scrutiny review (between the Sub-Committee and the Children and Young People Scrutiny Sub-Committee) of obesity in 2007;

(2) that the draft scope be presented at the next meeting of the Adult Health and Social Care Scrutiny Sub-Committee.

51. **Scope for Review of Homecare Services:**

The Sub-Committee received a report of the Director of People, Performance and Policy, setting out a draft scope for a review of homecare services, which Members had previously considered and prioritised within the work programme for the Municipal Year 2006/2007.

The Sub-Committee heard that the planned review built on a previous review conducted by the then Health and Social Care Scrutiny Sub-Committee in 2004. It was reported that progress had been made on some recommendations from the original review.

The Sub-Committee heard that the outcomes of the review could be reported to Cabinet at its December meeting so that scrutiny could add its views to the current Council consultation on changes to homecare charges, as well as monitor the implementation of previous scrutiny recommendations.

The methodology and membership of the review were discussed, and it was subsequently

RESOLVED: That (1) a challenge panel be held within the timescales identified;

(2) the membership of the Panel comprise Councillors Mrs Margaret Davine, David Gawn, Julia Merison, Mrs Myra Michael, Joyce Nickolay and Mrs Rekha Shah.

52. **Work Programme for the Adult Health and Social Care Scrutiny Sub-Committee:**
The Sub-Committee received a report of the Director of People, Performance and Policy, which outlined the proposed work programme of the Sub-Committee for the next four years.

The Sub-Committee considered a range of topics in relation to the report, and possible areas of scrutiny. The possibility of continuing a joint Committee with Brent and Ealing to discuss proposed changes to health service delivery in the Boroughs was also discussed.

It was concluded that the work programme of the Sub-Committee was demanding in its current version. As a result, it was

RESOLVED: That (1) a challenge Panel to consider issues surrounding a possible flu pandemic be postponed;

(2) the report be noted.

53. **Extension of the Guillotine:**
In accordance with Overview and Scrutiny Procedure Rule 6.6 it was

RESOLVED: That (1) at 10.00 pm to continue until 10.15 pm;

(2) at 10.15 pm to continue until 10.30 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.20 pm)

(Signed) COUNCILLOR MYRA MICHAEL
Chairman

COUNCIL



**MINUTES
of the
MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 19 OCTOBER 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
Mrinal Choudhury
Golam Sobhan Chowdhury
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
Myra Michael
Jerry J. Miles
Vina Mithani
Chris Mote
Mrs Janet Mote
Narinder Singh Mudhar
John Nickolay
Mrs Joyce Nickolay
Christopher D. Noyce
Phillip O'Dell

Asad Omar
Paul Osborn
Anjana Patel
David Perry
Raj Ray
Richard David Romain
Paul Scott
Anthony Seymour
Navin Shah
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

PRAYERS

The meeting opened with Prayers offered by the
Rabbi Andrew Shaw

59. CYRIL ELLEMENT:

Following Prayers, the Mayor requested Council to remain standing and to observe a minute's silence in memory of Cyril Ellement, a former Councillor between 1961 and 1971, who had died on 7 October 2006.

60. DECLARATIONS OF INTEREST:

It was noted that there were no declarations of interests on behalf of Members with regard to business to be transacted at this meeting of the Council.

61. COUNCIL MINUTES:

RESOLVED:

THAT THE MINUTES OF THE PREVIOUS COUNCIL MEETING HELD ON 13 JULY 2006 BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD.

62. BY-ELECTION: HARROW WEALD WARD (AND MATTERS ARISING):

- (1) Council formally noted the Director of Corporate Governance's report of the result of the By-Election held for the Harrow Weald Ward on 24 August 2006 to fill a casual vacancy.

Mr Paul Scott was elected as the representative of the Liberal Democrat Party, to hold office until May 2010.

The Mayor welcomed Councillor Scott to his first Council Meeting.

- (2) It was noted that consequent on Councillor Scott's election, Notice had been given under Regulation 8 (Local Government (Committees and Political Groups) Regulations 1990) of Councillors Noyce and Scott having formed a Liberal Democrat Group on the Council.

A Determination as to the proportional entitlement of the political Groups to seats on Committees had been undertaken and advised to all Members of Council by letter dated 1 September 2006.

63. MAYOR'S ANNOUNCEMENTS:

RESOLVED:

THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF THE WORSHIPFUL THE MAYOR, AS TABLED, UPON HER OFFICIAL DUTIES, TOGETHER WITH THE OCCASIONS ON WHICH SHE HAD BEEN REPRESENTED BY THE DEPUTY MAYOR AND BY THE HONORARY ALDERMAN, SINCE THE LAST COUNCIL.

64. PROCEDURAL MOTION:

Councillor Navin Shah moved and Councillor Bill Stephenson seconded a procedural motion under the provisions of Council Rule 15.2 seeking the admission of an Urgent Motion, regarding Civic Centre refurbishment expenditure, to the business for consideration at this meeting.

The Leader of the Council advised that the stated grounds of urgency did not justify allowing the Urgent Motion to be debated at this meeting.

Upon a vote, the procedural motion was not agreed, and the Urgent Motion was not accepted for consideration.

RESOLVED:

THAT THE PROCEDURAL MOTION UNDER RULE 15.2, FOR THE ADMISSION OF AN ADDITIONAL MOTION AT ITEM 14, BE NOT AGREED.

65. PETITIONS:

The following petitions were submitted by Members of Council:

- (1) Submitted by Councillor Archie Foulds, containing over 1,000 signatures of persons opposed to the closure of the Harrow Young Persons' Centre,

threatened to take place from the beginning of November 2006, and seeking that this valuable and successful organisation should be saved.

[The petition stood referred to the Cabinet].

- (2) Submitted by Councillor Mrs Lurline Champagnie, containing 7 signatures of residents of The Dell, Pinner, requesting the Council to take measures to make the footpath that runs from Waxwell Lane to Elm Park Road a safe thoroughfare and suitable means of access to private housing.

[The petition stood referred to the Licensing and General Purposes Committee].

- (3) Submitted by Councillor Mrs Margaret Davine, containing some 126 signatures of residents in the locality of the William Ellis Playing Fields, Camrose Avenue, Edgware, requesting the Council not to proceed with a planning application proposing the building of a School or any other development on those Playing Fields.

[The petition stood referred to the Strategic Planning Committee].

66. **PUBLIC QUESTIONS:**

- (i) Further to Item 7 on the Summons, the Leader of the Labour Group, Councillor Navin Shah sought that the Council allow a representative of residents present in the public gallery to ask a public question regarding the development applications proposed for the William Ellis Playing Fields, Edgware.

The Mayor advised that the Council Rules on public questions did not provide for a question which had not complied with the requirements for due notice.

- (ii) The Leader of the Conservative Group, Councillor Chris Mote, proposed to Council that, as there were 6 public questions for which due notice had been given, the 15 minutes provided for Item 7 in Council Rule 12 be extended to allow all those questions to be asked and answered at this meeting.

This proposal received the general assent of the Council.

