

2007 – 2008  
August/September 2007  
Volume 4



**CABINET  
AND  
COUNCIL  
MINUTES**



**CABINET AND COUNCIL MINUTE BOOK**  
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COUNCIL  
AND  
COUNCIL  
COMMITTEES



AUDIT  
COMMITTEE



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**REPORT OF AUDIT COMMITTEE**

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**(SPECIAL) MEETING HELD ON 3 SEPTEMBER 2007**

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Chairman: \* Councillor John Cowan

Councillors: \* Archie Foulds \* Richard Romain  
\* Thaya Idaikkadar \* Stanley Sheinwald

\* Denotes Member present

**PART I - RECOMMENDATIONS**

**RECOMMENDATION I - Changes to Name and Terms of Reference of Audit Committee**

The Committee considered a report of the Corporate Director (Finance), setting out proposed changes to the Committee's name, terms of reference and membership.

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

That (1) the Audit Committee become the Governance, Audit and Risk Management Committee;

(2) the terms of reference as set out at Appendix 2 to the report of the Corporate Director (Finance) be adopted;

(3) the Committee's membership be increased to eight.

**PART II - MINUTES**78. **Attendance by Reserve Members:**

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

79. **Declarations of Interest:**

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

80. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following 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>
21. Statement of Accounts 2006/2007	This report was not available at the time the main agenda was printed and circulated. Severe delays, as set out in the report, contributed to lateness in preparing the annual accounts under the new Statement of Recommended Practice (SORP) requirements. Members were asked to consider the Statement of Accounts 2006/2007, as a matter of urgency, in order to comply with the Accounts and Audit Regulations 2003, which required consideration and approval of the annual accounts by 30 June.

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

81. **Minutes:**

**RESOLVED:** That the minutes of the meetings held on 29 March 2007 and 26 June 2007 be deferred until the next Ordinary meeting of the Committee.

82. **Deputations:**

**RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

83. **Statement of Accounts 2006-2007:**

The Committee considered a report of the Corporate Director (Finance), setting out the key changes made to the draft Statement of Accounts 2006-2007 since the last meeting of the Committee on 26 June 2007. Members noted that the accounts were currently being audited. During the audit process a number of queries had been raised and resolved, with a dozen or so remaining outstanding. Members questioned the auditors, who were in attendance, on the methodology and framework of the audit and the significance of the outstanding issues.

**RESOLVED:** That the key changes to the draft Statement of Accounts 2006-2007 be noted.

84. **Statement of Internal Control Process:**

The Committee considered a report of the Corporate Director (Finance), setting out the process of preparing the Statement of Internal Control (SIC) for 2006-2007.

**RESOLVED:** That the process undertaken be noted.

85. **Name of Committee and Terms of Reference:**

(See Recommendation I).

(Note: The meeting, having commenced at 7.33 pm, closed at 8.05 pm).

(Signed) COUNCILLOR JOHN COWAN  
Chairman

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**REPORT OF AUDIT COMMITTEE**


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**MEETING HELD ON 24 SEPTEMBER 2007**


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Chairman: \* Councillor John Cowan

Councillors: \* Archie Foulds \* Richard Romain  
\* Thaya Idaikkadar \* Stanley Sheinwald

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL**

**PART II - MINUTES**

86. **Attendance by Reserve Members:**

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

87. **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.

88. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
12. Amber and Green Audit Reports	This report was considered to contain exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

89. **Minutes:**

**RESOLVED:** That (1) the minutes of the meetings held on 29 March 2007 and 26 June 2007 be taken as read and signed as a correct record;

(2) the minutes of the special meeting held on 3 September 2007 be deferred until printed in the Council Bound Minute Volume.

90. **Public Questions:**

**RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.

91. **Petitions:**

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

92. **Deputations:**

**RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

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

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

94. **Statement of Accounts 2006-2007:**

The Committee received a report of the Corporate Director (Finance), setting out changes to the Statement of Accounts 2006-2007. The officer reported that none of the changes affected balances going forward. In view of the difficulties experienced in the past year and the steps taken to move forward, the officer was disappointed at the qualification expressed in the auditors' report in relation to the conclusion on the Council's value for money arrangements. After discussion, the auditors, who were in attendance, agreed to revise the wording, to be reviewed by the Chairman, Vice Chairman and the officer concerned.

The Chairman thanked the auditors, officers and Members for their work on completing the Statement of Accounts within the time constraints.

**RESOLVED:** To (1) note the changes to the Statement of Accounts 2006-2007;

(2) note the report of the External Auditor, to include revised wording in relation to the conclusion on the Council's value for money arrangements;

(3) approve the Accounts for 2006-2007.

95. **Final Internal Audit Opinion 2006-2007:**

The Committee received a report of the Corporate Director (Finance), setting out changes to the interim audit opinion, as reported in the Internal Audit Year-End Report for 2006-2007, to produce the final opinion as reported in the Statement on Internal Control for 2006-2007.

**RESOLVED:** To note the changes made.

96. **Amber and Green Audit Reports:**

The Committee received a confidential information report of the Corporate Director (Finance), updating Members on the current green and amber internal audit reports. The officer answered questions from a Member on:

- some of the differences between red and amber reports; and
- the distinction between agreeing and implementing recommendations.

The Committee agreed that it would be concerned at any failure to implement agreed actions.

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

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

(Signed) COUNCILLOR JOHN COWAN  
Chairman

DEVELOPMENT  
MANAGEMENT  
COMMITTEE



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**REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE**


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**MEETING HELD ON 6 SEPTEMBER 2007**


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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Don Billson \* Julia Merison  
 \* Mrinal Choudhury \* Narinder Singh Mudhar  
 \* Keith Ferry \* Joyce Nickolay  
 \* Thaya Idaikkadar

\* Denotes Member present

[Note: Councillor B E Gate also attended this meeting to speak on the item indicated at Minute 128 below].

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

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

**128. 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:

<u>Councillor</u>	<u>Agenda item</u>
Councillor B E Gate	Planning application 2/18

**129. Declarations of Interest:**

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

- (i) Planning application 2/04 – 54 Cuckoo Hill Road, Pinner  
 Councillor Joyce Nickolay declared a prejudicial interest in the above item. Accordingly, she would leave the room and take no part in the discussion and decision-making on the item.
- (ii) Planning application 2/10 – 169 Malvern Avenue, Harrow  
 Councillor Joyce Nickolay declared a prejudicial interest in the above item. Accordingly, she would leave the room and take no part in the discussion and decision-making on the item.
- (iii) Planning application 2/16 – Unit 9 Barratt Way Industrial Estate, Barrat Way, Harrow  
 Councillor Marilyn Ashton declared a personal interest in the above application arising from the fact that some years ago she had been acquainted with the family of Paul Orchover, who had requested to make representation at the meeting in relation to the application. Accordingly, she would remain in the room and take part in the discussion and decision-making on the item.
- (iv) Planning application 2/18 – Vaughan Centre, Vaughan Road, Harrow  
 Councillor B E Gate, who was not a Member of the Committee, declared a personal interest arising from the fact that he lived in the area and was a Ward Councillor. Accordingly, he would remain in the room during the discussion and decision-making on the item.

130. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision
13. Rear of 45 Station Road, Harrow	Consultation was still being undertaken at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency, as an interested party had been informed that the report would be presented to this meeting.

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

131. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 17 July 2007 be taken as read and signed as a correct record.

132. **Public Questions and Deputations:**

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

133. **Petitions:**

**RESOLVED:** To note receipt of the following petition:

- (i) Petition objecting to the demolition of the Vaughan Centre, planning application ref: P/2265/07  
The above petition, containing 105 signatures, was presented by Councillor B E Gate.

134. **Petition re: John Lyon School (ref: P1936/07/DFU): Reference from the meeting of Council held on 12 July 2007:**

The Committee received the above petition which had been presented to the Council meeting held on 12 July 2007.

**RESOLVED:** That the petition be referred to the Head of Planning for consideration.

135. **Petition re: between 397 and 399 Torbay Road, Harrow (ref: P/1281/07): Reference from the meeting of Council held on 12 July 2007:**

The Committee received the above petition which had been presented to the Council meeting held on 12 July 2007.

**RESOLVED:** That the petition be referred to the Head of Planning for consideration.

136. **Representations on Planning Applications:**

**RESOLVED:** That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/07, 2/16 and 2/18 on the list of planning applications.

137. **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.

138. **Rear of 45 Station Road, Harrow:**

The Committee received a report of the Group Manager (Planning and Development) in relation to the above.

**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)), the Council 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 cessation of the use of the property as a retail unit (A1);
- (b) In the event of non-compliance with the above enforcement notice, to:
  - (i) Institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990;
  - (ii) Carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

139. **Member Site Visits:**

**RESOLVED:** That Member visits to the following sites would take place on Friday 21 September 2007 from 6.00 pm:

- Planning application 2/05 – Woodlands, 7 West Drive Gardens
- Planning application 2/08 – 50 Belmont Lane
- Planning application 2/10 – 169 Malvern Avenue

(Note: The meeting, having commenced at 6.30 pm, closed at 9.25 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

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

**LIST NO:** 2/01                      **APPLICATION NO:** P/1139/07/DFU  
**LOCATION:** 46 Vancouver Road, Edgware, HA8 5DU  
**APPLICANT:** A J Emmanuel for Mr A William  
**PROPOSAL:** Conversion of dwellinghouse to 2 self-contained flats  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

**LIST NO:** 2/02                      **APPLICATION NO:** P/0973/07/DFU  
**LOCATION:** 17 Elmsleigh Avenue, Harrow, HA3 8HX  
**APPLICANT:** Mr A Modhwadia for Mr Pankaj Papat  
**PROPOSAL:** Single and two storey side to rear extension, rear dormer, conversion of dwellinghouse to two flats  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, for the following reason:  
(i) The conversion of one family dwelling into two flats would represent an over-intensive use of the property and would be out of character in the locality to the detriment of the residential amenities within the area where the dwellings are typically semi-detached houses, contract to HUDP policies SD1 and D4.  
[Note: The Head of Planning had recommended that the above application be granted].

**LIST NO:** 2/03                      **APPLICATION NO:** P/1570/07/DFU  
**LOCATION:** 224 High Road, Harrow, HA3 7BA  
**APPLICANT:** Dalton Warner Davies LLP for Fruition Properties Ltd  
**PROPOSAL:** Demolition of existing house and erection of part 2 and part 3 storey building comprising of 7 flats with associated car parking, landscaping and widening of vehicle access to High Road  
**DECISION:** DEFERRED for renotification in relation to the alternative elevational treatment.

**LIST NO:** 2/04                      **APPLICATION NO:** P/1617/07/DFU  
**LOCATION:** 54 Cuckoo Hill Road, Pinner, HA5 1AX  
**APPLICANT:** A M Frame for Mr and Mrs D Hewins  
**PROPOSAL:** Single storey rear extension  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.  
(See also Minute 129).

**LIST NO:** 2/05                      **APPLICATION NO:** P/1646/07/DFU  
**LOCATION:** Woodlands, 7 West Drive Gardens, Harrow, HA3 6TT  
**APPLICANT:** Anthony J Blyth and Co for Mr and Mrs A Skone  
**PROPOSAL:** Single storey front and two storey rear extension; conversion of roof space to habitable room and roof alterations; external alterations  
**DECISION:** DEFERRED for a Member site visit.  
(See also Minute 139).

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**LIST NO:** 2/06                      **APPLICATION NO:** P/2174/07/DFU  
**LOCATION:** Plot 18, 14 Brightwen Grove, Warren Lane, Stanmore, HA7 4LE  
**APPLICANT:** Mr Ray Merry for Mr Avir Shah  
**PROPOSAL:** Single storey rear extension  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition and informatives reported.

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**LIST NO:** 2/07                      **APPLICATION NO:** P/2169/07/DFU  
**LOCATION:** 26 Bellfield Avenue, Harrow, HA3 6SX  
**APPLICANT:** E Hannigan for Mr Fitzgerald  
**PROPOSAL:** Single storey summerhouse in rear garden  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:

(i) The proposal would not preserve or enhance the character of the Conservation Area by reason of the design, size and appearance of the summerhouse in the rear garden and would be unduly obtrusive in this attractive garden setting, contrary to HUDP policies SD1, SD2, D4, D14, D15 and D16.

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

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

(3) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

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

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**LIST NO:** 2/08                      **APPLICATION NO:** P/1526/07/DFU  
**LOCATION:** 50 Belmont Lane, Stanmore, HA7 2PZ  
**APPLICANT:** Mr A S Kassim for Mr Lakhman Lalji and Mrs Amratben Murji  
**PROPOSAL:** Demolition of existing dwellinghouse, erection of replacement single/two storey dwellinghouse with integral garage (revised)  
**DECISION:** DEFERRED for a Member site visit.  
(See also Minute 139).

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conditions and informatives reported, will be issued only upon the completion of the aforementioned legal agreement.

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<b>LIST NO:</b>	2/13	<b>APPLICATION NO:</b>	P/2245/07/DFU
<b>LOCATION:</b>	103 Waxwell Lane, Pinner, HA5 3EP		
<b>APPLICANT:</b>	Richard Henley for Matrix (Waxwell Lane) Ltd		
<b>PROPOSAL:</b>	Redevelopment to provide 2 x part single and two storey dwellinghouses with basements and accommodation at roof level		
<b>DECISION:</b>	<p>GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and the following additional conditions:</p> <ul style="list-style-type: none"> <li>• The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.</li> <li>• All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.</li> </ul> <p>[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].</p>		

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<b>LIST NO:</b>	2/14	<b>APPLICATION NO:</b>	P/1959/07/DFU
<b>LOCATION:</b>	110 Nibthwaite Road, Harrow		
<b>APPLICANT:</b>	David R Yeaman & Associates for NVSM		
<b>PROPOSAL:</b>	Conversion of dwellinghouse into 3 flats; roof alterations to form end gable with rear dormer; external alterations (resident permit restricted)		
<b>DECISION:</b>	<p>REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:</p> <p>(i) The proposal represents an over-intensive use of the property to the detriment of the residential amenities of the properties in the locality by reason of disturbance and activity which would be generated by three flats, contrary to HUDP policies SD1 and D4.</p> <p>[Notes: (1) Councillors Marilyn Ashton, Don Billson, Mrinal Choudhury, Thaya Idaikkadar, Julia Merison, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the application to be refused;</p> <p>(2) Councillor Keith Ferry wished to be recorded as having voted against the decision to refuse the application;</p> <p>(3) the Head of Planning had recommended that the above application be granted].</p>		

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**LIST NO:** 2/15                      **APPLICATION NO:** P/1535/07/DFU  
**LOCATION:** 54 Cannon Lane, Pinner, HA5 1HW  
**APPLICANT:** Rapleys LLP (Justin Packman) for Roar Bookmakers  
**PROPOSAL:** Change of use of retail shop (A1) to bookmaker (A2)  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

**LIST NO:** 2/16                      **APPLICATION NO:** P/1527/07/DFU  
**LOCATION:** Unit 9 Barratt Way Industrial Estate, Barratt Way, Harrow, HA3 5QF  
**APPLICANT:** Chiltern Environmental Ltd for Paxton Recycling  
**PROPOSAL:** Use of building for the reception, sorting and storing of materials for recycling, recovery and re-use  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

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

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

(See also Minute 129).

**LIST NO:** 2/17                      **APPLICATION NO:** P/1614/07/CFU  
**LOCATION:** Canons High School, Shaldon Road, Edgware, HA8 6AN  
**APPLICANT:** Tony Welch Associates for The School Governors  
**PROPOSAL:** Two single storey triple classroom units with entrance ramp and platform for temporary two year period  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

**LIST NO:** 2/18                      **APPLICATION NO:** P/2265/07/DFU  
**LOCATION:** Vaughan Centre, Vaughan Road, Harrow, HA1 4EG  
**APPLICANT:** Ashley House plc for Harrow Council  
**PROPOSAL:** Part single, part two storey neighbourhood resource centre, with associated access and parking  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and confirmation from English Heritage that the building will not be included on the statutory list.

[Notes: (1) The Committee noted that Condition 5 contained a typographical error and that the correct wording was "...a: 0900 hours to 1800 hours, Monday to Saturday inclusive and not at all on Sunday...";

(2) during discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

(i) Standard of design and layout.

(ii) Substandard amenity space for future users.

having been put to a vote, this was lost;

(3) subsequently, it was moved and seconded that the application be granted, as set out above. Having been put to a vote, this was carried;

(4) Councillors Marilyn Ashton, Don Billson, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted to grant the application, as set out above, the Chairman having used her second and casting vote;

(5) Councillors Mrinal Choudhury, Keith Ferry, Thaya Idaikkadar and Julia Merison wished to be recorded as having voted against the decision to grant the application].

(See also Minutes 129 and 133).

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<b>LIST NO:</b>	2/19	<b>APPLICATION NO:</b>	P/2270/07/CFU
<b>LOCATION:</b>	Land adj. To Harrow Leisure Centre, Christchurch Avenue, Harrow, HA3 5BD		
<b>APPLICANT:</b>	Ashley House plc for Harrow Council		
<b>PROPOSAL:</b>	Part single, part two storey neighbourhood resource centre, with associated access and parking		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.		
	[Note: The Committee noted that Condition 4 contained a typographical error and that the correct wording was "...a: 0900 hours to 1800 hours Monday to Saturday inclusive..."].		

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<b>LIST NO:</b>	2/20	<b>APPLICATION NO:</b>	P/1044/07/DFU
<b>LOCATION:</b>	Land between 19-21 High Street, Wealdstone, HA3 5BY		
<b>APPLICANT:</b>	Kevin R Yeaman Associates for Kelvin Properties		
<b>PROPOSAL:</b>	Use of site for open market trading; market stall storage building; refuse storage enclosure		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		
	[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].		

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<b>LIST NO:</b>	2/21	<b>APPLICATION NO:</b>	P/1632/07/DLB
<b>LOCATION:</b>	Sweetmans Hall, 90 West End Lane, Pinner, HA5 3NT		
<b>APPLICANT:</b>	Orchard Associates for Mr and Mrs G Atkinson		
<b>PROPOSAL:</b>	Listed Building Consent: Installation of internal and external draingage; refurbishment of external building fabric at rear		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		

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<b>LIST NO:</b>	2/22	<b>APPLICATION NO:</b>	P/3044/06/CFU
<b>LOCATION:</b>	East End Farm, Moss Lane, Pinner, HA5 3AW		
<b>APPLICANT:</b>	Foundation Architecture for Mrs and Mrs Leaver		
<b>PROPOSAL:</b>	Amendments to planning permission P/2953/05/CFU involving alterations to rooflights and omission of one roof ventilator (Barns A and B)		

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

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**LIST NO:** 2/23                      **APPLICATION NO:** P/3045/06/CLB

**LOCATION:** East End Farm, Moss Lane, Pinner, HA5 3AW

**APPLICANT:** Foundation Architecture for Mrs and Mrs Leaver

**PROPOSAL:** Listed Building Consent: Amendments to listed building consent P/2954/05/CLB involving alterations to rooflights and omission of one roof ventilator (Barns A and B)

**DECISION:** GRANTED Listed Building Consent for the development described in the application and submitted plans, subject to the informatives reported.

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**LIST NO:** 2/24                      **APPLICATION NO:** P/P/0810/07/CFU

**LOCATION:** 80 Roxborough Road, Harrow, HA1 1PB

**APPLICANT:** Space Design Consultants for D Patel

**PROPOSAL:** Single storey front and rear extensions; two storey side extensions to dwellinghouse

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

[Notes: (1) Councillors Marilyn Ashton, Don Billson, Mrinal Choudhury, Thaya Idaikkadar, Julia Merison, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the application to be granted;

(2) Councillor Keith Ferry wished to be recorded as having abstained from voting].

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**LIST NO:** 2/25                      **APPLICATION NO:** P/1745/07/DFU

**LOCATION:** Land adj. To 2 Windsor Road, R/O 122-123 Weald Lane, Harrow, HA3 5EZ

**APPLICANT:** Saloria Architects for Mr Abdul Basheer

**PROPOSAL:** Two storey detached house; new vehicle crossover

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

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

**LIST NO:** 3/01                      **APPLICATION NO:** P/1975/07/CFU

**LOCATION:** Land O/S Chasewood Park, Sudbury Hill, HA1 3NA

**APPLICANT:** PHA Comms Ltd for Orange PCS Ltd

**PROPOSAL:** 10 metre high telecommunications mast (telegraph pole design) with 1 antenna and equipment cabinet

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

[Noted: The officer verbally reported a late objection, which was noted by the Committee].

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OVERVIEW AND  
SCRUTINY  
COMMITTEE



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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**MEETING HELD ON 6 SEPTEMBER 2007**


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Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Mrs Margaret Davine * Mitzi Green * Mrs Kinnear (4) * Ashok Kulkarni (2) * Barry Macleod-Cullinane (5) * Mrs Myra Michael	* Jerry Miles * Bill Stephenson (1) * Yogesh Teli * Mark Versallion * Jeremy Zeid (8)
Voting	(Voluntary Aided)	(Parent Governors)
Co-opted:	* Mrs J Rammelt Reverend P Reece	* Mr R Chauhan * Mrs D Speel

\* Denotes Member present  
(1), (2), (4), (5) and (8) Denote category of Reserve Members

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

172. **Welcome:**  
The Chairman welcomed Members and Co-opted Members of the Committee to their first meeting of the Overview and Scrutiny Committee since its reconfiguration. On behalf of the Committee, he also welcomed Mr Andrew Woodhead, Chief Executive of the Royal National Orthopaedic Hospital.
173. **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 Don Billson     | Councillor Ashok Kulkarni          |
| Councillor Janet Cowan     | Councillor Jeremy Zeid             |
| Councillor B E Gate        | Councillor Bill Stephenson         |
| Councillor Anthony Seymour | Councillor Mrs Kinnear             |
| Councillor Dinesh Solanki  | Councillor Barry Macleod-Cullinane |
174. **Declarations of Interest:**  
**RESOLVED:** To note that the following interests were declared:
- Agenda item 12 - Royal National Orthopaedic Hospital (RNOH) – Summary of application to become an NHS Foundation Trust
- (i) Councillor Dinesh Solanki declared a personal interest in that his relative was in receipt of medical treatment at the Royal National Orthopaedic Hospital.
- (ii) During discussion on this item, Councillor Bill Stephenson declared a personal interest in that the University College London (UCL) employed him.
- Accordingly, both Members would remain in the room whilst the matter was considered and voted upon.
175. **Arrangement of Agenda:**  
**RESOLVED:** That all items be considered with the press and public present.

176. **Minutes:**

**RESOLVED:** That (1) the minutes of the Overview and Scrutiny Committee's Ordinary meeting held on 24 April 2007, the Special meeting held on 14 May 2007, the Special meeting held on 12 June 2007, the Ordinary meeting held on 10 July and the Special meeting held on 12 July 2007 (subject to the inclusion of Mrs J Rammelt as being marked present at the meeting); and

(2) the minutes of the Adult Health and Social Care Scrutiny Sub-Committee meetings held on 20 March and 18 April 2007, the Safer and Stronger Scrutiny Sub-Committee meeting held on 23 January 2007, the Children and Young People Scrutiny Sub-Committee meeting held on 17 April 2007 and the Sustainable Development and Enterprise Scrutiny Sub-Committee meetings held on 28 March and 13 June 2007, being the former Scrutiny Sub-Committees, be taken as read and signed as correct records.

177. **Public Questions:**

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

1.

**Questioner:** Yvonne Lee

**Asked of:** Councillor Stanley Sheinwald

**Question:** Harrow Mencap welcomes the fact that residents of Harrow have an opportunity through the Residents' call-in to further exercise their democratic rights. However having been involved in the first such call-in on the 8th August 2007 we are of the view that the procedure applied in that instance does no favours to the underpinning democratic principles. In light of this experience will the Committee consider reviewing its procedure in order to enhance the process?

[Notes: (i) An oral answer was provided to the above question;

(ii) under the provisions of Overview and Scrutiny Procedure Rule 8.4, the questioner asked a supplementary question. The Chairman undertook to provide a written answer].

178. **Petitions:**

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

179. **Deputations:**

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

180. **References from Council/Cabinet:**

**RESOLVED:** To note that there were no references from Cabinet or Council.

181. **Terms of Reference of the Overview and Scrutiny Committee:**

**RESOLVED:** To note the terms of reference of the Overview and Scrutiny Committee, as set out at Appendix 1 to the minutes.

182. **Membership - Performance and Finance Scrutiny Sub-Committee:**

Further revisions to the membership were circulated at the meeting.

**RESOLVED:** To approve the revised membership of the Performance and Finance Scrutiny Sub-Committee, as set out at Appendix 2 to the minutes.

183. **Appointment of Advisers to the Committee:**

The Committee considered a report of the Director of Legal and Governance Services, which advised Members on the appointment of non-voting advisers to the Committee for the Municipal Year 2007/2008.

Some Members suggested alternative ways of appointing non-voting advisers to the Committee. They felt it appropriate to widen the remit and also suggested that a pool of expert advisers would benefit the Committee as their expertise could be called upon, when necessary. New ways of appointing advisers with due consideration being given to qualifications, suitability, purpose and equality issues, ought to be explored before making appointments.

Other Members were of the view that some seamless transition of non-voting advisers was appropriate and essential in order to ensure continuity, particularly when the advice and contributions received by the former Scrutiny Sub-Committee(s) had been of immense benefit to its work.

Following further discussion, it was

**RESOLVED:** That the appointment of non-voting advisers to the Overview and Scrutiny Committee for the 2007/08 Municipal Year be deferred to allow officers to submit a comprehensive report to the next meeting of the Committee taking account of the views of Members, as set out in the preamble above, including proposals on how the Committee could engage widely with the local community.

[Note: The report would be submitted to the meeting scheduled for 9 October 2007].

184. **Royal National Orthopaedic Hospital (RNOH) - Summary of application to become an NHS Foundation Trust:**

The Chairman invited Mr Andrew Woodhead, the Chief Executive of the Royal National Orthopaedic Hospital (RNOH) to give a presentation to the Committee on the RNOH's application to become an NHS Foundation Trust.

Mr Woodhead circulated RNOH's consultation document in this matter and thanked the Committee for the invitation. In his presentation, Mr Woodhead:

- described the core values of the RNOH and how Foundation Trust status would help further enhance the hospital's vision for its patients and commissioners, including the services provided;
- explained RNOH's desire to become a Foundation Trust and the difference it would make to the public, patients and staff who would be able to influence how the Trust was run;
- referred to issues of governance and accountability and how these would be managed.

Mr Woodhead stated that RNOH would not wish to delay its Foundation Trust status, as the organisation was ready and 'fit for purpose'. He described the achievements of the RNOH and how the status would secure the hospital's future.

Members were supportive of the RNOH's application to become an NHS Foundation Trust and thanked Mr Woodhead for the recent tour of the hospital, which had impressed them. Mr Woodhead responded to questions from Members on accountability, election of members, local authority representation, nominations, morale, private care, risks and how relocation or a merger of the RNOH with the Royal Free Hospital would adversely affect the hospital and impact upon its application for Foundation Trust status. The Committee agreed that any relocation of the RNOH would not be in the interests of the RNOH's clients. He outlined the arguments against the hospital being merged with another.

The Chairman thanked Mr Woodhead for the presentation and his responses to questions from the Committee.

**RESOLVED:** That (1) the Overview and Scrutiny Committee supported RNOH's application to become an NHS Foundation Trust;

(2) the Overview and Scrutiny Committee be informed of the outcome of the application and that the Committee's policy and performance leads for Adult Health and Social Care be kept informed of developments and also advised of the outcome of the application.

(See also Minute 174)

185. **Developing the Scrutiny Work Programme:**

The Committee received a report of the Director of People, Performance and Policy, which made a number of proposals regarding the disposal of items outstanding from the work programmes of the previous scrutiny committees. It also sought authorisation from the Overview and Scrutiny Committee to begin discussions with the Lead Policy and Performance Members, Portfolio Holders, the Council's senior management and partners to identify those issues that they would like to see included in the scrutiny work programme.

The Scrutiny Manager introduced the report and, in order to assist Members in prioritising projects, drew attention to the criteria included in the Scrutiny Principles and Proposals document agreed in September 2005. Following consideration of the report, issues agreed as priorities would be taken forward and included in a 'long list' of projects from which the final work programme for the next 18 months would be devised. A further report would be presented to the Committee in October 2007.

Members commented on individual topics/projects, listed at Appendix 1 to the officer report, and the rationale behind them. They referred to projects, which ought to be addressed as they satisfied the criteria and would address the issue of accountability. It was essential that projects which made the best use of scarce resources and had a greater impact on the Council's budget by accruing larger savings were scrutinised first.

A Member suggested that Scrutiny ought to avoid duplication of work being carried out by other bodies of the Council, such as the review on the budget. However, it ought to be recognised that Scrutiny's contributions effected change and that its role was persuasive.

The Vice-Chairman identified important pieces of work from Appendix 1, some of which could be merged. She stated that the list was not exhaustive and would be guided by issues as and when they happened. It was important for Scrutiny to produce outcomes which would benefit the Council and to be less prescriptive about the number of reviews that were necessary. She supported the standing review on the budget and the need for the scope to be presented to the next meeting of the Committee.

In light of the comments made, the Chairman of the Performance and Finance Scrutiny Sub-Committee suggested a meeting between the Chairman and the Vice-Chairman of the Overview and Scrutiny Committee and its Sub-Committee, together with the Scrutiny Manager, with a view to presenting a further report on the Work Programme for agreement. He acknowledged the need to retain flexibility.

The Scrutiny Manager clarified that the report was not seeking approval of the Work Programme that evening, and that she would provide detailed commentary on the projects to the next meeting of the Committee and seek advice from 'other' parts of the Council on 'burning' issues that Scrutiny ought to include in its Work Programme. She referred to the scrutiny review on the budget and the proposals made by the Corporate Director of Finance and the methodology that would be adopted in the future.

**RESOLVED:** That (1) the proposals with regard to the disposal of existing items on the Scrutiny Work Programme be noted;

(2) the priorities identified be noted;

(3) the Scrutiny team be authorised to begin consultation on the development of the Work Programme for the next year/18 months;

(4) a further report be submitted to the October 2007 meeting of the Overview and Scrutiny Committee to enable the Work Programme, which would be drawn from the long list of projects incorporating the priorities identified at the meeting and those projects identified during consultations to be agreed;

(5) the continuation of the Standing Scrutiny Review of NHS Finances and Part Two of the Review of Cultural Services (the Beacon project) be agreed;

(6) the Standing Review of the Budget be established with a membership of eight Councillors, to include Councillors B E Gate, Mitzi Green, Thaya Idaikkadar, Mrs Kinnear, Barry Macleod-Cullinane, Bill Stephenson, Yogesh Teli, and Mark Versallion;

(7) that the Liberal Democrat Group be invited to participate in the Standing Review of the Budget and that all backbench Members be notified of the review;

(8) that the scope of the Standing Review of the Budget and its Chairman be agreed at the next meeting of the Committee.

[Note: Subsequently, Councillor Mark Versallion stepped down from the Standing Review of the Budget review group].

186. **Reconfiguring Scrutiny – An Update:**

Members received a report of the Director of People, Performance and Policy, which updated them on the implementation of the reconfigured scrutiny function, as agreed by Council on 12 July 2007.

The Scrutiny Manager introduced the report and outlined the key points set out in the report. She referred to the proposals to hold joint meetings of the Chairman and Vice-Chairman of the Overview and Scrutiny Committee and Performance and Finance Scrutiny Sub-Committee and the training programme, which was mandatory.

In response to the concerns expressed by some Members about the lack of information flow from some officers to Scrutiny, the Chairman of the Performance and Finance Scrutiny Sub-Committee asked that such matters be brought to his attention. He referred to a meeting he had had with the Chief Executive on this matter. It was essential that the Portfolio Holders attended meetings of the Committee or sent their support Members, if necessary. The status of the Overview and Scrutiny Committee needed to be maintained.

The Scrutiny Manager acknowledged that lack of information available would devalue the scrutiny process and defined scrutiny's statutory rights. She asked Members to make her aware of where the blockages were, with a view to working constructively to improve information flow.

In response to questions from Members on the training programme, the Scrutiny Manager explained that the second stages of the training on performance management would concentrate on practical and real issues and challenges facing the Council.

Members noted the dates of meetings of the Performance and Finance Scrutiny Sub-Committee, commented on the Scrutiny newsletter and enquired about the seminar scheduled to be held on 10 September 2007. The Scrutiny Manager agreed to check on the latter and inform Members accordingly.

**RESOLVED:** That the following programme of activity and associated proposals made in order to deliver a successful reconfiguration of scrutiny be agreed:

- role of Lead Members;
- links into the Integrated Planning, Budgeting and Performance Management Framework;
- programme of meetings to support the Committees;
- Member development programme;
- proposals for communicating the changes;
- proposals for monitoring the changes.

