

# CABINET MINUTES

## 19 JANUARY 2012

<b>Chairman:</b>	* Councillor Bill Stephenson	
<b>Councillors:</b>	* Bob Currie	* Graham Henson
	* Margaret Davine	* Thaya Idaikkadar
	* Keith Ferry	† Phillip O'Dell
	* Brian Gate	* David Perry
	* Mitzi Green	
<b>In attendance: (Councillors)</b>	Marilyn Ashton	Minute 346
	Susan Hall	Minute 346
	Barry Macleod-Cullinane	Minute 346
	Chris Mote	Minute 346
	Paul Osborn	Minute 346

- \* Denotes Member present  
† Denotes apologies received

### 342. Declarations of Interest

**RESOLVED:** To note that the following interest was declared:

#### Agenda Item 10 - London Boroughs Grants Scheme 2012/13

During consideration of this item, Councillor Barry Macleod-Cullinane declared a personal interest in that he was employed by London Councils Limited. He would remain in the room to listen to the debate on the report.

### 343. Minutes

**RESOLVED:** That the minutes of the meeting held on 15 December 2011, be taken as read and signed as a correct record.

### 344. Petitions

**RESOLVED:** To note that the following petitions were received and referred to the Portfolio Holder for Finance and Business Transformation, Corporate Director Community and Environment, Portfolio Holder for Planning, Development and Enterprise, Traffic and Road Safety Advisory Panel and Corporate Director Community and Environment, respectively:

1. Discretionary Business Rate Relief

Steve Porter representing the Voluntary Sector Forum presented a petition with the following terms of reference:

“We, as people who live work or study within Harrow, wish to register our opposition to the proposed changes to the Discretionary Business Rate Relief on grounds that the impact of such changes on the organisations likely to be affected and those in need of services have not been properly considered. We believe the proposed changes could lead to a reduction of these organisations ability to deliver services and extra expense in meeting these needs and seek greater consultation on the impact of such changes”.

2. High Road Service Road behind Park Crescent

Daren Diamond, a resident of Clewer Crescent, presented a petition signed by 55 people. The terms of the petition were as follows:

“We call on Harrow Council to clean up the mess in the service road between High Road and Park Crescent, Harrow Weald, to monitor the area so that future dumpers are caught and punished, and to work with the traders and residents to stop the problem from recurring”.

3. Warham Road

Councillor David Perry presented a petition containing 14 signatures with the following terms of reference:

“We the undersigned Residents of Warham Road urge Harrow Council to refuse the planning application at 33 Warham Road (Ref:P/3305/11 – Two storey bedroom house attached to No. 33 Warham Road and alterations to roof of existing house; landscaping; refuse and provisions of one parking space) for the following reasons:

- overdevelopment of the land
- loss of light to nearby properties
- development would be of detriment to the local area
- this would lead to increased parking, in an already bust street
- overcrowding of the current land”.

#### 4. Fallowfield, Stanmore

Councillor Marliyn Ashton submitted a petition containing 28 signatures with the following terms of reference:

"We, the undersigned, all being residents of Fallowfield, Stanmore, strongly object to Harrow Council's proposals for double yellow lines in the road.

We are objecting to these proposals and would like to have sight of all the details of the study that has been carried out in our road. What time of day, and year were these observations carried out?

Please send us copies of the complaints that you have received about parked cars making it difficult for larger vehicles to get past or limiting the visibility or both.

We would only like the double yellow lines extended at the very top of the road (the entrance/exit) as the road is indeed very narrow there. Apart from that we wish the rest of the road to remain free of any parking restriction as it is a quiet residential road".

#### 5. Localised Safety Parking Programme

Councillor Simon Williams presented a petition containing 81 signatures. The terms of the petition were as follows:

"We the undersigned, wish to petition against the proposed parking restrictions for Harrow on the Hill and to object to the inadequate consultation process used by Harrow Council.

The proposals would adversely affect the quality of life of residents and make parking almost impossible for those in the proposed and extended surrounding areas. The proposals are flawed and will make accessibility worse, not better and we urge Harrow Council to cease the Localised Safety Parking Programme for Harrow on the Hill immediately and reconsider the proposals."

### 345. Public Questions

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

1.

**Questioner:** Elsie Mahdi

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** "Tanglewood has been offering respite to parents and social care to adults with special needs since 1965. In that time it has positively influenced the lives of

hundreds. Most who attend Tanglewood today have grown up with the club, which has provided security and comfort from a stable and familiar environment.