- (iii) The following 6 questions submitted by members of the public, in accordance with Rule 12.3 were received and answered:-

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Mr A Dutta	Portfolio Holder for People First (Councillor Janet Mote)	<p>“There are deep concerns within the voluntary organisations in Harrow about proposals made in Your Views Matter – the consultation document.</p> <p>The voluntary organisations are concerned about severe effects they would have on service users and carers of the proposed increases in home care charges. The voluntary organisations are also concerned about the effect they would have on vulnerable people on the proposed merger of Anmer Lodge Day Care Centre and Milmans Resource Centre.</p> <p>What steps are being taken by the Council and the Harrow Strategic Partnership including the Harrow Primary Care Trust to ensure that the elderly, frail and disabled people in Harrow are not harmed in any way?</p> <p>Could the Council also ensure that the voluntary organisations in</p>

- Harrow would not suffer as a result of the cuts already made.”
- (2) Mr H Bluston Portfolio Holder for Issues Facing Older People (Councillor Miss Christine Bednell) “The proposals for the Meals on Wheels service currently out for consultation state that there should be a uniform subsidy for each meal. Would Cllr Bednell not agree that this will mean that hot Asian meals and hot Kosher meals will cost more than hot standard meals, unlike the fair, subsidised charging system operating currently, and would she not agree that this is completely discriminatory and will create divisions within, culturally diverse, service users?”
- (3) Mr J Elliot (Note: Council allowed this Question to be asked by Mr Blake on behalf of Mr Elliot). Portfolio Holder for People First (Councillor Janet Mote) “It is clear from reports in and letters to the local press that many of Harrow’s care service users, and their carers are upset and frightened by the proposals for the enormous increases in home care charges, that are explained in the current consultation document.
- How do you expect our older and vulnerable residents to pay these increases, which include payment of 100% of their residual income?”
- (4) Mrs J Galbraith Portfolio Holder for Property, Housing, Planning (Development), Planning (Strategic) (Councillor Marilyn Ashton) “Could the Council assure us that the redevelopment along College Road, including the old Post Office site, Harrow on the Hill station and the bus station, will not result in further eyesores like Aspect Gate, St Georges and Roxborough Heights.
- We plead that the view of the Hill and the open spaces to the south of the railway will be preserved.
- Also will the plans include provision for a new medical centre?”
- (5) Mrs R Burman (Note: The Mayor allowed this Question to be asked, having taken account of the technical breach of Rule 12.3 relating to the email address). Portfolio Holder for Urban Living – Public Realm (Councillor Mrs Kinnear) “At the Question and Answer session with the Cabinet on 27th September it was said that not locking park gates was out for consultation. Who is being consulted, when and how is this consultation happening?
- Has Councillor Kinnear’s visit to Harrow Recreation Ground with me convinced her and her colleagues of the need to lock at least the car park gates every night?
- When can I expect an official reply to my letter of 24th August sent to Councillors Mote, Kinnear and Ashton?”

- | | | |
|-------------------|---|--|
| (6) Mrs A Freeman | Portfolio Holder for
Issues Facing
People with
Special Needs)
(Councillor Eric
Silver) | “How is Harrow Mental Health
Service going to help its clients
move towards employment?” |
|-------------------|---|--|

[Note: All the above questions were asked and answered orally at the meeting and under the provisions of Rule 12.4 supplementary questions were also asked and answered in each case. The answers to the questions listed above will be published on the Council's web site.]

67. RECONFIGURATION OF SCRUTINY SUB COMMITTEES:

Further to Item 8 on the Summons, the Council received Recommendation I of the Overview and Scrutiny Committee meeting of 18 July 2006, in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED, INCLUDING ENDORSEMENT OF THE REVISED SCRUTINY SUB-COMMITTEE TERMS OF REFERENCE.

68. SCRUTINY DISCUSSION FORUM:

Further to Item 9 on the Summons and the enclosure with the Supplemental Summons, the Council received Recommendation I of the Overview and Scrutiny Committee meeting of 10 October 2006, in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

69. FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES:

Further to Item 10 on the Summons, the Council received Recommendation I of the Cabinet meeting of 3 August 2006, in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

70. PROTOCOL FOR CO-OPTEEES AND ADVISERS:

Further to Item 11 on the Summons, the Council received Recommendation I of the Standards Committee meeting of 19 September 2006, in this matter.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

71. REPORT OF THE CONSTITUTION REVIEW WORKING GROUP: RECOMMENDED CONSTITUTIONAL CHANGES:

Further to Item 12 on the Summons, the Council received a report of the Constitution Review Working Group meeting held on 3 October 2006, wherein eleven Recommendations were submitted proposing changes to the Authority's Constitution, most of these being minor administrative clarifications and corrections to Rule provisions.

- Article 4 and Budget and Policy Procedure Rules: List of Plans and Strategies
- Article 7: Special Provision to Take Urgent Action in an Election Year
- Meetings of the Executive (Cabinet): Provision for Questions by Members
- Meetings of the Executive (Cabinet): Provisions Governing Special Meetings
- Officer Delegations: Non Executive Decision Procedure – Urgent Action on Behalf of the Council and Committees of the Council

- Power to Respond to External Consultations: Executive Terms of Reference and Delegations of Duties to the Cabinet, etc and Officer Delegations
- Business to be Conducted at a Call-In Sub-Committee
- Advisory and Consultative Procedure Rules: Power to Appoint Co-Optees and Advisers
- Officer Delegations: Chief Executive – Individual Delegations
- Roll Calls [Voting]
- Roles of the Leader and Chief Executive (Head of Paid Service): High Ethical Standards.

RESOLVED:

THAT THE ABOVE RECOMMENDATIONS BE ADOPTED AS PRINTED.

72. QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13):

Further to Item 13 on the Summons, the following six questions had been submitted by Members of Council, notice of which had duly been given under the provisions of Council Procedure Rule 13.2, and all of which were answered orally.

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Councillor B E Gate	The Leader of the Council (Councillor Chris Mote)	“Ward Councillors have not been consulted on critical projects/issues such as de-listing or the Vaughan Centre, proposals for the Prince Edwards Playing Fields, proposals for the William Ellis Playing Fields and Byron Recreation Ground to name a few. Does this mean that it is this Council’s new policy not to consult Shadow-Portfolio holders or engage Local Ward Councillor’s or even major issues concerning their own areas and residents?”
(2) Councillor Ms Nana Asante	Portfolio Holder for Business Development (Councillor David Ashton)	“It was hugely disappointing that you were not able to attend the Call-In Committee meeting in August as you were ‘on a vacation’ and could not find a single portfolio holder to attend this vital committee meeting. It was even worse that you were unable to come to the Overview & Scrutiny meeting on 10 th October as you were again on another ‘vacation’. You appear to be deliberating dodging questions from Scrutiny Committee. Don’t you or your Party have even remotest sense of responsibility?”
(3) Councillor Bill Stephenson	Portfolio Holder for Urban Living – Public Realm (Councillor Mrs Kinnear)	“At the recent open Cabinet meeting the Leader of the Council stated that no decision had been taken about the proposal to cease locking parks subject to consultations taking place. Can Cllr Kinnear give us the precise details and nature of these proposed consultations indicating, in particular, the timescale and how local residents, the police,

- park users groups and other stakeholders can ensure that their views are heard. Can she further indicate how these views will be analysed and published before a decision on this matter is taken?"
- (4) Councillor Bill Stephenson Portfolio Holder for Property, Housing, Planning (Development) and Planning (Strategic) (Councillor Marilyn Ashton)
- "Is Cllr Ashton aware of the concern of local residents and residents' associations about the current state and misuse of Hall's Farm/Pinner Park Farm site on the Green Belt. Will she give a categorical assurance that the Council will rigorously enforce the tenancy agreement which it has for this property and indicate what plans there are for its future development in the light of the various plans which the Council has adopted on the Green Belt, open spaces, sports and recreation?"
- (5) Councillor Archie Foulds Portfolio Holder for Issues Facing Young People (Councillor Paul Osborn)
- "Given the lack of information following the cancellation of the Publications Panel, what changes are being made and are planned for the Council's Communications Department?"
- (6) Councillor Mrs Margaret Davine Portfolio Holder for People First (Councillor Janet Mote)
- "Can the Portfolio Holder please confirm whether or not the Council's Fair Access to Care Criteria set at, critical and substantial threats to their independence (Minute 237 Cabinet 15.4.2003) have been changed?"