187. **Evidence for Accountability Project:**

The Scrutiny Manager introduced the report, which informed Members of the invitation to reaffirm their participation in the Evidence for Accountability projects, agreed in 2006. She added that there were no direct financial costs associated with participating in the project.

**RESOLVED:** That (1) the terms of reference of the project be noted;

(2) Scrutiny's ongoing commitment to participate in the project be re-affirmed.

188. **Dates of Future Meetings:**

**RESOLVED:** That the following dates for future meetings be noted:

**2007 (7.30 pm start time)**

6 September (Ordinary)  
25 September (Health)  
9 October (Ordinary + Education)  
30 October (Ordinary)  
13 November (Ordinary) \*  
20 November (Ordinary + Education)  
11 December (Q&A) \*

**2008 (7.30 pm start time)**

28 January (Ordinary + Education)  
12 February (Ordinary + Health)  
31 March (Health)  
22 April (Ordinary + annual  
Partnership matters)

[\* The themes for these meetings had been swapped round].

(Note: The meeting, having commenced at 7.32 pm, closed at 9.55 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD  
Chairman

**APPENDIX 1****OVERVIEW AND SCRUTINY COMMITTEE****TERMS OF REFERENCE**

The Overview and Scrutiny Committee has the following power and duties:

1. To oversee a more targeted and proportionate work programme that can help secured service improvement through in depth investigation of poor performance and the development of an effective strategy/policy framework for the council and partners.
2. To have general oversight of the council's scrutiny function.
3. To support the executive's policy development function and the long-term strategic direction of the borough.
4. To anticipate policy changes and determine their potential impact on residents.
5. To consider the council and partners strategic approach to service delivery.
6. To undertake detailed investigation of service/financial performance in order to recommend policy changes and to commission light touch investigations by the Performance and Finance sub committee.
7. To consider items included in the Forward Plan as appropriate.
8. To consider such urgent items as are appropriate – Community Calls for Action, area scrutiny.

APPENDIX 2**(1) PERFORMANCE AND FINANCE SCRUTINY SUB-COMMITTEE (11)**

<b><u>I.</u></b> <b><u>Members</u></b>	<b>(6)</b> <b>Robert Benson</b> <b>Janet Cowan</b> <b>Ashok Kulkarni</b> <b>Barry Macleod-Cullinane</b> <b>Dinesh Solanki</b> <b>Mark Versallion (CH)</b>	<b>(4)</b> <b>Ms Nana Asante</b> <b>B E Gate (VC) *</b> <b>Mitzi Green</b> <b>Mrs Rekha Shah</b>	<b>(1)</b> <b>Christopher Noyce</b>
<b><u>II.</u></b> <b><u>Reserve</u></b> <b><u>Members</u></b>	1. Manji Kara 2. Yogesh Teli 3. Don Billson 4. Jeremy Zeid 5. Mrs Kinnear 6. Stanley Sheinwald	1. Phillip O'Dell 2. Bill Stephenson 3. Thaya Idaikkadar 4. Keeki Thammaiah	1. Paul Scott

(CH)

(VC)

\*

= Chair

= Vice-Chair

Denotes Group Members for consultation Delegated Action and/or on administrative matters.

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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**MEETING HELD ON 25 SEPTEMBER 2007**


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Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Mrs Margaret Davine * B E Gate * Mitzi Green * Mrs Kinnear (4) * Barry Macleod-Cullinane (5) * Mrs Myra Michael	* Anthony Seymour * Mrs Rekha Shah (4) * Dinesh Solanki Yogesh Teli * Mark Versallion
Voting	(Voluntary Aided)	(Parent Governors)
Co-opted:	† Mrs J Rammelt Reverend P Reece	* Mr R Chauhan † Mrs D Speel

\* Denotes Member present

(4) and (5) Denote category of Reserve Members

† Denotes apologies received

**PART I - RECOMMENDATIONS**
**RECOMMENDATION I - Healthcare for London: A Framework for Action - Preparing for a possible Joint Overview and Scrutiny Committee**

In December 2006, the National Health Service (NHS) London commissioned Professor Lord Ara Darzi, an eminent figure in the field of healthcare to carry out a review of London's healthcare. Professor Darzi's recommendations were published in July 2007 in a report '*Healthcare for London: A Framework for Action*', also known as the Darzi Review.

Your Committee, having considered a report on the Darzi Review, noted that the framework for consultation from NHS London proposed a first-stage pan-London formal consultation on the models of care set out in the Review. The consultation would be carried out through a pan-London Joint Overview and Scrutiny Committee (JOSC), which, unlike individual boroughs, would have the powers to request information relating to Healthcare for London.

Having agreed that Harrow's participation in the pan-London JOSC was essential in light of the revolutionary changes in healthcare proposed by the Darzi Review, and having nominated Members to represent the Council in the pan-London Committee, your Committee

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

That Councillor Mrs Myra Michael (Adult Health and Social Care Policy Lead Member for Scrutiny) be appointed, as the Council's representative, to serve on the pan-London Joint Overview and Scrutiny Committee and that Councillors Mrs Rekha Shah (Adult Health and Social Care Performance Lead Member for Scrutiny) and Mrs Margaret Davine (Children and Young People Policy Lead Member for Scrutiny) be appointed as 1<sup>st</sup> and 2<sup>nd</sup> Reserves, respectively.

(See also Minute 200).

**PART II - MINUTES**189. **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 Don Billson	Councillor Mrs Kinnear
Councillor Mrs Janet Cowan	Councillor Barry Macleod-Cullinane
Councillor Jerry Miles	Councillor Rekha Shah

190. **Declarations of Interest:**

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

**Agenda Item 10 – Brent Birthing Centre – Future Services**

The following Members indicated personal interests set out below and remained in the room to participate in the discussion and decision relating to this item and ask questions on the presentation received at the meeting:-

- (i) Councillor Anthony Seymour stated that his relative had received treatment at Northwick Park Hospital. He too had received treatment at the Hospital.
- (ii) Councillor B E Gate stated that he had been a patient at Northwick Park Hospital, and that his wife, who worked for a GP surgery, was employed by Harrow PCT.
- (iii) Councillor Rekha Shah stated that she had been a patient at Northwick Park Hospital, and that she worked for Brent Council.
- (iv) Councillor Stanley Sheinwald stated that he had been a patient at Northwick Park Hospital.

191. **Arrangement of Agenda:**

The Chairman re-ordered the agenda at the meeting. For clarity, business is recorded in the order set out in the agenda.

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

192. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 6 September 2007 be deferred until printed in the next Council Bound Minute Volume.

[Note: A couple of Members enquired why the minutes had not been circulated with the agenda in order to allow their consideration at the meeting. A Member made a number of comments, which the Democratic Services Officer undertook to take back to her Directorate].

193. **Public Questions:**

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

194. **Petitions:**

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

195. **Deputations:**

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

196. **References from Council/Cabinet:**

**RESOLVED:** To note that there were no references from Cabinet or Council.

197. **Report from the Scrutiny Policy and Performance Lead Members Quarterly Briefings:**

The Committee received a report from the Director of People, Performance and Policy, which set out issues considered by the Scrutiny Policy and Performance Leads at their quarterly briefing meetings. Members noted that the Lead Members for Adult Health and Social Care and Safer and Stronger Communities would be meeting in October 2007.

The Scrutiny Policy Lead for Children and Young People reported that the White Paper on 'Care Matters' would build on 'Every Child Matters' and introduce new statutory responsibilities for Councils in respect of Children Looked After. Consultation on the White Paper had taken place and it was essential that this matter was included in the work programme. It was noted that a summary of the White Paper would be circulated to Members.

The Scrutiny Performance Lead Member for Corporate Effectiveness and Finance reported that focus would be on staff morale/culture in line with the administration's desire for change in the culture of the organisation. Residents' satisfaction was another priority.

It was noted that a specific meeting of the Overview and Scrutiny Committee, to consider matters relating to Sustainable Development and Enterprise, might be needed.

The Scrutiny Manager undertook to include the names of the Lead Members for Scrutiny in future reports. The Performance Lead Member for Corporate Effectiveness and Finance stated that the profile of scrutiny and that of the Lead Members ought to be raised through Harrow People so that the residents of Harrow were aware of the work being carried out by them.

**RESOLVED:** That the report from the Policy and Performance Lead Members for Scrutiny and their recommendations be noted.

198. **Brent Birthing Centre - Future Services:**

The Chairman welcomed Fiona Wise, Chief Executive for the North West London Hospitals NHS Trust, Sarah Thompson, Interim Director of Strategic Commissioning at Brent PCT and Angie Woods, Commissioner for Women, Children and CAMHS (Children and Adolescent Mental Health Services) at Harrow PCT to the meeting.

The Chief Executive for the North West London Hospitals Trust gave a presentation on the proposed changes to the Brent Birthing Centre at Central Middlesex Hospital in Park Royal and outlined the benefits. She stated that the Overview and Scrutiny Committee's initial views on the proposals would be welcomed. Formal consultation would follow.

Following the presentation, Members asked questions on the following areas:-

- timing of the proposals and the length of the consultation period;
- which organisations and user groups would be consulted on the proposals and the need to consult widely. Publicity was essential, particularly in GP surgeries;
- benefits of the proposals to Harrow residents and their impact on the residents of Brent;
- costs associated with the proposals;
- availability of adequate staffing resources. It was noted that the levels of staff employed at Birthing Centres was governed by safety legislation rather than the number of users;
- use of Birthing Centres that had been re-located;
- value for money.

A Member was disappointed that a business case had not been made available and commented that an analysis on the impact of the proposals would have assisted Members. It was suggested that the capacity of Northwick Park Hospital to accommodate the additional maternity numbers, particularly in the light of the poor performance of maternity services at the hospital should be investigated as part of the work programme of Performance and Finance Sub-Committee. The Chairman of the

Performance and Finance Scrutiny Sub-Committee agreed to discuss these matters further with the Vice-Chairman with a view to their inclusion in the work programme. It was noted that the matters raised by the Member fell under the remit of the Sub-Committee.

Fiona Wise stated that the deficit of running the current service at a loss was not shared across all NHS Trusts but was the responsibility of the North West London Hospitals Trust alone. She added that she operated an organisation that was transparent and policies were in place for staff to bring issues to her attention. The Trust's preferred option was Option 4, which was to transfer inpatient (delivery) maternity care to a new dedicated midwifery led unit within Northwick Park Hospital's Maternity Unit and to keep antenatal services at Central Middlesex Hospital but not in the Brent Birthing Centre. This would offer choice to users whilst ensuring immediate access to obstetric care should the need arise. Members noted that the Brent PCT had, in principle, supported Option 4. Some Members also expressed support for Option 4.

Fiona Wise agreed to provide historical information requested by some Members.

The Chairman thanked Fiona Wise, Sarah Thompson and Angie Wood for the presentation and responses to questions from Members.

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

(2) it be noted that this matter would be the subject of formal consultation from October – December 2007;

(3) the capacity of Northwick Park Hospital to accommodate the additional maternity numbers be considered for investigation as part of the work programme of Performance and Finance Scrutiny Sub-Committee.

199. **Standing Scrutiny Review of NHS Finances – Carers Case Study – Interim Report:**

The Committee received a report of the Director of People, Performance and Policy, which set out details of activity undertaken by the Standing Scrutiny Review of NHS Finances and the Carers' Case Study. Members' attention was drawn to the recommendations set out on page 29 of the agenda.

The Chairman thanked the Chief Executive for North West London Hospitals NHS Trust for participating in this item. The Chief Executive commented that the nature of care that people could expect from hospitals was set to evolve, for example, chronic illnesses were likely to be managed more within the community settings, and this would also impact on carers. This could only be done over a period of time. In response to questions from Members, she acknowledged that relationships between the Councils and the Hospitals in Brent and Harrow needed improving and that tensions were due to the financially challenging positions faced by all. She was meeting Harrow Council's Chief Executive to discuss such matters and how best to serve local residents. Members welcomed this approach.

In welcoming the report, Members commented as follows:-

- greater co-ordination/joint appointments between all agencies listed under recommendations 1 and 3 on page 29 of the agenda would help save money, avoid bureaucracy and result in a better outcomes for carers;
- the anticipated length of time (1-2 years) for measuring success of some of the recommendations ought to be shortened;
- the contribution made by carers, many of whom were children, was immense and valuable. Respite care was therefore essential, and it was important to provide the best possible service in an efficient way with the support of Partners.

The Scrutiny Manager stated that a final report from the Standing Review would be submitted to the Committee. She explained that the report would clarify the roles and responsibilities of the Council and the PCT in the context of the statutory obligations and limitations of each agency.

**RESOLVED:** That (1) the progress made by the Review be noted;

(2) the interim report on the Carers Case Study be approved, subject to the comments made in the preamble above;

(3) the interim report on the Carers Case Study form an appendix to the eventual full report of the Standing Scrutiny Review of NHS Finances;

(4) the Scrutiny Officer be commended for the report.

200. **Healthcare for London: A Framework for Action – Preparing for a possible joint Overview and Scrutiny Committee:**

Further to Recommendation I, Members discussed various aspects of the report of the Director of People, Performance and Policy in this regard. They noted that only the pan-London Joint Overview and Scrutiny Committee (JOSC) had the statutory powers to request information relating to Healthcare for London. Individual boroughs would not be able to do this and, moreover, NHS London was under no duty to respond to any comments submitted by individual Overview and Scrutiny Committees. JOSC would be able to invite expert witnesses to provide evidence on the Darzi Review.

Having discussed the advantages and disadvantages of participation in a JOSC, Members commented as follows:-

- Members of the Overview and Scrutiny Committee should engage in the Review and keep the Council's Executive briefed on this matter;
- relevant Portfolio Holder(s), the Leader and Deputy Leader of the Council, together with the relevant Corporate Director(s), be invited to the 13 November 2007 meeting of the Overview and Scrutiny Committee to participate in the discussion on the Darzi Review;
- a working group be set up to familiarise itself with the Darzi Review. This would help ensure an informed debate at the 13 November 2007 meeting of the Committee;
- the provision of more healthcare at home, as stated in the Review, required further discussion.

**RESOLVED:** That (1) the summary of 'Healthcare for London: A Framework for Action' be noted;

(2) the merits of Harrow participating in a Pan-London JOSC to consider the models of care and consultation process (first-stage consultation) be noted;

(3) Harrow participate in the first-stage JOSC;

(4) participation in the second-stage JOSC(s) on area specific proposals (geographical and clinical areas) be given consideration;

(5) the Portfolio Holder for Adult Services and the Interim Corporate Director, Adults and Housing be invited to the 13 November 2007 meeting of the Committee to participate in the discussion on the Darzi Review;

(6) a working group on the Darzi Review be set up to include Councillors Mrs Myra Michael, Mrs Rekha Shah, Mrs Margaret Davine, Barry Macleod-Cullinane and Dinesh Solanki;

(7) the working group meet before the 13 November 2007 meeting of the Committee.

201. **Standing Scrutiny Review of the Budget – Initial Scope:**

The Scrutiny Manager introduced the report on the potential scope for the Standing Scrutiny Review of the Budget.

A Member commented that the membership of the Review Group needed finalising and pointed out that it currently included Assistant - Support Member(s) to Portfolio Holder(s) who could not participate in the Review.

Another Member was of the view that the Review Group needed to meet soon and that a fixed membership was unnecessary. Those Members eligible to participate in the Review ought to be allowed to join the Group at any time during the process. Further discussion could take place if open membership became an issue. However, it was important that the scope was agreed and a meeting of the Review Group arranged.

Following further discussion on the membership, it was agreed that an informal reserve membership would be appropriate and that each of the political groups should submit names. The Scrutiny Manager advised that the Liberal Democrat Group had not

decided whether to participate in the review but that they did not wish to be considered for chairing the review.

**RESOLVED:** That (1) the initial scope for the Standing Scrutiny Review of the Budget be noted;

(2) the scope be developed further by Members of the Review Group;

(3) the final version of the scope be submitted to a future meeting of the Overview and Scrutiny Committee;

(4) Councillor Stanley Sheinwald, having been nominated and duly seconded, be appointed as Chairman of the Review Group and that Councillor Anthony Seymour be included as a Member of the Review Group.

202. **Scrutiny/Executive Protocol:**

The Scrutiny Manager introduced the report, which set out the protocol for relationships between Scrutiny and the Executive titled 'Delivering Effective Scrutiny – A Framework of Responsibilities'. She reported that the purpose of the protocol was to clarify relationships and responsibilities and to maximise Scrutiny's contribution to service improvement. The quarterly meetings between the Members and the Chief Executive, as suggested in the protocol, would support this.

The Chairman and other Members asked for aspects of the protocol to be strengthened, which would make it incumbent on Portfolio Holders to attend Scrutiny meetings and ensure that serious consideration was given by the Executive to recommendations from Scrutiny.

Members highlighted the importance of maintaining a positive relationship between the Executive and Scrutiny and were confident that the proposed training would help ensure the continued development of a positive relationship. They were of the view that where a Portfolio Holder was unable to attend a Scrutiny meeting, the Assistant (Support Member) would be welcomed.

Members noted that the Portfolio Holder Role Descriptions included a requirement to attend Scrutiny Committees, when requested. It was essential that the Portfolio Holder provided reasons for non-attendance. Flexibility was essential.

A Member mentioned that the Council's Constitution Working Group might want to consider the inclusion of the protocol in the Council's Constitution.

**RESOLVED:** That (1) the Scrutiny/Executive protocol, attached as an appendix to the report, be agreed subject to the changes requested above being approved by the Chairman and Vice-Chairman of the Overview and Scrutiny Committee;

(2) the revised protocol be submitted to the Cabinet for endorsement;

(3) the revised protocol be submitted to the Council's Corporate Strategy Board for information.

203. **Extension and Termination of Meeting:**

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

**RESOLVED:** (1) At 10.00 pm to continue until 10.20 pm;

(2) at 10.20 pm to continue until 10.30 pm.

(Note: The meeting, having commenced at 7.38 pm, closed at 10.30 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD  
Chairman

SCRUTINY  
SUB-COMMITTEES



## CALL-IN SUB COMMITTEE

13 AUGUST 2007

Chairman: \* Councillor Anthony Seymour

Councillors: \* B E Gate \* Stanley Sheinwald  
\* Jerry Miles (1) \* Jeremy Zeid (1)

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

[Note: Councillors Chris Mote, Leader of the Council, Paul Osborn, Portfolio Holder for Strategy and Business Support and Eric Silver, Portfolio Holder for Adult Services also attended this meeting to speak on the item indicated at Minute 28 below].

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**22. **Appointment of Chairman:**

**RESOLVED:** To note the appointment, at the Special meeting of the Overview and Scrutiny Committee on 12 July 2007, of Councillor Anthony Seymour as Chairman of the Committee for the Municipal Year 2007/2008.

23. **Attendance by Reserve Members:**

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

Ordinary MemberReserve Member

Councillor Mitzi Green  
Councillor Mark Versallion

Councillor Jerry Miles  
Councillor Jeremy Zeid

24. **Declarations of Interest:**

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

Agenda Item 7: Call-in of the Decision of the Special Cabinet Meeting on 25 July 2007: Key Decision – Outcome of Spring 2007 Statutory Consultations on Community Care Services – Fair Access to Care Services

- (i) Councillor Chris Mote declared a prejudicial interest in the above item arising from the fact that he was an Executive Member and had taken part in preparations for the decision. Accordingly he would remain in the room only for the purpose of making representations, answering questions or giving evidence relating to the item. He further declared a personal interest arising from a relative having been in receipt of social care.
- (ii) Councillors Paul Osborn and Eric Silver declared a prejudicial interest in the above item arising from the fact that they were Executive Members and had taken part in the decision making on this item. Accordingly they would remain in the room only for the purpose of making representations, answering questions or giving evidence relating to the item.
- (iii) Councillor Anthony Seymour declared a historical personal interest in the above item arising from a relative having been in receipt of Home Care Service, which had ceased in 2004. The Member would remain in the room and take part in the discussion and decision-making on this item.

25. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, this 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 22.6, 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) all other items be considered with the press and public, with the exception that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting whilst legal advice is given to the Sub-Committee, on the grounds that it was thought likely that there would be disclosure of exempt information under paragraph 5 of Part I of Schedule 12A to the Act, in that there would be disclosure of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

26. **Appointment of Vice-Chairman:**

**RESOLVED:** To appoint Councillor Mitzi Green as Vice-Chairman of the Sub-Committee for the Municipal Year 2007/2008.

27. **Minutes:**

**RESOLVED:** That the minutes of the meetings held on 17 October 2006 and 8 January 2007 be taken as read and signed as a correct record.

28. **Call-in of the Decision of the Special Cabinet Meeting on 25 July 2007: Key Decision - Outcome of Spring 2007 Statutory Consultations on Community Care Services - Fair Access to Care Services (FACS):**

Members considered a decision taken by Cabinet at the Special Cabinet meeting on 25 July 2007 to proceed with the proposal to meet only needs that fell within the 'Critical' FACS band and that the proposed actions to mitigate this be agreed. A call-in notice had been received, which was signed by 597 members of the public. These were checked against the electoral register to satisfy the call-in requirements. The Sub-Committee received the notice invoking the call-in procedure, the relevant minute of the Cabinet meeting and the documentation submitted to Cabinet to inform their decision.

The decision had been called-in on all six grounds:

- inadequate consultation with stakeholders prior to the decision;
- the absence of adequate evidence on which to base the decision;
- the decision was contrary to the policy framework of the Council;
- the action was not proportionate to the desired outcome;
- a potential human rights challenge;
- insufficient consideration of legal and financial advice.

Deven Pillay, a member of the public representing the signatories to the call-in notice, put the case for the call-in. He presented a file providing further evidence to the call-in notice, which, after legal consultation, was submitted to the Sub-Committee and the Executive Members defending the decision. Mr Pillay stated that, whilst the Council maintained that no decision had been taken prior to the Special Cabinet meeting on 25 July 2007, he was of the opinion that it had been implemented prior to the meeting. The draft consultation, which was held with representatives of community organisations, included two options, but only one option had been included in the report submitted to the Cabinet meeting. He further stated that assessments had been made prior to the Cabinet decision and that the experiences of carers and families had not been taken into consideration.

Mr Pillay expressed the view that the consultation was not genuine, because the decision was about making cuts, not containing costs. To illustrate this, Mr Pillay read out statements from patients whose care services had been cut. He stated that there were four legal precedents with regards to lawful consultation processes and urged the Council to take these into consideration. He further stated that the two consultation documents, one on FACS and the other on Day Centre Charges, which were sent out simultaneously, looked similar and had confused people, which subsequently impacted on the outcome of the consultation process. Mr Pillay drew attention to an extract from the impact assessment in the FACS report which acknowledged it would be difficult to accurately predict how many people would be affected by the decision and that the report failed to take into consideration the impact on carers' lives who feared they now would be unable to provide the same level of care.

In conclusion, Mr Pillay stated that the purpose of a FACS policy was to promote individual living, but that at present patients were subjected to harm, abuse and

neglect. He added that the Department of Health FACS eligibility criteria were to maintain patients' independence over time.

Upon being invited to respond, the Portfolio Holder for Strategy and Business Support stated that Cabinet had not made a decision prior to the meeting. He further stated that it was common practice that only one option was submitted for consideration and that Cabinet had the choice of not varying the eligibility criteria. With regards to the consultation documents, he stated that separate documents had been prepared for people with learning difficulties. He added that no complaints had been received about the two similar consultations being carried out simultaneously. It was explained that consultation guidelines had been followed and that key stakeholders were included. There had been widespread publicity, which included questionnaires sent to over 4000 people, meetings with stakeholders, Open Public Question Time and information at community notice boards.

Addressing the second ground for call-in, the Portfolio Holder for Adult Services stated that the Council needed to reduce expenditure and that Cabinet relied on the Chief Financial Officer's advice on savings. It was explained that no reductions in services would be made until the patient had received an individual review and a month's notice would be given if care services would be reduced. It was further explained that care services would not be cut for patients who were assessed as having critical needs and that a formal monitoring group would review anyone who needed to change accommodation. The Portfolio Holder added that the Council recognised the contributions made by the voluntary sector to further develop individual support.

The Leader of Council stated that the decision was not contrary to the Council's policy framework. The decision was taken to retain expenditure identified in the Council's budget. It was further explained that the decision did not contradict flagship 5.4 as stated in the Council's Corporate Plan as care would still be provided for individuals with critical needs. The Leader further stated that each Local Authority should determine the needs of local residents.

Responding to the fourth ground for call-in, the Portfolio Holder for Adult Services stated that the decision was proportionate to the desired outcome. It was explained that the Council had overspent in the last three years and that the joint funding of the Primary Care Trust cost the Council £3.5 million per year. The Portfolio Holder added that the community care budget was subjected to management action, which sought to achieve good value for money. He stated that the Council's reserves were low compared to other Councils and that it was not intended to make significant savings, but to contain costs.

The Portfolio Holder for Strategy and Business Support queried what human rights were affected by the decision and stated that at this stage no rights had been breached. He further stated that at the point of reassessment the individual's personal circumstances were an important part of the assessment.

In response to the last ground for call-in the same Portfolio Holder stated that there was no evidence that legal or financial advice had been ignored. It was explained that the Chief Financial Officer and Monitoring Officer were frequently consulted and that both officers had approved the Cabinet report. The Portfolio Holder further stated that the position of carers was taken into account at every stage.

In response to questions from Members of the Sub-Committee, Executive Members provided clarification of the following issues:

- assessments made prior to the Cabinet decision were undertaken to continue to provide care for those with substantial needs;
- it was confirmed that the decision to cut costs was to maintain services;
- the inclusion of a second option in the consultation to maintain current care services would not have been helpful, as it would have obstructed a useful outcome of the consultation;
- carers were entitled to an assessment at any time.

In response to questions from Members of the Sub-Committee, Mr Pillay stated that the Council had failed to respond to a majority of members of the public who opposed the decision. He further stated that the effect the decision would have on people with a learning disability was discriminatory. It was also stated that if care was reduced for patients with substantial needs they would become critical, which would implicate a greater cost in the long term.

In relation to the decision before the Sub-Committee, some Members expressed concern that although extensive consultation had taken place, only one option had been offered in the final document. However, the majority of Members were satisfied with the consultation. The Sub-Committee generally felt that sufficient evidence had been provided to base the decision on, although some Members were concerned that two issues had been overlooked. Some Members queried whether flagship 5.4 of the Council's Corporate Plan included patients with substantial needs, but the majority of the Sub-Committee agreed it would only cover those with critical needs and therefore the decision was not contrary to the Council's policy framework. Members agreed that the Council should look after its most vulnerable residents. The majority of the Sub-Committee felt this decision was needed to prevent severe consequences, stating that the action was proportionate to the desired outcome. Regarding the potential human rights challenge, some Members felt that although it would not uphold in legal terms, the moral aspect should have been taken into consideration. Members were of the view that there was no evidence that the decision would result in a breach of human rights. Some Members expressed concern about the paucity of legal advice in the Cabinet report, but the majority view was that sufficient consideration had been given to legal and financial advice.

Upon being put to a vote it was

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

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

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

**RESOLVED:** (1) At 9.55 pm to continue until 10.30 pm;

(2) at 10.27 pm to continue until 11.00 pm;

(3) at 10.55 pm to continue until 11.15 pm.

(Note: The meeting having commenced at 8.05 pm, closed at 11.13 pm)

(Signed) COUNCILLOR ANTHONY SEYMOUR  
Chairman

STRATEGIC  
PLANNING  
COMMITTEE



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**REPORT OF STRATEGIC PLANNING COMMITTEE**


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**MEETING HELD ON 10 SEPTEMBER 2007**


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Chairman: \* Councillor Marilyn Ashton

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

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

[Note: Councillors Robert Benson, Nana Asante, Mrs Margaret Davine, Susan Hall, Mrs Kinnear, Mrs Anjana Patel, Paul Scott and Navin Shah also attended this meeting to speak on the items indicated at Minute 127 below].

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

 126. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrinal Choudhury	Councillor Graham Henson

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

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

<u>Councillor</u>	<u>Agenda item</u>
Councillors Robert Benson, Susan Hall and Paul Scott	Planning application 1/02
Councillor Mrs Kinnear	Planning application 1/04
Councillors Nana Asante, Mrs Margaret Davine, Navin Shah and Mrs Anjana Patel	Planning application 1/06

 128. **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.

 129. **Arrangement of Agenda:**

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

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

11. Planning Applications Received: This report was not available at the time the agenda was printed and circulated to enable the conclusion of negotiations with the GLA, Sport England and Belmont Football Club. Members were requested to consider this item, as a matter of urgency.
- 1/06 – William Ellis Sports Ground, Camrose Avenue, Edgware
11. Planning Applications Received: This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency, as otherwise the application would go out of time.
- 1/07 – Land R/O 71 Bridge Street, Harrow

and;

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

130. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 25 July 2007 be taken as read and signed as a correct record.

131. **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.

132. **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.

133. **Representations on Planning Applications:**

**RESOLVED:** That, in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of items 1/02, 1/06 and 2/01 on the list of planning applications.

[Note: Subsequently, item 1/02 was deferred, and so the representation was not received].

134. **Planning Applications Received:**

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

135. **Planning Appeals Update:**

The Committee noted that this had not been provided.

**RESOLVED:** That the Planning Appeals Update be submitted to the next meeting.

136. **Member Site Visits:**

**RESOLVED:** That (1) a Member site visit to Land R/O 71 Bridge Street, Harrow (item 1/07) take place on 29 September 2007 from 10.00 am;

(2) Member visits to the following sites, agreed by the Development Management Committee at its meeting on 6 September 2007, be moved from 21 September 2007 to also take place on 29 September 2007 from 10.00 am:

- Woodlands, 7 West Drive Gardens
- 50 Belmont Lane
- 169 Malvern Avenue

137. **Any Other Urgent Business:**

- (i) Motion in respect of William Ellis Playing Fields  
Further to item 1/06 in the schedule attached to these minutes, it was moved and seconded that:

“The Strategic Planning Committee resolves to refer to the Cabinet that the capital receipt from the sale of William Ellis Playing Field site be ring-fenced for investment in the development of sports facilities in the east side of the Borough. The Committee further resolves that the receipt shall not be used for funding Prince Edward Playing Field facilities”.

Having been put to the vote, this was not carried.

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

(Note: The meeting, having commenced at 6.30 pm, closed at 9.20 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

**SECTION 1 – MAJOR APPLICATIONS**

- LIST NO:** 1/01                      **APPLICATION NO:** P/1941/07/COU
- LOCATION:** Edgware Town FC, Burnt Oak Broadway, Edgware
- APPLICANT:** Cornerstone Architects Ltd. for Edgware Developments Ltd.
- PROPOSAL:** Layout, scale and access for redevelopment to provide 178 flats and 11 houses in nine blocks of three and five storey buildings (outline application)
- DECISION:** 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:
- Varying the S106 executed on 11 January 2007 as follows as shown in italics:
- (i) Approval by the Local Planning Authority prior to the start of development and implementation by the developer, and successors in title, of a Car Club within three calendar months of the first taxable occupation of any part of the development.
- (ii) Prior approval by the Local Planning Authority of the contents of a 'welcome pack' explaining all modes of transport other than privately owned cars and the issue of same to all occupiers within seven days of occupation. Such pack to be issued by the developer, and successors in title, for a period of not less than 5 years from the first taxable occupation of the development.
- (iii) The developer or successor in title shall fund all costs of public consultation, analysis, reporting and implementation of local on street parking restrictions, at any time within 3 years of the first taxable occupation if in the Council's opinion a monitoring period shows unacceptable local on street parking, up to a maximum of £15,000 index linked.
- (iv) The applicant to pay Harrow Council the sum of £60,000 within 14 days of the date of the agreement. This sum will be used to carry out works for the promotion of football development within the Borough. (£750,000 paid already under provisions of original agreement).
- (v) The provision of at least 30% affordable housing being 57 units in total. Such housing to be split into 70% social (40 rented) and 30% intermediate (17 for sale) housing.
- (vi) The improvement of the existing or provision of a further pelican crossing to Burnt Oak Broadway and association pedestrian routes up to a maximum of £85,000. Delete – paid following execution of original 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, as amended on the Addendum, will be issued only upon the completion of the aforementioned legal agreement.
-

**LIST NO:** 1/02                      **APPLICATION NO:** P/1702/07/CFU  
**LOCATION:** Cedars Hall, at the junction of Uxbridge Road and Chichely Road, Harrow Weald  
**APPLICANT:** BTPW Partnership for Genesis Housing Group  
**PROPOSAL:** Emergency accommodation comprising 19 x 1 bed, 8 x 2 bed and 3 x 1 bed wheelchair units, landscaping and car parking  
**DECISION:** DEFERRED for renotification.