How can you therefore reconcile the detrimental ripple effect of your proposed actions with the "drop in the ocean" solution of cutting costs on transport by reducing their social mobility and take away CHOICE from a group of people that do not have loud enough voices to be heard in the first place?"

**Answer:**

I am pleased to say that since I last discussed this with people from Tanglewood in December 2011, we have been able to agree that we will only implement these changes from September.

What the Director and I have discussed is, instead of a £150,000 cut this year, there will be £75,000 over this year and the next year, which means that we have until September to discuss and work with you to find different ways of transporting people to the different clubs. I would just like to stress that this does not only apply to Tanglewood.

I know you have taken up the case and you are one of the largest clubs and the longest standing clubs but this is really going to affect all those clubs and activities which have transport which are outside the direct social care system. So I have been looking at how we can help all those clubs, not just Tanglewood, through this.

We are currently in the draft budget stage, and that does include that decision but the budget setting will take place in February 2012.

As you know, the Council is undergoing a huge transition because of the cuts in government spending but the serious financial situation should not stop us from supporting groups like Tanglewood and that is why I have been spending my time trying to find other ways of providing the transport you need to get people to your club. I am not in the position yet where I feel I have lost that struggle and I have been looking at other ways of providing the transport.

Some of the clubs involved are very small, so maybe a taxi could help, and there are different ways around getting people to clubs and societies.

What is also crucial is that Cabinet in October 2011 agreed the Fairer Contribution Policy and under that Policy there is provision for transport. It is for those who

are FACS eligible and have a personal budget but that does actually involve quite a lot of people that are using clubs and societies. I believe at Tanglewood about 50% of users would be able to use their personal budgets to purchase transport if they so wish.

We are looking at every way that we can to make sure that the club is safe, that people can get safely to it and that it will not be as awful a situation as you see at the moment. I have been trying to find every avenue that will help and I hope this evening I will be able to reassure you.

**Supplemental Question:** So you are ready to measure money against the wellbeing of a group of people who sense that some control of their lives has been taken away from them, especially when it has been proven that a wider range of health and social problems tend to move together?

**Supplemental Answer:** Absolutely not. I would agree with your view of that and when this was first suggested to me, I was determined for it not to happen. I am not managing to carry this through the Council at the moment but there are other ways. I was opposed to the suggestion because I am aware that such a move would cause considerable distress and would increase dangers to people who cannot travel independently. I am really concerned that if people are prevented from going to these kind of activities in the evenings that that will lead to further isolation. So I am absolutely determined to do as much as I can to ensure that people can still get to the clubs, although it might be a different system to having a large fleet of Council buses.

2.

**Questioner:** Geoff Havard M.B.E.

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** "Are you aware that the loss of transport to the Tanglewood club will result in its closure and that will have a devastating effect on our club members' ability to meet with their friends on a social level?"

For many of our members this is their only opportunity to go out socially without their parents and carers and I wonder if you may have underestimated the effect this will have on all parties concerned."

**Answer:** I do not think I have underestimated the effect and talking to you is one of the things that has meant that I have not.

I am extremely sad to hear your view that a decision to end the current method of transport though might lead to the closure of the club. I cannot see any reason why that would happen unless people could not get there and I have already explained how hard I am working to try and maintain it. I hope you will work with me in finding other methods.

I absolutely agree that transport is essential to independence, dignity and quality of life and that is why I have been stressing on officers to find a better way of transporting users to the clubs and societies out of normal hours.

**Supplemental Question:** As you know, there are a lot of people here tonight representing Tanglewood; parents, carers and club members. There would have been more club members here except, unfortunately, they cannot travel at night to get to places like this and the club.

The club is 46 years' old and I accept that you are not obliged to provide transport under the equality rules set by the Human Rights Commission but you have a moral obligation to provide it?

**Supplemental Answer:** We cannot in fact enact this cut, unless we have gone through an equality impact assessment and that I believe that that will be revealing. We also have to carry out consultation.

I was really quite shocked to hear you say that the club would have to close, but I take it that you mean only if we get into a position where people cannot get to the club because I do not think we are going to get in that position.

3.

**Questioner:** Natalie Killestein

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** "I have been going to Tanglewood for 17 years. I love my club and enjoy the activities, meeting my friends and the holidays.

Why has nobody asked me what I think about taking

away the minibuses?"