[Note: Under the provisions of Rule 13.5, the Members submitting questions (2) to (6) above each asked a supplementary question which was also answered orally. In addition, in respect of the question at (6) above, the Portfolio Holder agreed to provide the Member asking the question with a written response giving the details of the number of applicants for home care packages falling into each category, critical difficulties, substantial difficulties, etc. The answers to the questions listed above will be published on the Council's web site.]

73. MOTION AT ITEM 14(1): PROPOSED ENHANCED POWERS FOR THE MAYOR OF LONDON:

- (i) Councillor Chris Mote moved and Councillor Marilyn Ashton seconded the Motion at Item 14(1) of the Summons.
- (ii) Councillor Navin Shah moved and Councillor Keith Ferry seconded the following amendment which after debate and upon a vote was not carried:-

"To delete the whole of the original motion and to substitute the following wording:-

"This Council acknowledges that the Greater London Assembly and the Mayor of London have a Strategic Role in the matters relating to Londoners and London's Local Authorities and require suitable powers to perform their strategic tasks.

Government proposals, as a matter of fact, are about devolving powers down from central government to a London-wide level for a more accountable and effective London Assembly with enhanced powers to develop and implement policies that are relevant to London.

The Council acknowledges that the government's proposals for planning would not affect the vast majority of planning decisions taken locally by local Councils. The Council reiterates its concerns on the issues raised at the Strategic Planning Advisory Panel and resolves to:

Write to the Local MPs and GLA member to ask them to raise the Council's concerns in Parliament and the London Assembly.

Work with "London Councils" (formerly known as ALG) to pursue the Council's concerns as expressed in this resolution."

(iii) Upon a vote, the original Motion was carried in the following terms:-

"This Council believes that the Government's proposals to grant the Mayor of London greater powers will undermine the authority of London's boroughs and damage local democracy in London by taking decision-making away from local communities and their locally-elected representatives.

This Council further believes that the Government's proposals giving the Mayor greater powers over planning and housing will erode the role of boroughs' planning and development control committees in making decisions about what is built locally, will reduce the extent to which local people can influence what is built in their own neighbourhoods, and will see planning decisions imposed on communities by the Mayor of London.

This Council resolves to:

- (a) make representations about its concerns and opposition to the Government's proposal to grant further powers to the Mayor in the formal consultation process;
- (b) write to the local MPs and GLA member to ask them to raise these concerns in Parliament and at the London Assembly; and
- (c) work with the other London Boroughs through the ALG in lobbying against these proposals."

RESOLVED:

THAT THE MOTION APPEARING AT ITEM 14(1) ON THE SUMMONS BE ADOPTED, AS SET OUT AT (iii) ABOVE.

[Note: Councillors Ms Nana Asante, Mrinal Choudhury, Bob Currie, Mrs Margaret Davine, Mano Dharmarajah, Keith Ferry, Archie Foulds, B E Gate, David Gawn, Mitzi Green, Graham Henson, Thaya Idaikkadar, Nizam Ismail, Dhirajlal Lavingia, Jerry Miles, Phillip O'Dell, Asad Omar, David Perry, Raj Ray, Navin Shah, Mrs Rekha Shah, Bill Stephenson, Mrs Sasi Suresh and Keeki Thammaiah wished to be recorded as having voted against the above Motion].

74. MOTION AT ITEM 14(2): PROTECTION OF LOCALLY LISTED BUILDINGS:

- (i) Councillor B E Gate moved and Councillor Navin Shah seconded the Motion at Item 14(2) of the Summons.
- (ii) Following debate and upon a vote the Motion was not carried.

RESOLVED:

THAT THE MOTION AT ITEM 14(2) ON THE SUMMONS BE NOT ADOPTED.

75. MOTION AT 14(3): CUTS IN SOCIAL CARE SERVICES:

- (i) Councillor Mrs Margaret Davine moved and Councillor Bill Stephenson seconded the Motion at Item 14(3) of the Summons.
- (ii) Councillor Eric Silver moved and Councillor Chris Mote seconded the following amendment which after debate and upon a vote was carried:-

“After the words, “effective Council”, to delete all the remaining wording to the end of the original Motion.

To substitute for the deleted wording the following new words:-

“: due to the parlous state left by the Labour administration drastic measures had to be taken, otherwise the Council would have run out of money this month, to enable us to achieve the first paragraph’s stated aim. We did not flinch from taking decisions, which if taken during the last eight years would not have necessitated these measures.” ”

- (iii) The Council was deemed to have adopted the substantive Motion, as amended, in the following full form:-

“The current administration’s declared wish “to become a borough loved by its residents”, who will be supported by a “caring and effective Council”: due to the parlous state left by the Labour administration drastic measures had to be taken, otherwise the Council would have run out of money this month, to enable us to achieve the first paragraph’s stated aim. We did not flinch from taking decisions, which if taken during the last eight years would not have necessitated these measures.”

RESOLVED:

THAT THE SUBSTANTIVE MOTION, AS AMENDED, BE ADOPTED AS SET OUT AT (iii) ABOVE.

76. PROCEDURE FOR THE TERMINATION OF THE MEETING:

- (i) At 10.20 pm, during the debate on Item 14(3) above, a procedural motion under the provisions of Rule 10.2 (ii) was agreed for the closure time of the Council meeting to be extended by 15 minutes, from 10.30 pm to 10.45 pm, to allow more time for debate on the remaining Motions.
- (ii) At 10.40 pm, during the debate on the following item 14(4), a procedural motion under the provisions of Rule 10.2 (ii) was moved by Councillor Navin Shah for the closure time of the Council meeting to be extended further by 15 minutes, from 10.45 pm to 11.00 pm.

Upon a formal vote this proposal was not agreed.

- (iii) At 10.45 pm, in the course of the consideration of Item 14(4), the Mayor advised that the “guillotine” procedure had come into operation for the determination of the remaining business on the Summons.

RESOLVED:

THAT THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2 BE APPLIED, AS SET OUT AT (i), (ii) AND (iii) ABOVE.

77. MOTION AT ITEM 14(4): ACCOUNTABLE SCRUTINY:

- (i) Councillor B E Gate moved and Councillor Navin Shah seconded the Motion at Item 14(4) of the Summons.
- (ii) Following debate and upon a vote the Motion was not carried.

RESOLVED:

THAT THE MOTION AT ITEM 14(4) ON THE SUMMONS BE NOT ADOPTED.

78. MOTION AT ITEM 14(5): OVERVIEW AND SCRUTINY:

- (i) Councillor Mitzi Green moved and Councillor B E Gate seconded the Motion at Item 14(5) of the Summons,
- (ii) Upon a vote the Motion was not carried.

RESOLVED:

THAT THE MOTION AT ITEM 14(5) ON THE SUMMONS BE NOT ADOPTED.

79. MOTION AT ITEM 14(6): REVISIONS OF THE COMMITTEE STRUCTURE AND EXECUTIVE ARRANGEMENTS:

- (i) Councillor Chris Mote moved and Councillor David Ashton seconded the Motion at Item 14(6) of the Summons.
- (ii) Councillor Navin Shah moved and Councillor Thaya Idaikkadar seconded the following amendment which was not carried:-

“To effect the following changes to the numbered paragraphs of the original Motion:-

- (5) Delete all and substitute the following wording:-

“so as to preserve transparency and current good practice Council agrees to appoint non-executive member(s) of Council as Chair(s) of the Strategic Planning Committee and the Development Management Committee. Accordingly a separate amendment for non-executive Chair(s) to be moved and agreed at Council.”