**LIST NO:** 1/03                      **APPLICATION NO:** P/0909/07/DDP  
**LOCATION:** Site of the Flying Eagle public house, Mollison Way, Edgware  
**APPLICANT:** DWA Architects Ltd.  
**PROPOSAL:** Approval of reserved matters (appearance and landscaping) pursuant to permission P/1225/06/CFU  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.  
  
[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

**LIST NO:** 1/04                      **APPLICATION NO:** P/0124/07/CFU  
**LOCATION:** St Dominic's 6<sup>th</sup> Form College, Mount Park Avenue, Harrow, HA1 3HX  
**APPLICANT:** Kenneth W Reed & Associates for St Dominic's 6<sup>th</sup> Form College  
**PROPOSAL:** New sports hall and three additional classrooms and staff room  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reasons:

- (i) The scale, size and mass of the proposal would not preserve or enhance the Sudbury Hill Conservation Area and Area of Special Character, which abuts Metropolitan Open Land, and will materially impact on the openness of the locality to the detriment of the character of the area, contrary to HUDP policies SD1, SD2, D4, D14, D15, D16 and contrary to policy 3D.9 paragraph 3.249 of the London Plan.
- (ii) The new sports hall, three additional classrooms and staff room will adversely affect the residential amenities of Domani, which abuts the site, by reason of the scale, mass and size of the development and will give the appearance of overshadowing by taking away the openness and daylight, which can be clearly viewed from the first floor principle and protected bedroom window to the front of Domani to the detriment and loss of enjoyment of the occupiers of the property located in an Area of Special Character and Conservation Area, contrary to policies SD1, SD2, D4, D14, D15 and D16.

[Notes: (1) Councillors Marilyn Ashton, Don Billson, Graham Henson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having for the decision to refuse the application;  
(2) Councillors Keith Ferry and Thaya Idaikkadar wished to be recorded as having voted against the decision to refuse the application].

<b>LIST NO:</b>	1/05	<b>APPLICATION NO:</b>	P/0907/07/CFU
<b>LOCATION:</b>	Former Council Allotments, Kenmore Road, Harrow		
<b>APPLICANT:</b>	W J MacLeod for Thomas Wren Homes		
<b>PROPOSAL:</b>	Construction of 13 houses with car parking and garaging		
<b>DECISION:</b>	INFORM the applicant that: <ul style="list-style-type: none"> <li>(a) The proposal is acceptable subject to the completion of a legal agreement within six months (or such period as the Council may determine) of the date of the Committee decision on this application relating to: <ul style="list-style-type: none"> <li>(i) A contribution of £50,000 for the provision of play facilities.</li> </ul> </li> <li>(b) A formal decision notice granting permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, will be issued only upon the completion of the aforementioned legal agreement.</li> </ul>		
	Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].		

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<b>LIST NO:</b>	1/06	<b>APPLICATION NO:</b>	P/1282/07/CFU
<b>LOCATION:</b>	William Ellis Sports Ground, Camrose Avenue, Edgware		
<b>APPLICANT:</b>	DP9 Planning Consultants for the I-Foundation		
<b>PROPOSAL:</b>	Construction of one form primary school, external works, access and car parking		
<b>DECISION:</b>	INFORM the applicant that: <ul style="list-style-type: none"> <li>(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: <ul style="list-style-type: none"> <li>(i) A school Travel Plan.</li> <li>(ii) The sum of £40,000 shall be deposited with the Council to fund the survey of traffic and parking conditions in the locality, the preparation and installation of localised parking restriction and/or a Controlled Parking Zone for a period of six years from the date pupils are first taught at the school. Any monies not expended for these purposes shall be returned to the applicant at the end of the period.</li> <li>(iii) A contribution of £500,000 for the formation and/or improvement of the football facilities including club house facilities at William Ellis Sports Ground.</li> <li>(iv) A contribution of £30,000 to the Council as Highways Authority for highway works consequent to the development on the local highway network.</li> <li>(v) Shared use of the ten 'kiss and ride' parking spaces with the occupier of the football facilities and use of the playing field parking by the school.</li> <li>(vi) Shared use of the school playing fields between the school and occupier of the football facilities.</li> <li>(vii) Planning Administration Fee of £28,500 (5% of agreement).</li> </ul> </li> </ul>		

- (b) A formal decision notice granting permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum, will be issued only upon the completion of the aforementioned legal agreement and referral of the application to the Greater London Authority and Government Office for London in accord with the Development Plans and Consultation Departure Direction 1999.

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

(2) during discussion on the above item, it was moved and seconded that the application be granted with a number of amendments to the Section 106 Agreement. Following a five-minute adjournment to enable Members and officers to digest the proposed amendments, the meeting reconvened. Officers did not recommend that the amendments be adopted and, upon being put to the vote, the proposal to grant the application with amendments to the Section 106 Agreement was not carried;

(3) Councillors Keith Ferry, Graham Henson and Thaya Idaikkadar wished to be recorded as having voted for the Section 106 Agreement to be amended;

(4) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted against the Section 106 Agreement being amended;

(5) subsequently, it was moved and seconded that the application be granted as per the recommendation in the officer report. Having been put to the vote, this was carried;

(6) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to grant the application as per the recommendation in the officer report;

(7) Councillors Keith Ferry, Graham Henson and Thaya Idaikkadar wished to be recorded as having abstained from voting, for the reason that they had not been satisfied that the interests of the football club and neighbours had been safeguarded].

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<b>LIST NO:</b>	1/07	<b>APPLICATION NO:</b>	P/1907/07/CFU
<b>LOCATION:</b>	Land rear of 71 Bridge Street, Harrow, HA5 3HZ		
<b>APPLICANT:</b>	Planning Potential for Zed Homes		
<b>PROPOSAL:</b>	Redevelopment: Construction of 30 flats; amenity space and two disabled parking spaces		
<b>DECISION:</b>	DEFERERD for a Member site visit.		

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

<b>LIST NO:</b>	2/01	<b>APPLICATION NO:</b>	P/2269/07/DFU
<b>LOCATION:</b>	(Land to north of allotment gardens), Kenmore Road Playground adjacent to Henson Path, Harrow		
<b>APPLICANT:</b>	Ashley House plc. for Harrow Council		
<b>PROPOSAL:</b>	Part single, part two storey neighbourhood resource centre, with associated access and parking		

**DECISION:** INFORM the applicant that:

- (a) The proposal is acceptable subject to the transfer of £25,000 from by 30 April 2008 to part fund the improvement of the play area adjoining the site.
- (b) 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, will be issued only upon the completion of the aforementioned transfer.

[Note: (1) Prior to discussing the above application, the Committee received representations from an objector, which were noted;

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

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

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STANDARDS  
COMMITTEE



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**REPORT OF STANDARDS COMMITTEE**


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**MEETING HELD ON 11 SEPTEMBER 2007**


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Chairman: \* The Right Revd Peter Broadbent

Councillors: \* B E Gate \* Joyce Nickolay  
 \* Mrs Kinnear \* Phillip O'Dell  
 \* Jean Lammiman \* Jeremy Zeid (3)

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

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

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

**RESOLVED:** That the Right Reverend Peter Broadbent be appointed Chairman of the Standards Committee for the remainder of the Municipal Year 2007/2008.

**60. Attendance by Reserve Members:**

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

Ordinary Member
Reserve Member

Councillor Janet Cowan

Councillor Jeremy Zeid

**61. 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.

**62. Arrangement of Agenda:**

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

**63. Appointment of Vice-Chairman:**

**RESOLVED:** That the appointment of Vice-Chairman of the Standards Committee for the remainder of the Municipal Year 2007/2008 be deferred until the next meeting.

**64. Minutes:**

**RESOLVED:** That the minutes of the Special meeting held on 1 March 2007, the Ordinary meeting held on 26 March 2007 and the Special meeting held on 23 April 2007, be taken as read and signed as correct records.

**65. Public Questions:**

**RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.

**66. Petitions:**

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

67. **Deputations:**

**RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

68. **Establishment of Panels:**

The Director of Legal and Governance Services introduced the report which set out the requirement to establish and appoint Members to the Member Development Panel and Hearing Panel.

**RESOLVED:** That (1) the Member Development Panel and Hearing Panel be established and that Members be appointed to those Panels for the Municipal Year 2007/08;

(2) the Terms of Reference of the Committee and its Panels, as set out at Appendix 1 to these minutes, be noted;

(3) the Councillor membership of the Committee's Panels, as set out at Appendix 2 to these minutes, be confirmed;

(4) the nomination for Chairman of the Member Development Panel be confirmed;

(5) the Independent and Reserve membership to the Hearing Panel be agreed;

(6) it be noted that one of the Independent Members would be the Chairman of the Hearing Panel.

69. **Review of Complaints:**

The Director of Legal and Governance Services introduced the report which outlined the number of complaints made to the Standards Board for England and to the Monitoring Officer between August 2006 and August 2007.

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

70. **Date of Next Meeting:**

**RESOLVED:** That the next Standards Committee meeting date of 17 December 2007 be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 7.38 pm).

(Signed) THE RIGHT REVD PETER BROADBENT  
Chairman

**APPENDIX 1****STANDARDS COMMITTEE****TERMS OF REFERENCE**

The Standards Committee will have the following powers and duties:

- (a) promoting and maintaining high standards of conduct by Councillors, co-opted members and “church” and parent governor representatives;
- (b) assisting Councillors, co-opted members and “church” and parent governor representatives to observe the Members’ Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members’ Code of Conduct;
- (d) monitoring the operation of the Members’ Code of Conduct;
- (e) developing and recommending local protocols to the Council to supplement the Members’ Code of Conduct;
- (f) enforcing local protocols and applying sanctions in respect of breaches as appropriate;
- (g) advising, training or arranging to train Councillors, co-opted members and “church” and parent governor representatives on matters relating to the Members’ Code of Conduct;
- (h) granting dispensations to Councillors, co-opted members and “church” and parent governor representatives from requirements relating to interests set out in the Members’ Code of Conduct;
- (i) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer;
- (j) to keep under review and amend, as appropriate, the Protocol on Councillor/Officer Relations;
- (k) to keep under review the Officer Code of Conduct and, after consultation with unions representing staff, make recommendations to Council for amendment or addition;
- (l) to receive reports and keep a general overview of probity matters arising from ombudsman investigations, Monitoring Officer reports, reports of the Chief Financial Officer and Audit Commission;
- (m) to have oversight of the Council’s whistleblowing policy;
- (n) to agree the policy for decisions on payments to those adversely affected by Council maladministration (under section 92 Local Government Act 2000)

**HEARING PANEL****TERMS OF REFERENCE**

The Hearing Panel has the following powers and duties

To hear local determinations

**MEMBER DEVELOPMENT PANEL****TERMS OF REFERENCE**

The Member Development Panel will have the following powers and duties:

- (a) to have oversight of the annual programme of member development;
- (b) to prepare and assist in the delivery of the induction of new Councillors following the Borough elections or any by-election;
- (c) to have oversight of the resources allocated for member development and make recommendations to Council for the appropriate resources for the member development function;
- (d) to liaise with external agencies providing development opportunities for members and procure their services as appropriate.

APPENDIX 2STANDARDS PANELS**MEMBER DEVELOPMENT PANEL (4)  
(Non-Proportional)**

	<u>Conservative</u>	<u>Labour</u>
	(2)	(1)
<u>I. Members</u>	<b>Jean Lammiman (CH) Paul Osborn</b>	<b>B E Gate Phillip O'Dell</b>
<u>II. Reserve Members</u>	1. Mrs Myra Michael 2. Mrs Vina Mithani	1. Keeki Thammaiah 2. David Perry

**HEARING PANEL (5)  
(Non-Proportional)**

	<u>Independent Persons</u>	<u>Conservative</u>	<u>Labour</u>
	(3) Chair + 2 Independent Members from the Pool	(1)	(1)
<u>I. Members</u>	<b>Sheila Darr John Kirkland Mohammad Rizvi</b>	<b>Janet Cowan</b>	<b>Phillip O'Dell</b>
<u>II. Reserve Members</u>	1. Rev Peter Broadbent	1. Joyce Nickolay	1. B E Gate

Membership Rules

- (1) The membership of The Standards Committee Hearing Panel, to hear local determinations will be five persons (comprising three Independent Persons and one Elected Member from each of the main political parties, within the Standards Committee Membership);
- (2) the quorum for the Panel hearing a local determination is 3, including at least one of the Independent Persons;
- (3) the Panel hearing a local determination must be chaired by one of the Independent Persons;
- (4) the Independent Person to fulfil the function in (3) be appointed by the Standards Committee;
- (5) Members attending a Panel be required to vote on a local determination and not be permitted to abstain.



STANDING ADVISORY  
COUNCIL FOR  
RELIGIOUS  
EDUCATION



**STANDING ADVISORY COUNCIL FOR  
RELIGIOUS EDUCATION****19 SEPTEMBER 2007**Representatives of the LEA

Councillors: † Ms Nana Asante † Mrs Anjana Patel  
\* Mrs Lurline Champagnie

Representatives of Christian and Other Religious Denominations and Faiths

* Mrs M Besser (Chairman)	* Mr D Liversedge
Zia Baig	Mrs S Lynn
* Mr M Bishop	† Councillor Asad Omar
* Mrs N Desai	* Mrs S Panjwani
* Mrs P Gan-Kotwal	* Mr N Ramsley
* Mrs M Hale	Rabbi D Roselaar
Envoy B Haylock	Prof H Singh
Dr V Kapashi	* Mr P Singh-Kohli
Brother L Lindsay	

Representatives of the Church of England

† Mrs M Abbott Rev'd S Pothen  
Dr K Pinching

Representatives of Teachers

Mr R Crocker	* Mrs A Stowe
† Mrs S Mistry	† Mrs R Shakar
† Ms B Pandya-Arepalli	Rev'd Dr S Thompson

Co-opted Members

Mr J Dave \* Ms P Stevens  
Mr M Shah

Adviser to the Council, Nominated by the Corporate Director, Children's Services

\* Mr P O'Dwyer

\* Denotes Member present  
† Denotes apologies received

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**71. **Apologies for Absence:**

**RESOLVED:** To note that (1) apologies had been received from Councillor Mrs Anjana Patel, Mrs Shruti Mistry, Councillor Asad Omar and Mrs Bavita Pandya-Arepalli;

(2) apologies and a resignation had been received from Mrs Rehana Shaker;

(3) a resignation had been received from Ms Suquena Panjwani.

72. **Attendance by Reserve Members:**

**RESOLVED:** To note that Pat Stevens was in attendance as a reserve Member for the Church of England.

73. **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.

74. **Minutes:**

**RESOLVED:** That (1) the minutes of the meeting held on the 8 March 2007 be taken as read and signed as a correct record;

(2) the minutes of the meeting held on 5 June 2007 be taken as read and signed as a correct record, subject to the following amendment:

In the attendance list, Mr Neville Ransley's surname is misspelt 'Ramsley'.

75. **Matters Arising**(a) **SACRE Membership:**

Pat Stevens reported that nomination forms had been circulated to current members of SACRE for confirmation of Membership for the academic year 2007-08 and that most of the forms had been returned to her. It was noted that Ms Beverley Wilson would represent the Rastafarians from the 19 September 2007 in place of Brother Leroy Lindsey and that Ms Sukaina Gulamhussein would represent Shia Muslims from the working party on 20 September 2007 and at future SACRE meetings in the place of Ms Suquena Panjwani.

**RESOLVED:** That Pat Stevens (1) contacts SACRE Members from 2006-2007 to see if they wished to remain as Members;

(2) takes the necessary action to fill vacancies;

(3) responds to a survey on vacancies on SACREs, organised by the National Association of SACREs (NASACRE).

(b) **NASACRE London Meeting:**

Alison Stowe reported on a meeting of London SACRE representatives, organised by the National Association of SACREs (NASACRE). Discussion centred around the recent report on religious education by the Office of Standards in Education (OFSTED), entitled "Making Sense of Religion", a proposed national strategy, recruitment and training of teachers specialising in religious education. She emphasised a report that GCSE requirements were changing with the introduction of controlled assessment tasks, marked by teachers, and circulated a SACRE leaflet from another Local Authority, detailing the duties of a SACRE member. A summary of "Making Sense of Religion" was distributed.

**RESOLVED:** That (1) members study the "Making Sense of Religion" report, with a view to formulating a response at the next SACRE meeting on 5 December 2007;

(2) SACRE revises its "Handbook for SACRE members", to present the duties of SACRE members in a clear, user-friendly text.

(c) **SACRE Showcase for Councillors:**

**RESOLVED:** To request a suggested date from Councillor Mrs Anjana Patel, after which the working party consisting of Alison Stowe, Patrick O'Dwyer, Pat Stevens and Shruti Mistry could make the necessary arrangements to organise this event.

(d) **SACRE Constitution:**

Pat Stevens reported that a copy of a proposed revised constitution had been submitted for suggestions to the Legal and Governance Services Department for an answer to the query raised by a clause in the 1996 Education Act. She explained that Jill Travers (Principal Lawyer: Governance) was working on our queries and would report to SACRE in due course.

**RESOLVED:** That SACRE await a response from Legal and Governance Services.

(e) **SACRE advice on the religious needs of pupils:**

Mrs Stowe outlined procedures to be followed by the working party on the religious needs of pupils to take place on 20 September 2007 from 1.00 – 4.00 pm in Committee Room 3 at the Civic Centre. Participation in the working party would be open to all Members and the views of faith community representatives and teachers would be particularly welcome.

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

(f) **Multi Faith Calenders:**  
Pat Stevens distributed to Members:

- copies of the Shap Calendar of Religious Festivals;
- updated advice from SACRE regarding occasions when families might request authorised absence for their children to carry out religious obligations.

Discussion took place on the inclusion on the SACRE advice of the festivals/commemorations of Fasika on 5 May, Negus Day on 7 October, Gokul Asthami, Krishna Jayanti, Ganesh Chaturthi and Lailat Ramadan.

**RESOLVED:** That (1) Pat Stevens arrange for copies of the SHAP Calendar and the current SACRE advice to be circulated to all schools and colleges, with the correction that Eastern Orthodox, Armenian and Rastafarian Good Friday takes place on 25 April (not 27 April) 2008;

(2) Pat Stevens and Councillor Mrs Anjana Patel arrange for the new, detailed Multi Faith Festivals calendars 2008-2009 to be purchased for High Schools, Colleges and libraries;

(3) Pat Stevens carries out further research on Fasika, Negus Day, Gokul Asthami, Krishna Jayanti, Ganesh Chaturthi and Lailat Ramadan to report to the meeting on 5 December 2007, with a view to their being included in Harrow SACRE's advice to schools.

76. **Pupil/Student Representation on SACRE and Early Look at GCSE results 2007:**  
Mrs Desai reported on a meeting of the Harrow Student Advisory Group held on 25 June 2007, that she had attended with Mr Baig to represent SACRE. Mrs Desai expressed that she had faith with young people expressing their ideas and participating in policy making together with adults.

Dheemal Patel, from Park High School, agreed to represent the Harrow Student Advisory Group on SACRE and attended the meeting with Ravi Mistry. The students gave an account of the GCSE Philosophy and Ethics course that they were following in religious education, leading initially to a short course qualification, which they intended to convert to a GCSE full course qualification.

It was suggested that for the next SACRE meeting the students bring ideas from the Student Advisory Council on the wearing of religious artifacts in school, that would honour individual beliefs, while keeping within the framework of school uniform and health and safety requirements. This would provide a valuable student dimension to the discussions of the working party on the religious needs of pupils.

SACRE Members applauded the inclusion of young people in their deliberations and expressed that they looked forward to further contributions from them.

SACRE members asked if they could have copies of GCSE syllabuses to gain insight into what was expected of students at this level. Pat Stevens reported that the statistics relating to success in Religious Education at GCSE level 2007 were yet to be published.

**RESOLVED:** That (1) an agenda item for the meeting due to be held on 5 December 2007 is included in order to allow young people to report to SACRE their views on wearing religious artifacts;

(2) Pat Stevens provides copies of the GCSE Religious Education syllabuses for Members at the meeting on 5 December 2007.

77. **Resources for School - Launch of the Jain and Baha'i Packs:**  
The launch of the Jain resource pack on 11 July 2007 was deemed to be an interesting and inspiring occasion. SACRE extended its thanks to the Jain community for their generosity in funding the packs for schools, especially in the commissioning of a writer of children's books to create "Exploring Jainism" a user friendly book for primary children. Copies of the Jain pack were available for SACRE members to collect, if they had not already received one.

Mrs Besser suggested two dates in January for the launch of the Baha'i pack. SACRE members suggested that 23 January 2007 was a good time for the launch. Mrs Besser explained that as a small local community, the Baha'is would fund a third of the cost of the packs for all schools and it was agreed that SACRE would contribute £500 from its budget and schools would be asked to contribute £17 for the pack. This would enable all costs to be covered.

Mr Singh Kohli reminded members that the Sikh packs were under consideration and Mr Lindsey commented that the Rastafarians were beginning to plan their pack. Councillor Mrs Lurline Champagnie recommended that the material in the packs and other teaching materials might be used to build up the section on faiths in the adult reference libraries.

**RESOLVED:** That (1) Ms Stevens would ascertain the availability of the Council Chamber and Members' Room for the launch of the Baha'i pack on 23 January 2008;

(2) Mrs Besser and members of the Baha'i community would work with SACRE to organize the details of the launch;

(3) Ms Stevens would contact the Librarian to discuss the possibility of additions to the faith sections of libraries at the recommendation of SACRE.

78. **Harrow Agreed Syllabus for Religious Education and Non-Statutory Scheme of Work:**

Mr Bishop and Ms Stevens reported that the statutory Harrow Agreed Syllabus document was being prepared for electronic publication by the Harrow Council Communications section and should be available during the Autumn Term. A sample non-statutory unit of work was demonstrated, which followed closely the way in which the Qualifications and Assessment Authority (QCA) set out planning documents for the National Curriculum. Members received an outline of the Agreed Syllabus and Non-Statutory scheme of work and thanked all concerned for their hard work in developing a lively interactive syllabus, which would enhance the quality of learning and teaching in schools.

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

79. **SACRE Budget - Half Year Review:**

Ms Stevens distributed the half-year review of the SACRE budget. Councillor Mrs Lurline Champagnie was pleased that there were plans to spend the allocated budget productively by the end of the financial year.

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

80. **Update from**

(a) **Harrow Multi-Agency Forum:**

Ms Stevens outlined recent activities of the Multi-Agency Forum and the contents of materials SACRE had received from this organisation.

**RESOLVED:** That (1) this report be accepted;

(2) Ms Stevens gather an update on the development of the Street Pastors scheme, following the presentation made on 5 June 2007.

(b) **Harrow Inter Faith Council:**

Mary Hale, the Chair of Harrow Inter Faith Council paid tribute to the work of Pat Stevens as Secretary until her resignation at the AGM in February 2007. She summarised recent events, which included a conference organised by the Runnymede Trust, at which it was suggested that young people of all faiths might mount a theatrical production. She reported on two functions examining climate change, organized by Harrow Baptist Church and the Kol Choi Jewish Community, Hatch End and noted that Harrow Inter Faith Council had a stall at the "Under One Sky" celebration.

Future events included an open week at Middlesex New Synagogue from 28 September 2007 until 3 October 2007. Prayers for World Peace at the Brahma Kumaris headquarters from 21 until 27 October 2007 and a Youth Voice session entitled "Religion: Help or Hurt?" at the London Inter Faith Centre on Sunday 9 December 2007. Mr Liversedge, who was unable to attend the meeting, submitted information on public debates to be held at St Paul's Cathedral.

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

(2) Harrow Inter Faith Council to note that SACRE members would be delighted to participate with any visits to places of worship that were being organised.

81. **Dates of Next Meetings:**

The Working Party to devise guidance for schools on the religious needs of pupils would be meeting on 20 September 2007 at 1.00 pm.

The next meetings of SACRE were scheduled for 5 December 2007 and 12 March 2008.

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

(Note: The meeting having commenced at 7.30 pm, closed at 10.00 pm)

(Signed) MRS M BESSER  
Chairman



LICENSING  
AND GENERAL  
PURPOSES  
COMMITTEE



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**REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE**


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**MEETING HELD ON 27 SEPTEMBER 2007**


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Chairman: \* Councillor Mrs Lurline Champagne

Councillors: \* Robert Benson \* Ashok Kulkarni  
 \* Don Billson \* Mrs Vina Mithani  
 \* Mrinal Choudhury \* John Nickolay  
 \* G Chowdhury \* Phillip O'Dell  
 Mano Dharmarajah \* Raj Ray  
 \* Thaya Idaikkadar Tom Weiss  
 \* Nizam Ismail \* Jeremy Zeid

\* Denotes Member present

**PART I - RECOMMENDATIONS**
**RECOMMENDATION I - Review of the Licensing Policy**

The Committee considered a report of the Executive Director Community and Environment, which advised on the outcome of the review of Harrow's Licensing Policy. The Policy has to be reviewed every three years, following its implementation, to comply with relevant legislation.

Harrow's Licensing Policy established the basis for applications under the Licensing Act and how they were to be determined. Harrow had developed, consulted on and published a statement of its Licensing Policy on 6 January 2005, which was due to expire on 5 January 2008. The Authority in reviewing its Policy had to consider responses from stakeholders as part of a consultation process. Stakeholders were widely consulted with participation from local businesses, residents' associations, Ward Councillors, the London Fire and Emergency Planning Authority, Metropolitan Police as well as other statutory organisations and interested parties.

It was noted that the existing Policy had been written prior to the Licensing Act coming into force and appeared to incorporate more of a legal approach to its guidance. However, three years on a lot had happened, national precedents had been set and everyone was more familiar with the understanding of the Policy. The revised draft Policy had more flexibility and had incorporated suggestions following wide consultation.

Having considered the responses to the draft Licensing Policy following consultation, it was:

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

That Harrow's Licensing Policy, attached at Appendix A, be endorsed.

(See also Minute 61)

**Appendix A - Review of the Licensing Policy**
**RECOMMENDATION II - Feedback and Recommendations from Member Working Group – Polling District Review**

The Committee considered a report of the Director of Legal and Governance Services, at its last meeting, which advised of the necessity to review Harrow's polling districts and stations in accordance with legislation, and sought the establishment of a working group to undertake the work.

The Polling District Working Group met twice in order to review every polling district within the Borough and made several recommendations.

It was noted that if officers found suitable alternative locations for polling centres, particularly where requests had been made by the working group or Ward Councillors, they would use it.

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

That (1) the recommendations in relation to individual polling districts, as set out in Appendix B be endorsed; and

(2) future reviews of polling districts address selected parts of the Borough each year, to ensure that the statutory requirement to conduct a review every four years of all of the Borough's polling districts are met.

(See also Minute 62).

**PART II - MINUTES**57. **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.

58. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the agenda together with all the items be admitted late by reason of the special circumstances and grounds for urgency stated:

<u>Agenda Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
7. Review of The Licensing Policy	) There was a delay in printing and dispatching the agenda as the reports were not available at the time of the agenda deadline. Members were requested to consider all the items as a matter of urgency.
8. Feedback and Recommendations from Member Working Group – Polling District Review	
9. Review of Flexible Retirement Policy	

(2) all items 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>
9. Review of Flexible Retirement Policy – Appendix A	The appendix to this report contained exempt information under Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to an individual.

59. **Minutes:**

**RESOLVED:** That the minutes of the Special meeting held on 19 February 2007, the ordinary meeting held on 5 March 2007, the Special meeting held on 14 May 2007 and the ordinary meeting held on 7 June 2007, be taken as read and signed as correct records.

60. **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.

61. **Review of the Licensing Policy:**  
(See Recommendation I).62. **Feedback and Recommendations from Member Working Group – Polling District Review:**  
(See Recommendation II).63. **Review of Flexible Retirement Policy:**

Members received a report of the Corporate Director of Finance on the use of Harrow Council's Flexible Retirement Policy which included details of policies adopted by other authorities, actual experience at Harrow and any recommendation for adjustment to Harrow's policy.

**RESOLVED:** That Harrow Council's Flexible Retirement Policy incorporating the proposed changes as detailed in 2.15 and 2.17 of the officer report be approved.

(Note: The meeting, having commenced at 7.40 pm, closed at 8.52 pm).

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE  
Chairman



**LICENSING ACT 2003**

**LICENSING  
POLICY**

Published on 18<sup>th</sup> October 2007

## London Borough of Harrow

### Licensing Policy – Licensing Act 2003

#### 1. Introduction

1.1 Harrow Council is the Licensing Authority under the Licensing Act 2003 ('the Act.'). It is responsible for premises licences, club premises certificates, temporary events notices and personal licences in the Borough in respect of licensable activities:

- The sale and/or supply of alcohol.
- The provision of regulated entertainment.
- Late night refreshment.

1.2 The guiding principles in the Licensing Act 2003 are the Licensing Objectives:

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

1.3 These Objectives and the Statutory Guidance are the basis for this policy. In the context of licensing, our society has to strike a balance between those activities that profit one portion of that society and those that may have a detrimental effect on another. All views will be taken into account when determining licensing policy.

1.4 This licensing policy covers the period from 18<sup>th</sup> October 2007 to 17<sup>th</sup> October 2010. It will be kept under review and, following consultation, revised or amended at any point in that period that the Council see fit.

#### 2. Main Principles

2.1 'Licensing' in this policy means the administrative functions behind the issue of Personal Licences, Premises Licences, Club Premises Certificates to qualifying clubs and temporary events within the terms of the Act, especially in relation to s.5. Nothing in this policy will undermine the rights of any person to apply under the Act and have the application considered on its individual merits, and/or override the right of any person to make representations or to seek a review of a licence or certificate where they are permitted to do so under the Act. Further explanation of licensing functions can be found in Annexes B to G

2.2 The Act provides flexibility for operators to provide licensable activities that suit the individual nature of a venue. The application form and accompanying Operating Schedule for a premise enable a business to reflect its individual needs, setting down when and how the activities will take place. While this Licensing Policy assists with the interpretation of the Objectives, applicants must carefully consider the potential impact of their licensable activities and seek advice where necessary. They should conduct a thorough risk assessment with regard to the Licensing Objectives when preparing their application. The matters put forward on an Operating Schedule normally become conditions on any licence or certificate granted, hence applicants should carefully consider what is in the application and must be willing and able to comply with the Operating Schedule.

- 
- 2.3 Where there are no representations to an application the Licensing Authority must grant the licence or certificate with only those conditions that are consistent with the Operating Schedule and any mandatory conditions in the Act. In the case of an event organised under a Temporary Event Notice, a counter notice can only be served following appropriate representations made by the Police.
- 2.4 When determining unresolved representations the Licensing Authority will primarily focus on the impact of the activities taking place at licensed premises on persons living, working or engaged in normal activity in the area concerned.
- 2.5 Conditions on licences and certificates might only arise from the following sources:
- The Operating Schedule.
  - The mandatory conditions within the Act.
  - At a hearing by the Licensing Authority to determine unresolved representations.
- 2.6 Conditions attached to Premises Licences and Certificates will as far as possible, relate local necessity; for example, the provision of CCTV. A key concept of the Act is the tailoring of conditions to the individual style of premises and events. A standardised group of conditions should therefore be avoided, and may be unlawful where they cannot be shown to be necessary to promote the licensing objectives. This is not to say that the wordings of conditions themselves cannot be identical when applied to different premises, since there are bound to be regular requirements. Examples could be conforming to ACPO principles, and other professional standards.
- 2.7 There are a number of available mechanisms for addressing issues of unruly behaviour that can occur away from licensed premises, including:
- Planning controls.
  - Positive measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments.
  - Designation of parts of the Borough as places where alcohol may not be consumed publicly.
  - Regular liaison with Police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk; confiscation of alcohol from adults and children in designated areas and the instant temporary closure of licensed premises or temporary events on the grounds of disorder, or likelihood of disorder or excessive noise from the premises.
  - The power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate.
- 2.8 The council addresses many of these issues in partnership with the Police and other agencies within the Partnership framework. The council acknowledges that some aspects of the law may be difficult to understand, and therefore always advises early consultation when applications are being made. Specific business advice cannot be given nor application forms filled in on behalf of applicants, but assistance can be provided in understanding the legislation. The Council acknowledge the speed at which legislation can change and will, as far as possible, undertake education by way of mail shot, group e-mails and seminars.