**Answer:** I understand that Geoff Havard has talked to you about it and there have been quite a lot of conversations but, as I just said to Geoff, we cannot do this as a Council without having a consultation, which means that we will be asking everyone that is attending all the different clubs across Harrow and using this transport before we implement any such measures. We will be going ahead with consultation, but I really want to work further with you and in the months ahead I hope we can, together to find a solution to this problem.

**Supplemental Question:** I cannot use public transport. I cannot use it late at night. I am not steady, in case I might fall over.

**Supplemental Answer:** I understand that and that the same would apply to a number of people I know that you go to Tanglewood and when I said that I was originally very much against this move. One of the problems was the dangers to people in the evening.

However, we are not going to be asking you to hop on a bus on your own. I think we would be looking for provisions through personal budgets or we will find alternatives.

4.

**Questioner:** Mark Gillham, Chief Executive, Mind in Harrow

**Asked of:** Leader of the Council and Portfolio Holder for Finance and Business Transformation

**Question:** Harrow Council has given charities only one month over the Christmas period to respond to the proposed substantial changes to the Discretionary Business Rates Relief Policy, including that charities will be assessed whether "The annual local income together with any reserves is not enough to meet annual running expenses and there is no recourse to other funds".

How can the Leader justify a consultation period less than the 12 week minimum required by public law and how can he also justify requiring charities supporting thousands of vulnerable Harrow residents to spend their reserves before qualifying for Discretionary Business Rates Relief, putting in jeopardy the continuity of the services and resulting in serious equality impact to Harrow residents with 'protected characteristics'?

**Answer:** I think you make several very fair points but I do have to say the Council does require a mechanism to reduce its expenditure and as such has consulted on a new draft policy on Discretionary Rate Relief, which had not been reviewed for 10 years.

We sent all those in receipt of Discretionary Rate Relief, a letter(s) informing them that this policy was to be reviewed and forewarning them that consultation would occur in the near future. However, I want to reassure you I regard this as a preliminary consultation.

We had quite a reasonable response and we will be taking a report to February 2012 Cabinet, which will make some proposals on which there is consensus, taking on board the comments you make and the responses received. We are developing new proposals for further consultation with an implementation for the next financial year. We want to consult with the voluntary sector and yourself.

Just to say, as you would expect, a full equalities impact assessment is in the process of being written and this too will be part of the Cabinet report presented in February. I think when you see that report you will find that we have taken comments on board. There is a long way to go there before we go any further.

**Supplemental Question:** There is no recognised method or formula to assess a charity's annual income and reserves for this particular purpose. The proposed Discretionary Business Rates Relief policy does not state the Council's method of calculation. Therefore, I suggest that this specific policy relating to a charity's income and reserves should not pass your equality impact assessment because it is not sufficiently transparent. My question is, what method of calculation or formula will the Council apply to assess that a charity's, and I quote again from the policy, "annual local income together with any reserves, is not enough to meet annual running expenses and there is no recourse to any other funds"?

**Supplemental Answer:** You are making an assumption that we are going to proceed with that particular one. I have listened and I think you will be reassured when you see the consultation paper. I will put this in writing, as requested.



5.

**Questioner:** Neil Smith

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** We have been informed by a number of service users that they have experienced lengthy delays in their approval of the personal budget allocation, which they say is affecting their mental health recovery. It is clear that CNWL do not have staffing capacity to introduce mental health personalisation.

How can CNWL introduce Mental Health personalisation for 250 people with 3 allocated staff members? Compared to other care groups which have whole teams dedicated?

**Answer:** CNWL started to introduce personal budgets for service users in 2009/10. Since then they have been embedding Personalisation into their core business. This has led to a significant increase and we are expecting 250 personal budgets to be established in the mental health area.

CNWL do have a small team whose role is to manage the personal budget process. However, in addition, all care coordinators are now aware of personalisation and work with clients to undertake this work and CNWL have also appointed some additional workers to support the process. This is a step forward.

There is also a Personal Budget Panel, which meets twice a month and there is no waiting list at present. The majority of clients are advised of their indicative budget within 2 weeks of the Panel meeting.

There are then procedures for appeal and sometimes the actual final introduction of the budget obviously could be held up by that.

I have some good news though. A Transformation Fund bid of £40,000 has been approved for us to further embed Personalisation into Mental Health services and I am excited about this opportunity to explore how this funding can help this vitally important area.

**Supplemental Question:** For those people whose mental health fluctuates but are not FACS eligible at present; what provision is in place to provide a safety net for them?