- (6) Delete “6.30 pm” and substitute “7.30 pm”.

- (8) Delete “Councillor Mrs Bath” and substitute “Councillor Navin Shah”.

Add “To have arrangements for another seat on the Cabinet to be made available for a Councillor from the major opposition party.”

- (9) Amend the Portfolio Holder roles to allow for (8) above.

Add a new paragraph, as follows:-

“(10) Agree that the Strategic Planning and Development Management Committees should observe coffee breaks and that refreshments should be made available to the members of these committees and members of public awaiting decisions.”

- (iii) Upon a vote, the original Motion was carried in the following terms:-

“That the Council

- (1) Delete the Development Control Committee and establish a Strategic Planning Committee and a Development Management Committee and approve their terms of reference, in an appendix;
- (2) Determine the size of the two new Committees at a membership of eight;
- (3) Note the proportional entitlement of the political groups to seats on those Committees (Conservative 5: Labour 3) (as notified in advance to all the political groups);

- (4) Appoint the memberships of the two new Committees and make such changes to other Committees of the Council as have now arisen (including two previously pending changes on the Overview and Scrutiny Committee) (completed membership lists from the political groups to be available for agreement at the Council);
 - (5) Appoint Councillor Marilyn Ashton as Chairman of the Strategic Planning Committee and of the Development Management Committee;
 - (6) Agree a variation of the relevant Committee Rules in the Constitution to provide for a start time of 6.30 pm and to restrict the “guillotine” provisions to a latest finish time of 11.00 pm for both the Strategic Planning Committee and the Development Management Committee (the revised form of the relevant Rules is attached for adoption);
 - (7) Agree to increase the size of the Cabinet by one to ten (inclusive of the Leader and Deputy Leader);
 - (8) Agree to appoint Councillor Mrs Bath to the additional Cabinet seat;
 - (9) Agree revised Portfolio Holder roles, in an appendix.”
- (iv) In adopting the above Motion Council also received and approved the following documents arising from the relevant paragraph(s) as enclosed with the Summons or the Supplemental Summons:-

- “(1) Terms of Reference for the Strategic Planning Committee and the Development Management Committee’: Appendix 1 to these Minutes.
- “(4) Memberships of the newly established Committees and revised memberships for the Cabinet and the Overview and Scrutiny Committee” : Appendix 2 to these Minutes.
- “(6) Variations to Committee Procedure Rules 10 and 15”: Appendix 3 to these Minutes.
- “(9) Revised Portfolio Holder Roles”: Appendix 4 to these Minutes.

[Note: In addition Council received in the tabled documents and noted, further to paragraph (1) of the Motion, the revised Calendar arrangements to accommodate the two newly established Planning Committees, utilising the existing dates for meetings of the deleted Development Control Committee. These are confirmed in Appendix 5 to these Minutes].

RESOLVED:

(1) THAT THE MOTION APPEARING AT ITEM 14(6) ON THE SUMMONS, AS SET OUT AT (iii) ABOVE BE ADOPTED;

(2) THAT THE CONSEQUENTIAL REVISIONS TO TERMS OF REFERENCE, MEMBERSHIPS, COMMITTEE RULES, PORTFOLIO HOLDER ROLES AND CALENDAR ARRANGEMENTS BE AGREED, AS SET OUT IN APPENDICES 1 TO 5 OF THESE MINUTES.

80. MEMBERS' ALLOWANCES SCHEME - VARIATIONS:

- (i) Further to the content of Item 15 on the Summons, Councillor Bill Stephenson moved and Councillor Navin Shah seconded the following proposal, as an amendment, which was not carried:-

“To add parts (3) and (4), as below:

- (3) In light of the proposal to replace the Development Control Committee by two smaller committees the Strategic Planning Committee (SPC) and the Development Management Committee

(DMC) and also in the light of the ever-increasing (i) burden, (ii) number of meetings, (iii) the time spent in meetings and in preparation for them and site visits, in connection with planning matter and each of these two new committees, Council resolves that all members of SPC and DMC should receive a Special Responsibility Allowance at level Band 3 (£1200 per annum).

(4) So as not to exceed the agreed budget for Members' allowances there should be a corresponding reduction in the allowances for executive members to accommodate all the other increases agreed at this Council."

- (ii) Upon a vote, the original proposed adjustments to the Members' Allowances Scheme (Schedule 1 Special Responsibility Allowances) were carried, as hereunder:-
- To apply an SRA Band 3 level payment (£1,200) (2006/07) to the Leader of the Liberal Democrat Group with effect from 25 August 2006, being the same as the Deputy Leader of the Labour Group.
 - To increase the number of Cabinet Members from seven to eight, qualifying for the SRA Band 9 level payment (£12,000) (2006/07).

RESOLVED:

THAT THE VARIATIONS IN SCHEDULE 1 TO THE MEMBERS' ALLOWANCES SCHEME BE AGREED, AS SET OUT AT (ii) ABOVE.

81. OUTSIDE BODY APPOINTMENTS:

- (i) The following proposed changes in the outside body appointments for the Municipal Year 2006/07, set out in the Summons and Supplemental Summons, were agreed by a consensus of the Council:-

Name of Body	Previous Appointment	Revised Appointment
LBH (b) Rail Liaison Meeting	Councillor Raj Ray	Councillor Jerry Miles
Harrow Weald Common Board of Conservators	Councillor Anthony Seymour	Councillor Paul Scott
North West London Valuation Tribunal	Mr J Branch until December 2006	Mr J Branch until December 2007

- (ii) An additional change was identified (from the report noted at Resolution 83(i) below) and agreed at the Council meeting as follows:-

Name of Body	Previous Appointment	Revised Appointment
Greater London Employment Forum (ALG)	Vacancy (Deputy) (Originally Councillor John Anderson)	Councillor Salim Miah

RESOLVED:

THAT THE REVISED APPOINTMENTS AT (i) AND (ii) ABOVE BE AGREED FOR THE REPRESENTATION ON OUTSIDE BODIES 2006/07.

82. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND USE OF THE SPECIAL URGENCY PROCEDURE:

In accordance with the Council's Overview and Scrutiny Procedure Rules as set out in Part 4 of the Constitution, the Meeting received a report at Item 17 of the Summons regarding decisions taken as a matter of urgency by Portfolio Holders, the Leader of the Council and the Cabinet.

RESOLVED:

THAT THE URGENT DECISIONS TAKEN BY PORTFOLIO HOLDERS, THE LEADER OF THE COUNCIL AND THE CABINET, AS NOW REPORTED, BE NOTED.

83. URGENT DECISIONS TAKEN ON MATTERS RESERVED TO THE COUNCIL:

The Council received confirmation of urgent decisions on matters reserved to Council which had been the subject of consultations with the Leaders of the political groups and agreed on behalf of the Council.

- (i) **Outside Body Appointments 2006/07**
[These revised appointments had been agreed in July 2006 but had not previously been advised to a Council Meeting].
- (ii) **Absence Cover (Chief Executive post)**
- (iii) **Re-Establishment of the Education Appeals Panel for 2006/07 Academic Year**

RESOLVED:

THAT THE DECISIONS TAKEN UNDER DELEGATED AUTHORITY ON BEHALF OF THE COUNCIL, AS NOW REPORTED AT (i), (ii) AND (iii) ABOVE, BE NOTED.