### 3. Licensing Objective 1: Prevention of Crime and Disorder

- 3.1 Licensed premises that serve alcohol and refreshments, especially those offering late night/early morning entertainment, can be a source of crime and disorder problems through the actions of their patrons and staff. Good management at premises makes an important contribution to reducing the impact on the local community. An example of good practice by management is active participation in local Pub and Drug Watch schemes.
- 3.2 The Council will work with the Police to encourage licensees to work in partnership with local Pub and Drug Watch schemes as a way of supporting licensees to actively prevent crime and disorder issues and to inform crime reduction strategies. Schemes will encourage the sharing of information, effective communication and will seek to address matters such as under-age sales, problems associated with drunkenness, prevention of illegal drug use, and violent and anti-social behaviour. Where there is no scheme in place applicants are strongly encouraged to visit [www.uniquepubs.com/pubwatch](http://www.uniquepubs.com/pubwatch) to obtain further information and advice on setting up a scheme.
- 3.3 When addressing the crime and disorder objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps to deal with them. Such measures on the Operating Schedule might include the following:
- (a) What measures will be taken by the licensee to promote drugs awareness and what provision has been made for facilities to store seized drugs. In the interests of public safety, nightclub owners and dance event promoters are encouraged to follow guidance in the Safer Clubbing Guide to ensure the health and safety of anyone attending dance events. Particular attention will be paid to the measures taken to record the seizure and storage of controlled drugs, weapons and similar material.
  - (b) What measures will be taken by the licensee to prevent alcohol abuse such as drinking games and continuous drink promotions, such as the adoption of advice by the British Beer and Pub Association and the Portman Group. This is to avoid potential crime and disorder incidents linked to binge drinking.
  - (c) What features are currently in place or planned for physical security at the premises, for example, CCTV. Advice is available from the local Crime Prevention Design Advisor on the layout and specification of CCTV systems.
  - (d) How licensees propose to work in partnership with the Licensing Authority, Police and other traders in establishing a possible agreement on co-ordinating operating hours to prevent large numbers of people moving between premises. For example, disco nights, promotion nights and special events that could attract large numbers of people. Such co-ordination could be achieved through a local Pub Watch Scheme.
  - (e) What arrangements will be put in place in respect of the adoption and use of a recognised or appropriate age-monitoring scheme.
  - (f) What active management measures will be taken for the prevention of violence or public disorder. For example, where appropriate, employment of registered door staff to effectively control potential flashpoints such as the management of persons awaiting entry to premises and flashpoints within the premises itself.

- (g) What arrangements have been made for the safety of staff and other persons (including performers, contractors, agency staff and other persons in the premises for work purposes) in premises open between 11pm and 5am, or in premises where there is history of violence from customers or the public. One example of such a premises would be a shop selling alcohol for consumption off the premises (an “off-licence”).
- (h) What arrangements have been made for seating in pubs, bars, nightclubs and late night refreshment premises. Research has shown that the amount of seating can be relevant to the prevention of crime and disorder.

- 3.4 When considering controls at premises applicants are recommended to seek early advice from the Council’s licensing staff and the Police.
- 3.5 Where conditions have not been adhered to in the past, the Licensing Authority will expect applicants to have considered and taken action to rectify those issues. If there is continued abuse of the regulations, action will be taken in accordance with the Enforcement Policy.
- 3.6 In the interests of the Licensing Objectives, the Licensing Authority advise that where alcohol is consumed in designated outside areas, appropriate risk assessments are undertaken to minimise risks. Such measures may include the serving of drinks in plastic vessels, regular cleaning of litter, control of noise levels, etc.
- 3.7 Wherever possible, applicants are expected to be aware of local groups known to incite violence or hatred, or partake in extremist activities, in order to prevent the likelihood of meetings resulting in crime or disorder. Licensees will be expected to take into consideration the potential impact on privacy or religious freedom and the ethnic and cultural composition of the local area when accommodating these meetings. The Council recognises the need to promote the elimination of unlawful discrimination and to promote equality of opportunity. Therefore, the Council recommends licensees seek guidance from the Home Office website [www.raceimpact.homeoffice.gov.uk](http://www.raceimpact.homeoffice.gov.uk)
- 3.8 When determining unresolved representations to an application and where necessary in individual circumstances to comply with the Licensing Objectives, the Licensing Authority may consider attaching specific conditions related to the licensed activities and conditions as outlined in Annex C – Conditions relating to the prevention of crime and disorder.

#### **4. Licensing Objective 2: Public Safety**

- 4.1 Members of the public visiting licensed premises expect that their physical safety and health will be protected. Licensees must be able to demonstrate that they have considered and put into effect measures to protect the safety of the members of the public. Applicants are advised to seek early advice from the Council’s Licensing Officers, Environmental Health Officers and the London Fire and Emergency Planning Authority (Fire Authority) before preparing their plans, Operating Schedules, establishing new premises, commencing refurbishment work, etc.
- 4.2 A wide range of premises fall within the scope of the Act including cinemas, halls, theatres, nightclubs, public houses, cafés, restaurants and fast food outlets/takeaways. In addition open-air events such as concerts, or other events in parks, marquees and stadia, may also fall under licensing requirements. Each type of premises presents a mixture of risks, some common to the bulk of premises while others are unique to specific activities. It is essential that premises are constructed

or adapted and operated to acknowledge and safeguard occupants against these risks. When addressing the public safety objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps to deal with them. Such measures on the Operating Schedule might include those in Annex D – Conditions relating to Public Safety (including fire safety) and Annex E – Theatres and Cinemas (Promotion of Public Safety).

- 4.3 When determining unresolved representations to an application and where necessary in individual circumstances to comply with the Licensing Objectives, the Licensing Authority will consider attaching conditions to licences and certificates to promote safety, and these may include conditions drawn from Annex D or Annex E.
- 4.4 The principal purpose of a safe capacity limit is to ensure the safety of all persons on the premises at the time and to ensure a safe means of escape in the event of fire. Capacity limits can also assist in preventing crime or disorder, as overcrowded premises can increase the risks of disorder as crowds become frustrated and hostile. Following relevant representations the Licensing Authority will consider the need for occupancy limits for an individual premises in consultation with the Fire Authority, Health and Safety Officers, and Building Control Officers, as appropriate, where there is a concern for public safety. Premises that have safe capacity limits imposed under fire safety legislation will not have a safe capacity limit imposed for the same activities under the premises licence, or club registration certificate, unless recommended by the Fire Authority.
- 4.5 Subject to the existence of controls under other legislation and the need to determine representations, the Council as Licensing Authority will wish to:
- Ensure that all licensed premises or temporary events have adequate and effective means of escape in case of fire and that all fire safety measures have been implemented.
  - Ensure, as appropriate, licensed premises or temporary events are provided with fire alarms, emergency lighting and fire fighting equipment suitable to the assessed risks and adequately maintained.
  - Ensure that the number of people present can safely be evacuated in the case of emergency.
  - Ensure adequate staff training to deal with emergencies and that the Operating Schedule expressly states what training is to be undertaken, its frequency and what records are kept to demonstrate this has taken place.
  - Ensure that safety measures are clearly stated in the Operating Schedule. Applicants might usefully make reference to relevant risk assessments.
  - Nightclub type premises can be a focus for the trade in and consumption of illegal drugs. The Council as licensing authority will continue to encourage measures such as “Safer Clubbing” (available at [www.drugs.gov.uk](http://www.drugs.gov.uk)) and existing work through the Drug Action Team and the Crime and Disorder Reduction Partnership, as a strategic approach to addressing drug problems.

## **5. Licensing Objective 3: The Prevention of Public Nuisance**

- 5.1 The Licensing Authority is committed to preventing public nuisance in the Borough by working in close partnership with Police and licensees, as well as coordinating

action across the Council's services. The term 'public nuisance' is not limited to existing legal definitions of the term and the Licensing Authority intends to interpret the term in its widest sense, including issues affecting the amenity of the area such as noise, light, odour, litter and anti-social behaviour.

- 5.2 In the Operating Schedule, applicants should indicate how they intend to carry out the licensable activities in a way that will not cause public nuisance. Where premises are located near to noise-sensitive areas, for example, nursing homes, hospitals or places of worship, the Operating Schedule should specify the steps to be taken to ensure there is no loss of amenity to persons in these premises when licensable activities are taking place.
- 5.3 When addressing the public nuisance objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps needed to deal with them. Such measures on the Operating Schedule might include the following:
- Measures taken or proposed that will reduce noise and vibration escaping from the premises. This would include music and human voices whether or not amplified. Additionally measures to control noise from vehicles and plant, such as ventilation and refrigeration equipment.
  - Measures taken or proposed that will minimise disturbance by persons arriving or departing from the premises, also the delivery of goods and services to the premises.
  - Measures taken to control light to ensure that it does not stray outside the boundary of the premises such as to give rise to problems in the locality.
  - For late night premises, provision for access to taxis and private vehicle hire services. For example, lists of taxi companies displayed by a public telephone.
  - Measures taken to encourage patrons to arrive and disperse quickly and quietly from the immediate vicinity of the premises.
  - Measures taken to ensure the removal of persons ejected from the premises and their dispersal from the immediate vicinity.
- 5.4 In appropriate circumstances to control access to and egress from the premises during events and prevent public nuisance, the Licensing Authority will consider attaching a condition to licences requiring the use of Door Supervisors, Stewards, Security or other staff. Such staff need to be licensed by the Security Industry Authority.
- 5.6 At large events or events likely to create a particular noise or disturbance, following relevant representations, the Licensing Authority may request or require an organiser to conduct regular monitoring to determine the degree of disturbance to any nearby residential premises. Where such a condition is applied, the applicant will maintain a log of such monitoring indicating the time, any incidents and what remedial action was taken.
- 5.7 Applicants seeking licences for the sale or supply of alcohol should consider the measures to be taken to prevent individuals from consuming excess alcohol and to manage individuals who have consumed excess alcohol. The Licensing Authority would expect the holders of Premises Licences to promote the training of staff in alcohol abuse awareness as part of responsible trading within the Licensed trade.

- 5.8 When determining unresolved representations to an application and where necessary in individual circumstances to comply with the Licensing Objective, the Licensing Authority may consider attaching specific conditions related to the licensed activities and conditions as outlined in Annex F – Conditions relating to the prevention of public nuisance. The authority expects stricter conditions to be applied to control noise nuisance in areas that have denser residential accommodation.

## 6. Licensing Objective 4: The Protection of Children from Harm

- 6.1 The definition of 'Protection of Children from Harm' is written in the Act, and includes the protection of children from moral, psychological and physical harm. A wide range of premises fall within the scope of the Act and children can be expected to visit many of these for food or entertainment. The Act introduces some limits on access by persons under the age of 16 years to premises licensed for the sale of alcohol, but this aside, children should have access to licensed premises. It is recognised in certain situations that limitations may have to be considered where it appears necessary to protect children from harm.
- 6.2 When addressing the protection of children, applicants should initially identify any issues likely to adversely affect the objective and then the steps needed to deal with them. Such steps as are required to deal with these identified concerns should be included on the Operating Schedule. Applicants should consider the arrangements in place to prevent the sale of any alcohol to children, such as an age-monitoring scheme. The Licensing Authority promote the following as part of a proof of age scheme:
- Passport;
  - Photo Card driving licence issued in the European Union;
  - Proof of Age Standards Scheme Card (PASS);
  - Citizen Card supported by the Home Office;
  - Official ID card issued by HM Forces or by a European Union country bearing a photo and date of birth of holder
- 6.3 The Act details a number of offences intended to protect children in licensed premises and the Licensing Authority will work closely with the police and through Trading Standards Officers, to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. The Licensing Authority will consult with the Local Safeguarding Children Board on any application where there are concerns over access for children. Licensees are encouraged to inform the appropriate agencies when it comes to their knowledge that children have tried to purchase alcohol illegally.
- 6.4 Licensees retain the right to permit or not to permit children into their premises at any time; where appropriate, applicants should state in the Operating Schedule
- Whether or not they will admit children to the licensed premises.
  - Whether or not children will be admitted to all parts of the premises.
  - Where children are to be admitted, the steps that will be taken to protect children from harm, e.g. designated areas for children and families, age (below 18) and hour limitations, or full exclusion of people under 18 in accordance with this objective.

- 6.5 The Licensing Authority considers that certain premises are likely to give rise to particular concern in respect of children. Where the discretion of the Authority is engaged through representations the circumstances of the case and the need for conditions limiting the access of children will be considered. The following are examples of premises that will raise concern:
- Where adult entertainment or services of a sexual nature is commonly provided at the premises.
  - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors.
  - Premises where there is a strong element of gambling.
  - 'Off-sales' premises that allow children under the age of 12, entry after 9pm without an accompanying adult.
- 6.6 When determining representations the Licensing Authority will consider measures including any of the following options when dealing with a licence or certificate application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present.
  - Limitations on ages below 18 years.
  - Limitations or exclusion when certain activities are taking place.
  - Requirements for an accompanying adult.
  - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 6.7 In relation to the exhibition of films, programmes or videos, included would be the protection of children from exposure to strong language, horror, violence and sexual content. In appropriate cases, the Licensing Authority will expect the licensee to provide evidence of how they intend to prevent these occurrences. It is expected that licensees of cinemas and places where films are shown will include in their operating schedules arrangements for restricting children from viewing age-restricted films, classified according to the recommendations of the British Board of Film Classification (BBFC) or the requirements of the Licensing Authority.
- 6.8 In relation to cinemas and places where films are shown applicants, when considering the need for control measures, should consider how entry to the premises will be controlled as part of an age-monitoring strategy and to demonstrate these measures in their Operating Schedule.
- 6.9 With regard to film classifications and the Protection of Children from Harm Licensing Objective, the Licensing Authority reserves the right to classify, or reclassify any film. Any classification by the Authority will be notified to relevant premises in the Borough and a notice placed on the Council's website.
- 6.10 Many children go to see and/or take part in entertainment arranged especially for them, for example children's film shows and dance or drama productions. Additional arrangements are required to safeguard them while at licensed premises. In appropriate cases, the Licensing Authority will expect the licensee to provide evidence of how they intend to provide for the supervision and welfare of children as customers and as performers. In appropriate circumstances, where children are supervised, the Licensing Authority will expect the Operating Schedule to demonstrate that these supervisors have been appropriately cleared of relevant offences through the Criminal Records Bureau.

- 6.11 Where events are taking place that are solely provided for children, for example an under 18's disco, any licence or Temporary Event Notice must contain a risk assessment to prevent consumption of alcohol at or near the event.
- 6.12 Subject to the existence of controls under other legislation and the need to determine relevant representations, where a regulated entertainment is specially presented for children the Council as Licensing Authority will consider the following in order to control access and egress and to ensure the safety of children:
- An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to a minimum of one member of staff per 50 children or part thereof.
  - No child unless accompanied by an adult to be permitted in the front row of any balcony.
  - No standing to be permitted in any raised seating (balcony, raked seating, etc) during the performance.
- 6.13 Where appropriate, and particularly with regard to large public events, an applicant should consider robust procedures for lost and found children.
- 6.14 The Licensing Authority would encourage licensees to demonstrate in their Operating Schedule that they implement guidance from the Portman Group Code of Practice on the naming, packaging and promotion of alcoholic drinks to prevent children from being enticed into purchasing inappropriate products.
- 6.15 When determining unresolved representations to an application and where necessary in individual circumstances to comply with the Licensing Objective, the Licensing Authority may consider attaching specific conditions related to the licensed activities and conditions as outlined in Annex G – Conditions relating to the protection of children from harm.

## **7. Licensed Hours**

- 7.1 A primary aim of the Licensing Act is to move away from fixed permitted hours for the sale of alcohol, but allied to these freedoms for the licensed trade are the responsibilities established by the Licensing Objectives.
- 7.2 If its discretion is triggered, the Licensing Authority will consider conditions to licences and certificates to prevent public nuisance, crime or disorder, and these may include conditions drawn from the annexes to this Policy. Stricter conditions to control noise will be expected in areas that have denser residential accommodation, but this should not limit opening hours without regard to the individual merits of any particular application.
- 7.3 In the light of relevant representations, the Licensing Authority will deal with the issue of licensing hours having due regard to the individual merits of each application. Consideration will be given to conditions in respect of issues such as noise control measures, door staff, use of external or noise sensitive areas, CCTV, travel planning, etc, where premises affect, or are likely to affect residential areas.
- 7.4 As a general guide to applicants where indicated by their individual assessments, the Licensing Authority would expect pub and nightclub type premises (characterised by the predominant consumption of alcohol, 'vertical drinking', etc) applying for the 'on' sale of alcohol beyond 11pm, to consider stricter conditions. Other types of premises seeking to apply for licences or certificates after midnight, either to sell alcohol for consumption on the premises, or for entertainments, are

also expected to consider stricter conditions. These latter premises include restaurants and cafés.

- 7.5 Where the only licensable activity is the sale of alcohol for consumption off the premises the Licensing Authority will generally consider licensing premises at any times they are open for shopping. Typically these premises are shops, stores and supermarkets. However, it may be considered that there are very good reasons for restricting hours, or imposing stricter conditions where, for example, the Police make representations in respect of shops known to be the focus for disorder, or disturbance.
- 7.6 Licensed premises, especially those operating late at night and in the early hours of the morning, can have a significant impact on people living, working or sleeping in the vicinity of the premises. The concerns include noise nuisance, light pollution, the potential for disorder and noxious smells. Due regard will be taken of the impact these may have and the Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Planning, Environmental Health and Pollution Control Officers before preparing plans, Operating Schedules, making alterations to premises, etc.

## **8. Applications**

- 8.1 It is recognised that some ambiguity exists in the legislation surrounding applications for Premises Licences. The council officers will be the final arbiter on whether an application is deemed as being 'new' or a 'variation' and will process the application accordingly.
- 8.2 It is also accepted that the legislation does not specify that plans have to necessarily be prepared for a 'variation' application. It is the view of this Licensing Authority that plans are an essential element of any Premises Licence and that an accurate representation of the premises is required. Any variation of the layout will therefore require an up to date plan to be submitted with the application.
- 8.3 The Act imposes duties on applicants to provide the Licensing Authority with information in the form of an application, with specified supporting documents and a fee, in order to process an application. To assist the Licensing Authority applicants should check that the application pack is fully completed before sending it to the Licensing Authority and other statutory consultees. The Operating Schedule is essential so that the Licensing Authority and other interested parties can form a proper view as to what measures may be necessary to meet the four Licensing Objectives.
- 8.4 Applicants for the initial grant or variation of a licence or certificate are to describe in detail how they propose to meet the requirements of the four Licensing Objectives and relevant aspects of this Licensing Policy in the Operating Schedule which accompanies the application. Operating Schedules should be precise and clear about the measures proposed to promote each of the licensing objectives.
- 8.5 The Licensing Authority has produced annexes to this Policy describing conditions that may be applied in appropriate circumstances. If representations are raised with the Licensing Authority that the Licensing Objectives cannot be met unless additional specific conditions are attached, then the Licensing Authority may consider attaching additional conditions. In any event where measures to promote the Licensing Objectives are included in the Operating Schedule, conditions

consistent with the Schedule will be attached to the licence or certificate, subject to the need for the Licensing Authority to amend, reword or revise the measure.

- 8.6 Applications that are incomplete will be returned with an explanation for the return. Such reasons are many and may include non-payment of the fee, absence of appropriate documentation and non-compliance with the legislation. The council are entitled to expect that reasonable steps have been taken to address the Licensing Objectives, and applications will be returned when minimum requirements have not been met. Such minimum requirements are;
- No entries in the Operating Schedule at all.
  - Entries that replicate other legislation
  - Entries that cannot be readily converted into credible enforceable conditions.
  - Failure to address the issues.
- 8.7 Examples of the above are many, and can include such diverse matters as a premises closing after the last times for public transport. This Authority expects some effort to have been made by the relevant premises to provide information on how patrons can safely journey home, such as a dedicated telephone to a licensed Hackney Carriage company or a list of licensed companies, etc.
- 8.8 The objective is to prevent unnecessary work on the part of the Licensing team, Responsible Authorities and Interested Parties, and the applicants themselves. Poorly constructed applications will be highly likely to attract representations, causing additional expense and needless delay in the process. It is in the applicant's best interest to present a well thought out application that addresses relevant topics, and can be processed with the minimum of fuss.
- 8.9 As a matter of course, the suggested Operating Schedule will be scrutinised by the Licensing Authority when applications are received, and such conditions that will appear on any future licence in Annex 2 will be extracted. The applicant and/or their solicitor or agent will be notified of these proposed conditions so that any discrepancies can be addressed during the consultation period. Attention is drawn to para 7.15 *inter alia* of the Guidance issued under s. 182 of the Act, where it states it should be expected that applications submitted by professional agencies will conform to a reasonable standard, and will express steps in clear and readily translatable terms.
- 8.10 When no entry is made in the application box relating to 'adult entertainment' it will be taken that there is no application for such entertainment and that a condition will be made to this effect.
- 8.11 Planning legislation exists as a control over the use of property; it is independent of licensing legislation and has different objectives. The Licensing Authority considers as a matter of routine, that the planning position for a premise is resolved before an application for a licence or certificate is made. An exception to this would be the application for a provisional statement, in advance of carrying out proposed alterations to premises.
- 8.12 It is strongly recommended that applicants ensure that:
- The proposed licensable activity does not contravene planning legislation; and

- The hours sought are within the limits authorised by any planning permission.
- 8.13 In circumstances where an applicant seeks to apply without resolving the necessary planning requirements, it will be for the applicant to detail the special circumstances that justify a departure from the policy. This should be done in writing, and a failure to address these issues will be noted for the benefit of any of the Responsible Authorities and a Licensing Panel.
- 8.14 Potential applicants are requested to seek early advice from the Licensing Authority and other authorities such as the Police and Fire Authority, concerning the licensing requirements for premises, or for activities they are planning. Large or unusual events often need particular consideration, the Licensing Authority will expect authorities to be consulted at the earliest planning stage for such an event, and not less than six months prior to the performance. This will minimise uncertainty and provide time to finalise the Operating Schedule with the organisers well before a formal application is submitted.
- 8.15 Where a licence or certificate is in force but an event outside of the normal Operating Schedule is proposed, the licensee is encouraged to notify the Licensing Authority at least 3 months prior to the event in order that the Authority is able to complete any consultation required and offer any appropriate advice.
- 8.16 In the case of Temporary Event Notices, the Licensing Authority should be consulted at the earliest practical stage, and it is recommended that Notice be given at least 4 weeks before the event. For routine events the Notice should be made not more than 10 weeks prior to the event.
- 8.17 In line with all guidance on safer drinking and responsible behaviour, it is the view of the council that drinks promotions are actively discouraged, and consideration will be given to using the conditions on a Premises Licence to reinforce this viewpoint. The type of promotion would include such occasions as 'happy hours,' 'two for the price of one' and similar. It would not necessarily include a 'free drink with a meal,' but consideration will be given to the attending circumstances surrounding any promotion.
- 8.18 It must be stressed that the role of the Licensing Authority is to simply process applications fairly. It is a strictly neutral role and will apply the principles in the Act properly with due regard to all parties. The decision to grant or refuse a Premises Licence is not made by the Licensing Team, and any application will stand or fall on its merits.
- 8.19 Applications for the transfer of a Premises Licence will be closely scrutinised. It will be expected that the signatures of all parties will be attached which will assist the process. In the case of a Premises Licence holder being unavailable for whatever reason, the Licensing Section will expect details of the steps that have been taken to locate the absent licensee. If there is not an adequate explanation, then a 'new' application will be required.
- 8.20 It is recognised that the Designated Premises Supervisor of premises will be in day to day charge of that particular premise. It will be the policy of this Licensing Authority that the Premises Licence holder will retain overall responsibility for the operational running of the premise and it will be that person who will be held accountable should any proceedings become necessary. The Authority reserves the right to require a specified person (rather than a company) to be named as the Premises Licence holder.

## 9 Specific premises

- 9.1 Applications received from premises ostensibly acting as a restaurant will be closely scrutinised. The council reserves the right to examine the operating emphasis of premises and to take such steps necessary to avoid misrepresentation. A restaurant will normally be expected to offer the condition that alcohol would be served as being ancillary to a meal and if this is not present, consideration will either be given to placing this on the licence if there is a committee hearing, or treating the premises as a public house.
- 9.2 It is recognised that there are premises where alcohol sales are only a part of the operation, such as a general grocery type of shop. It is also recognised that there may be a difference in the last permitted hours for alcohol sales and the closing time of the premises, during which time goods other than alcohol may be legitimately sold. It will be expected that during the time when alcohol sales cease and the shop has yet to close, there is some effort to demonstrate that alcohol is not for sale. Such measures may include the use of a shutter, signage, roping off the alcohol area, or similar.

## 10 Representations

- 10.1 The Licensing Act places duties on persons and organisations to make “relevant representations” and often in a relatively short timescale. In this context a “relevant representation” has to positively link the issues to the premises (or person) in question and the issues must relate to the Licensing Objectives. The intention of Parliament is to apply a lighter bureaucratic touch to applications for licences and their variation; however, in the case of poorly performing premises, one of the sanctions is the power of review.
- 10.2 The Licensing Authority cannot accept representations that it considers frivolous or vexatious. Additionally, in the case of a review of a licence or certificate, repetitive representations are also invalid.
- 10.3 Council officers will determine whether a representation is irrelevant, frivolous, vexatious or repetitive in accordance with the Licensing Act and Guidance. This is subject to the power to refer a decision to the appropriate meeting of Elected Members where the particular circumstances require such an approach.
- 10.4 Where the Licensing Authority determines that a representation is invalid it will notify the person of the decision and the reason.
- 10.5 The ability to make representations is restricted to ‘interested parties’ and ‘responsible authorities’ as defined in the Act. Interested parties include persons and businesses in the vicinity of a premise, or the bodies representing them. Responsible authorities are usually public bodies including the Police, Fire Authority, Planning, Environmental Health, and health and safety authorities.
- 10.6 In determining whether ‘interested parties’ are in the vicinity of an applicant’s premises the Licensing Authority will primarily focus on the direct impact of the activities taking place on the premises on members of public living, working or in the area concerned. It is recognised that where there is a cumulative impact or effect of

a premises on an area, other considerations may be relevant to the consideration of the vicinity of a premises.

- 10.7 When a representation is made which purports to be on behalf of a group, society or other association, the council will require such proof as is reasonably necessary to verify that a signatory is genuinely speaking on behalf of the members of that group. This could take the form of minutes to a meeting, a resolution passed or similar documentation. 'Group' has a wide meaning and can include a Residents Association or similar.

## **11 Reviews by Responsible Authorities and interested parties**

- 11.1 It is a requirement for posters to be prominently displayed to advertise the fact that a party has applied for a review of licensed premises. Experience has shown that posters on hoardings, railings lamp-posts and the like are prone to be damaged, therefore failing in the primary requirement of advertisement. The council therefore reserves the right to ensure that the community is properly consulted on this important issue by taking such steps as seem appropriate in the circumstances. This would include such measures as a mail drop in the surrounding area or other form of advertisement.
- 11.2 The council also take the view that an essential part of the legislation is that the community are directly encouraged to be involved in quality of life issues surrounding licensed premises. The council will take such measures that are reasonable to ensure the community are aware of their powers in regard to reviews. This would include such methods as information placed in prominent places such as libraries and in council literature, and providing the Police, through the Safer Neighbourhood network, with sufficient information so that their population can be effectively informed.

## **12 Cumulative Impact or Effect**

- 12.1 In its licensing role, the Council is not empowered to determine the need or commercial demand for another pub, restaurant or hotel. These are issues for relevant planning controls and the market to determine. Nevertheless, the cumulative impact of licensed premises in a locality, where there is an impact on the promotion of the Licensing Objectives, is a licensing matter.
- 12.2 In circumstances where areas appear to be under stress and giving rise in the locality to concerns over nuisance, crime or disorder, the Licensing Authority will consider the adoption of a special policy to refuse new licences.
- 12.3 In applying this policy the Licensing Authority will consider any application made. It will be for the applicant to detail the special circumstances that justify departure from the policy.
- 12.4 The Licensing Authority will take the following steps when considering whether to adopt a special policy:
- The initial identification of concern about crime, disorder, or public nuisance.
  - Where it can be demonstrated that nuisance, crime or disorder is arising as a result of customers of licensed premises, identifying the area from which problems are arising and the boundaries of that area.
  - Consultation with all defined parties.

- Adopting a policy about future licence or club premises certificate applications from that area.
  - Publication of the special policy.
- 12.5 To apply the special policy, the Licensing Authority will consider representations based on the impact on the licensing objectives of the relevant application. While any applicant is to address the issues relevant to the special policy in the application and operating schedule, the onus is on the objectors to provide evidence to back up any assertion that the nature of the application would produce the cumulative impact claimed. Account is to be taken of the differing impacts of premises with different styles and characteristics. It is recognised that there is a diverse range of premises that sell alcohol, serve food and provide entertainment. These cover a wide range of contrasting styles and characteristics, hence the Licensing Authority will have regard to those differences and the differing impacts on the local community. It therefore also recognises that, within this policy, it may be able to approve licences or certificates that are unlikely to add significantly to the impact, and will consider the circumstances of each individual application.
- 12.6 The Licensing Authority will not use such policies solely:
- As the grounds for removing a licence or certificate when representations are received about problems with existing licensed premises.
  - To refuse modifications to a licence or certificate, except where the modifications are directly relevant to the policy, for example where the application is for a significant increase in the capacity limits of the premises.
- 12.7 The Licensing Authority will review any special policies regularly to see whether they have had the effect intended, and whether they are still needed. The success and application of such policies have to be considered alongside the effect of other of the policies, and in particular, those Licensing Objectives relating to Public Nuisance and to Crime and Disorder.

### **13 Integrating Strategies and Avoiding Duplication**

- 13.1 There are many stakeholders in the leisure industry, covering a wide range of disciplines. Many are involved, directly or indirectly, in the promotion of the licensing objectives, particularly those relating to the prevention of crime, disorder and public nuisance. Their strategies deal in part with the licensing function, and the Council will set up multi-disciplinary working groups to ensure proper integration of local crime prevention, planning, transport, tourism and cultural strategies. Such groups may also usefully identify and make recommendations for changes to licensing policy.
- 13.2 Arrangements will be made, where appropriate, for the Licensing Committee to receive reports on the following matters to ensure these are reflected in their decisions:
- The needs of the local tourist economy and cultural strategy for the Borough.
  - The employment situation in the Borough and where appropriate the need for investment and employment.
- 13.3 It is recognised that there should be a clear separation of the planning and licensing regimes. Licensing applications should not be a re-run of the planning application.

The Council recognises the need to avoid as far as possible duplication with this and other regulatory regimes.

- 13.4 The Council will ensure that regular reports are sent from the Licensing Committee to the Planning Committee advising them of the situation regarding licensed premises in the Borough, including the general impact of alcohol-related crime and disorder to assist them in their decision-making.
- 13.5 However, other legislation does not cover the particular circumstances of various licensable activities and the Licensing Authority will consider attaching conditions to premises licences and club premises certificates where these are necessary for the promotion of the licensing objectives and are not already provided for in other legislation.
- 13.6 There are many other groups and strategies that have a bearing on licensed premises. Examples of such are drug and alcohol awareness teams, crime and disorder policies and other community strategies. It is not the purpose of this policy to replicate the contents of others, and reference must be made to those groups for specific initiatives.
- 13.7 The promotion of equality of access, while not one of the Licensing Objectives, is a matter in which the Licensing Authority encourages all licensees to comply with relevant legislation such as the Disability Discrimination Act 1995 and race relations legislation. Further advice on meeting the needs of persons with disabilities can be found on the website of the Disability Rights Commission at [www.drc-gb.org](http://www.drc-gb.org)

#### **14 Enforcement, Protocols with Enforcement Agencies**

- 14.1 It is essential premises are maintained and operated to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the Licensing Act. The Licensing Authority will make arrangements to monitor premises and take appropriate, proportionate enforcement action in accordance with the Enforcement Policy. This includes unlicensed premises undertaking licensable activity and premises where a Temporary Event Notice is in force. The Council has adopted a formal Enforcement Policy, setting out the aims and objectives concomitant with effective regulation.
- 14.2 The Council will work closely with the Police to establish protocols to ensure an efficient deployment of Police and Council Officers engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that resources are targeted at problem and higher-risk premises. Similar working arrangements are envisaged with the Fire Authority and other similar enforcement agencies in areas of mutual interest.
- 14.3 The Council has adopted an Enforcement Policy, and all enforcement action will be taken with this policy in mind.

#### **15 Cultural Strategies**

- 15.1 In its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community, particularly for children. When considering applications for such events and any conditions on licences or certificates, the Council will carefully balance the cultural needs with the necessity of promoting the licensing objectives and the protection of the vulnerable.

- 15.2 Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where only limited disturbance may be caused.