**Supplemental Answer:** It would not necessarily mean because a person's mental health fluctuates that they are not FACS eligible. I think there is a problem that we do not provide for people who are not FACS eligible. That is the law, that is what the Council is able to provide for, working with CNWL but the problem of mental health fluctuating is one that is well known and is taken on board by the people that are looking at working with personal budgets. So that is not something that is ignored. It is a difficulty when you provide services to anyone who can be almost fine the next week but that is something that we can take on board but we are not able to provide personal budgets for people who are not FACS eligible.

6.

**Questioner:** Jayshree Shah

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

**Question:** "How much saving has been built into the 2012/2013 or 2014 Mental Health budget Adult Social Care as a result of the implementation of the day services review?"

**Answer:** CNWL has been asked to find cost savings of £100,000 for both 2012/13 and 2013/14 and that is what we are working through with them to achieve. Both organisations believe this is possible.

**(answered by Cllr Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing)** The Day Services review has been undertaken to improve day services and remodel it so that it is a better service. There may be some savings in that but that is not the purpose of the Review.

We will not be able to assess it until we finish the consultation and then we will be looking at it but it certainly is not £100k that is coming out each year from the Day Services review.

*A supplemental question asked was not considered by the Leader of the Council as arising directly out of the original question or reply given and was therefore not answered. It related to question 7 below.*

7.

**Questioner:** Lalita Gokani

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

**Question:** "Taking into account the £2.4 million from the NHS Section 256 Agreement funds which the Leader confirmed will be ring fenced, at this stage how much further savings need to be found for the adult social care budget 2013?"

**Answer:** Currently, the Adult Social Care Department has a saving of £2.74m in 2012/13 in the Medium Term budget and set against these savings we also have current plans for additional investment including responding to demographic pressures. This is the biggest pressure that we have in this Directorate and the £2.4m funding that has been transferred from the NHS will contribute towards that.

**(answered by Cllr Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing)**

As the budget is currently only in draft form, we are still working on savings and growth proposals, but I can assure everyone that the £2.4m will be used within that.

**Supplemental Question:** CNWL overspent this year on the Personal Budget implementation. How much are they forecast to overspend next year and how is the Council ensuring that people with mental health problems have a genuine choice of access to Personal Budgets in view of the fact that the majority of the Adult Social Care will be contracted in Day Services?

**Supplemental Answer:** I should refer you back to the answer that I gave to question. We have a large budget that we give to CNWL as a provider and we work with them to find some cost savings.

8.

**Questioner:** Moni Bhachu

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** "What procedures have been drafted for Mental Health service users to be involved in the monitoring and evaluation of the personalisation process for Mental Health to help meet service users express needs?"

**Answer:** Within Harrow, everyone is heavily involved in the whole Personalisation process and delivering those services, including developing individual support plans.

However, until now, those with mental health issues have not been as involved as we probably would want. However, there are a large number of opportunities and I have seen you at Rethink meetings and other meetings, where people with mental problems can respond to the Council.

Until recently, we have been concentrating on embedding the new service and have made significant progress. We now intend to work much more with service users and carers to review the process and make sure that it is as effective as possible. Mental Health Personalisation will now be included in the Council's service user evaluation of personalisation and the Transformation Fund which I referred to in Question 5. We hope that we see real improvements.

I have been very aware over the last year that this is a journey we are on and we have got to get it much better.

**Supplemental Question:** How will Mental Health service users be involved in drafting up the monitoring and evaluation procedure for personalisation for mental health?

**Supplemental Answer:** I believe they will be involved in the same way as all our other services are for Personalisation. This will be facilitated, but I cannot provide dates. Certainly, they will be involved in the same way as those with personal budgets, with learning disabilities and older people are.

### 346. Councillor Questions

**RESOLVED:** To note the following Councillor Questions had been received:

1.

**Questioner:** Councillor Susan Hall

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

**Question:** "The Council's contribution to the London Borough Grants Scheme has fallen from £747,073 in 2010-11 to £338,153 in 2012-13, which itself is a reduction of £73,346 compared with 2011-12. Given the much reduced amount the Council now pays into this London-wide voluntary sector support scheme, will you consider

expanding the financial support provided to voluntary sector organisations here in Harrow?”

**Answer:**

As your question indicates, Harrow has been obliged over many years to make a very large contribution to the London Boroughs Grants Scheme and, in my opinion, getting very little in return. So I am very pleased that we have at last been able to deal with this and London Councils will be having a further review of the remaining schemes, as I do not personally think we in Harrow get money for our contribution, now just over £300,000, originally nearly £750,000.