84. EXTRAORDINARY COUNCIL - DECEMBER 2006:

Further to the decision at Resolution 53 (13 July 2006) to hold a Council Meeting in December 2006, to receive and agree the Authority's Gambling Policy, it was

RESOLVED:

THAT THE EXTRAORDINARY COUNCIL MEETING BE HELD ON MONDAY 11 DECEMBER 2006, COMMENCING AT 7.00 PM.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 10.50 pm).

APPENDIX 1**STRATEGIC PLANNING COMMITTEE**

1. To exercise the functions of the Council as local planning authority under the Town and Country Planning Act 1990 and other planning and subordinate legislation with the exception that:
 - (a) the preparation, maintenance and updating of the Local Development Framework and
 - (b) the consideration of any policy matter concerning the planning of the Borough, including the development of major sites but not the determination of any planning application;shall be matters to be determined by the Cabinet.
2. To determine applications for certificates under section 17 of the Land Compensation Act 1961.
3. To consider and, if appropriate, serve Article 4 Directions removing permitted development rights in accordance with the Town and Country Planning General (Permitted Development) Order 1990.
4. All other functions relating to town and country planning and development control as set out in the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended) listed by Committee in the Schedule to this document.

Note: 'Major' development applications will normally be determined by the Strategic Planning Committee

DEVELOPMENT MANAGEMENT COMMITTEE

1. To exercise the functions of the Council as local planning authority under the Town and Country Planning Act 1990 and other planning and subordinate legislation with the exception that:
 - (a) the preparation, maintenance and updating of the Local Development Framework and
 - (b) the consideration of any policy matter concerning the planning of the Borough, including the development of major sites but not the determination of any planning application;shall be matters to be determined by the Cabinet.
2. To determine and enforce Building Regulations.
3. To determine applications for certificates under section 17 of the Land Compensation Act 1961.
4. All other functions relating to town and country planning and development control as set out in the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended) listed by Committee in the Schedule to this document.

Note: All applications for planning permission with the exception of 'major' development will normally be dealt with by this Committee

APPENDIX 2

(OCTOBER 2006)

LONDON BOROUGH OF HARROW COMMITTEE MEMBERSHIPS 2006/2007

(Membership in order of political group nominations)

(I) CABINET (10)

Conservative

(9)

I.
Members

David Ashton (Deputy Leader)
Marilyn Ashton
Mrs Camilla Bath
Miss Christine Bednell
Mrs Kinnear
Chris Mote (CH) (Leader)
Janet Mote
Paul Osborn
Mrs Anjana Patel
Eric Silver

(II) DEVELOPMENT MANAGEMENT COMMITTEE (8)**Conservative****Labour****(5)****(3)****I.
Members****Marilyn Ashton (CH)
Don Billson
Manji Kara
Narinder Singh Mudhar
Joyce Nickolay****Mrinal Choudhury
Keith Ferry
Thaya Idaikkadar *****II.
Reserve
Members****1. Golam Chowdhury
2. Robert Benson
3. Dinesh Solanki
4. Julia Merison
1. Janet Cowan****1. David Gawn
2. Graham Henson
3. Rekha Shah****(CH)
(VC)****= Chair
= Vice-Chair***** Denotes Group Members for consultation on Delegated Action and/or administrative matters.****(III) STRATEGIC PLANNING COMMITTEE (8)****Conservative****Labour****(5)****(3)****I.
Members****Marilyn Ashton (CH)
Don Billson
Manji Kara
Narinder Singh Mudhar
Joyce Nickolay****Mrinal Choudhury
Keith Ferry
Thaya Idaikkadar *****II.
Reserve
Members****1. Golam Chowdhury
2. Robert Benson
3. Dinesh Solanki
4. Julia Merison
2. Janet Cowan****1. David Gawn
2. Graham Henson
3. Rekha Shah****(CH)
(VC)****= Chair
= Vice-Chair***** Denotes Group Members for consultation on Delegated Action and/or administrative matters.**

(V) OVERVIEW AND SCRUTINY COMMITTEE (11)

	<u>Conservative</u>	<u>Labour</u>	<u>Liberal Democrat</u>
	(6)	(4)	(1)
<u>I.</u> <u>Members</u>	Jean Lammiman (CH) Salim Miah Mrs Myra Michael Richard Romain Anthony Seymour Mark Versallion	B E Gate Mitzi Green (VC) Jerry Miles Mrs Rekha Shah	Christopher Noyce
<u>II.</u> <u>Reserve</u> <u>Members</u>	1. Dinesh Solanki 2. Julia Merison 3. Narinder Singh Mudhar 4. Vina Mithani 5. Jeremy Zeid 6. Yogesh Teli	1. Ms Nana Asante 2. Phillip O'Dell 3. Archie Foulds 4. Navin Shah	1. Paul Scott

[Note: The Chair of each of the four substantive Scrutiny Sub Committees is an ex officio member of the Overview and Scrutiny Committee].

(CH) = Chair
 (VC) = Vice-Chair
 * Denotes Group Members for consultation Delegated Action and/or on administrative matters.

APPENDIX 3**SECTION 4B: COMMITTEE RULES****ADOPTED VARIATIONS** (indicated in bold)

"10. Time and Place of Meetings

Meetings of Committees, sub committees and panels shall take place at the Civic Centre at 7.30 p.m. **(at 6.30 p.m. for meetings of the Strategic Planning Committee and of the Development Management Committee)**, or such other time as stated on the agenda for the meeting. Following consultation with the nominated Members, the Chair shall have the power to alter the venue, date and time if he/she believes it to be appropriate for the conduct of the business of the Committee, sub committee or panel."

"15. Duration of Meetings

15.1 Commencement and Closure

Meetings of Committees, sub committees and panels will commence at 7.30 p.m. **(6.30 p.m. for the Planning Committees – see Rule 10)**, or such other time as stated on the agenda, and close at 10.00 p.m., except as determined under Rule 15.2.

15.2 Varying the Closure Time

Meetings of Committees, sub committees or panels shall terminate in the manner set out in Rule 15.3 unless:

- (i) the business of the meeting has been completed before 10.00 p.m.; or
- (ii) by resolution passed before the closure time, the Committee, sub committee or panel resolves to extend the meeting beyond that time, in one of the following ways, which must be specified by resolution:
 - (a) to continue in the normal manner and complete the business remaining on the agenda; or
 - (b) to determine a later time by when the meeting must close and, if the business is not completed by that later time, resolve that it be then put to the vote without debate or deferred to another meeting, as appropriate.
 - (c) neither (a) nor (b) above shall be utilised in respect of meetings of the Strategic Planning Committee or of the Development Management Committee so as to extend these beyond a final closure time of 11.00 p.m.**

For the avoidance of doubt, a meeting may use the provisions within 15.2 (ii) (b) above more than once in any meeting, provided that the motion to extend the closure time is moved before the time for the closure of the meeting or before the end of the period by which the meeting has already been extended.

In considering whether (a) or (b) above are expedient, the Committee, sub committee or panel must have regard to not prejudicing third party rights or interests affected by the remaining business on the agenda."

APPENDIX 4**The Executive and Portfolio Holders**

The following persons are appointed to the Executive.