## **16. Complaints against Licensed Premises**

- 16.1 Complaints relating to licensable activities carried out at licensed premises will be referred to the Council's Licensing Section, and enforcement will be undertaken in accordance with the Enforcement Policy.
- 16.2 Where practicable the Licensing Authority will expect mediation between applicants, licensees, relevant statutory agencies and occupiers of nearby premises, local residents groups, community or interested groups where significant issues have arisen relating to an application. The Licensing Authority, where possible, would expect mediation through:
- Identification of potential issues for other relevant statutory agencies particularly regarding the safety and amenity of local residents.
  - Negotiation of potential conditions to reflect the resolutions achieved through mediation methods.
- 16.3 Where mediation is not practicable or fails and a formal representation has been raised, the Licensing Authority will arrange for a hearing to review the licence or certificate, or to determine the application.
- 16.4 If mediation methods are used it will not override the right of any interested party to ask that the Licensing Authority consider their valid representations, or for any licence or certificate holder to decline to participate in a mediation meeting.
- 16.5 The Licensing Authority will disregard any representations that are irrelevant, frivolous and/or vexatious.
- 16.6 A senior Police Officer may, under section 161 of the Licensing Act 2003 close premises in the interest of Public Safety for up to 24 hours on the grounds of likely or imminent disorder on or in the vicinity of the premises. Premises may also be closed if a public nuisance is being caused by noise from the premises.
- 16.7 Additionally, a review of the licence or certificate will take place within 28 days of any action by the Police to close down the premises for up to 24 hours, or longer if so granted by the Magistrates Court on grounds of disorder or public nuisance - Annex L of the Statutory Guidance and Section 167 of Licensing Act 2003.
- 16.8 Complaints against licensed premises will be investigated promptly, having regard to feasibility. It must be noted that council officials have limited statutory powers and that complete satisfaction to all parties may not be achieved. Regard will be given to all the events and wishes, and a resolution will be sought that is proportionate in the circumstances. The requirements of one individual cannot take precedence over others. Any decision taken on prosecution will be determined by the Attorney General's guidelines (and associated regulations) and will not be driven by the wishes of any individual or group.

**17 Smoke free premises**

- 17.1 The provision of the Health Act 2006 and associated Statutory Instruments clearly show that it is the intention of Government to promote health for all, through the use of these measures. This not only includes the staff and patrons of licensed premises, but regard will also be given to others who may come in contact with the effects of smoking, such as passers by and local residents.
- 17.2 With this in mind, the Council has adopted the viewpoint that there will be a general presumption that licensed premises will be completely free of smoking, and that this will be rigorously enforced by the management of the premises. Should there be breaches of the regulations, enforcement action will be taken in the first place against the management for permitting or failing to stop such activity.
- 17.3 Following on from this stance, it will be for the management of any licensed premises to clearly demonstrate a defined need when licensing applications are being made that would allow smoking on premises, including applications to use 'smoking shelters' or similar. Use of general terms and the request to lift conditions of a licence, such as clearing an outside area by a specific time, will lead to rejection.

**18 Temporary Event Notices (TENs)**

- 18.1 The council acknowledges that the TEN system is a quick and straightforward method that allows an event to take place without recourse to complicated licensing procedures. The standards laid out in the legislation and associated guidance will be used, including a full description of the event. General terms such as 'party' or 'function' will lead to rejection.
- 18.2 Notice has to be given at least ten clear working days in advance of any proposed event. As a standard measure of timings, the council has adopted the viewpoint that this term does not include the day of delivery of the notice, or the day of the event itself. Weekends, bank holidays and any other recognised public holiday will not be used as a 'working day.'
- 18.3 It is incumbent on the person giving the notice that they have allowed sufficient time for any administrative difficulties that may arise. The council therefore always advises early contact to allow time for problems to be resolved.
- 18.4 It is the view of this Authority that although solicitors and agents may complete the forms on behalf of their clients, Temporary Events Notices will not be accepted without a written notice from the person responsible for the proposed event. This is to ensure the person responsible on the day is aware of the tasks involved.

**19 Designated Premises Supervisor**

- 19.1 Although the Act places no specific duty on the DPS other than being in day to day charge of premises, it would be expected that the individual will be available more frequently than not. If inspections reveal that a DPS is regularly absent from the premises they are presumed to control, consultation will take place with all Responsible Authorities for their consideration and for them to judge whether a review of the licence is necessary. This is especially pertinent when an individual who does not hold a Personal Licence is left in charge of a premise offering alcohol.

**20 Names of premises**

- 20.1 It is recognised that no specific requirement exists for individuals or companies inform the council of a change in name of their premises. It must be stressed that although it is not compulsory, this is strongly advised to save administrative confusion. Any unnecessary difficulty caused by such a change will remain the responsibility of the individual or company concerned.

**21 Advertising campaigns/help groups**

- 21.1 Public confidence in the effective management of licensed premises is paramount. For this purpose, the council reserves the right to undertake occasional reminders to the public of their rights in regard to licensed premises, and also to encourage groups or organisations to offer advice and guidance on relevant issues. Examples could be groups dealing in drug and alcohol abuse or 'stop smoking' groups. These could be encouraged on a general basis or by active involvement at the point of sale.

**22. Administration, Exercise and Delegation of Functions**

- 22.1 The Council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee delegates certain decisions and functions and has a Sub-Committee to deal with aspects of its responsibilities.
- 22.2 The following Table at Annex A sets out the delegation of decisions and functions to Licensing and General Purposes Committee, the Sub-Committee and to Officers. All matters dealt with by Officers will be reported for information and comment only to the next Committee meeting.
- 22.3 Delegations are without prejudice to Officers referring an application to a Sub-Committee or Committee; or a Sub-Committee to a Committee, if considered appropriate in the circumstances of any particular case.

## Annex A

## TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a police objection	If no objection is made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises Certificate		If a relevant representation is made	If no relevant representation is made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club registration Certificate		If a relevant representation is made	If no relevant representation is made
Application to vary designated personal licence holder		If a police representation	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for Interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises Registration		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application.			All cases
Determination of a police representation to a temporary event notice		All cases	

## **Annex B**

### **Proposals for Conditions that support the issue of licences or certificates by the Authority.**

These proposals are principally drawn from the annexes to the Statutory Guidance to Authorities. Additional information may be provided in the annexes and in individual cases the guidance may have to be considered alongside these conditions. The way conditions should be applied to licences or certificates is described within the body of the main Policy.

Annex C – Conditions relating to the prevention of crime and disorder.

Annex D – Conditions relating to Public Safety (including fire safety).

Annex E – Theatres and Cinemas (Promotion of Public Safety).

Annex F – Conditions relating to the prevention of public nuisance.

Annex G – Conditions relating to the protection of children from harm.

## **Proposed Conditions**

### **General**

The Licensing Authority recognises that it is important to balance any conditions attached to a licence or certificate so as not to be disproportionate or overly burdensome but to achieve the licensing objectives. Therefore, where conditions are necessary they will be tailored to the individual style and characteristics of the particular premises or event concerned. Where relevant representations have been made, the Licensing Authority will consider attaching conditions necessary for the promotion of the licensing objectives, including those drawn from the relevant Model Pools of Conditions set out in the guidance issued by the Secretary of State under Section 182 Licensing Act 2003.

The following conditions should not be regarded as standard conditions to be automatically imposed in all cases. They are designed to provide a range of possible options for controls at specific premises or related to specific activities. Any individual preparing an operating schedule is at liberty to volunteer any measure, such as those described below, as a means of promoting the licensing objectives. When incorporated into the licence or certificate as a condition, they become enforceable under the law and the breach of a condition could give rise to prosecution. This list cannot be construed as being definite, and must be capable of flexibility to meet specific circumstances. Individual premises will require a varied approach to their conditions, and those conditions given in the Model Pool will be used as guidance. The council reserves the right to make suitable alterations dependent on circumstances and would expect Responsible Authorities to demonstrate similar flexibility in their approach.

Once licensed it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act. The Licensing Authority will make arrangements to monitor premises and make appropriate enforcement action to ensure this.

The Licensing Authority will work closely with the Metropolitan Police to establish protocols to ensure an efficient deployment of Police and Council officers engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that high-risk activities receive the highest priority.

## Annex C – The prevention of Crime and Disorder

When addressing the crime and disorder objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps to deal with them. Such measures on the Operating Schedule might include the following:

- (i) Details of registered Door Supervisors and other appropriately trained staff to be provided, including the number, their location whilst working at the premises, and the times they will be on duty. All Door Supervisors are to be licensed by the Security Industry Authority.
- (ii) The fitting of CCTV equipment, its location and specification.
- (iii) Where applicable to the use of the premises such measures as an 'over 21' policy, or provision of adequate search facilities, or 'no entry or re-entry' after a certain hour. .
- (iv) Measures proposed to prevent possession, supply, or consumption of illegal drugs and possession of weapons, for example by adequate search arrangements and/or spot checks by door supervisors.
- (v) Measures to be implemented to promote sensible drinking and prevent binge drinking.
- (vi) Details of the management of any promotional events such as "happy hour" or special offers, which may include their duration, times, location within premises and whether any additional measures such as increased security is to be utilised during these events to minimise crime and disorder.
- (vii) The location of lighting inside/outside the premises.
- (viii) Measures aimed at discouraging anti-social behaviour.
- (ix) Whether or not the premises will be serving alcohol in glass or plastic containers. If serving alcohol in glass containers, identify what measures will be implemented to ensure patrons cannot take glass container outside the premises.
- (x) Whether the premises belongs to a local Pub or Club Watch scheme.
- (xi) Measures to discourage crime, for example the fitting of alarms, the positioning of cigarette or other vending machines in full view of staff, and the fitting of gaming machines with an approved security device/metal boot or emptied at night.

The Police Crime Prevention Advisor is able to visit premises and advise if requested. Applicants assessing the risks associated with this objective can obtain detailed guidance from the Police. The Licensing Authority recommends that crime prevention advice is obtained and implemented.

### **Possible conditions relating to the prevention of crime and disorder**

#### **1. Door supervisors**

1.2 An accurate and up-to-date log book shall be maintained in a format prescribed by the Licensing Authority, providing details of door supervisors employed in respect of the premises, which shall comprise two distinct parts:

- (i) A part recording the name, address, telephone number and registration number of each door supervisor employed in respect of the premises (whether employed directly or through an agency) and the name, address and telephone number of the agency providing the supervisor where the supervisor is not employed directly.
- (ii) A part recording the name and registration number of each door supervisor, dates and times of commencement and finishing of work, signature of the door supervisor in respect of both, and details of any incident in which the door supervisor is involved, including the calling of the police and any police action taken.

- 1.2 All door supervisors, at all times when they are on duty, shall wear an identity badge, conspicuously displayed, and carry proof of registration.
- 1.3 There shall be a minimum of ..... door supervisors on duty at the premises at all times during opening hours.
- 1.4 There shall be a minimum of one door supervisor for every 100 persons or part thereof at functions attended by adults.
- 1.5 Where the audience includes minors there shall be either:
  - (i) a minimum of two door supervisors for every 100 persons or part thereof; or
  - (ii) at least one door supervisor per exit, whichever is the greater.
- 1.6 At least one female door supervisor shall be employed and available where appropriate.

### **3. Bottle bans, plastic containers and toughened glass**

- 3.1 No glass bottles containing beverages of any kind, whether open or sealed, shall be given to customers for consumption on the premises, whether at the bar or by staff service away from the bar.
- 3.2 Bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.
- 3.3 No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
- 3.4 Drinking vessels shall only be made from shatterproof material eg plastic or toughened glass.

### **4. CCTV**

- 4.1 CCTV cameras shall be installed at the following locations: xxxxxxxxxxxx.
- 4.2 Equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.

### **5. Open containers not to be taken from the premises**

- 5.1 Customers shall be prevented from taking alcoholic or other drinks from the premises in open containers.

### **6. Restriction on drinking areas**

- 6.1 Alcoholic drinks may only be consumed in the following location(s): ..... at the following times .....

### **7. Proof of age**

- 7.1 A valid proof of age card or other age identification shall be required to be produced by any person appearing to those selling or supplying alcohol to be under 18 (or 16 in the case of the consumption of beer, wine and cider in the company of an adult during a table meal) and who is attempting to buy alcohol.

**8. Crime prevention notices**

8.1 Notices shall be prominently displayed and prevented from damage and deterioration advising customers as follows: .....

**9. Drinks Promotions**

9.1 Licencees are to encouraged comply with the British Beer and Pub Association's 'Guidelines on On-Trade Promotions' to reduce the potential for crime and disorder.

**10. Signage**

10.1 Signs shall be prominently displayed and prevented from damage or deterioration:

- (a) advising normal hours of permitted licensable activities; and/or
- (b) prohibiting access to children from the following locations .... at the following times .....

**11. High Volume Vertical Drinking**

11.1 A ratio of ..... tables and ..... chairs per ..... customers shall be maintained.

**12. Striptease, Table Dancing, Pole Dancing and entertainments of the like kind**

12.1 The Licensing Authority has had standard conditions for premises that provide striptease and similar entertainments. These encompass all four of the licensing objectives contained in the Licensing Act 2003. The Licensing Authority wishes to ensure that public order is preserved, that the commission of other offences is deterred, and to ensure that such entertainments are merely part of a dance to music. In addition, the Licensing Authority wishes to ensure that publicity for such entertainments do not cause offence to other members of the community. The Licensing Authority, subject to representations in any particular case, may seek conditions which control the following:

- Advertising.
- Adoption of relevant Police guidelines relating to Codes of Conduct for the premises and performers.
- No touching and a "three feet rule".
- No physical participation by the audience.
- CCTV, which should be agreed with the Police, kept for at least 28 days and made available to both the Police and authorised officers from the Council.
- Time restrictions when close to schools, playgroups or other educational establishments, such as museums and places of worship.
- Appropriate levels of stewarding and registered door supervisors, as agreed with the Police.

## Annex D – The maintenance of Public Safety

When addressing the public safety objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps to deal with them. Such measures on the Operating Schedule might include the following:

- (i) The maximum capacity figure for the premises and a statement demonstrating the premises' ability to accommodate the predicted number of patrons safely.
- (ii) Safe use of special effects/equipments (lasers, smoke machines, strobe lights etc) which may affect public safety.
- (iii) Measures to be implemented to promote sensible drinking and prevent binge drinking, for instance by the display of health warnings, legal warnings and the like.
- (iv) Measures proposed to prevent possession, supply or consumption of illegal drugs and possession of weapons, for instance by adequate search arrangements and/or spot checks by door supervisors.
- (v) The availability of drinking water.
- (vi) The location of any toughened glass to be installed at the premises.
- (vii) The availability of up to date public transport and car parking information at the premises.
- (viii) The details of any proof of age scheme to be implemented.
- (ix) A detailed plan that identifies all existing and proposed fire safety features, including smoke detectors, sprinkler systems, and the like. All fire safety measures are to comply with relevant standards.

### **Possible conditions relating to public safety (including fire safety)**

#### **13. Disabled People**

- 13.1 Adequate arrangements shall exist to enable the safe evacuation of disabled people in the event of an emergency; and disabled people on the premises shall be made aware of those arrangements.

#### **14. Capacity**

- 14.1 The number of persons admitted to the premises on any one occasion shall not exceed the maximum capacity of xx (such number to be inclusive of staff and performers working at the premises) and overcrowding in any part of the premises so as to interfere with the safety or comfort of the public shall not be permitted.
- 14.2 The maximum occupancy of the building at any one time shall be restricted in respect of the ground floor to xx persons and in respect of the first floor to xx persons (such numbers to be inclusive of staff and performers working at the premises) and overcrowding in any part of the premises so as to interfere with the safety or comfort of the public shall not be permitted.
- 14.3 A suitable method of determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted number is not exceeded.
- 14.4 The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and shall inform any authorised person on request.
- 14.5 A notice, in a format prescribed by the Licensing Authority, shall be displayed in a prominent position at the entrance to the premises so as to be visible and easily understood, indicating the maximum number of persons permitted on the premises at any

one time. Where there are specified numbers for particular parts of the premises, notices in a format prescribed by the Licensing Authority shall be displayed at the entrance to those parts, indicating the maximum number of persons that may be present there at any one time.

## **15. First Aid**

- 15.1 An adequate and appropriate supply of first aid equipment and materials shall be available on the premises at all times.
- 15.2 At least one suitably trained first-aider who shall be responsible for first aid shall be on duty when the public are present. If more than one suitably trained first-aider is present on the premises, each person's responsibilities shall be clearly identified.
- 15.3 A suitable rest room shall be available free of charge at all times which contains the following:
- (a) a quiet and cool atmosphere;
  - (b) adequate seating;
  - (c) continuous free access to cold drinking water; and
  - (d) an adequate and appropriate supply of suitable first aid materials.

## **16. Lighting and Electrical Installations**

### **16.1 Fixed Installations**

- (a) All electrical wiring, fittings and appliances shall be constructed and maintained in a safe and satisfactory condition to the satisfaction of the Licensing Authority.
- (b) In the absence of adequate daylight, the lighting in any area accessible to the public shall be fully in operation when they are present.
- (c) Where electric lighting is supplied for stairs, ramps or passages outside the premises and is operated by a switch adjacent to an exit door, it need not be continuously supplied but it must be constantly available for use.
- (d) A system of emergency lighting, independent of the normal lighting of the premises, shall be provided and shall illuminate all escape routes. The system shall operate automatically on failure of the normal lighting or be on at all times, and shall be maintained in efficient working order and tested at specified intervals to the satisfaction of the Licensing Authority and the fire authority, with details of tests recorded in the Fire log-book.
- (e) Emergency lighting batteries shall be fully charged before the admission of the public.
- (f) In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements shall be in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.
- (g) Each enclosed area within the premises shall be sufficiently illuminated to a minimum level so that other parts of the area are always clearly visible.

- (h) Corridors, passageways and stairways shall be evenly illuminated to a level not less than that required by the current British Standard Code of Practice.
- (i) If the premises has a single phase electricity supply the premises shall have installed Residual Current Device protection to all final sub-circuits on the socket outlet ring mains with a maximum operating time of 40 milli-seconds at a current of 150 milliampere, designed to operate if the earth-leakage current exceeds 30 milliampere. A test button shall also be incorporated.
- (j) Where practicable, stage lighting shall be supplied from a separate sub-circuit from that supplying the main hall lighting. Any lighting and electrical apparatus on the stage likely to become heated shall be provided with suitable protection to prevent contact by scenery or any other combustible material.
- (k) At least three electric handlamps shall be available at the premises at all times for use by appointed staff and the handlamps shall be properly maintained at all times and ready for use in an emergency.

## **16.2 Temporary electrical installations**

- (a) Temporary electrical wiring and distribution systems shall not be provided [without notification to the Licensing Authority at least ten days before commencement of the work] and/or [without prior inspection by a suitable qualified electrician].
- (b) Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable, BS 7909.
- (c) Temporary electrical installations shall only be installed by a competent person; or
- (d) Where they have not been installed by a competent person, temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are put to use.
- (e) All temporary electric cable which is not a fixture at the premises shall be heavily and adequately insulated and protected and any metal clad switchgear, spot lamp frames, etc. shall be effectively earthed and each circuit adequately fused.
- (f) Temporary electrical installations shall be disconnected from the permanent installation immediately after each occasion on which they are used and all temporary electrical installations shall be removed entirely as soon as the need for them has ceased.

## **17. Indoor sports entertainments**

- 17.1 An appropriately qualified medical practitioner shall be present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- 17.2 Where there is a ring, it shall be constructed and supported by a competent person and inspected and certificated by a competent authority and any material used to form the skirt around the ring must be flame-retardant.
- 17.3 At any wrestling or other entertainments of a similar nature, members of the public shall not occupy any seat within 2.5 metres of the ring.

17.4 At water sports entertainments, staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the water at all material times.

**18. Special effects**

18.1 No laser beams (pyrotechnics or real flame), strobe lights, explosives, flammable or smoke-producing agents, toxic or hazardous substances and any similar entertainment involving special effects or special risks shall be used on the premises except following prior notification to the Licensing Authority at least ten days in advance.

18.2 Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

18.3 Signs shall be prominently displayed at the entrance to the premises where appropriate to advise members of the public that special effects will be used during the performance and what those special effects will be.

**19. Certificates**

19.1 Copies of the following certificates shall be produced to the Licensing Authority or the fire authority upon request:

- (a) Certificate of Electrical Safety.
- (b) Certificate of Safety for Emergency Lighting.
- (c) Certificate of Structural Soundness.

**20. Combating the supply of drugs**

20.1 An outer body search shall be carried out where there is reasonable suspicion that an individual is in possession of an illegal drug or an offensive weapon; or

20.2 An outer body search of the public shall be a condition of entry.

20.3 Notices shall be displayed advising the public that an outer body search is a condition of entry and that the Police will be informed if anyone is found in possession of illegal drugs or offensive weapons.

20.4 Security arrangements shall be sufficient to discourage the sale, supply and consumption of drugs on or in the immediate vicinity of the premises [e.g. require that security staff check the toilet area regularly].

20.5 The Police shall be informed if anyone is found in possession of illegal drugs or an offensive weapon or is known to have been involved in the sale or supply of illegal drugs.

20.6 Persons who are known to have been convicted of drug and drug-related offences which are not spent shall be excluded from the premises.

20.7 The Police shall be consulted regarding the steps which could be taken to assist with the surveillance of offenders and in respect of other crime prevention measures.

20.8 The advice of the Police shall be sought on procedures for keeping records of incidents (eg violence, disorder and other criminal activity, drug and weapons seizures) and making such records available for inspection.

- 20.9 The Police shall be consulted in the development of any policies concerning:
- (a) The storage, disposal and transfer of confiscated drugs and weapons into lawful custody; and
  - (b) Procedures relating to the treatment of individuals who commit criminal offences.
- 20.10 The Licensee shall liaise with the police and local drug agencies to develop a written Drugs Prevention Strategy for the premises.

**21. Ceilings**

- 21.1 All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person who will decide when a further inspection would be necessary and a certificate concerning the condition of the ceilings forwarded to the Licensing Authority following each inspection.

## Annex E – Theatres and Cinemas (Promotion of Public Safety)

### Possible conditions relating to public safety in Theatres and Cinemas

#### 22. Access to Cinemas, Theatres, Auditoriums, and similar premises

- (a) Licensees are required to restrict children from viewing age-restricted films, according to the recommendations of the British Board of Film Classification or, where relevant, any age restriction determined by the Licensing Authority. The Licensee should state in the Operating Schedule what measures are to be put in place to control such access.
- (b) Subject to the existence of controls under other legislation and the need to determine relevant representations, where a regulated entertainment is specially presented for children the Council as Licensing Authority will consider the following to control access and egress and to ensure the safety of children:
- (i) An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children, or part thereof.
  - (ii) No child, unless accompanied by an adult, to be permitted in the front two rows of any balcony.
  - (iii) No standing to be permitted in any part of the auditorium during the performance.

*Note –Following relevant representations the Licensing Authority will consider attaching conditions to licenses and permissions to prevent harm to children.*

#### 22.1 Attendants

- (a) The number of attendants on each floor or tier in a closely seated auditorium shall be as set out on the table below:

<b>Number of members of the audience present on a floor</b>	<b>Minimum number of attendants required to be present on that floor</b>
1-100	One
101-250	Two
251-500	Three
501-750	Four
751-1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

- (b) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor, tier or auditorium where they are on duty.
- (c) Any attendant shall be readily identifiable to the public.

#### 22.2 Standing and sitting in gangways etc

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.

(c) In no circumstances shall anyone be permitted to -

- (i) sit in any gangway;
- (ii) stand or sit in front of any exit; or
- (iii) stand or sit on any staircase including any landings.

### 22.3 Drinks

(a) Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to or be consumed by a closely-seated audience except in plastic and paper containers.

### 22.4 Balcony Fronts

(a) Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

### 22.5 Seating

(a) The premises shall not be used for a closely-seated audience except in accordance with plans previously submitted to and approved by the Licensing Authority, a copy of which shall be kept available at the premises and shall be shown to any authorised person upon request.

(b) Where any part of the premises is used for a closely-seated audience exceeding 250 people there shall be an unobstructed seatway or space of at least 305 mm (12 ins) measured between perpendiculars between the back of one seat and the foremost portion of the seat arm or frame immediately behind.

(c) Where the potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.

(d) If tiered seating is provided, the back of the highest level and the ends of the rows shall be provided with an effective safety barrier to the satisfaction of the licensing authority.

(e) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.

(f) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

## 23. Premises used for film exhibitions

### 23.1 Attendants – premises without a staff alerting system

(a) Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1-250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of an audience in any auditorium or on any floor or tier	At least one attendant shall be present in any auditorium or on any floor or tier

23.2 Attendants – premises with a staff alerting system

(a) Where premises are equipped with a staff alerting system, the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1-500	Two	One
501-1000	Three	Two
101-1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

(b) Staff shall not be considered as being available to assist in the event of an emergency if they are:

- (i) the holder of the premises licence or the manager on duty at the premises; or
- (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his or her response in an emergency situation; or
- (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which he or she is required to go on being alerted to an emergency situation.

(c) Attendants shall as far as is reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.

(d) The staff alerting system shall be maintained in working order.

23.3 Minimum lighting

(a) The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film.

*Note – the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007: (Maintained Lighting for Cinemas).*

## **Annex F - The prevention of public nuisance**

When addressing the public nuisance objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps to deal with them. Such measures on the Operating Schedule might include the following:

- (i) Measures to demonstrate that, between 11.00 pm – 7.00 am: no noise is audible a metre from the façade of the nearest noise sensitive premises, or no noise is audible within the nearest noise sensitive premises. Depending on the individual circumstances, the Licensing Authority may look for the provision of an acoustic report.
- (ii) Details of the location and types of noise attenuation measures used to minimise noise and vibration escaping the premises and car parking areas. Such measures may include soundproofing, acoustic lobbies and sound limitation devices.
- (iii) Demonstrate measures to avoid vehicular queuing on the carriageway, and disturbances from patrons queuing on the footpath.
- (iv) Arrangements for and the timing of deliveries to the premises.
- (v) The location of gardens and other open-air areas and the hours of use of such areas.
- (vi) The hours of use of refuse and recycling facilities. The storage capacity, site and screening of such facilities.
- (vii) Identify whether the activity will generate additional litter (including fly posters and/or illegal placards) in the vicinity of the premises, and measures to deal with them.

### **Possible conditions relating to the prevention of public nuisance**

#### **24. Hours**

24.1 The permitted opening hours shall be .....; or

24.2 The premises shall be closed to the public between .....hours and .....hours.

24.3 Amplified music or other entertainment noise from within the premises shall not be audible at any residential premises between the hours of .....and ..... [Regulated entertainment] or [consumption of alcohol] shall not be permitted in the following areas .....between the times of .....hours and .....hours.

#### **25. Noise and Vibration**

25.1 A scheme for the soundproofing of the building shall be submitted to the Licensing Authority. The use of the premises shall not commence until all soundproofing works have been carried out to the satisfaction of the Licensing Authority. The soundproofing works shall be maintained thereafter to the satisfaction of the Licensing Authority.

25.2 Noise or vibration shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.

25.3 Doors and windows shall be kept shut during operating hours.

25.4 Amplified sound equipment shall be governed by a sound limiting device set at a level approved by the Licensing Authority.

- 25.5 Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 25.6 All reasonable steps shall be taken to ensure that people entering or leaving the premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and people passing by the premises.
- 25.7 The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas shall be prohibited; or
- 25.8 The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas shall be prohibited except following prior notification to the Licensing Authority at least ten days in advance.
- 25.9 The placing of bottles into receptacles outside the premises shall only take place between the hours of 8.00 a.m. and 7.00 p.m.

**26. Noxious smells**

- 26.1 The premises shall be properly vented and noxious smells shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.

**27. Light pollution**

- 27.1 Flashing or particularly bright lights on or outside the premises such as would cause a nuisance to nearby properties shall not be permitted.

**28. Litter**

- 28.1 Litter bins and / or cigarette butt bins shall be provided in the vicinity of the premises. The number and locations of such bins shall be determined by the Licensing Authority.

## Annex G - The protection of children from harm

When addressing the protection of children from harm objective, applicants should initially identify any issues likely to adversely affect the objective and then the steps to deal with them. Such measures on the Operating Schedule might include the following potential situations for children to:

- (i) Purchase, acquire or consume alcohol in circumstances that are illegal.
- (ii) Be exposed to drugs, drug taking or drug dealing.
- (iii) Be exposed to gambling.
- (iv) Be exposed to activities of an adult or sexual nature including the exhibition of film, or transmission of programmes or videos that include strong language and/or sexual content
- (v) Be exposed to incidents of violence or disorder.
- (vi) Be exposed to environmental pollution such as cigarette smoke or excessive noise. In view of concerns about passive smoking, the Licensing Authority may expect, where necessary, a 'no smoking' area be set aside for use by children.
- (vii) Be exposed to hazards.
- (viii) Purchase cigarettes from vending machines. The Licensing Authority expects these machines to be in sight and under the supervision of bar staff.

*Note – This is not intended to be an exhaustive list.*

### **Potential conditions relating to the protection of children from harm**

#### **29. Access for children to licensed premises**

##### **29.1 Age Restrictions – specific**

- (a) Children under 18 are not permitted on the premises; or
- (b) Children under 18 are not permitted on the premises between ..... hours and .....hours; or
- (c) Children under 18 are not permitted on the premises (in the following areas) (between .....hours and .....hours) (during the following licensable activities:.....); and/or
- (d) Children under xx are not permitted on the premises.

##### **29.2 Age Restrictions - Cinemas**

- (a) Films shall be classified in the following way:
  - U - Universal – suitable for audiences aged four years and over
  - PG - Parental Guidance - some scenes may be unsuitable for young children
  - 12A - passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult
  - 15 - passed only for viewing by persons aged 15 years and over
  - 18 - passed only for viewing by persons aged 18 years and over
- (b) Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.
- (c) Where a programme includes a film recommended by the Licensing Authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and

unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms –

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained.

### **29.3 Age Restrictions – Theatres**

- (a) Admission of children under 18 shall not be permitted to entertainment incorporating adult entertainment.
- (b) Where performances are presented especially for unaccompanied children attendants shall be stationed in the area(s) occupied by the children, in the vicinity of each exit; on each level occupied by children the minimum number of attendants on duty shall be one attendant per 50 children or part thereof.

### **29.4 Children in performances**

- (a) Backstage facilities shall be of a sufficient size to accommodate safely the number of children taking part in any performance.
- (b) All chaperones and production crew on the show shall receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.
- (c) Special effects, which may trigger adverse reactions especially with regard to children such as smoke, dry ice, rapid pulsating or flashing lights, shall not be used without consent of the Licensing Authority.
- (d) Children performing shall be kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises.

## Glossary

These definitions are to assist in understanding the Policy. Therefore, they are not legal definitions. Reference should be made to the Act, the Guidance, and any regulations issued by the Secretary of State for any legal information.

- **Alcohol** - includes beer, wine, cider, spirits, or other fermented, distilled, or spirituous liquor of or exceeding 0.5% strength.
- **Authorised Officers** – those employees of the Council authorised by the Act or by the Council's constitution.
- **Club Premises Certificate** - provides authorisation for qualifying clubs to use club premises for qualifying club activities (see Qualifying Clubs below).
- **Cumulative Impact** – the impact on an area where the number, type, and closeness of premises selling alcohol, combined together can create serious problems from people using or leaving the premises.
- **Designated Premises Supervisor** – the individual for the time being specified in the Premises Licence as the Premises Supervisor. This can include the Premises Licence holder. Every Premises Supervisor must have a Personal Licence.
- **Enforcement** – the Police remain key enforcers of licensing law, however, the Council Enforcement officers also have an enforcement role. The Guidance has no binding effect on police officers who, within the terms of their service policies and the law, remain operationally independent
- Entertainment includes:
  - The performance of a play
  - An exhibition of a film
  - An indoor sporting event
  - Boxing or wrestling entertainment
  - A performance of live music
  - Any playing of recorded music
  - A dance performance
  - Dancing
- It does not include:
  - Films as part of exhibitions in museums galleries etc
  - Music incidental to something other than regulated entertainment
  - TV and radio broadcasts
  - Religious meetings or services
  - Places of public worship
  - Garden fetes unless for private gain
  - Vehicles in motion
- **Grandfather Rights** - System by which licence holders can transfer terms of their existing licence, to obtain a premises or a personal licence. However, the Police can object to the transfer in certain circumstances.
- **Interested Parties** - are the bodies or individuals who are entitled to make representation to licensing authorities on applications for the grant, variation, or review of premises licence.

The group includes;

- A person living in the vicinity of the premises in question
- A body representing persons living in the vicinity of the premises in question
- A person involved in a business in the vicinity
- A body representing person involved in such business e.g. A trade association.

• **Late-night Refreshment** - outlets include places serving hot food or drink (or the means to heat it, for example, a microwave oven) to eat in the premises or to takeaway, between the hours of 11pm and 5am.

• **Licence Review** - In addition, responsible authorities and interested parties will have the power to apply for a review by the licensing authority of existing licences on a ground relating to the promotion of the licensing objectives. Such a review can result in the modification of the licence, its suspension, or, ultimately, revocation.