In last year's budget when we agreed to limit the cut in grants in the budget to only 15%, we took full account of the reduction in our contribution to the London Boroughs Grants Scheme. This 15% cut is far smaller than has been made in many other London Councils. As you will be aware, there was a judicial review of last year's London Councils' decision and this has meant a delay. Some of the savings are being made in this financial year rather than last. So the £79,000 is partly delayed payments because the contributions were delayed. So most of the savings indicated in the Cabinet report have already been taken into account in the previous budget and were offset by making a much smaller percentage cut in the budget.

As you will be aware, we are moving to a new system of Commissioning plus a small grants pot and the latter may allow more organisations access to grants, albeit smaller ones.

I am, of course, as keen as anyone to support the voluntary sector organisations as best we can and I think we have done this, but we do have to be aware of the very severe cuts of £62m. This equates to about a third of our budget and every part of the Council has to make savings and we have tried our best to protect and help the voluntary sector organisations.

**Supplemental Question:**

I am not surprised you blame the government because that is your default response but the reality is that many of the decisions that you have made against the voluntary sector were entirely your choices.

Why does your administration continue to treat the voluntary sector so badly when in your Manifesto you promised to investigate additional funding and when so many groups and organisations have pleaded with you not to do it?

**Supplemental Answer:** When we wrote our Manifesto, I do not think any of us had any idea of the scale of cuts which were going to be imposed on local government. If you look at how much we put into the voluntary sector, taking everything into account it is something like £4m, and I am proud that we are doing our best. However, if our budget is cut and that of other councils by one third, every part of the organisation has to make some savings and regrettably, that is true of our voluntary sector contributions. We have done our best to protect them.

2.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Thaya Idaikkadar, Portfolio Holder for Property and Major Contracts

**Question:** "The Invitation to Tender for Whitchurch Pavilion and Playing Fields states at Section 5 that the Council is offering a 30 year lease to developers.

Why then were Councillors for Belmont, Canons and Stanmore Park Wards told at a recent briefing that the proposed lease will be for 99, 120 or 125 years?"

**Answer:** I agree that the original tender sought proposals for Whitchurch Playing Field, based on a 30 year lease term.

Detailed negotiations have not yet taken place regarding this aspect but it was clear that both of the short listed bidders were seeking a long lease which is usually taken to mean a period of 99 years or more.

Given the value of the anticipated initial investment which is now being proposed, I can understand why any investor would be seeking to secure long term interest in the site which I must emphasise will remain in Council ownership.

I am sure that you will agree that the key objective of the Whitchurch Playing Fields tender exercise was and remains to secure the development of 21<sup>st</sup> Century sports and leisure facilities and to ensure that these are maintained and developed over time to benefit the entire community of Harrow over the long term.

As you know, Cabinet will be asked to consider the consultation outcome and approve the development agreement, associated service level agreement and terms of the lease at a meeting in a few months' time

before any contract is signed. No decision has been made regarding the term of lease and professional officers will present their considered and objective advice to Cabinet for consideration.

Cabinet agreed in November 2011 that consultation should take place with Ward Councillors and the public. Your considered view on all aspects of the proposal would be appreciated and you have my assurance that these will be considered in an objective way. I would be very happy to work with you at key stages as officers develop the various agreements. Just let me know if you would like to engage with me. Let us work together to deliver the best for Harrow.

**Supplemental Question:** This Council keeps talking about being transparent yet it has offered a tender document with a 30 year invitation for companies and organisations to get involved. When was it decided that it would be a longer tender offer? Who decided that? How was it decided and where did it come in terms of transparency to the public because a briefing behind closed doors to Councillors, when it is the first time we have heard of it, is not a transparent system? I would like to have a full disclosure of every piece of written documentation, email, relating to this matter.

Do you not agree that this needs to be brought out into the open before resources are wasted so that our children's grandchildren's children are not to be the ones to have to pick up issues from this process? We need it to be made transparent and I would like the Leader to make sure this happens. Can you not agree?

**Supplemental Answer:** As I have said before, absolutely no decision has been made as to the length of the lease. What you heard in the consultation is the officers thinking at the time. As I said before, I am quite happy to consult you and the Ward Councillors and with your agreement we will deliver this project. I have no idea on the number of years; it could be still 30 years, 50 years or 99 years. No decision has been made.