- The Leader of the Council, Councillor Chris Mote
- The Deputy Leader of the Council, Councillor David Ashton
- Councillor Marilyn Ashton
- Councillor Camilla Bath
- Councillor Christine Bednell
- Councillor Eileen Kinnear
- Councillor Janet Mote
- Councillor Paul Osborn
- Councillor Anjana Patel
- Councillor Eric Silver

Portfolio Holders

The following Executive Members have decision-making powers and are given the portfolios listed below:

<u>Executive Member</u>	<u>Name of Portfolio</u>
1. Councillor Chris Mote	Leader (Strategic Overview, External Affairs & Property)
2. Councillor David Ashton	Deputy Leader (Finance and Business Matters)
3. Councillor Marilyn Ashton	Planning, Development & Enterprise
4. Councillor Camilla Bath	Housing
5. Councillor Christine Bednell	Lifelong Learning, Cultural Services and Issues Facing Older People
6. Councillor Eileen Kinnear	Urban Living – Community Safety and Public Realm
7. Councillor Janet Mote	People First – Children’s Services
8. Councillor Paul Osborn	Legal Services and Issues Facing Young People
9. Councillor Anjana Patel	Community Development
10. Councillor Eric Silver	Adult Community Care Services and Issues Facing People with Special Needs

**TERMS OF REFERENCE AND DELEGATION OF
DUTIES TO THE CABINET, PORTFOLIO HOLDERS, ADVISORY PANELS AND
CONSULTATIVE FORUMS**

THE EXECUTIVE (CABINET)

Responsibility of the Cabinet

The Executive as a whole will have responsibility for the following functions:

- (a) The development of proposals for the budget (including the capital and revenue budgets the fixing of the Council Tax Base, and the level of council tax) and the financial strategy for the Council;
- (b) The monitoring of the implementation of the budget and financial strategy;
- (c) To recommend major new policies (and amendments to existing policies) to the Council for approval as part of the Council's Policy Framework and implement those approved by Council;
- (d) To prepare and agree other policies and plans for implementation by Portfolio Holders and others (e.g. HR Strategy, Housing Investment Programme);
- (e) The approval of the Service Review programme and of the implementation plans emerging from those reviews;
- (f) The approval and management of the Council's Capital Programme/Capital Strategy;
- (g) The making of appointments to outside bodies;
- (h) All other key decisions – namely:
 - a decision which is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
 - is likely to be significant in terms of its effects on communities living or working in an area of two or more wards of the Borough;
- (i) The award of contracts over £500,000 and all matters reserved to the Executive under the Contract Procedure Rules;
- (j) All decisions, which are expected to result in variations to, agreed revenue or capital budgets;
- (k) Agreement to all virements between budgets within the permissible limits set by the Budget and Policy Framework Rules;
- (l) To determine all non-key decisions which fall outside the current Executive policy or agreed Executive guidelines;

- (m) To determine all non-key decisions referred to the Executive by the relevant Portfolio Holder;
- (l) To determine all recommendations and references from the Council or any of its Committees or sub-committees and which the Executive considers are appropriate for collective decision;
- (o) The approval of HRA Rents;
- (p) Quarterly to act as the Partnership Board overseeing strategic performance issues.

Role and Areas of Responsibility of Portfolio Holders

General Responsibilities

- (a) All Portfolio Holders have the general responsibility of ensuring the effective management and delivery of executive functions within their area of responsibility and within the following framework:
 - the Council's overall strategic, corporate and policy objectives and all statutory and other plans and strategies approved by the Council
 - the statutory and local obligation to ensure Best Value
 - the approved revenue and capital budgets
 - the law and the Council's Constitution
 - the decisions made at full meetings of the Cabinet.
- (b) All Portfolio Holders share the responsibility for ensuring:
 - the development, co-ordination, promotion and implementation of the Council's statutory plans and strategies and for the setting of the Council's objectives.
 - the oversight, development, monitoring and promotion of all executive services provided by the Council within the appropriate performance management framework.
 - that suitable and proper arrangements are made for the procurement, development, monitoring and promotion of all services relating to executive functions, which are provided under contract to the Council.
 - the promotion of the interests of the Borough, and of all the residents, businesses, other organisations and stakeholders within Harrow.
 - that a community leadership role is taken by the Council across the public, voluntary and business sectors involving the development of good and effective working links with all sectors.
 - the promotion and implementation of an effective equal opportunity policy in relation both to the employment of staff by the Council and the delivery of services by the Council and other agencies.

- the promotion of services which are sustainable, improve community safety, make for more open government and include new methods of community engagement.
- proper arrangements for consultation and participation with residents and service users in decision making and the development of key statutory plans and local community plans.

**The Leader of the Council and
Portfolio Holder for Strategic Overview, External Affairs & Property**

The Leader of the Council shall have the following responsibilities:

(A) Corporate Matters

- When present to chair meetings of the Executive;
- Lead the development and implementation of the Council's statutory and other plans and strategies including:
 - the Council's corporate priorities, corporate plan and objectives,
 - the needs of the Borough and local communities on matters of comprehensive, corporate and strategic importance,
 - the Council's overall performance
- Oversee the allocation of resources to implement the Council's plans and strategies and to meet the Council's objectives;
- Take responsibility for the review of the pay and conditions of Chief Officers;
- Liaise on behalf of the Council with Government Departments, the Greater London Authority and other local and public bodies;
- Respond to Central Government, the Greater London Authority and Local Authority Associations' consultation exercises and to requests for information and to any other consultation papers and to request for information.

(B) Legal Services

Jointly with the Portfolio Holder for Issues Facing Young People to:

- Oversee the arrangements and overall budgets of the Members' Secretariats;
- Oversee the conduct of litigation by or against the Council, and major contracts entered into by the authority;
- Make proposals for the appointment of Councillors or other persons on outside bodies as representatives of the Council;
- Make proposals to Council for the setting of the levels of Councillor allowances and expenses;

Communications

- Oversee the arrangements for the marketing and promotion of Harrow and for meeting the local and national press, television and radio;
- Liaise with the Manager of the Communications on the content of the Borough publications and electronic communications

(C) Corporate Governance

- Oversee the programme for Member development;
- Keep under review and make proposals for changes to the Constitution;
- Oversee the arrangements for all civic and ceremonial matters.

(D) Property

- To maintain an overview of and develop a strategy for the management of the Council's property portfolio;
- To authorise the acquisitions or disposals of any interests in land holdings up to the value of £250k other than disposal at less than best consideration or to make any decision or otherwise respond to any request in relation to the Council's interests in land.

**The Deputy Leader of the Council and
Portfolio Holder for Finance and Business Matters**

The Deputy Leader of the Council shall have overall responsibility for:

(A) Corporate Matters

- Undertaking the responsibilities and delegated powers of the Leader of the Council, to the extent permitted by the Constitution, in the absence of the Leader;
- The chairing of meetings of the Executive in the absence of the Leader of the Council.

(B) Financial And Business Strategy

- With the Leader, to develop and maintain a coherent, sustainable financial strategy for Harrow;
- Ensure that the development of proposals for and consultation on the Annual budget takes place within the requirements of the Budget and Policy Framework Rules and good corporate governance practice;
- To overview the development of clear systems and structures for budget development, management and monitoring;
- Bring forward proposals for the annual review of charges made by the Council;

- Ensure procedures for virement within budgets are updated as appropriate and followed at Member and officer level;
- Evaluate the financial procedures of the Council and recommend improvements;
- Ensure that the Council has effective risk management and internal control systems and processes in place;
- Lead on health and safety matters;
- Develop the Council's procurement strategies and support of and interactions with local businesses;
- Overseeing the corporate framework for the allocation of all grants aid and other forms of funding;
- Emergency planning.