• **Licensed Activities:**

- The retail sale of alcohol
- The retail supply of alcohol
- Regulated entertainment
- Late-night refreshment outlets between 11pm and 5am

**Licensing Committee** – a committee of 10 to 15 Councillors, appointed by the Council.

• **Licensing Objectives:**

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

• **Licensing Sub-Committee(s)** – one or more committees of three members appointed from the Licensing Committee to whom the functions of the Licensing Committee can be delegated under the Act.

• **Personal Licence** – permits individuals to supply, or to authorise the supply of alcohol. The licensing of individuals separately from the licensing of premises permits the movement of personal licence holders from one premises to another, allowing greater flexibility. It ends the outdated regime where publicans are tied by licence to the premises where they work.

• **Qualifying Clubs** - To be classified as a qualifying club in relation to a qualifying club activity, a number of general conditions must be met. These are that;

- under the rules of the club, persons may not be admitted to membership, or be admitted, as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination for membership and their admission;
- under the rules of the club, those becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission;
- the club is established and conducted in good faith as a club;
- the club has at least 25 members;

- alcohol is not supplied to members on the premises otherwise than by or on behalf of the club.

To qualify as a club authorised to supply alcohol to its members and guests, additional conditions must be met. These are:

- The purchase and supply of alcohol by and for the club is managed by a committee made up of elected members of the club all aged over 18 years;
  - No arrangements may be made for any person to receive any commission, percentage or similar payment at the expense of the club with reference to purchases of alcohol by the club;
  - No arrangements may be made for any person to derive directly or indirectly any monetary benefit from the supply of alcohol to members or guests apart from to benefit the club as a whole or any indirect benefit a person derives by reason of the supply contributing to a general gain for the club as a whole.
- **Regulated Entertainment** - is entertainment that is:
- Provided to the public, or
  - Exclusively to members of a qualifying club and their guests, or
  - Entertainment provided for profit/personal gain
- **Representations** - considered to be relevant are those that address the likely effect of the application on the promotion of the four licensing objectives. If the representation is made by an interested party it will not be relevant if the licensing authority considers it to be vexatious or frivolous.
- **Responsible Authorities** - include:
- Chief Officer of Police
  - The Fire Authority
  - The enforcing authority for section 18 of the Health and Safety at Work etc Act 1974
  - The local planning authority
  - The local authority
  - A licensing authority
  - Social Services – Area Child Protection Agency
  - Crime Reduction Partnership
- **Special Policy** - Where a high concentration of licensed premises has been identified as causing a problem for the area and where imposing conditions on individual premises licences may be ineffective in addressing the licensing objectives, the Council may consider the refusal of new licences.
- **Temporary Events** - relatively small scale events held in or on any premises involving no more than 499 people at any one time. Each event, which must be covered by a Temporary Event Notice, can last up to 96 hours, and no more than twelve events can be held at any particular premises in a year.
- **Vicinity** – usually taken to mean the area immediately around the licensed premises, i.e. in front, to the rear, the sides, above and below, but, where there is reasonable evidence to suggest that problems are directly linked to activity or customers of a particular premises, this can be extended. Ultimately, this will be decided by courts, however, the licensing authority will have to consider whether a resident or business would be directly affected by the carrying out of licensable activities on the premises.

- **Variation** – changes in the operation of a premises, club or event, including variation of operating hours and modification of the premises.

APPENDIX B

## London Borough of Harrow Polling District and Places Review 2007

### Recommendations of review working group

Due the changes brought about by the new parliamentary constituency boundaries, the working group recommends that:

- 1) The lettering for each polling district be prefixed with an additional letter to denote the parliamentary constituency it belongs to. E for Harrow East constituency, W for Harrow West constituency, and R for the Ruislip, Northwood and Pinner constituency.
- 2) To amalgamate polling district MD with district MA as soon as the current parliament is dissolved.
- 3) To re-letter Hatch End ward to account for the new constituency arrangements..

Ward	Revised	Current
Hatch End	Y, YA, YB	P, PA, PB

**The following are the recommended arrangements for each ward by polling district.**

**Constituency:** HARROW EAST

**Ward:** EDGWARE

POLLING DISTRICT	POLLING STATION	ACTION
A	Edware & District Ex-service Mens Club, Beacon Lane, Edgware	No change. Designate polling district as polling place.
AA	The former Whitchurch Edgware Boys Club, Methuen Road, Edgware	No Change. Designate polling district as polling place.
AB	Little Stanmore Middle School, St David's Drive, Edgware	No Change. Designate polling district as polling place.
AC	Stag Lane First ans Middle School, Collier Drive, Edgware	No Change. Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** CANONS

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
B	St Lawrence Church Hall St Lawrence Close, Edgware.	No Change. Designate polling district as polling place.
BA	Alyward First and Middle School, Pangbourne Drive, Stanmore.	No Change. Designate polling district as polling place.
BB (Appendix 1)	Synagogue Community Centre, London Road, Stanmore.	Split polling district north/south to create new polling district BD. Polling station for BB to remain at present location. Designate polling district as polling place.
BC	Canons Hall, Wemborough Road, Stanmore	No Change. Designate polling district as polling place.
BD (Appendix 1)	Concert Hall, Royal National Orthopaedic Hospital, Warren Lane, Stanmore.	New polling district created by splitting polling district BB. The number of electors contained in this district will initially be low approx 170. However, when the Warren Lane estate is fully occupied this should rise to around 500. Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** KENTON EAST

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
C	Greek Community Hall, Kenton Road, Harrow. (Junct of St Pauls Avenue)	Use new hall which has been built behind the old building. Designate polling district as polling place.
CA	Glebe First and Middle School, D'Arcy Gardens, Harrow.	No Change. Designate polling district as polling place.
CB	Kenmore Park Community Centre, Warneford Road, Harrow.	No Change. Designate polling district as polling place.
CC	Kenton Baptist Church Hall, Streatfied Road, Harrow.	No Change. Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** QUEENSBURY

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
D	Portakabin, Queensbury Circle (Junction of Honeypot Lane & Taunton Way) Stanmore.	No Change. Designate polling district as polling place.
DA	Culver Evangelical Church, Culver Grove , Stanmore.	Culver Evangelical Church to replace Park High School, Thistlecroft Gardens, Stanmore. as the polling station for polling district DA. Designate polling district as polling place.
DB	Kenton Baptist Church Hall, Streatfield Road, Harrow.	No Change. Designate Kenton Baptist Church Hall as polling place.
DC	Bob Lawrence Library, North Parade, Mollison Way, Edgware.	No Change. Designate Bob Lawrence Library as polling place.

**Constituency:** HARROW EAST

**Ward:** BELMONT

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
E	Canons Hall, Wemborough Road, Stanmore.	No Change. Designate polling district as polling place.
EA	Stanmore Baptist Church Hall, Abercorn Road, Stanmore.	No Change. Designate polling district as polling place.
EB	Belmont Community Hall, Belmont Circle, Kenton.	No Change. Designate Belmont Community Hall as polling place.
EC	St Joseph's R.C. School, Dobbin Close, Harrow	No Change. Designate St Joseph's as polling place.
ED	Culver Evangelical Church, Culver Grove , Stanmore.	Culver Evangelical Church to replace Park High School, Thistlecroft Gardens, Stanmore. as the polling station for polling district ED. Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** STANMORE PARK

POLLING DISTRICT	POLLING STATION	ACTION
F	Small Hall, Stanmore Chapel, Nelson Road, Stanmore.	No Change. Designate polling district as polling place.
FA	ST John's C. of E. Middle School, Stanmore Hill, Stanmore.	No Change. Designate polling district as polling place.
FB	Micklem Hall, The Church House, Old Church lane, Stanmore	No Change. Designate polling district as polling place.
FC	Woodlands Communal Room, Binyon Crescent, Stanmore.	No Change. Designate polling district as polling place.
FD	Wykeham Hall, Bishop Ken Road, Harrow.	No Change. Designate Wykeham Hall as polling place for polling district FD.

**Constituency:** HARROW EAST

**Ward:** HARROW WEALD

POLLING DISTRICT	POLLING STATION	ACTION
G	Weald First and Middle School, Robin Hood Drive, Harrow.	Move Olivia Mews from G to GA. Designate polling district as polling place.
GA	The Blackwell Hall, Uxbridge Road, Harrow Weald (Near All Saints Church)	Move Olivia Mews into GA from G. Designate polling district as polling place.
GB (Appendix 2)	Cedars First and Middle school, Whittlesea Road, Harrow Weald.	If St Barnabas Court is available as a polling station for GC split GB into two with a north/south divide to form new polling district GC. Polling station for GB to remain at present location. <b>St Barnabas is not available. No change.</b> Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** KENTON WEST

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
H	St Mary's Church Hall, Kenton Road, Harrow. (Junct St Leonard Ave)	No Change. Designate polling district as polling place.
HA	Kenton Library, Kenton Lane, Harrow,(Junct. Christchurch Ave)	No Change. Designate polling district as polling place.
HB	Priestmead First and Middle School, Hartford Avenue, Harrow.	No Change. Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** WEALDSTONE

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
J	Wykeham Hall, Bishop Ken Road, Harrow.	No Change. Designate polling district as polling place.
JA	Small Hall, Wealdstone Methodist Church, Locket Road, Harrow.	No Change. Designate polling district as polling place.
JB	Whitefriars First & Middle School, Whitefriars Avenue, Harrow.	No Change. Designate polling district as polling place.
JC	Whitefriars First & Middle School, Whitefriars Avenue, Harrow.	Possibility of using Salvatorian College as a polling station. Until Salvatorian becomes available designate Whitefriars as polling place.

**Constituency:** HARROW EAST

**Ward:** MARLBOROUGH

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
K	Healthy Living Centre, 38/40 Wealdstone High Street Wealdstone, HA3 7AE.	No Change. Designate polling district as polling place.
KA	Communal Room, 99 Churchill Place, Barons Meade, Off Marlborough Hill, Harrow	No Change. Designate polling district as polling place.
KB	Marlborough First and Middle School, Marlborough Hill, Harrow.	No Change. Designate polling district as polling place.
KC	Sangat Community Centre, 28A Sancroft Road, Harrow.	No Change. Designate polling district as polling place.

**Constituency:** HARROW EAST

**Ward:** GREENHILL

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
L	Comfort Hotel, 2-12 Northwick park Road, Harrow, HA1 2NT	Amalgamate polling district L with LA. Polling station to remain at Comfort Hotel. Designate polling district as polling place.
LA	Comfort Hotel, 2-12 Northwick park Road, Harrow, HA1 2NT	Amalgamate with polling district L.
LB	The Welldon Community Centre, Welldon Crescent, Harrow.	Rename polling district LA. Designate polling district as polling place.
LC	Middlesex New Synagogue, 39 Bessborough Road, Harrow.	Rename polling district LB. Designate polling district as polling place.
LD	Civic Centre registrar's reception, Station Road Harrow.	Rename polling district LC. Investigate possibility of using Mosque, under construction, on Station Road as polling station. Designate Civic Centre as polling place.

**Constituency:** HARROW EAST

**Ward:** HARROW ON THE HILL

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
MD	Roxeth First and Middle School, Roxeth Hill, Harrow.	As soon as the new Parliamentary boundaries take effect (on the dissolution of parliament) suggest amalgamating this polling district with MA. Until then, designate The Welldon Community Centre as polling place for UK Parliamentary elections, and Roxeth First and Middle School for all other elections.

**Constituency:** HARROW WEST

**Ward:** HARROW ON THE HILL

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
M	Old Gaytonians Clubhouse, South vale, Sudbury Hill, Harrow.	No Change. Designate polling district as polling place.
MA	Roxeth First and Middle School, Roxeth Hill, Harrow.	No Change. Designate polling district as polling place.
MB	COMMUNAL HALL, NORTHOLT ROAD, HARROW. (ADJOINING GRANGE COURT)	No Change. Designate polling district as polling place.
MC	WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** HEADSTONE SOUTH

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
N	ST. GEORGE'S CHURCH HALL, PINNER VIEW, HARROW. (OPPOSITE JUNCT. HIDE ROAD)	No Change. Designate polling district as polling place.
NA	NORTH HARROW ASSEMBLY HALL, STATION ROAD, NORTH HARROW.	No Change. Designate polling district as polling place.
NB	MAIN HALL, HAVS BUILDING, THE LODGE, 64 PINNER ROAD, HARROW.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** WEST HARROW

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
O (Appendix 3)	ST. PETER'S CHURCH, SUMNER ROAD, HARROW.	To ease congestion at St Peters Church in polling district O, that Beaumont Avenue, Bladon Gardens, Blenheim Road, Dorchester Avenue, Grosvenor Avenue, North Avenue and Sandhurst Avenue be moved from polling district O into the revised polling district OB. Designate polling district as polling place.
OA	GRANGE FIRST AND MIDDLE SCHOOL, WELBECK ROAD, HARROW.	No Change. Designate polling district as polling place.
OB (Appendix 3)	Elmfield Church Hall, Imperial Drive, Harrow,	Polling district OB is split in two to ease congestion at Rayners Lane Baptist Church Hall. This will create a new polling district of OC, as well as a revised OB polling district. Elmfield Church Hall, Imperial Drive, Harrow, serves as the polling station the revised OB polling district. Designate polling district as polling place.
OC (Appendix 3)	RAYNERS LANE BAPTIST CHURCH HALL, IMPERIAL DRIVE, HARROW.	New polling district. Rayners Lane Baptist Church Hall serves the new polling district OC. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** HATCH END

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
P	HATCH END FREE CHURCH (BAPTIST) HALL, ROWLANDS AVENUE, PINNER.	No Change. Designate polling district as polling place.
PA	GUIDE HEADQUARTERS, OFF PUBLIC CAR PARK, GRIMSDYKE ROAD, HATCH END.	No Change. Designate polling district as polling place.
PB	HEADSTONE SENIOR CITIZENS CLUB, AUGUSTINE ROAD, HARROW.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** HEADSTONE NORTH

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
R	PINNER PARK MIDDLE SCHOOL, HEADSTONE LANE, HARROW.	No Change. Designate polling district as polling place.
RA	NOWER HILL HIGH SCHOOL, GEORGE V AVENUE, PINNER.	No Change. Designate polling district as polling place.
RB	ST. ALBAN'S CHURCH HALL, NORWOOD DRIVE, HARROW.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** ROXETH

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
S	SOUTH HARROW BAPTIST CHURCH ROOMS, NORTHOLT ROAD, SOUTH HARROW.	No Change. Designate polling district as polling place.
SA	EARLSMEAD FIRST AND MIDDLE SCHOOL, ARUNDEL DRIVE, HARROW.	No Change. Designate polling district as polling place.
SB	JUNCTION OF THE HEIGHTS AND GAYLOR ROAD, NORTHOLT.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** ROXBOURNE

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
T	The Beacon, Scott Crescent, Rayners Lane.	If the Windsock Club is both suitable and available, that polling district T be split in two, with a North/South divide to provide electors in the south of the polling district with a more convenient polling station. That the whole of the revised polling district T be assigned as the polling place, and that the whole of the new polling district TB be assigned as the polling place. If the Windsock Club is either not suitable or not available, that the polling district remains as it is and the whole of polling district T be assigned as the polling place.
TA (Appendix 4)	ST. ANDREW'S CHURCH HALL, MALVERN AVENUE, HARROW.	No Change. Designate polling district as polling place.
TB (Appendix 4)	Windsock Club, Eastcote Ave, Rayners Lane.	As T above

**Constituency:** HARROW WEST

**Ward:** RAYNERS LANE

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
U	Tithe Farm Social Club Rayners Lane	Designate Tithe Farm Social Club Rayners Lane as polling place.
UA	RAYNERS LANE SCOUT HEADQUARTERS, HIGH WORPLE, HARROW.	No Change. Designate polling district as polling place.
UB	LONGFIELD FIRST AND MIDDLE SCHOOL, DUKES AVENUE, NORTH HARROW.	No Change. Designate Longfield First and Middle as polling place for UB.
UC	ROXBOURNE FIRST AND MIDDLE SCHOOL, TORBAY ROAD, HARROW.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** PINNER SOUTH

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
W	THE VAGABONDS CLUBHOUSE, HOLWELL PLACE, PINNER.	No Change. Designate polling district as polling place.
WA	PINNER VILLAGE HALL, CHAPEL LANE, PINNER.	No Change. Designate polling district as polling place.
WB	CANNON LANE FIRST AND MIDDLE SCHOOL, CANNONBURY AVENUE, PINNER.	No Change. Designate polling district as polling place.

**Constituency:** HARROW WEST

**Ward:** PINNER

<b>POLLING DISTRICT</b>	<b>POLLING STATION</b>	<b>ACTION</b>
X	PINNER METHODIST CHURCH HALL, LOVE LANE, PINNER.	No Change. Designate polling district as polling place.
XA	PINNER HILL COMMUNITY CENTRE, PINNER HILL ROAD, PINNER. (NEXT TO WELCH PLACE)	No Change. Designate polling district as polling place.

LICENSING AND  
GENERAL PURPOSES  
PANELS



## LICENSING PANEL

2 AUGUST 2007

Chairman: \* Councillor Robert Benson

Councillors: \* Thaya Idaikkadar \* Ashok Kulkarni

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**153. **Appointment of Chairman:**

**RESOLVED:** That Councillor Robert Benson be appointed Chairman of the Panel for the purposes of the meeting.

154. **Declarations of Interest:**

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

155. **Arrangement of Agenda:**

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

156. **Minutes:**

(See Note at conclusion of these minutes).

157. **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.

158. **Licensing Procedures:**

The Chairman asked the Panel Members, officer/s, Responsible Authority/ies and other attendees at the meeting to introduce themselves and then outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

159. **Application to vary a Premises Licence for 'Mason's Arms', a premise at 75 High Street, Edgware, Middlesex HA8 7DD:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application to vary the Premises Licence for the Masons Arms, a public house at 75 High Street, Edgware, HA8 7DD. The Masons Arms had sought to alter the timings for three licensable activities: the Sale of Alcohol, the sale of Late Night Refreshment and Recorded and Live Music. The applicant also sought to retain the existing additional hour for licensable activities on St Patrick's and St George's Day, with seven days notice and agreement with the Police and to reflect the existing New Years Eve/Day hours. Removal of Annex 3 Condition 2 'External area to be cleared at 23.30 hours' and Annex 3 Condition 8 'No entry to the premises after 23.30 hours' was also sought.

The application was made by Punch Taverns PLC and had been referred to the Panel as unresolved representations had been received from the Environmental Health Authority and Interested Parties. Louise Roberts was in attendance on behalf of the Environmental Health Authority. The Interested Parties (local residents) in attendance were Mr G Krieg and Mr E Richman. Also present were Mr A Murphy, Landlord of the Masons Arms, John Jassallo from Punch Taverns PLC and Karl Davies, Counsel for the applicant.

The applicant confirmed that the application was to alter timings and not to add new licensable activities. The applicant confirmed that they wished to:

- Extend the terminal hour of sale of alcohol to 01.00 hours, Monday to Thursday.
- Extend the terminal hour of Late Night Refreshment to 02.00 hours, Monday to Thursday.

- Extend the terminal hour of Live and Recorded music to 01.00 hours, Monday and Thursday.

The applicant produced a GIS map of the premises' location, which upon agreement of all parties, was submitted to the Panel. The applicant stated that:

- The Masons Arms was located at a very busy crossroads.
- Local residents had been written to informing them that they could contact him if noise from the Masons Arms became a problem.
- No representations had been made by the Police concerning this application, which indicated that they were satisfied that the Masons Arms' management was doing all it could to prevent public nuisance.
- Removal of Annex 3, Conditions 2 and 8 was requested due to the effects of the smoking ban in July 2007.
- There had been no complaints about noise from the public house's garden.
- The applicant was not prepared to accept the conditions proposed by Louise Roberts.
- All residents in the area were sent a letter from the Masons Arms.

In response to questions by the Panel, the applicant stated that the Masons Arms was on a very busy crossroads and so their premises was not the only source of noise in the area and that there was no air conditioning but that fans were present.

It was noted that the plan on page 42 of the agenda was incorrect and so following agreement by all parties, a floor plan of the premises was circulated.

In her representation, Louise Roberts requested that the Panel keep Annex 3 Condition 8. Ms Roberts also stated that should the Panel remove Annex 3 Condition 2, she would ask them to make it a further condition that there was to be no consumption of beverages in external areas after 23.30 hours. Ms Roberts stated that she accepted that the Masons Arms was located on a busy junction, which did have an impact on the noise. With regards to the problem of drinks being 'spiked', Ms Roberts explained that there were ways to prevent this happening. Ms Roberts stated that she hoped that the applicant was responding to the concerns of local residents and that she would ask the Panel to consider the conditions she had requested.

In his representation, Mr G Krieg stated that his main concern was noise from the Masons Arms. He stated that he had visited the Public House and found the windows open and requested that a sound limiting device be put in place.

In his representation, Mr E Richman stated that the Masons Arms was in a predominately Jewish area and that activities at the Masons Arms had an affect on local Jewish people. Mr Richman stated that there had been problems with the public houses' customers: this included instances of anti-social behaviour such as urinating in public areas, empty beer glasses being left in the street and local people suffering verbal abuse.

In response to questions by Members, Louise Roberts stated that the Masons Arms had a capacity of approximately 200 people and that Environmental Health had visited the premises a number of times in response to complaints about the noise. Ms Roberts stated that it would be difficult to set noise levels.

In his closing statement, Mr Krieg stated that he was concerned about noise from the Masons Arms.

In his closing statement, Mr Richman stated that noise from the Masons Arms had a detrimental affect on what was generally a quiet area.

In his closing statement, the applicant stated that the Masons Arms had a very experienced manager and that removal of Conditions 2 and 8 was intended to prevent problems occurring. The applicant stated that incidents had been few and far between.

The Panel considered all the facts and evidence presented to them and

**RESOLVED:** That (1) the request for the sale of alcohol by an additional hour from Monday to Thursday would not be granted but would be permitted from 10.00 hours to 00.30 hours Monday to Thursday;

**REASON:** The prevention of public nuisance.

(2) the request for the extension of late night refreshment by an additional hour from Monday to Thursday would not be granted. Late night refreshment on Friday and Saturday would be permitted from 23.00 hours to 01.30 hours;

**REASON:** The prevention of public nuisance.

(3) the request for the extension of Recorded and Live music by an additional hour Monday and Thursday would not be granted but would be permitted from 10:00 hours to 00:30 hours Monday and Thursday;

(4) the request to retain the existing additional hour for licensable activities on St Patrick's Day and St George's Day, with 7 days' notice and agreement with the Police be granted;

(5) the request to reflect existing New Year's Eve/Day hours be granted;

(6) the request to remove Condition 2 in Annex 3 of the Premises Licence be granted but that further conditions be added to the Premises licence;

(7) the request to remove Condition 8 in Annex 3 of the Premises Licence be granted but that further conditions be added to the Premises licence;

(8) the following conditions be added to the Premises Licence:

- Doors and windows shall be kept shut during operating hours, save for entry and exit through the doors of the Premises.
- A sound-limiting device set at a level approved by the Licensing Authority shall govern amplified sound equipment.
- No food or beverages can be taken out or consumed after 23.30.
- No entry or re-entry of patrons after the terminal hour for the licensable activity of the sell of alcohol.
- Hours open to the Public shall be Monday-Thursday 07.00 hours to 01.00 hours, Friday and Saturday 07.00 hours to 01.30 hours and Sunday from 11.00 hours to 00.30 hours.

**REASON:** Prevention of public nuisance.

(Note: The meeting having commenced at 7.35 pm, closed at 9.49 pm)

(Signed) COUNCILLOR ROBERT BENSON  
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

20 SEPTEMBER 2007

Chairman: \* Councillor Mrs Lurline Champagnie

Councillors: \* Robert Benson \* Nizam Ismail

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**160. **Appointment of Chairman:**

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

161. **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.

162. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
7. Application for a Review of the Premises Licence for Shankar Superstore, 231-233 Northolt Road, South Harrow, HA2 8HL:	These documents were not available at the time the agenda was printed and circulated. Members were requested to consider these items, as a matter of urgency.
(i) Witness Statements	
(ii) Accu Document Bundle Pack	

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

163. **Minutes:**  
(See Note at conclusion of these minutes).164. **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.

165. **Licensing Procedures:**

The Chairman asked the Panel Members, officer/s, Responsible Authority/ies and other attendees at the meeting to introduce themselves and then outlined the procedure for the conduct of an oral hearing.

166. **Application for a Review of the Premises Licence for the Shankar Superstore, 231-233 Northolt Road, South Harrow, HA2 8HL:**

The Panel received a report of the Chief Environmental Health Officer, which sought the determination of a review application Shankar Superstore, 231-233 Northolt Road, South Harrow, HA2 8HL.

The application to review the licence had been made by Sergeant Carl Davis which sought for the Premises Licence to be revoked. The Premises Licence holder, Mr Thushyant Alakaratham, was in attendance and was represented by Mr Stephen Hill of Hodders Solicitors and Mr J Simens from Accu Price Licensing. Also present were Detective Sergeant Madeline Ryder and Sergeant Carl Davis from the Metropolitan Police and Mr Andrew Clooney from Harrow Trading Standards.

In his representation Sergeant Davis stated that on two, separate, occasions two staff members of the store had been issued a Penalty Notice of Disorder for the sale of alcohol to underage children. It was also noted that illegal immigrants had been found working at the premises and four individuals had been arrested. He felt that the offences relating to the sale of alcohol to underage persons were of such a serious nature that the licence ought to be revoked. Responding to questions, it was clarified that it would be the employer's responsibility to ensure the staff had valid documentation for employment. Criminal Record Bureau checks were only performed on the personal licence holder and did not apply to all staff.

Mr Hill, speaking on behalf of the licence holder, stated that his client had admitted the breach of his licence and had therefore sought advice from Accu Price Licensing to implement the 'Challenge 21' scheme. Photographs of the implementation of the scheme were circulated. He added that a new CCTV system had been installed and staff had been enrolled for a training course. It was further confirmed that the licence holder did take photocopies of identification documents of his staff.

Mr Simons added that he had provided on-site training for the 'Challenge 21' scheme and a record of the training manual was kept at the premises. The licence holder had applied to join Trading Standards. It was explained that Accu Price Licensing had performed checks to ensure all conditions on the licence were met. It was further clarified that the individuals arrested were not directly employed by the licence holder, but by sub-letters within the store.

In response to questions it was clarified that:

- Identity checks on employees had been conducted prior to the police and Trading Standards visit.
- The leaseholder of the premises was the wife of the licence holder. The licence holder was also the designated premises supervisor.
- All staff had been instructed not to sell alcohol to underage persons.
- The licence holder was aware that the sale of alcohol to underage persons could terminate the management agreement, losing £80,000.

In his closing statement, Sergeant Davis argued that several conditions on the licence had been breached. Measures to comply with the conditions had only been put in place after incidents occurred at the premises. He felt that the licence holder was unable to cope with the responsibility and therefore the licence should be revoked.

Mr Hill admitted the incidents had taken place, but added that the premises had been running for several years without any other incidents. Therefore, he felt that revoking the licence would be too severe and asked the Panel to consider a suspension of the licence for one month.

Having heard and considered all the evidence and taking into account the seriousness of the incidents relating to the sale of alcohol to underage persons and the steps taken by the Premises Licence holder following the incidents of underage sale of alcohol, the Panel

**RESOLVED:** That the premises licence for Shankar Superstore, 231-233 Northolt Road, South Harrow, HA2 8HL be revoked.

**REASON:** It was felt that the licensing objectives relating to the protection of children from harm and the prevention of crime and disorder were seriously broken. Suspension of the licence would be insufficient due to the seriousness of the case.

(Note: The meeting having commenced at 10.00 am, closed at 12.27 pm)

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE  
Chairman

[Note: Licensing Panel minutes are:-

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

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



## EARLY RETIREMENT SUB-COMMITTEE

28 AUGUST 2007

Chairman: Councillor Richard Romain

Councillors: \* Miss Christine Bednell (Vice-Chairman) (in the Chair) \* Mrs Lurline Champagnie (1) \* Mano Dharmarajah

\* Denotes Member present  
(1) Denotes category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**28. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-Ordinary MemberReserve Member

Councillor Richard Romain

Councillor Mrs Lurline Champagnie

29. **Declarations of Interest:****RESOLVED:** To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.30. **Arrangement of Agenda:****RESOLVED:** That all items 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>
9. Exercise Discretion under Regulation 35 of the Local Government Pension Scheme Regulations (as amended)	) The items were considered to contain exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972, in that they contained information relating to individuals.
10. Exercise Discretion under Regulation 35 of the Local Government Pension Scheme Regulations (as amended)	

31. **Minutes:****RESOLVED:** That (1) the minutes of the meeting held on 13 June 2007 be taken as read and signed as a correct record; and

(2) the minutes of the meeting held on 17 July 2007 be deferred until printed in the Council Minute Volume.

32. **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 Committee Procedure Rules 19, 16 and 17 respectively.33. **Exercise Discretion under Regulation 35 of the Local Government Pension Scheme Regulations 1997 (as amended):**

The Committee received a report of the Corporate Director (Adults and Housing), which detailed applications by two employees under Regulation 35 of the Local Government Pension Scheme Regulations 1997 requesting that the employer exercise discretion and agree flexible retirement.

**RESOLVED:** That (1) it be agreed that these were suitable cases for consideration under Regulation 35 of the Local Government Pension Scheme Regulations 1997; and

(2) having determined that the applications met the criteria approved by the Licensing and General Purposes Committee on 5 March 2007, discretion be exercised and the flexible retirements of MM and PH under Regulation 35 be agreed.

34. **Exercise Discretion under Regulation 35 of the Local Government Pension Scheme Regulations 1997 (as amended):**

Members considered a report of the Corporate Director (Adults and Housing), which detailed an application by an employee under Regulation 35 of the Local Government Pension Scheme Regulations 1997 requesting that the employer exercise discretion and agree flexible retirement.

**RESOLVED:** That (1) it be agreed that this was a suitable case for consideration under Regulation 35 of the Local Government Pension Scheme Regulations 1997; and

(2) having determined that the application met the criteria approved by the Licensing and General Purposes Committee on 5 March 2007, discretion be exercised and the flexible retirement of PH under Regulation 35 be agreed.

(Note: The meeting having commenced at 7.30 pm, closed at 7.55 pm)

(Signed) COUNCILLOR CHRISTINE BEDNELL  
Vice-Chairman (in the Chair)

## PENSION FUND INVESTMENTS PANEL

11 SEPTEMBER 2007

Chairman: \* Councillor David Ashton

Councillors: \* Mano Dharmarajah \* Thaya Idaikkadar  
\* Tony Ferrari (1)Co-optee \* Howard Bluston  
(Non-voting):\* Denotes Member present  
(1) Denotes category of Reserve Member

[Note: Other Attendance: Mr Alistair McKissack of Hymans Robertson attended in an advisory role, as the Council's Actuary/Adviser.]

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**61. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-Ordinary MemberReserve Member

Councillor Richard Romain

Councillor Tony Ferrari

62. **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.63. **Arrangement of Agenda:****RESOLVED:** That (1) all items be considered with the press and public present with the exception of the following items for the reasons set out below:

<u>Items</u>	<u>Reason</u>
10. Fund Manager's Presentation	) These reports contained exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that they contained information relating to the financial or business affairs of any particular person (including the authority holding that information).
11. Fund Manager's Presentation	
12. Performance of Fund Managers - quarter ending 30 June 2007	

(2) agenda item 12 (Performance of Fund Managers - quarter ending 30 June 2007) be taken immediately before agenda item 10.

64. **Minutes:****RESOLVED:** That the minutes of the meetings held on 7 March 2007 and 25 June 2007 be taken as read and signed as correct records.65. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.66. **Petitions:****RESOLVED:** To note that no petitions had been received.

67. **Deputations:**

**RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

68. **Performance of Fund Managers – Attendance at Meetings:**

The Panel received a report of the Corporate Director (Finance), which detailed the dates of attendance by Fund Managers until June 2008. The officer confirmed that the pre-meetings were for attendance by officers only.

**RESOLVED:** That the forward dates for the attendance by Fund Managers be agreed.

69. **Performance of Fund Managers – quarter ending 30 June 2007:**

The Panel received a confidential report of the Corporate Director (Finance), which informed Members of the Panel of the performance of the Fund Managers.

**RESOLVED:** That the performance of the Pension Fund Managers for the quarter ending 30 June 2007 be noted.

70. **Fund Manager's Presentation:**

Representatives from Baillie Gifford made a formal presentation to the Panel detailing Baillie Gifford's strategies and performance since the last Fund Manager reports. The presentation was received in the private session of the meeting.

Members of the Panel asked questions of the Fund Managers and discussed issues arising. Upon conclusion of the presentation, the representatives were thanked for their attendance.