3.

**Questioner:** Councillor Paul Osborn

**Asked of:** Councillor David Perry, Portfolio Holder for Community and Cultural Services

**Question:** "Do you agree with the people of Harrow, 74% of whom clearly stated in your own consultation that the Council

should run library services; a statistic not mentioned in the Cultural Services report before Cabinet?”

**Answer:** Paul, 74% of the 2,000 respondents indicated that they would prefer the Council to run the libraries but only 58% said they actually used the library service. Where services have been or are operated by external trusts or social enterprises, a much smaller percentage wanted the Council to operate the service. Any potential alternative provider would have to deliver the service under the terms and conditions specified by the Council, as they do now with our leisure centres.

**Supplemental Question:** Given that 3 times in your manifesto you promised not to privatise our library services, given that 74% of Harrow residents want the Council to run the library service, why will you not rule out privatising our library service?

**Supplemental Answer:** The course that we are taking and the report before Cabinet tonight is of exploring, we do not feel it is privatising our library service.

We have heard about the heartfelt and genuine concerns from Tanglewood earlier and I believe, hearing those concerns, it is very important to listen, be measured and to explore all other possible areas of saving so we can protect, not only groups like Tanglewood, but also protect our grandchildren's children's children so that they can enjoy our library service in the future.

4.

**Questioner:** Councillor Chris Mote

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety

**Question:** “Can you confirm how many parking tickets issued by the Council over the last year have been rescinded due to incorrect signage, or signage being inconsistent with road markings?”

**Answer:** In the year to 17 January 2012, 157 PCNs have been withdrawn due to signage and road markings and I have to say one of those was due to my efforts on behalf of one of my residents. It is not easy to get PCNs withdrawn.

This can occur due to accident damage to signs, or a mistiming of signing when works are carried out to the Highway. This is a very low figure. However, cases



where this happens are used to prioritise the programme of works to improve signage and markings. Reflecting this action, the number of PCNs withdrawn for these reasons reduced through the year, from 99 in the first 6 months to 58 in the second half of the year.

**Supplemental Question:** Can you let me know, how many appeals were lodged over the same period against parking tickets on the same grounds of incorrect signage or signage being inconsistent with road markings and what is being done to prevent the issue of parking tickets on the grounds of incorrect signage or signage being inconsistent?

I will just quote you a reference here: my road has now got double yellow lines and the signs still say "No parking between 8.00 – 6.30 Monday to Saturday" or "No parking between 11.00 and 12.00 Monday to Friday". Having complained, they took the signs down last Friday but they have been there for 3 months since the double yellow lines were in.

**Supplemental Answer:** I have some sympathy with you, and will send you a written answer.

5.

**Questioner:** Councillor Susan Hall

**Asked of:** Councillor Keith Ferry, Portfolio Holder for Planning, Development and Enterprise

**Question:** "Given the variety of funding sources listed in the report on Apprenticeship Opportunities, are you confident that the finances will be in place by the Scheme's start date of September 2012?"

**Answer:** I am confident that the finances will be in place by the Scheme's start date. The funding for the training element of the apprenticeship is provided by the Skills Funding Agency. The funding is guaranteed, subject to the age eligibility criteria being met. The criterion is detailed in the Cabinet report.

The Cabinet paper suggests that apprenticeship posts could be resourced from vacancies in the future. In this respect, the salary cost component of the apprentice will be contained within existing service salary budgets.

You will agree with me that it is vital that the Council does everything that it possibly can to provide training, development and employment opportunities for as many of our young residents as possible who may be

struggling to find work in these difficult economic times.

The extensive range of services provided by the Council means that we could provide a superb range of interesting and exciting opportunities for our young residents.

**Supplemental Question:** I do agree with you. The paper mentions a S106 Agreement as a possible form of funding. Without going into specifics, as such things may still be subject to discussion, do you have any potential developments in mind for involvement in such 106 Agreements?

**Supplemental Answer:** There have been Section 106 monies collected and are being held for that very purpose. As this Scheme increases we will be looking to have increased Section 106 or community infrastructure levy monies available to fund this scheme.

6.

**Questioner:** Councillor Marilyn Ashton

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

**Question:** "At a recent meeting on the Area Action Plan, it was confirmed that there are no proposals in the Local Development Scheme to prepare a planning brief on the Surface Level Car Park and Anmer Lodge in Stanmore, as was the case prior to the 2010 elections. Can you confirm why this is now the case, and are you not concerned at the risk this poses with regard to the possibility of inappropriate development on the sites in question?"