(C) People Performance And Policy

- Develop and oversee the Council's response to Service Reviews and ensure that council services demonstrate continuous improvements, and propose the annual programme of Service Reviews;
- Monitor the programme of Service Reviews and the subsequent implementation plans;
- To overview the Council's approach to the Local Area Agreement;
- Oversee the management processes of the Council and to keep under review the management structure of the Council, in order to ensure their effective contribution to the provision of effective and high quality services;
- Work closely with Overview and Scrutiny Committees to ensure continuous improvement in Harrow services;
- To oversee the development of staff learning and development;
- Lead on all human resources matters including employee consultation, equal opportunities in relation to employees of the Council;
- Ensure the development and maintenance of a coherent human resources strategy for the Council and its workforce;
- Promote a corporate framework for performance management and service planning and to keep the framework under review;
- To overview the Council's approach to comprehensive performance assessment and other performance related initiatives;
- To make reports to the Executive on the performance of services;
- Developing and implementing the Community Strategy;

- To lead on all matters relating to the Harrow Strategic Partnership and Stakeholder Forums in the context of the Local Strategic Partnership;
- Developing partnerships and working arrangements with other agencies and service providers to produce beneficial outcomes for people living, working and visiting Harrow;

(D) Business Transformation Partnership & IT and Access Harrow

- To oversee all matters relating to the Transformation Partnership;
- Oversee the implementation of e-government.

(E) Business Services

- Ensure that the Council has effective procedures for the recovery of all income owed to it and payment of its creditors;
- Ensure the effective administration of Housing Benefits, Council Tax and National Non-Domestic Rate.

Portfolio Holder for Planning, Development and Enterprise

Planning Development and Strategy

- To be responsible for the development and delivery of the Council's planning, economic development and regeneration functions, including:
 - The preparation and implementation of the Local Development Framework;
 - The preparation and implementation of the Economic Development Strategy;
 - The preparation and implementation of the Town Centre Development Strategy;
 - The preparation and implementation of the Town Centre Management Strategy;
 - Site specific and area based development and regeneration proposals and initiatives;
 - To oversee the performance of the Planning and Building Control services in relation to national targets;
 - To ensure that all aspects of the services' work involves appropriate and effective community engagement.
- Act as the Member level 'Design and Heritage Champion' for the Authority

Portfolio Holder for Housing

- To be responsible for the development and delivery of the Council's housing services, including:
 - accommodation provision for households in need, through Council provision or in consort with Housing Associations and developers;
 - temporary accommodation for those in urgent need or who are homeless;
 - management of Council housing stock, shops, garages and making proposals for rental charges;
- To oversee the development and implementation of policies and strategies for the provision and improvement of housing in the Borough;
- The maintenance and improvement of the Council's housing stock;
- Jointly with other Portfolio Holders to develop a strategy for social inclusion by identifying strategies to support social inclusion in the provision of local housing;
- The development and delivery of services to Council tenants;
- Promotions of satisfactory standards in housing accommodation in the private sector and enforcement actions as appropriate;
- Proposals for the assessment of future housing needs within the Borough.

Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People**(A) Lifelong Learning and Cultural Services**

- To oversee the provision of the following Group services:
 - Sports and Culture Services
 - Community and Area Development Services
 - Lifelong Learning Services
 - Library Services
- To develop, promote and implement policies and actions for the provision of the following service areas:
 - Adult and Community Learning
 - Sports & Leisure
 - Arts
 - Music
 - Teacher's Centre
 - Extended/Community Schools
 - Family Learning
 - Voluntary/community/faith sector development
 - Community events
 - Area based initiatives
 - Housebound and Schools library service

- Work Experience and Business Partnership
- To oversee the monitoring, development and inspection of the Council's Cultural Services (as defined by CPA), namely:
 - Sports & Leisure
 - Arts
 - Music
 - Libraries
 - Tourism
 - Heritage
 - Parks & Open Spaces
- To ensure that development and maintenance of positive links and partnerships with local agencies, organisations and businesses to support the delivery of these services;
- To ensure that the statutory responsibility for the provision of a Library Service is maintained;
- To oversee the promotion and development of positive links, joint working arrangements and partnerships with the voluntary, community and faith sectors, reflecting the full diversity of the borough;
- To oversee the monitoring & development of major Service Level Agreements with key external delivery agencies including:
 - Arts Culture Harrow
 - Leisure Connections
 - Harrow Young Musicians

(B) Issues Facing Older People

General Responsibilities

- To act as the Member champion for older people;
- Challenging all services to respond effectively to the needs of older people;
- Work with other Portfolio Holders in the development of strategies and policies for older people;
- Leading on the Council's engagement with older people;
- Ensuring the Council manages performance in and delivery of Value for Money in its services to older people;
- Representing the Council as appropriate with partners including voluntary and community organisations, businesses, public services;
- Work with other Portfolio Holders on the preparation for inspections and external assessments which focus on the whole Council's services to older people;
- Ensuring the Council is an attractive employer for older people;

- Ensuring the vision the Borough in its Community Strategy and other key strategies considers the needs of older people;
- Ensuring the needs of older people are considered in the Council's communication and marketing activity;
- Work with other Portfolio Holders and the Overview & Scrutiny Committee and its Sub-committee in all activities to ensure the Council have an integrated programme of work relating to older people;
- Lead service reviews to ensure continuous improvement of the Council's services for older people.

Specific Responsibilities

- To have an overview of Older Person's Reference Group (HSP)

Portfolio Holder for Urban Living – Community Safety and Public Realm

(A) Community Safety

- The development of the Council's response to crime, substance abuse and associated issues and the maintenance of good working relationships with other agencies to secure safe living and working environment within the Borough;
- The development, oversight and implementation of policies and strategies and the monitoring of environmental and public protection services including:
 - environmental and health promotion;
 - consumer advice and trading standards;
 - food, health and hygiene;
 - noise and other forms of pollution;
 - cemeteries and crematorium.

(B) Public Realm Infrastructure

- To oversee the development and maintenance of positive links and partnerships with local environment and transport agencies, other organisations and businesses to improve the environment and transport services within Harrow;
- To ensure the effective and efficient organisation, management and sustainable use of resources under the environment and transport portfolio;
- To develop and implement policies relating to Highways, traffic management, transport and road safety;

(C) Public Realm Services

- The development, oversight and implementation of policies and strategies and the monitoring of the following services:
 - Environmental maintenance and cleansing including waste collection and disposal;
 - Services provided by the Council's Direct Service Organisation;

- Town Centres, street environment and street trading.

(D) Urban Living Strategy

- To further the objectives of Agenda 21;
- To oversee the development and review of strategies and plans relevant to the Urban Living – Public Realm portfolio;
- Jointly with other Portfolio Holders to link social inclusion objectives to regeneration and other corporate and communities strategies.