**RESOLVED:** That the Fund Manager presentation be received and noted.

71. **Fund Manager's Presentation:**

Representatives from Blackrock made a formal presentation to the Panel detailing Blackrock's strategies and performance since the last Fund Manager reports. The presentation was received in the private session of the meeting.

Members of the Panel asked questions of the Fund Managers and discussed issues arising. Upon conclusion of the presentation, the representatives were thanked for their attendance.

**RESOLVED:** That the Fund Manager presentation be received and noted.

72. **Any Other Business:**

(i) **Trade Union Observers**

The Chairman commented that he was keen to ensure that representatives of Trade Unions were encouraged to attend meetings of the Panel. The Chairman asked an officer to write to representatives of Unison and the GMB encouraging them to attend the Panel's meetings.

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

(Note: The meeting having commenced at 6.30 pm, closed at 9.28 pm)

(Signed) COUNCILLOR DAVID ASHTON  
Chairman

THE CABINET,  
CABINET ADVISORY PANELS  
AND  
CONSULTATIVE FORUMS



CABINET  
ADVISORY  
PANELS



**EDUCATION ADMISSIONS AND AWARDS  
ADVISORY PANEL****29 AUGUST 2007**

Chairman: \* Councillor Mrinal Choudhury (Vice-Chairman in the Chair)

Councillors: \* G Chowdhury (1) Joyce Nickolay

Advisers: † Mr D A Jones  
(Vacancy)

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

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

On 29 August 2007, there were 25 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.

**Resolved to RECOMMEND:**

That offers of admission to schools be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H1	9	Canons
H2	9	Hatch End
H3	9	Nower Hill
H4	9	Harrow High
H5	9	Park High
H6	9	Harrow High
H7	9	Whitmore High
H8	9	Whitmore High
H9	9	Rooks Heath
H10	9	Rooks Heath
H11	9	Rooks Heath
H12	9	Hatch End
H13	10	Hatch End
H15	10	Nower Hill
H17	10	Harrow High
H18	10	Harrow High
H19	10	Hatch End
H20	10	Whitmore High
H21	11	Bentley Wood
H22	8	Bentley Wood
H23	11	Park High
H24	11	Nower Hill
H25	11	Rooks Heath
H26	11	Whitmore High
H26B	8	Whitmore High

[Note: (1) An additional case was added to the agenda after case H26; this became case H26B;

(2) case numbers H14 and H16 were withdrawn from the agenda as an offer of a place had already been made].

**PART II - MINUTES**179. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Mrs Janet Cowan

Reserve Member

Councillor G Chowdhury

180. **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.

181. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
8. Admissions to County Schools	This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals.

182. **Minutes:**

**RESOLVED:** That (1) the minutes of the meetings held on 6 February, 6 March, 18 April, 2 May, 16 May, and 30 May 2007 be taken as read and signed as correct records;

(2) the minutes of the meetings held on 13 and 27 June 2007 be deferred until printed in the Council Bound Minute Volume.

183. **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 16 (Part 4E of the Constitution).

184. **Petitions:**

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

185. **Deputations:**

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

186. **Admissions to Country Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 3.00 pm, closed at 3.40 pm)

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

**EDUCATION ADMISSIONS AND AWARDS  
ADVISORY PANEL****5 SEPTEMBER 2007**

Chairman: \* Councillor Mrinal Choudhury (Vice-Chairman in the Chair)

Councillors: \* G Chowdhury (1) \* Joyce Nickolay

Advisers: Mr D A Jones  
(Vacancy)

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

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

On 5 September 2007, there were 19 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.

**Resolved to RECOMMEND:**

That offers of admission to schools be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H27	9	Bentley Wood
H28	9	Harrow High
H29	9	Hatch End High
H30	9	Nower Hill
H31	9	Rooks Heath
H32	9	Whitmore High
H33	10	Rooks Heath
H34	10	Nower Hill
H35	10	Whitmore High
H36	10	Harrow High
H37	11	Bentley Wood
H38	11	Canons
H39	11	Harrow High
H40	11	Nower Hill
H41	11	Hatch End High
H42	11	Park High
H43	11	Whitmore High
H44	11	Rooks Heath
H45	10	Rooks Heath

[Note: An additional case was added to the agenda after case H44; this became case H45].

**PART II - MINUTES**187. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Mrs Janet Cowan

Reserve Member

Councillor G Chowdhury

188. **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.

189. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
9. Admissions to County Schools	This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals.

190. **Minutes:**

**RESOLVED:** That (1) the minutes of the meetings held on 13 and 27 June 2007 be taken as read and signed as correct records;

(2) the minutes of the meeting held on 29 August 2007 be deferred until printed in the Council Bound Minute Volume.

191. **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 16 (Part 4E of the Constitution).

192. **Petitions:**

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

193. **Deputations:**

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

194. **Dates of Future Meetings:**

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

- Wednesday 19 September 2007 at 3.00 pm
- Wednesday 3 October 2007 at 3.00 pm
- Wednesday 17 October 2007 at 3.00 pm
- Wednesday 31 October 2007 at 3.00 pm
- Wednesday 14 November 2007 at 3.00 pm
- Wednesday 28 November 2007 at 3.00 pm
- Wednesday 12 December 2007 at 3.00 pm
- Wednesday 2 January 2008 at 3.00 pm

195. **Admissions to County Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 3.00 pm, closed at 3.30 pm)

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

**EDUCATION ADMISSIONS AND AWARDS  
ADVISORY PANEL****19 SEPTEMBER 2007**

Chairman: \* Councillor Joyce Nickolay (in the Chair)

Councillors: \* Julia Merison (2) \* Asad Omar (1)

Advisers: Mr D A Jones  
(Vacancy)

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

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

On 19 September 2007, there were 23 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.

**Resolved to RECOMMEND:**

That offers of admission to schools be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H46	11	Whitmore
H47	9	Canons
H48	9	Harrow High
H49	9	Hatch End
H50	9	Nower Hill
H51	9	Whitmore
H52	9	Whitmore
H53	9	Park High
H54	9	Canons
H55	9	Rooks Heath
H56	11	Rooks Heath
H57	10	Harrow High
H59	10	Park High
H60	10	Canons
H61	10	Bentley Wood
H62	10	Hatch End
H63	10	Nower Hill
H64	10	Whitmore
H65	10	Rooks Heath
H66	11	Canons
H67	11	Park High
H68	11	Park High
H69	11	Harrow High

[Note: Case H58 had been withdrawn from the agenda as an offer of a place had already been made.]

**PART II - MINUTES**196. **Appointment of Chairman:**

**RESOLVED:** That, in the absence of the Chairman and Vice-Chairman, Councillor Joyce Nickolay be appointed as Chairman of the Panel for the purposes of this meeting.

197. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Mrinal Choudhury  
Councillor Mrs Janet Cowan

Reserve Member

Councillor Omar  
Councillor Julia Merison

198. **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.

199. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
8.(a) Admissions to County Schools	The applications detailed in this report were received after the main agenda was printed and circulated. Members were asked to consider the applications, in order to allocate an appropriate place to the applicants.

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

<u>Item</u>	<u>Reason</u>
8. Admissions to County Schools	This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals.

200. **Minutes:**

**RESOLVED:** That the minutes of the meetings held on 29 August and 5 September 2007 be deferred until printed in the Council Bound Minute Volume.

201. **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 16 (Part 4E of the Constitution).

202. **Petitions:**

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

203. **Deputations:**

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

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

(Note: The meeting having commenced at 3.15 pm, closed at 3.35 pm)

(Signed) COUNCILLOR JOYCE NICKOLAY  
(In the Chair)

## GRANTS ADVISORY PANEL

4 SEPTEMBER 2007

Chairman: \* Councillor Joyce Nickolay

Councillors: \* Ms Nana Asante \* Mrs Myra Michael  
\* Don Billson \* Asad Omar  
\* Susan Hall (5) \* Mrs Rekha Shah  
\* Ashok Kulkarni \* Mrs Sasi Suresh  
\* Julia Merison (2)

Adviser: \* Deven Pillay, Chief Executive, Mencap

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

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

The Panel received a report of the Director of Community and Cultural Services, setting out applications to the Edward Harvist Trust Fund.

An officer explained that there was a balance of £9,907 of Trust monies to be allocated in 2007/2008.

**Resolved to RECOMMEND:** (To the Portfolio Holder for Community and Cultural Services)

- That (1) £257 be allocated to Carramea;  
(2) £2,000 be allocated to Maesnant Centre, subject to legal advice;  
(3) £2,000 be granted to Mind in Harrow;  
(4) £2,000 be granted to St Luke's Hospice, subject to legal advice.

**[Reason for Recommendation:** To consider the allocation of funding to voluntary organisations from monies received from the Edward Harvist Trust in 2007/08.]

[Note: Legal advice had been sought on recommendations 2 and 4 above and approval for allocation of funds had been obtained].

**RECOMMENDATION 2 - Community Premises Accommodation Update**

The Panel considered a report of the Director of Community and Cultural Services, which provided an update on the Community Premises Accommodation. Members were asked to agree that voluntary organisations be contacted to submit application forms for allocation of space at the Community Premises.

An officer reported that following a recommendation from the Grants Advisory Panel meeting held on 11 June 2007, the Community Premises Accommodation had been advertised to voluntary organisations. She informed the Panel that 16 existing users and 8 new organisations had expressed an interest in the premises. Three existing users had not responded and had been sent a reminder.

A Member was of the view that the Council might be able to allocate space to all organisations that had shown an interest and were expected to make an application.

**Resolved to RECOMMEND:** (To the Portfolio Holder for Community and Cultural Services)

That (1) the next stage of asking the organisations listed at Appendix 2 of the published officer report to submit a formal application for accommodation at the Community Premises be agreed;

(2) officers be authorised to analyse the applications received, put together proposals for allocations based on the aims and objectives of the organisation, and to provide up to date usage information for those currently based at the Community Premises.

**[Reason for Recommendation:** To make the Community Premises available for more organisations, enabling it to be fully utilised].

(See also Minute 78).

## **PART II - MINUTES**

### 70. **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 Anjana Patel Councillor Stanley Sheinwald	Councillor Julia Merison Councillor Susan Hall

### 71. **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.

### 72. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
8. Edward Harvist Trust Fund Applications – Appendix 5	Appendix 5 was exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 as it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

### 73. **Minutes:**

**RESOLVED:** That (1) the minutes of the meeting held on 7 March 2007 be taken as read and signed as a correct record;

(2) the minutes of the meeting held on 11 June 2007 be deferred until printed in the Council Bound Minute Volume.

### 74. **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 16 (Part 4E of the Constitution).

### 75. **Petitions:**

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

### 76. **Deputations:**

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

### 77. **Edward Harvist Trust Charity - Grant Applications:**

(See Recommendation 1).

### 78. **Community Premises Accommodation Update:**

Further to Recommendation 2 above, it was explained that each year groups were requested to sign a facilities users' agreement, but that this had not been undertaken in the current year. It was noted that this was essential and officers were asked to ascertain that the agreements were signed in 2008.

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

79.

**Community Lettings Update:**

The Panel considered a report of the Director of Community and Cultural Services, which set out the progress made on the Community Lettings Scheme.

The Chairman informed the Panel that in September 2008 new criteria for Community Lettings would come into effect. Allocation of grants to voluntary groups would support community lettings, mainly in school premises. She added that historically rents had been subsidised up to 85% for many years. The subsidy had reduced to 70% from 1 September 2006 and 60% from 1 September 2007. From 1 September 2008 the system would change whereby organisations would apply directly to schools for lettings and then be able to apply to the Council for a grant of up to 50% of the actual cost.

Members expressed concern that some schools were increasing their charges considerably for use of their premises. One Member noted that some schools were not sympathetic to voluntary organisations in the form of reduced charges. An officer responded that schools had a duty of care and community cohesion, and the Community Lettings Scheme could be part of this. She added that guidance would be issued to schools on this matter. The officers would endeavour to find out whether organisations which had not continued with their lettings had found cheaper premises. The Adviser suggested helping organisations to look for alternative funding to ensure services were maintained.

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

(Note: The meeting having commenced at 7.32 pm, closed at 8.57 pm)

(Signed) COUNCILLOR JOYCE NICKOLAY  
Chairman



## TOWN CENTRE AND MAJOR PROJECTS PANEL

18 SEPTEMBER 2007

Chairman:	* Councillor Marilyn Ashton	
Councillors:	* David Ashton	* Phillip O'Dell
	* Susan Hall	* Bill Stephenson (1)
	* Chris Mote	
Advisers (non-voting):	* Mr Abe Hayeem	– Canons Park Residents' Association
	* Mr David Summers	– Harrow Agenda 21
	* Mrs J Verden	– Harrow Heritage Trust
	† Mr A Wood	– Harrow Public Transport Users' Association

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

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Public Realm and Access Strategy**

An officer introduced the report of the Director of Planning, Development and Enterprise, which summarised the initial results of the consultation on the Strategy and outlined the next stages in taking the project forward. He identified the key points, details of which were set out in the report.

The Panel was informed that:-

- the results of the consultation were encouraging and that the issue of the design "palette" and provision of samples could be addressed at the outline design stage;
- bids had been submitted to Transport for London (TfL) and that, in the event that TfL did not support these, a report would be submitted to Members with a view to reviewing the Council's Capital Programme;
- the report was seeking endorsement of the draft Strategy for consultation with key stakeholders and, thereafter, the final Strategy would be submitted to the Panel and the Cabinet for approval;
- discussions with Accord MP, who would be involved in the implementation of the project were underway.

The Panel also received a presentation from Urban Initiatives (UI), a consultant design team, appointed by the Council to prepare a Public Realm Strategy for Harrow Town Centre, in this regard. The representative from UI outlined the timescales for the delivery of the three highest priority schemes over a 3-year period. It was intended to progress to an outline design for St Ann's Road and to review the situation when the decisions on the bids submitted to TfL were known. A further report would be submitted to the next meeting of the Panel scheduled to be held on 19 November 2007, which would also set out maintenance costs as requested by the Panel.

The Vice-Chairman informed the Panel that the issue of maintenance was being addressed and that negotiations were underway with a view to encouraging sponsorship. Climate change needed to be considered and it was intended to ensure that the infrastructure installed was manageable and the design vision was achieved.

Some Members and advisers to the Panel made the following comments/suggestions:-

- there was a need to test the 'palettes' sooner rather than later and that this could be done at no cost to the Council;
- the impact of the works on businesses needed to be taken into account. The Director stated that the works would be project managed and effective communication with businesses was essential;
- a seamless interface and a de-cluttered Town Centre were essential;

- the draft Urban Design Framework, Public Realm Strategy & Access Study needed reviewing and errors corrected when the final document was produced. It was important that reference to the proposed Business Improvement District was made in the document. There was also a need to state how the schemes would address the personal accident data;
- planting of greenery and the siting of seating areas needed careful consideration. It was noted that UI would investigate the provision of water storage systems at a later time;
- the paragraph on heights of buildings needed refreshing and it was noted that UI would discuss this matter with planning officers;
- tall buildings would cast shadows and encourage graffiti.

Members commented on the boundary of the Town Centre, as set out on page 18 of the document, and noted that the boundary was the same as in the Council's Unitary Development Plan (UDP).

The Director of Planning, Development and Enterprise confirmed the Council's aspirations for Havelock Place and its intention to create a through route from St Ann's Road to College Road. A coherent development, which incorporated the existing service yard, was possible and discussions with the owners of the St Ann's Centre were underway. This proposal would not deter from improvements to the public realm being carried out in the interim.

Members were in agreement that a demonstration project was beneficial before phase 1 – work to St Ann's Road - of the project commenced. The Chairman asked UI to ascertain if this was feasible and to identify the costs of the demonstration first. The alternative was to visit other Town Centres in order to see how surfaces had 'weathered' over time.

Officers suggested that any further comments on the Urban Design Framework, Public Realm Strategy and Access Strategy be sent to them directly. The Chairman and the Director outlined the Council's desire to make progress on the Strategy and that doing 'nothing' was not on the Council's agenda. The Strategy presented a real opportunity to rejuvenate a 'tired' Town Centre and engage with businesses whilst ensuring attention to detail.

**Resolved to RECOMMEND:** (to the Portfolio Holder)

That (1) the initial results of public consultation on the draft Public Realm and Access Strategy for Harrow Town Centre having been considered be noted;

(2) the draft strategy be endorsed for further consultation with key stakeholders;

(3) the outline design for the concept schemes for St Ann's Road and Greenhill Way, be progressed as set out in the delivery strategy described in the officer report;

(4) a demonstration project be considered by UI, as set out in the preamble above.

**Reason for Recommendation:** To note the response to public consultation and move towards the next stages in the preparation of the Public Realm and Access Strategy for Harrow Town Centre.

**RECOMMENDATION 2 - Land at Harrow on the Hill Station and Harrow College**

The Director of Planning, Development and Enterprise introduced the report, which set out the latest position on proposals for development around Harrow on the Hill Station and Harrow College following a presentation to the Mayor of London and a meeting with the Transport Commissioner. He also shared the presentation made to the Mayor of London with Panel Members and advisers.

During the presentation, the Director made the following key points:-

- both options had been presented in detail to the Mayor of London, as requested by the Panel at its last meeting;
- Harrow College, Dandara and the Council were working jointly;

- there was no prospect of Metronet funding being released to help finance the relocation of Harrow on the Hill Station for the foreseeable future;
- planning applications from Dandara and Harrow College were expected in the New Year;
- Harrow bus station would be replaced with an increased capacity and approaches to the station would be improved;
- access for people with disabilities from the south side of the railway would be investigated. Whilst this was not an ideal solution, it might go some way towards making the station fully accessible;
- a new foot bridge would be built. The Council was mindful that the bridge would have to be strategically placed taking into account any future developments in the area;

In response to concerns from some advisers about the heights of buildings that might be proposed around the station, the Chairman, the Vice-Chairman and the Director stated that Harrow Town Centre was facing increased competition from surrounding Town Centres and that a significant amount of development around the station would be required to fund public transport improvements. A balance needed to be achieved in order to ensure that a new and viable Town Centre was built, that it was competitive, vibrant and attractive. Planning applications would have to be considered on their own merit and that views of Harrow on the Hill had evolved over time and would continue to do so.

The Director also stated that the Council was under increasing pressure to achieve its housing targets and that it was inevitable that high-density developments would appear in the Town Centre. This would also help enhance the viability of the Town Centre.

**Resolved to RECOMMEND:** (to the Portfolio Holder)

That (1) the approach to improving public transport facilities at Harrow on the Hill Station be endorsed;

(2) the progress in bringing forward proposals for the development of Harrow College and Dandara sites be noted.

**Reason for Recommendation:** To note the presentation made to the Mayor of London and bring forward proposals for the development of Harrow College and Dandara sites.

(See also Minute 55).

## **PART II - MINUTES**

### 54. **Attendance by Reserve Members:**

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

Ordinary Member

Reserve Member

Councillor Navin Shah

Councillor Bill Stephenson

### 55. **Declarations of Interest:**

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

- Agenda Item 9 – Land at Harrow on the Hill Station and Harrow College  
Councillor Chris Mote declared a personal interest in that he knew the planning consultant for Dandara, owners of the site at 51 College Road (Old Post Office site).
- Agenda Item 10 – Priorities and progress 2007 – Update  
Councillors Marilyn Ashton and David Ashton declared a personal interest in that they lived next to Bentley Priory. Councillor Marilyn Ashton clarified that their interests were personal as no decision was required.

Accordingly, they would remain in the room whilst the matters were considered and voted or noted, as appropriate.

56. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following appendix 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. Public Realm and Access Strategy - Appendix 2	Appendix 2 was not available at the time the agenda was printed and circulated as it was awaited from the consultants. Members were requested to consider Appendix 2 together with the report in order to make an informed decision.

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

57. **Minutes:**

**RESOLVED:** That, subject to the following amendments, the minutes of the meeting held on 19 June 2007, be taken as read and signed as a correct record:

- (i) Minute 42, resolution (2), replace '30 March 2007' with '13 March 2007';
- (ii) Minute 52, paragraph 2 to read: "The Director reported that Quintain had sold its leasehold interest in 79 College Road and that the freehold was retained by Transport for London (TfL). As a result, ...".

58. **Petitions:**

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

59. **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 16 (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 15 (Part 4E of the Constitution).

61. **Public Realm and Access Strategy:**

(See Recommendation 1).

62. **Land at Harrow on the Hill station and Harrow College:**

(See Recommendation 2).

63. **Priorities and Progress 2007 – Update:**

Members considered the report of the Director of Planning, Development and Enterprise, which set out the latest position on strategic projects. He responded to questions as set out below:-

**Headstone Manor**

A Councillor expressed concern that the Headstone Manor project had not been included in the report. In response, the Chairman stated that this was unfortunate and asked the Director of Planning, Development and Enterprise to provide a briefing note to all members of the Panel and ensure that the item was included in future reports to the Panel.

**Sites in Gayton Road**

The Director stated that the design brief was not yet available for public consumption and that he would report back on this matter to the next meeting of the Panel and thereafter to the Cabinet in November 2007. A re-appraisal of the site was continuing. An adviser suggested that the proposals should be opened up to competition.

Travis Perkins Site, Pinner Road

An officer reported that Urban Initiatives had met with the owners of the site and discussions on how the site could be linked to the Town Centre development were continuing.

Kodak

The Director stated that he had no additional information to add to his written report.

Bentley Priory

An adviser made a number of comments in relation to this site and the draft Supplementary Planning Document (SPD). He referred to a consultation statement and was concerned about the lack of comment in relation to an ecology centre on this site. He also sought clarification on the footprint of the site and that available for development, which needed to be clarified in the SPD.

The Chairman stated that because of her interest she would not comment but explained that it was within the remit of the Council's Local Development Framework Panel to consider the SPD and that the public could make representations at the meeting within the confines of the Council's Constitution. She stated that she would not be chairing the meeting because of her interest.

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

**Reason:** To note the latest position on a range of strategic projects in the borough.

(See also Minute 55).

64. **Any Other Urgent Business:**

Project and Programme Management

An adviser sought feedback on the Price Waterhouse Coopers report. The Director of Planning, Development and Enterprise stated that he had recently received the final copy of the report, the results of which would be reported to a future meeting.

(Note: The meeting having commenced at 7.30 pm, closed at 9.47 pm)

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman



## LOCAL DEVELOPMENT FRAMEWORK PANEL

24 SEPTEMBER 2007

Chairman: \* Councillor Joyce Nickolay (Vice-Chairman in the Chair)

Councillors: \* Robert Benson \* Joyce Nickolay  
\* Keith Ferry \* Raj Ray (3)  
\* Manji Kara \* Navin Shah

\* Denotes Member present

(1) and (3) Denote category of Reserve Members

[Note: Councillor Bill Stephenson also attended this meeting to speak on the item indicated at Recommendation 1 below].

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 – Supplementary Planning Document (SPD) for RAF Bentley Priory**

The Panel received a report of the Director of Planning, Development and Enterprise which set out the revised Supplementary Planning Document (SPD) for RAF Bentley Priory, which had been amended following public and statutory consultation in June and July 2007.

Officers advised that, since the agenda had been printed and circulated, a number of proposed amendments to the SPD had been identified. An addendum sheet detailing the proposed changes was tabled, along with a colour map which showed the Council's vision of the proposed future use of the site.

The Panel also received a deputation from David Summers, in which he expressed concern in relation to some of the content of the SPD, and suggested a number of detailed changes which he urged be incorporated into the final version of the SPD.

During the discussion on the report, the following issues were raised by Members:

- It was important to preserve and protect the nature reserve.
- The existing drains on the site were very old and should be included in the flood risk assessment or other appropriate document.
- Appropriate recreational facilities should be included in any development of the site to discourage residents from using the nature reserve as a 'garden'.
- In response to a request from a Member that the 'Planning Requirements' on page 186 of the agenda include an assessment of the impact of any development on the Local Nature Reserve (LNR) and Site of Special Scientific Interest (SSSI), officers advised that the Environmental Impact Assessment report and the Ecology Statement would have to include reference to the impact on the LNR and SSSI.
- In response to concerns expressed by Members in relation to the accuracy of the footprint measurements provided by the owners of the site, officers drew Members' attention to the proposed amendment to the SPD set out in the tabled addendum, requiring 'a comprehensive and independently audited footprint schedule of the existing buildings' to be provided with any planning application.
- A Member having suggested that any development of the site require the command bunker to be opened to the public and maintained, as a site of historic interest, officers advised that English Heritage had not considered the bunker to be worthy of designation and, for health and safety reasons, the bunker would be sealed. The indicative list of features funded by Section 106 monies did allow for an above-ground feature, such as a display board.
- Officers advised that the suggested uses of Section 106 monies contained within the SPD focused on features unique to the site. The list was not intended to be exhaustive and it would be possible to add more generic requirements, such as the provision of community facilities, at detailed planning stage.

The Chairman reported that, following advice from legal, the recommendation on page 151 of the agenda should be amended to the Leader rather than Cabinet and, having been put to a vote, it was

**Resolved to RECOMMEND:** (to the Leader)

That the Supplementary Planning Document and Sustainability Appraisal for RAF Bentley Priory, amended as set out in the tabled addendum, and revised in accordance with the changes agreed by the Panel, be formally adopted.

[Reason for Recommendation: Harrow Council is committed to the production of a Supplementary Planning Document (SPD) for RAF Bentley Priory to inform the redevelopment of this sensitive site once it closes in early 2008. The adoption of a supplementary planning document for this site is one of the Council's flagship actions for 2007-08].

[Notes: (1) During the discussion on the above, it was moved and seconded that a Special meeting of the Panel be convened to consider a revised version of the SPD before it was considered for adoption. Having been put to a vote, this was not carried;

(2) Councillors Robert Benson, Manji Kara, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted against the motion;

(3) Councillors Keith Ferry, Raj Ray and Navin Shah wished to be recorded as having voted for the motion, for the reason that they felt it was important that there be an opportunity to engage in further debate in relation to the SPD;

(4) subsequently, it was moved and seconded that the SPD include a requirement that Section 106 monies be used to set up an environment centre. Having been put to a vote, this was not carried;

(5) Councillors Robert Benson, Manji Kara, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted against the motion;

(6) Councillors Keith Ferry, Raj Ray and Navin Shah wished to be recorded as having voted for the motion;

(7) subsequently, it was moved and seconded that the 'Planning Requirements' on page 186 of the agenda include a requirement for a scale model of the site. Having been put to a vote, this was not carried;

(8) Councillors Robert Benson, Manji Kara, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted against the motion;

(9) Councillors Keith Ferry, Raj Ray and Navin Shah wished to be recorded as having voted for the motion;

(10) subsequently, it was moved and seconded that the SPD include a specific requirement for amenity space to be funded by Section 106 monies. Having been put to a vote, this was not carried;

(11) Councillors Robert Benson, Manji Kara, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted against the motion;

(12) Councillors Keith Ferry, Raj Ray and Navin Shah wished to be recorded as having voted for the motion;

(13) at the conclusion of the discussions, it was moved and seconded that the SPD, amended as set out in the tabled addendum, and revised in accordance with the changes agreed by the Panel, be recommended to the Leader for adoption. Having been put to a vote, this was carried;

(14) Councillors Robert Benson, Manji Kara, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the motion;

(15) Councillors Keith Ferry, Raj Ray and Navin Shah wished to be recorded as having voted against the motion, for the reason that they felt that all of the critical issues arising from the consultation, public questions and deputation had not been resolved].

(See also Minutes 62 and 63).

**RECOMMENDATION 2 – Local Development Scheme (LDS) Progress Report**

The Panel received a report of the Director of Planning, Development and Enterprise which provided an update on the progress of the Local Development Scheme (LDS) and plans for its future development to take account of emerging issues. A colour version of Appendix 1 'Programme Timetable' was tabled.

In response to concerns expressed by a Member in relation to the significant slippages that appeared to have occurred in a number of areas, officers highlighted the reasons for the changes to the timetable, as detailed in the report, and the safeguards that were being put in place to improve the quality of the LDS.

The Chairman reported that, following advice from legal, the recommendations on page 13 of the agenda should be amended to the Leader rather than Cabinet and, having been put to a vote, it was

**Resolved to RECOMMEND:** (to the Leader)

That (1) the revised Local Development Scheme (LDS) and timetables for document preparation, as set out at Appendices 1 and 2 to the report of the Director of Planning, Development and Enterprise, it be approved;

(2) the revised LDS be submitted to the Secretary of State;

(3) subject to the Secretary of State not directing any changes to the revised LDS, that the revision be brought into effect;

(4) the key role of the Local Development Framework in taking forward flagship actions and the Sustainable Community Plan be noted;

(5) the revised LDS and timetable be forwarded to the Greater London Authority for their information.

[Reason for Recommendation: To comply with government recommendations and best practice. To meet the Council's statutory duty to keep the LDF up to date].

[Notes: (1) During the discussion on the above item, it was moved and seconded that the officer recommendations on page 13 of the agenda, amended as detailed above, be agreed. Having been put to a vote, this was carried;

(2) Councillors Robert Benson, Manji Kara, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the motion;

(3) Councillors Keith Ferry, Raj Ray and Navin Shah wished to be recorded as having abstained from voting].

**RECOMMENDATION 3 – Draft Character Appraisals and Management Strategies for (1) Mount Park Estate, (2) South Hill Avenue and (3) Roxborough Park and The Grove Conservation Areas**

The Panel received a report of the Director of Planning, Development and Enterprise, which included, as appendices, the draft Character Appraisals and Management Strategies for Mount Park Estate, South Hill Avenue and Roxborough Park and The Grove Conservation Areas. Enlarged versions of maps contained within the documents were tabled.

In response to a question from a Member, officers advised that specific limits on building heights were not imposed in conservation areas, but developers had to be mindful not to impede views.

**Resolved to RECOMMEND:** (to the Portfolio Holder for Planning, Development and Enterprise)

That (1) the draft Mount Park Estate Conservation Area Character Appraisal and Management Strategy be approved for public consultation;

(2) the draft South Hill Avenue Conservation Area Character Appraisal and Management Strategy be approved for public consultation;

(3) the draft Roxborough Park and The Grove Conservation Area Character Appraisal and Management Strategy be approved for public consultation.

[Reason for Recommendation: These documents will form part of the forthcoming Harrow on the Hill Conservation Area Supplementary Planning Document (SPD) and will need to be subject to full public consultation and adoption as part of the LDF programme in due course. In the interim, these documents, once subject to public consultation, will help towards the Council's performance against Best Value Performance Indicator (BVPI) 219, which assesses the number of conservation areas with up to date appraisals and management strategies].

(See also Minute 65).

## **PART II - MINUTES**

### 56. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Marilyn Ashton  
Councillor Thaya Idaikkadar

Reserve Member

Councillor Narinder Mudhar  
Councillor Raj Ray

### 57. **Declarations of Interest:**

**RESOLVED:** To note that no interests were declared.

### 58. **Arrangement of Agenda:**

**RESOLVED:** That (1) agenda item 10 – Supplementary Planning Document for RAF Bentley Priory be taken immediately after agenda item 7 - Deputations;

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

### 59. **Minutes:**

**RESOLVED:** That the minutes of the ordinary meeting held on 26 February 2007, the special meeting held on 24 April 2007 and the ordinary meeting held on 5 June 2007 be taken as read and signed as correct records.

### 60. **Public Questions:**

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

1.

**Questioner:** David Summers

**Asked of:** Chairman of the LDF Panel

**Question:** Many of the consultees made strong representations in favour of an ecology/environment centre (EEC) (see Consultation Statement) and using S106 monies already contributed for such a centre. This has been completely ignored without comment. The desire for such a centre is even more relevant now that the Nottingham Declaration has been signed and the protection of the Green Belt is a key flagship policy. The BP site is probably the best suited for such a centre. Not including such a centre in the SPD would be an irretrievable lost opportunity. Will the LDF panel include in the SPD the requirement that the developer will in consultation with the Council and relevant local special interest groups such as HNCF, make provision for such a centre?

2.

**Questioner:** Carole Lis

**Asked of:** Chairman of the LDF Panel

**Question:** Consultees drew attention to the undesirability of developing Areas 3 and 4 and requested that the SPD include the request for a scaled model of the total site in the context of its surroundings and showing the impact of such a comprehensive development. This has been completely ignored without comment. Why?

3.

**Questioner:** Hugh Courts

**Asked of:** Chairman of the LDF Panel

**Question:** I request the Director of Planning etc. to procure and publish in the Bentley Priory SPD documents, the footprint of each building on that site comprising the stated total of 11,620 sq.m., and identifying with it the footprint of the listed building, and indicating whether or not it forms part of the the given total.

A necessary ancillary to this question is that I wish there to be an expressed, identified and published authority for the statement set out on page 179 of the Agenda for Monday's meeting, at para 11.12 that the constructed development "of the site does count as developable footprint in PPG2 terms with specific reference to annex C" which was NOT set out above, in the context of a listed domain, and a fundamental change of use.