**Answer:** The current (4<sup>th</sup> Revision) version of the Local Development Scheme was approved by Cabinet on 28 October 2010 and came into effect on 1 January 2011. This LDS commits the Council to prepare the following documents, as part of the Statutory Development Plan:

**(answered by Cllr Ferry, Portfolio Holder for Planning, Development and Enterprise)**

- Core Strategy
- Harrow and Wealdstone AAP DPD
- Site Allocations DPD
- Development Management Policies DPD
- West London Waste Local Plan DPD

The January 2011 LDS replaced the 3<sup>rd</sup> revision LDS, which came into effect in November 2007 (replacing

earlier drafts in June 2005 and November 2006).

None of the Local Development Schemes have contained provisions for a Stanmore Car Park/Anmer Lodge Planning Brief. The 2007 document committed the Council to the following DPDs:

- Core Strategy DPD
- Delivering Development DPD
- Generic Development Control Policies DPD
- Proposals Map DPD
- West London Joint Waste DPD

together with the following Supplementary Planning Documents:

- Harrow on the Hill Conservation Area SPD
- Pinner Conservation Area SPD
- Stanmore & Edgware Conservation Areas SPD
- Harrow Weald Conservation Area SPD,
- Sustainability Checklist SPD
- Section 106 Planning Obligations SPD

together with the RAF Bentley Priory Planning Brief.

Prior to the adoption of the 4<sup>th</sup> revision of the LDS, the Council had engaged with the Greater London Authority and the Government Office for London on the Local Development Scheme. A revised scheme to the 2007 LDS was reported to Cabinet 18 December 2008. This document did not include provision for a planning brief on Stanmore Car Park. Instead, LGA/GoL appear to have expressed some concern about the ability of the Council to deliver the key Development Plan Documents, such as core strategy, given the overall number of documents proposed.

Following discussions with the GLA/GoL in Spring 2009, a further revision to the LDS was reported to Cabinet on 18 June 2009. This revised LDS did not propose a development brief for Stanmore/Anmer Lodge, but did introduce proposals for a town centre design guide SPD.

Shortly afterwards, following engagement between the Planning Service and the GLA, the draft replacement London Plan - eventually published in October 2009 - introduced proposals for creating an Area for Intensification in Harrow and Wealdstone. In engaging with the Planning Inspectorate as part of the LDF Peer Review Support in 2009, the Council was strongly advised to undertake a further round of consultation on

the Core Strategy, prior to submission to the GLA/Secretary of State - meaning that the targets in the draft LDS from 18 June 2009 were not deliverable.

Since the approval of the 4<sup>th</sup> revision of the Local Development Scheme, the Council has focused on meeting the timetable and has prepared and consulted upon all of the DPDs listed in the 4<sup>th</sup> Revision of the LDS.

I am delighted we have now been able to make excellent progress such that we are now in a position to adopt our Core Strategy, following the Secretary of State's examination in Autumn last year.

The Anmer Lodge site is identified in the UDP. More recently, however, the car park and Anmer Lodge sites have been recognised in the draft Site Allocations DPD and the Core Strategy as a single development site.

I am confident that focusing the LDF team's resources on the progression of the outstanding suite of Development Plan Documents, as opposed to guidance, has been the most appropriate way of securing a positive outcome, not only for the residents and businesses of Stanmore but in fact for the whole community of Harrow.

**Supplemental Question:** These sites, both of them, are significant development sites and these development proposals, or rather they are basically plans from commercial developers, the names of which nobody has a clue who they are, were treated to a miniscule consultation period which was poorly advertised to the residents and it was in the run up to Christmas. Ward Councillors have not been briefed.

Is it not the case that Ward Councillors have been similarly kept in the dark and have had to resort, as I have, to FOI request(s) in the identity of the potential purchasers because we were left with no other option? Can you explain to the residents of Stanmore why so much secrecy surrounds these proposals and why you seem to be so eager to advance them with so little scrutiny because my mailbox is full up with complaints about this administration?

**Supplemental Answer:** The reason that there was no branding on the 3 applications was that we took the advice of the Legal Services who said that it would be breaking a commercial confidence of the 3 tenders that we put in, in order to reveal their names. I can tell you afterwards if

you like. You say that there was a brief consultation. We had over 200, I think 240 odd people came to those consultations. They have given us some very interesting comments which we will be going through.