Portfolio Holder For People First - Children's Services

(A) Children's Services

- To be the lead member for Children's Services;
- To support education strategies addressing education achievement and attendance and exclusion issues;
- To oversee the performance of Children's Services in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of the Commission for Social Care Inspectorate;
- To oversee consultation, liaison or other partnership arrangements on education matters with the School Organisation Committee, the Standing Advisory Committee on Religious Education, staff, parents, governing bodies, pupils, Government Departments, unions and other interested parties;
- To oversee and promote the corporate parenting responsibilities of the whole Council for children looked after;
- Commissioning responsibilities with Health for:
 - Child and Adolescent Mental Health Services
- To oversee the provision of the following services:
 - Achievement and Inclusion Services
 - Youth Services
 - Early Years & Childcare Services (in conjunction with the Early Years Development and Childcare Partnership).
 - Student Support
 - Education Support Services
 - Governor Support
 - Special Educational Needs
- The direct provision for Children's Services including children's safeguarding;
- Jointly with other Portfolio Holders to develop a strategy for social inclusion by assessing and identifying strategies to address education achievement, attendance and exclusion issue;

- To oversee the development and review of the Children and Young Persons Plan

(B) People First Strategy

To develop, promote and implement policies, strategies and procedural arrangements for the provision of the following functions:

- education in schools including SEN
- youth and connexions services
- early years and childcare services (in conjunction with the Early Years Development and Childcare Partnership)
- To ensure that development and maintenance of positive links and partnerships with local agencies, organisations and businesses to support the delivery of these services.
- The development and implementation of policies, strategies and procedural arrangements in line with statutory requirements for the provision of the Council's social services functions;
- To oversee and monitor the development and provision of health services with health service bodies and community and voluntary organisations;
- To oversee the commissioning and contracting arrangements for the provision of services within the service and also jointly with other partner agencies.
- To oversee the regulating and inspection functions.

Portfolio Holder for Legal Services and Issues Facing Young People

(A) Legal Services

Jointly with the Portfolio Holder for Strategic Overview and External Affairs to:

- Oversee the arrangements and overall budgets of the Members' Secretariats;
- Oversee the conduct of litigation by or against the Council, and major contracts entered into by the authority;
- Make proposals for the appointment of Councillors or other persons on outside bodies as representatives of the Council;
- Make proposals to Council for the setting of the levels of Councillor allowances and expenses;

Communications

- Oversee the arrangements for the marketing and promotion of Harrow and for meeting the local and national press, television and radio;
- Liaise with the Manager of the Communications on the content of the Borough publications and electronic communications

(B) Issues Facing Young People**General Responsibilities**

- To act as the Member champion for younger people;
- Work with other Portfolio Holders on developing strategies and policies for younger people;
- Challenging all services to respond effectively to the needs of younger people;
- Leading on the Council's engagement with younger people;
- Ensuring the Council manages performance in and delivery of Value for Money in its services to younger people;
- Representing the Council as appropriate with partners including voluntary and community organisations, businesses, public services;
- Work with other Portfolio Holders on the preparation for inspections and external assessments which focus on the whole Council's services to younger people;
- Ensuring the Council is an attractive employer for younger people;
- Ensuring the vision the Borough in its Community Strategy and other key strategies considers the needs of younger people;
- Ensuring the needs of younger people are considered in the Council's communication and marketing activity;
- Work with other Portfolio Holders and the Overview & Scrutiny Committee and its Sub-committee in all activities to ensure the Council have an integrated programme of work relating to younger people;
- Work with other Portfolio Holders on service reviews to ensure continuous improvement of the Council's services for younger people.

Specific Responsibilities

- Work with other Portfolio Holders on the development and review of Children and Young Person's Plan

Portfolio Holder for Community Development**(A) General Responsibilities**

- To act as the Member champion for community equality;
- Work with other Portfolio Holders on developing strategies and policies for community equality;
- Challenging all services to respond effectively to the needs of the community;

- Leading on the Council's engagement with the community;
- Ensuring the Council manages performance in and delivery of Value for Money in its services to the community;
- Representing the Council as appropriate with partners including voluntary and community organisations, businesses, public services;
- Work with other Portfolio Holders on the preparation for inspections and external assessments which focus on the whole Council's services to the community;
- Ensuring the vision the Borough in its Community Strategy and other key strategies considers the needs of the entire community;
- Ensuring the needs of the community are considered in the Council's communication and marketing activity;
- Work with other Portfolio Holders and the Overview & Scrutiny Committee and its Sub-committee in all activities to ensure the Council have an integrated programme of work relation to the community;
- Work with other Portfolio Holders service reviews to ensure continuous improvement of the Council's services to the community.

(B) Specific Responsibilities

- Taking the lead within the Executive in promoting and developing the Authority's equal opportunities policies;
- To develop and monitor with other Portfolio Holders the equalities impact charges;
- To promote good community relations within the Borough;
- Jointly with other Portfolio Holders to develop a strategy for social inclusion by:
 - Auditing the public's need for advice and identifying gaps in the provision;
 - Assessing the effectiveness of anti-poverty strategies and preparing strategies to address shortfall;
 - Developing a holistic social inclusion strategy;
- To oversee the support for and operation of key community fora:
 - Cultural Strategy Forum
 - Black History Month (as part of Harrow Culture Month)
 - Community Cohesion Management Group
 - Harrow Earthquake Relief Action Group
- The oversee the promotion, development and co-ordination of community development with other Portfolio Holders, promoting good community relations within the Borough, strengthening community cohesion.

Portfolio Holder for Adult Community Care Services and Issues Facing People with Special Needs

(A) Adult Community Care Services

- To be the lead member for Adult Community Care Services;
- To oversee the performance of Community Care Services in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of the Commission for Social Care Inspectorate;
- To oversee the protection of vulnerable adults;
- To oversee the development and implementation of Supporting People;
- The direct provision for Community Care Services;
- Commissioning responsibilities with Health for:
 - Mental Health Services
 - Learning Disability Services
 - Older People and Physical, Sensory and Disability Services
 - Carers

(B) Issues Facing People with Special Needs

General Responsibilities

- To act as the Member champion for people with special needs;
- Work with all Portfolio Holders on developing strategies and policies for people with special needs;
- Challenging all services to respond effectively to the needs of the people with special needs;
- Leading on the Council's engagement with people with special needs;
- Ensuring the Council manages performance in and delivery of Value for Money in its services to people with special needs;
- Representing the Council as appropriate with partners including voluntary and community organisations, businesses, public services;
- Work with other Portfolio Holders on the preparation for inspections and external assessments which focus on the whole Council's services to people with special needs;
- Ensuring the vision the Borough in its Community Strategy and other key strategies considers the needs of the people with special needs;
- Ensuring the needs of the community are considered in the Council's communication and marketing activity;

- Work with other Portfolio Holders and the Overview & Scrutiny Committee and its Sub-committee in all activities to ensure the Council have an integrated programme of work in relation to people with special needs;
- Work with other Portfolio Holders on service reviews to ensure continuous improvement of the Council's services to people with special needs.

Specific Responsibilities

- Ensure the Council has effective arrangements to promote the take-up of welfare benefits across the Borough;
- Work with other Portfolio Holders to overview the work of the Council with its learning disability and physical disability partners;

APPENDIX 5**COUNCIL – 19 OCTOBER 2006****REVISED CALENDAR ARRANGEMENTS – PLANNING COMMITTEES**

Following the establishment by the Council of the two new Planning Committees the following revised meeting arrangements apply, utilising the dates already provided in the Calendar for the former Development Control Committee.

DATE	COMMITTEE	
8 NOVEMBER 2006	STRATEGIC PLANNING	
23 NOVEMBER 2006		DEVELOPMENT MANAGEMENT
6 DECEMBER 2006	STRATEGIC PLANNING	
13 DECEMBER 2006		DEVELOPMENT MANAGEMENT
10 JANUARY 2007	STRATEGIC PLANNING	
25 JANUARY 2007		DEVELOPMENT MANAGEMENT
7 FEBRUARY 2007	STRATEGIC PLANNING	
28 FEBRUARY 2007		DEVELOPMENT MANAGEMENT
14 MARCH 2007	STRATEGIC PLANNING	
29 MARCH 2007		DEVELOPMENT MANAGEMENT
18 APRIL 2007	STRATEGIC PLANNING	

These arrangements will be submitted to the Planning Committees for their endorsement.