[Notes: (1) An oral answer was provided to each of these questions;

(2) questioner 2 was not present and so the question was put in her absence;

(3) under the provisions of Advisory Panel and Consultative Forum Procedure Rule 16.4 (Part 4E of the Constitution), questioners 1 and 3 each asked a supplementary question, which was additionally answered;

(4) in the absence of questioner 2, the Panel agreed to allow questioner 3 to ask a supplementary for question 2, which was additionally answered].

61. **Petitions:**

**RESOLVED:** To note that no petitions were received under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14.

62. **Deputations:**

In accordance with Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution), a deputation request had been received in relation to agenda item 10 – Supplementary Planning Document (SPD) for RAF Bentley Priory.

**RESOLVED:** That the deputation be received.

(See also Recommendation 1 and Minute 63).

63. **Supplementary Planning Document (SPD) for RAF Bentley Priory:**

Further to Recommendation 1, the Panel requested that officers write to the owners of the site outlining the Panel's concerns in relation to ecological issues specific to the site.

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

64. **Local Development Scheme (LDS) Progress Report:**

(See Recommendation 2).

65. **Draft Character Appraisals and Management Strategies for (1) Mount Park Estate (2) South Hill Avenue and (3) Roxborough Park and The Grove Conservation Areas:**

Further to Recommendation 3, the Chairman thanked officers for their hard work in producing the detailed documents.

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

66. **Extension and Termination of the Meeting:**  
In accordance with the provisions of Advisory Panel and Consultative Forum Procedure Rule 13.1 (Part 4E of the Constitution) it was

**RESOLVED:** At 10.00 pm to continue until all business on the agenda had been concluded.

(Note: The meeting having commenced at 7.30 pm, closed at 10.16 pm)

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

## TRAFFIC AND ROAD SAFETY ADVISORY PANEL

25 SEPTEMBER 2007

Chairman: \* Councillor John Nickolay

Councillors: \* Robert Benson \* Jerry Miles  
\* Mrinal Choudhury \* David Perry  
\* Nizam Ismail \* Yogesh Teli  
\* Manji Kara \* Jeremy Zeid  
\* Ashok Kulkarni (2)

Advisers: \* Mr A Blann \* Mr L Gray  
\* Mr E Diamond \* Mr A Wood

\* Denotes Member present

(2) Denotes category of Reserve Member

[Note: Councillor Bill Stephenson attended this meeting to speak on the first item in Minute 72 and Councillors Keith Ferry and Phillip O'Dell attended to speak on the items in Minutes 70 and 71].

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Wealdstone controlled parking zone – Review, possible extension and associated restrictions – Zone CA phase 1 – Objections to Traffic Orders**

The Panel received a report of the Head of Property and Infrastructure which considered objections received to the traffic orders for phase 1 of the proposed extension of the Wealdstone controlled parking zone CA and associated parking restrictions and recommended which proposals should be implemented. A substitute page of Appendix A of the Officer Report was tabled and accepted by the Panel.

A Member expressed concern with regards to signage in Controlled Parking Zones (CPZs) and asked officers to ensure that adequate signage was provided in all CPZs. In response to these concerns, an officer confirmed that future permit bay signs would show the period of restriction. Apart from this time the bays were available for parking without a permit. The permit bay signs had already been amended throughout the current area of zone CA but excluding Masons Avenue and Herga Road where a Phase 2 consultation was planned on a possible change to the hours of operation.

The officer confirmed the location of the proposed pay and display machines and that 15 to 20 pay and display places would be provided.

In response to a concern by a Member regarding consultation with regards to the proposed extension of the CPZ, an officer confirmed that full public consultation had been carried out in summer 2006. The current traffic order process was a second stage that must follow statutory procedures. This involved the display of street notices and placing advertisements in the local press.

**Resolved to RECOMMEND:** (to the Portfolio Holder for Environment Services)

That the formal objections to the advertised traffic orders for the extension and, revision to the Wealdstone Controlled Parking Zone CA incorporating a residents parking scheme and some associated waiting and loading restrictions, with the exception of a minor amendment as detailed in Part 1 (a) of Appendix C, be set aside for reasons given in the report, the objectors be informed and officers proceed with the order making and implementation.

[REASON: The proposals enjoyed majority support in earlier consultation and were necessary to control parking].

**RECOMMENDATION 2 – Wealdstone controlled parking zone – Review, possible extension and associated restrictions – Zone C and Zone CA phase 2 – Consultation Results**

The Panel received a report of the Head of Property and Infrastructure which set out the findings of public consultation on possible extension of the Wealdstone controlled parking zones C/CA (phase 2) and associated parking restrictions and recommended which proposals should be taken forward.

During the discussion on the items, Members and Advisers commented that:

- there had been a good response to the consultation exercise but the public needed to be better educated on the parking options available in Harrow. In particular, it was essential to take the needs of businesses into consideration with adequate signing and parking being provided to make clear to visitors what was available;
- it was disappointing that, after requesting further detailed consultation, residents just beyond the revised Zone CA boundary seemed not to have appreciated the potential displaced parking problem and therefore had decided no further extension to Zone CA.

The Chairman asked Ward Councillors for Wealdstone and Marlborough present at the meeting for their opinion on the proposals. The Members who responded stated that they felt it was a positive move and that they were content with the proposals.

Amendments to the officer recommendations were moved and carried, and it was

**Resolved to RECOMMEND:** (to the Portfolio Holder for Environment Services)

That (1) officers be authorised to make minor amendments and finalise the detailed design in accordance with Appendices A, B, G and I and take all necessary steps under the Road Traffic Regulation Act 1984 to advertise the traffic orders, the details of which be delegated to officers, and implement the scheme, subject to consideration of objections for which the detailed recommendations are as follows;

(2) double yellow line restrictions be introduced at the junctions/locations shown at Appendices A and G, excluding the junction between Harrow View and Headstone Drive, but their extent be modified in line with consultation feedback and site geometry;

(3) the existing Harrow and Wealdstone Zone C CPZ be extended to include Badminton Close, Leys Close, Rugby Close, Walton Close, Walton Drive (north-eastern end), Walton Road, and the remaining section of Marlborough Hill as shown at Appendices H and I;

(4) the parking bay outside the Princes Drive parade be made permit holders only Monday to Friday 10.00 – 11.00 am but be free at other times as shown at Appendix G (zone C review layout 1);

(5) the existing Wealdstone Zone CA CPZ be further extended to include the section of Athelstone Road east of Whitefriars Avenue as shown at Appendix B;

(6) the parking bay in Cardinal Way be made permit holders only Monday to Friday 10.00 – 11.00 am and 2.00 – 3.00 pm;

(7) the layout of the parking bays in Tudor Road be modified as shown at Appendix G (zone CA review layout 11) and that these bays have a no waiting restriction applied between 8.00 am and 10.00 am Monday to Friday;

(8) a no stopping restriction be applied to the existing school keep clear zig-zags outside Elmgrove First and Middle School in Kenmore Avenue;

(9) an exemption be made under Section 15(4) of the Greater London Council (General Powers Act) 1974 to allow two wheel footway parking on the west side of Bengarth Drive and the north side of Christchurch Avenue as shown at Appendix G (zone CA review layout 13) and Appendix K respectively;

(10) the no waiting restrictions be modified in Christchurch Avenue as shown at Appendix K;

(11) the parking bay arrangement in Spencer Road and The Cross Way be modified to include shared use with pay and display and additional parking bays as shown at Appendix G (zone CA review layout 9);

(12) an additional shared use parking bay be introduced into Masons Avenue as described at 2.3.11.1 and Appendix G (zone CA review layout 10);

(13) new pay and display bays be introduced and waiting and loading restrictions be revised near the Civic Centre as shown at Appendix G (zone C review layout 11);

(14) further consultation be carried out ahead of order making in roads leading from Princes Drive to address the commuter parking problem described in 2.3.8.8 and the traffic orders to deal with this issue be published in parallel with other traffic orders mentioned herein;

(15) re-consultation / further consultation be carried out in roads or sections of roads, as shown in Appendix I, to gauge the level of support for further extension of the permit parking and CPZ to these roads, approximately 6 months after recommendation (3) above has been implemented, subject to the availability of funding;

(16) for CPZ reviews generally, further consultation take place 6 months after implementation of any extension to gauge support in outlying roads for further extension of the zone subject to the availability of funding.

[REASON: To control parking].

## PART II - MINUTES

### 59. Appointment of Chairman:

**RESOLVED:** To note the appointment at the meeting of Cabinet on 15 May 2007 of Councillor John Nickolay as Chairman of the Traffic and Road Safety Advisory Panel for the Municipal Year 2007/08.

### 60. Attendance by Reserve Members:

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

#### Ordinary Member

Councillor Mrs Camilla Bath

#### Reserve Member

Councillor Ashok Kulkarni

### 61. Declarations of Interest:

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

- (i) Agenda Item 14 – INFORMATION REPORT – Progress Update on Key Traffic Schemes  
Councillors Robert Benson and Mr E Diamond declared a personal interest in relation to the above item arising from the fact that they were residents of Stanmore.
- (ii) Mr A Blann declared a personal interest in that he was a resident of Wellington Road in Wealdstone.
- (iii) Councillor Susan Hall, who was not a Member of the Panel declared an interest in that she was a trader in Wealdstone.
- (iv) Councillor Keith Ferry, who was not a Member of the Panel, declared a personal interest in that he was a Wealdstone Ward Councillor.

### 62. Arrangement of Agenda:

**RESOLVED:** That (1) agenda item 16 be taken with agenda item 12, while appreciating the confidential information in agenda item 16;

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

[Note: For ease of reference, the order of the minutes follows the order of the business on the agenda].

### 63. Appointment of Vice-Chairman:

**RESOLVED:** To appoint Councillor Manji Kara as Vice-Chairman of the Traffic and Road Safety Advisory Panel for the Municipal Year 2007-08.

### 64. Minutes:

**RESOLVED:** That the minutes of the meeting held on 27 February 2007 be taken as read and signed as a correct record.

65. **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 16 (Part 4E of the Constitution).

66. **Petitions:**

**RESOLVED:** To note the receipt of the following petition which was referred to the Head of Property and Infrastructure for consideration:

- (i) Petition requesting that a push-button crossing be installed at the crossing at Harrow View, Headstone Gardens and Headstone Drive.  
Presented by Councillor Bill Stephenson and signed by 181 people.

67. **Deputations:**

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

68. **Appointment of Advisers to the Panel 2007/2008:**

The Panel considered a report of the Director of Legal and Governance Services.

**RESOLVED:** That the following non-voting advisors be appointed to the Panel for the 2007/08 Municipal Year:

- Mr Alan Blann, representing CTC/Right to Ride
- Mr Eric Diamond, representing the North West London Chamber of Commerce
- Mr Len Gray, representing Pedestrians' interests
- Mr Anthony Wood, representing Harrow Public Transport Users' Association

69. **EDF Site, Substation Adjacent to 102 Roxeth Green Avenue, South Harrow: Reference from the Strategic Planning Committee Meeting held on 14 March 2007:**

The Panel received a reference from the meeting of the Strategic Planning Committee held on 14 March 2007.

An officer explained that ongoing development in the area was occurring and may be the cause of mud on the road and the source of speeding concerns but was not the cause of the poor surface in Stanley Road. This was a maintenance issue that needed to be addressed by the Council. In response to Members' questions, the officer explained that he was not aware of Section 106 agreements that would provide funding to improve the surface quality of Stanley Road.

The Chairman queried whether, in view of continuing developments, something could be done to keep Stanley Road clean and to control the speed of vehicles, which used the road. In response, an officer confirmed that there were planning conditions and planning and highway enforcement powers available to ensure some level of control. Inevitable development work would give rise to some disruption but the relevant departments within the Council would endeavour to keep it under control.

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

70. **Wealdstone controlled parking zone – Review, possible extension and associated restrictions – Zone CA phase 1 - Objections to Traffic Orders:**  
(See Recommendation 1)71. **Wealdstone controlled parking zone – Review, possible extension and associated restrictions – Zone C & Zone CA phase 2 – Consultation Results:**  
(See Recommendation 2)72. **Progress Update on Key Traffic Schemes:**

The Panel received an information report of the Head of Property and Infrastructure, which provided an update on a number of key traffic management projects.

Headstone Drive/Harrow View/Headstone Gardens junction improvements

A Councillor who was not a Member of the Panel expressed concern that revised improvements to the junction had not been taken forward as quickly as hoped. The Member noted that he was looking for support from the Panel to find a satisfactory solution for residents.

An officer explained that a revised layout had been developed that appeared to allow pedestrian facilities to be introduced without increasing congestion overall but there were concerns about predicted queuing on Headstone Drive. Further work was needed to address this. The revised layout was also significantly more expensive than the scheme previously developed and funding had not been available to take forward such a proposal. Advantage would be taken of a cycling scheme currently being developed at the junction to finalise the crossing proposals and develop a scheme for which joint funding from Transport for London (TfL) Walking and Cycling budgets would be sought in 2008/09. The Chairman queried whether modern technology could be used to address the queuing problem. An officer explained that it could possibly bring small improvements in capacity (in the order of a few percentage points) but it was not possible to put an accurate figure on this due to current modelling limitations.

An adviser to the Panel expressed the view he was also concerned that improvements to the junction had not been taken forward as quickly as hoped. Another Member queried whether funding could be diverted from other schemes. In response, the officer explained that TfL funding was ring fenced to particular schemes.

#### Kenton Lane Local Safety Scheme

A Member stated that he was concerned with the effect of double yellow lines on businesses. Officers advised that, in the light of petitions received concerning two areas of double yellow lines, the scheme had been modified as far as was possible without compromising the safety and effectiveness of the scheme.

#### 20mph zone on Harrow on The Hill

An adviser expressed concern over the scheme and in particular, concern over vertical deflections. An officer confirmed that extensive consultation had taken place over the scheme. The Chairman commented that he thought that vertical deflections in this particular case were necessary and that a Harrow on the Hill Ward Councillor, the Harrow on the Hill Forum and Harrow School had asked for an update on the scheme. A Member expressed concern over the cost of a 20mph scheme on Harrow on the Hill.

An officer explained that it was a legal requirement that 20mph zones contain traffic calming measures. The aim was to employ sufficient measures to bring the average speed down to 20mph.

In response to comment by an adviser about 20mph scheme elsewhere not containing traffic calming features, an officer explained that there were two types of 20mph control: 20mph zones and 20mph speed limits. There was no requirement for 20mph speed limits to contain traffic calming measures but they were only recommended where speeds were already very low. Guidelines suggested that they should only be used where speeds were already below 24mph. Any proposal to use them where speeds were higher than this was likely to be strongly opposed by the police who would be faced with significant increased enforcement difficulties. However, an officer agreed to further investigate the possibility of a 20mph limit for Harrow on the Hill.

#### Wembley Event Day parking

A Member stated that they hoped that TfL would consider a double decker car park at Stanmore station due to Stanmore station's direct rail link to Wembley Stadium. An adviser to the Panel stated that they had been impressed by the London Borough of Brent's signage concerning Wembley event days and hoped Harrow would adopt Brent's techniques. The Chairman confirmed that the Council was in touch with other local authorities such as Brent and Barnet and hoped to establish some long-term solutions in consultation with them and that they were considering options such as park and ride.

In further discussion on proposals for Wembley Event Day Parking, Members and Advisers expressed the following opinions:

- parking in Stanmore had become a problem;
- there were possible business opportunities when considering the provision of parking in Harrow for those visiting Wembley Stadium;

- the forecourt of Stanmore Station had insufficient capacity to accommodate coaches operating from a Park and Ride facility;
- access to Stanmore Station car park needed to be improved to prevent congestion;
- signage in Stanmore with regard to event parking at Wembley Stadium needed to be improved;
- Queensbury and Canons Park had also experienced parking problems on event days at Wembley Stadium and that a Park and Ride could perhaps be used to address this problem.

An officer explained that they hoped to deter people from parking in Stanmore. In response to a question by a Member, an officer stated that Tow-Away Zones were only necessary in exceptional circumstances.

#### Re-opening of Wealdstone High Street

An adviser to the Panel asked for an update on the proposed Town Centre Manager. An officer advised that the funding offer made by TfL to cover the cost of a Town Centre Manager was actively being taken up. An officer confirmed the timetable for consultation on the re-opening of Wealdstone High Street.

#### Petts Hill Bridge and Highway Improvements

A Member expressed the view that he was concerned about a funding shortfall for the scheme and that he hoped that increased funding would be available. An adviser to the Panel stated that he agreed with this view. An officer advised that options to meet the funding shortfall had been discussed among the schemes' funding partners but agreement could not be reached. Tender costs for the bridge replacement works were due back in October 2007 and would allow the final outturn price to be more firmly identified. It was hoped that, in light of this firmer pricing information, more positive discussions could take place and increased funding contributions could be agreed.

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

(Note: The meeting having commenced at 7.30 pm, closed at 10.00 pm)

(Signed) COUNCILLOR JOHN NICKOLAY  
Chairman

CONSULTATIVE  
FORUMS



## SUPPORTING PEOPLE ADVISORY PANEL

27 SEPTEMBER 2007

Chairman: \* Councillor Eric Silver

Councillors: \* Mrs Margaret Davine \* Mrs Myra Michael  
\* Dhirajlal Lavingia (1) Stanley Sheinwald (3)\* Denotes Member present  
(1) and (3) Denote category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**47. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-Ordinary MemberCouncillor David Gawn  
Councillor Mrs Vina MithaniReserve MemberCouncillor Dhirajlal Lavingia  
Councillor Stanley Sheinwald48. **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.49. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.50. **Minutes:****RESOLVED:** That the minutes of the meetings held on 25 April 2007 and 9 July 2007 be taken as read and signed as correct records.51. **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 16 (Part 4E of the Constitution).52. **Petitions:****RESOLVED:** To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).53. **Deputations:****RESOLVED:** To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).54. **The Supporting People Programme Update:**

The four matters raised at the previous meeting had been addressed as detailed on the agenda. It was further noted that;

- The successful tender for the Floating Support and independent living provision came from MST Stepforward. Referrals would come via the Harrow Learning Disability Team.
- The Strongbridge Estate would be the site of the independent living scheme which would comprise a further six units of accommodation with support;
- Work was being undertaken to look into providing access to shared ownership which involves liaising with LDT and Housing. An SP accredited specialist

provider could be recruited to assist with the finance side ie mortgage of the scheme for the service user. Continual support to the service user would be key to the success of this scheme.

#### Supporting People Commissioning Body (CB) Updates

- The revised composition of the Commissioning Body was reported to the Panel as detailed in the officer report;
- The newly mainstreamed Womens Aid and Hestia resettlement support would provide 35 hours support for up to 10 women who were moving on from first and second stage refuge provision having suffered from domestic violence (DV). Each case was assessed and counseling provided according to the individuals needs with the aim of assisting victims to move on.
- The CB ran a short term handyman provision pilot for six months and were still awaiting a full evaluation before considering whether to recommend a continuation of the scheme. The handyman's role was to provide minor aids and adaptations for the vulnerable, including the elderly. They had received referrals through established links such as the agencies such as voluntary organisations, the pilot sought to expand referral routes. The handyman service extended with the aim of assisting over 60 people from vulnerable groups thus clearing the backlog of outstanding small works. Officers were asked to investigate the option of using offenders on probation, to carry out minor repairs, as a way of "giving back to the community".
- The CB agreed the Procurement Strategy, which included Harrow participating in the West London procurement exercise. The exercise had been extended to all west London boroughs, with the aim of identifying and creating a preferred providers list with framework agreements in place. With Harrow participating they would be able to select service providers from the list without undertaking a procurement exercise in time for the renewal of steady state contracts, in addition to providing good value for money if this was the best option for the Borough.
- It was noted that the Contract Monitoring for 2006-07 for all SP funded services had been completed. The CB had agreed Contract Monitoring for 2007-08, which was more risk based approach focusing on high risk contracts.
- The CB agreed to fund a one year pilot scheme for a specialist housing support worker to work within the Somali community. This was prompted following the results of a Somali needs survey which identified that there were issues with accessibility to local information and services. The key points were that the scheme would, reach out to the most vulnerable and act as a bridge to mainstream SP and statutory services.
- The CB had agreed the revised SP revenue funding commitment for the extra care proposal. The proposal included an extra ten units of provision which would go towards meeting the Older People's Housing Strategy. The officer would notify Members who the successful bidders were for the Department of Health extra care funding.

#### Discussion Items

- Plans to reduce the SP budget underspend to £350,000 by March 2009, were noted.
- SP had reviewed access by users to the SP funded services. The scoping exercise recommended piloting a single point of referral to ensure fair prioritisation, access to services and good customer service. Brent had successfully adopted this approach and it was hoped that it would maximum utilisation of the services if operated in Harrow.
- It was noted that talks were taking place against the proposal to integrate SP funding into the Local Area Agreements in April 2009.
- Work was undertaken to review the way users in supported housing were able to access the Council's Move On accommodation. The current system, application for Band B (release supported housing) was an antiquated system and did not prioritise in accordance to needs. The proposal was to process applications through the housing register. A panel consisting of housing

providers such as Harrow Churches, Penrose and Metropolitan Trust, would then meet to determine priority cases.

- The assessment criteria to apply for sheltered housing had been revised. The SP team would recommend that housing colleagues implement the support needs assessment to determine the users suitability for the scheme.

#### Information Items

- An elderly mental health floating support provider would be announced soon following a tender exercise to procure this service.
- Two short term pilots were underway and would shortly be evaluated; working with the Middlesex for the Blind delivering a home visiting service for those who were visually impaired and funding telecare solutions for younger people with a physical disability.
- More night time support at Anmer Lodge effective from 1 September 2007, following consultation with staff.
- The CLG pilot scheme would be providing six units for young homeless people in Harrow through the YMCA supported lodgings scheme.
- The service users fayre was a great success with 65 SP service users in attendance. There were interactive workshops and views were sought on the service provisions such as health, wealth and safety.
- Brent Homeless User Group had been commissioned to provide accredited training to service users in the SP processes such as participation in consultations and meetings. This was a unique programme with a recognised qualification at the end of it.

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

(2) an officer from Housing be invited to participate in future SP meetings as appropriate to the agenda;

(3) the SP officer arrange a visit in November to look at the Mental Health and Domestic Violence Services.

(4) the SP officer circulate Appendix 5 to the officer report.

(5) Democratic Services arranges the next meeting in the first two weeks in December 2007.

55. **Date of Next Meeting:**

**RESOLVED:** That Democratic Services would liaise with Members for a date in the first two weeks in December 2007.

(Note: The meeting having commenced at 10.10 am, closed at 11.56 am)

(Signed) COUNCILLOR ERIC SILVER  
Chairman



**EMPLOYEES' CONSULTATIVE FORUM  
(SPECIAL)****29 AUGUST 2007**

Chairman:	* Councillor Mrs Camilla Bath	
Councillors:	* David Ashton * Bob Currie Graham Henson	* Chris Mote * Paul Osborn * Navin Shah
Representatives of HTCC:	(Currently no appointees)	
Representatives of UNISON:	* Ms K Bubenzer * Ms M Cawley Mr S Compton	* Mr G Martin * Mr R Thomas
Representative of GMB:	Mr S Karia	

\* Denotes Member present/Employee Representative present

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - HR Policy Framework**

An officer report setting out the response received from the unions to the proposed HR Policy framework was presented to the Forum.

**Resolved to RECOMMEND:** (to the Portfolio Holder for Strategy and Business Support)

That the adoption of the revised HR Policy framework as proposed by management be agreed, subject to:

- (i) a formal review and evaluation of the framework after one year, following which confirmation would be required from the ECF for the framework to continue;
- (ii) the incorporation into the framework of a procedure whereby any second-stage grievance would be reported to the Portfolio Holder.

**[Reason for Recommendation:** To allow for capability, conduct, grievance and harassment cases to be heard more speedily and, in relation to final-stage grievance hearings, to bring Harrow into line with practice in most London Boroughs].

**PART II - MINUTES**69. **Attendance by Reserve Members:**

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

70. **Declarations of Interest:**

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

Councillor Bob Currie declared a personal interest in that he was a retired member of UNISON and his son was a Council employee. Accordingly, he would remain in the room and take part in the discussion and decision-making on all items of the agenda.

71. **Arrangement of Agenda:**

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

72. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 3 July 2007 be deferred until the next Ordinary meeting of the Forum.

73. **Deputations:**

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

74. **HR Policy Framework:**

(See Recommendation 1).

75. **Asbestos:**

An officer report on the removal of asbestos-containing materials during construction of the Access Harrow contact centre was presented to the Forum. After discussion it was

**RESOLVED:** That (1) union representatives put any questions in writing to the management team, who would then produce a response;

(2) union representatives be allowed access to relevant contractors to gain information about the removal of asbestos;

(3) a meeting be held between union representatives and Members, to include the relevant Portfolio Holder.

76. **Customer Complaint Process:**

A report of UNISON, expressing concern at an increase in procedural complaints against employees by members of the public, was presented to the Forum. The report proposed that a customer complaints procedure be drawn up in relation to members of the public contacting officers and Members. A Member informed the Forum that work had already started on such a procedure in the context of preparing to deal with community calls for action. Once completed, the procedure would be brought to a meeting of the Forum for discussion.

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

(Note: The meeting having commenced at 7.40 pm, closed at 9.11 pm)

(Signed) COUNCILLOR CAMILLA BATH  
Chairman

## EDUCATION CONSULTATIVE FORUM

13 SEPTEMBER 2007

Chairman:	* Councillor Miss Christine Bednell	
Councillors:	* Mrs Camilla Bath * B E Gate * Julia Merison (1)	* Janet Mote * Raj Ray * Bill Stephenson
Teachers' Constituency:	† Mrs D Cawthorne * Ms C Gembala * Ms J Howkins	* Ms J Lang * Ms L Money * Ms L Snowdon
Governors' Constituency:	† Ms H Henshaw Mr N Rands * Mrs C Millard	Ms H Solanki
Elected Parent Governor Representatives:	Mr R Chauhan	* Mrs D Speel
Denominational Representatives:	* Mrs J Rammelt	Reverend P Reece

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

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Strategic Approach to School Organisation**

The Forum considered a report of the Director of Schools and Children's Development, which asked members of the Forum to reconsider the Strategic Approach to the school re-organisation within Harrow.

The Director of Schools and Children's Development informed the Forum that this report was at the initial stage of the re-organisation and that consultation was at an early phase. She explained that high achievement in education was currently being challenged due to a change in demographics within the Borough. She added that the 'Building Schools for the Future Programme' (BSF) had been submitted to the Department for Children, Schools and Families and that it had been allocated funding for 2013-2015. There was an opportunity for the Council to re-submit the application to secure funding at an earlier stage. As one of the Council's Corporate Priorities, the Authority had considered the transfer of age of pupils at 11 to High School, as requested by parents within the Borough, however, this would not be possible without additional funding.

A Member noted that the BSF Programme included refurbishment of both primary and secondary schools. Another Member confirmed that consultation had taken place in 2003 with all stakeholders, including pupils. Harrow's school system differed from most other councils nationally and it was noted that Harrow aimed to be a 'Beacon of Excellence'.

A Member queried what guarantees were in place to ensure that the redevelopment of Whitmore High School would be completed as scheduled. The Director of Schools and Children's Development responded that as part of the submission a single contractor had been taken on board, which would save time in tendering. In addition, penalty clauses were contained within the contract in case the contractor failed to deliver. A Member suggested including milestones during the construction to ensure the Programme would be completed on time.

It was clarified that the age of transfer was not linked to amalgamation of schools and that the school governors would decide on the amalgamation. However it would result in some smaller schools moving to amalgamation, as they would not be sustainable with smaller numbers.

**Resolved to RECOMMEND: (to Cabinet)**

That the proposed approach to school re-organisation in Harrow be supported and approved.

[Reason for Recommendation: To fulfil the Council's Corporate Priorities.]

## PART II - MINUTES

### 55. 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 Manji Kara Mr A Jones	Councillor Julia Merison Ms J Howkins

### 56. Apologies for Absence:

Apologies for absence had been received from Mrs D Cawthorne, Ms H Henshaw, Mr A Jones and Councillor Manji Kara.

### 57. Declarations of Interest:

**RESOLVED:** To note (1) the personal interests previously declared by members of the Forum, in relation to their governorships of schools, as set out in the minutes of the Education Consultative Forum held on 15 July 2004 (minute 110) and 30 January 2007 (minute 30);

(2) that the following additional personal interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor B E Gate Councillor Julia Merison Mrs J Rammelt Mrs D Speel	Governor of St Dominic's Governor of Newton Farm Governor of St Dominic's Teacher at St Dominic's

### 58. Arrangement of Agenda:

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
10. School Term Dates 2009-2010	This item was not available at the time the agenda was printed and circulated. Members were asked to note the report in order to provide feedback before the next meeting of the Forum.
11. Determination of the Proposals to Establish the Harrow Sixth Form Collegiate – Briefing for Portfolio Holders on Harrow 6 <sup>th</sup> Form Collegiate Statutory Notices	After the agenda had been printed and circulated, Legal officers had advised that this item did not need to be recommended to Cabinet, but to the schools adjudicator. Members were asked to consider the briefing paper in order to note the reasons for this change.

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

### 59. Minutes:

**RESOLVED:** That the minutes of the meeting held on 2 July 2007 be taken as read and signed as a correct record, subject to the following amendments:

Minute 42 – Declarations of Interest:  
Mr H Chauhan be amended to Mr R Chauhan

Minute 52 – Learning Difficulty and Disability (LDD) Strategy:  
A paragraph be added reading "A member suggested that the LDD strategy should clearly state its vision: 'The children should achieve their full potential, including learning outcomes'. Members agreed to take this suggestion forward."

60. **Matters Arising:**

Minute 46 – Matters Arising:

A Member reminded the Director of Schools and Children's Development of the request for an update on the Draft Budget for Consultation. She stated that this item would be included on the agenda for the next meeting.

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

Minute 52 – Learning Difficulty and Disability (LDD) Strategy:

The Chairman informed the Forum that a glossary was currently being prepared, but because of its large size she proposed that it would not be attached to all future agendas. A Member suggested only listing the explanations for the acronyms used in the report instead of attaching the full glossary.

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

61. **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 16 (Part 4E of the Constitution).

62. **Petitions:**

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

63. **Deputations:**

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

64. **School Term Dates 2009-2010:**

The Director of Schools and Children's Development informed members of the Forum that the tabled report outlining proposed school term dates for the academic year 2009-2010 was for information only. She added that Harrow was ahead of other Local Authorities in planning school terms and therefore consultation with neighbouring boroughs was still taking place.

Members were asked to note the report and send any comments on the proposed dates to the relevant officer by 2 November 2007. Officers would collate the feedback and report this to the Forum at the next meeting. It was added that the normal procedures for consultation of schools would be followed.

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

65. **Determination of Proposals to Establish the Harrow Sixth Form Collegiate:**

The Director of Schools and Children's Development informed the Panel that she had received legal advice on this item after the agenda had been published. She stated that the proposals to publish formal notices to establish the Harrow Sixth Form Collegiate ought to be submitted to the schools adjudicator instead of being recommended for approval by Cabinet. A report was tabled at the meeting, which explained that this was due to the transitional arrangements following the abolition of the School Organisation Committee. It was stated that there were three possible outcomes of the submission, including the option of resubmission. She added that the collegiate was the wish of parents and stakeholders in the Borough and asked members of the Forum to endorse the proposals.

A member queried what impact the collegiate in Harrow might have on school places in Hillingdon and if this would affect the choice of parents. The Director of Schools and Children's Development explained that there was no impact in Hillingdon in the first year and that the current maximum capacity of the Harrow collegiate had been reached. It was clarified that the collegiate was taking in many students who would otherwise have decided to discontinue their education, students continuing their education outside the Borough from the age of 16 and students who would have gone to a school or college in another borough. Hillingdon would have only taken in a small number of those students. She added that students who were attending the collegiate would have otherwise attended colleges, which highlighted a shift from colleges to

schools. It was explained that the key concept of the collegiate was shared provisions and teaching amongst Harrow's schools and colleges.

Members praised the partnership between the schools to establish the collegiate and stated that it could become a role model for other Local Authorities. Members welcomed the report and thanked the Director of Schools and Children's Development and her team for the work done.

**RESOLVED:** To recommend to the schools adjudicator that the statutory proposals to make prescribed alterations to community schools, Salvatorian College, and the Sacred Heart Language College by increasing the age range of the schools to 18 years by the addition of a sixth form from 1 September 2008 be agreed.

66. **Strategic Approach to School Organisation:**  
(See Recommendation 1).

67. **Date of Next Meeting:**

**RESOLVED:** To note that the next meeting of the Forum would be held on 29 January 2008.

(Note: The meeting having commenced at 7.35 pm, closed at 9.07 pm)

(Signed) COUNCILLOR CHRISTINE BEDNELL  
Chairman