*The following questions were not reached in the time limit of 15 minutes. It was noted that written responses would be provided:*

7.

**Questioner:** Councillor Paul Osborn

**Asked of:** Councillor David Perry, Portfolio Holder for Community and Cultural Services

**Question:** "According to the Cultural Services report, renovation work on Headstone Manor was estimated to cost £700,000 to £900,000 in 2008. Is this estimate still sound, or are there plans to reassess before applying for funding from the Heritage Lottery Fund?"

8.

**Questioner:** Councillor Barry Macleod-Cullinane

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

**Question:** "The paper that went to December's Cabinet showed that by not tendering for a new highways maintenance contract immediately after your administration's election in 2010, the Council missed out on saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As Portfolio Holder for Finance and Business Transformation, what services would you invest in and/or what cuts wouldn't you be making if you had an additional £700,000 in your budget?"

9.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety

**Question:** "The paper that went to December's Cabinet showed that by not tendering for a new highways maintenance contract immediately after your administration's election in 2010, the Council missed out on saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for community and

environment services, what services would you invest in and/or what cuts wouldn't you be making if you had an additional £700,000 in your budget?"

10.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Bob Currie, Portfolio Holder for Housing

**Question:** "The paper that went to December's Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration's election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for housing, what services would you invest in and/or what cuts wouldn't you be making if you had an additional £700,000 in your budget?"

11.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Margaret Davine, Portfolio Holder for Adult Social Care, Health and Wellbeing

**Question:** The paper that went to December's Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration's election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for health, social care and wellbeing, what services would you invest in and/or what cuts wouldn't you be making if you had an additional £700,000 in your budget?

12.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Keith Ferry, Portfolio Holder for Planning, Development and Enterprise

**Question:** "The paper that went to December's Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration's election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for planning, development and enterprise, what services would you invest in and/or what cuts wouldn't you be making if you had an

additional £700,000 in your budget?”

13.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Brian Gate, Portfolio Holder for Schools and Colleges

**Question:** “The paper that went to December’s Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration’s election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for schools and colleges, what services would you invest in and/or what cuts wouldn’t you be making if you had an additional £700,000 in your budget?”

14.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Mitzi Green, Portfolio Holder for Children’s Services

**Question:** “The paper that went to December’s Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration’s election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for children’s services, what services would you invest in and/or what cuts wouldn’t you be making if you had an additional £700,000 in your budget?”

15.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Graham Henson, Portfolio Holder for Performance, Customer Services and Corporate Services

**Question:** “The paper that went to December’s Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration’s election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for performance and customer and corporate services, what services would you invest in and/or what cuts wouldn’t you be making if

you had an additional £700,000 in your budget?”

16.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor David Perry, Portfolio Holder for Community and Cultural Services

**Question:** “The paper that went to December’s Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration’s election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for community and cultural services, what services would you invest in and/or what cuts wouldn’t you be making if you had an additional £700,000 in your budget?”

17.

**Questioner:** Councillor Barry Macleod-Cullinane

**Asked of:** Councillor Thaya Idaikkadar, Portfolio Holder for Property and Major Contracts

**Question:** “The paper that went to December’s Cabinet showed that, by not tendering for a new highways maintenance contract immediately after your administration’s election in 2010, the Council missed out on a saving £700,000 by virtue of needing to extend the existing contract with Mouchel. As portfolio holder for property and major contracts, what services would you invest in and/or what cuts wouldn’t you be making if you had an additional £700,000 in your budget?”

### **347. Forward Plan 1 January - 30 April 2012**

The Leader of the Council informed Cabinet that the item titled ‘Approval for the Establishment of a Shared Legal Practice’ had been deferred.

**RESOLVED:** To note the contents of the Forward Plan for the period 1 January to 30 April 2012.

### **RESOLVED ITEMS**

### **348. Progress on Scrutiny Projects**

**RESOLVED:** To receive and note the current progress of scrutiny reports.



### **349. Report from the Debt Recovery Challenge Panel**

Cabinet received a reference from the Overview and Scrutiny Committee meeting held on 13 December 2011, setting out the findings and recommendations of the Debt Recovery Challenge Panel for Cabinet's consideration.

**RESOLVED:** That the reference be received and the Corporate Director Adults and Housing be requested to submit a response report to the 8 March 2012 Cabinet meeting.

**Reason for Decision:** To respond to the recommendations of the Challenge Panel in line with Constitutional requirements.

### **350. Standing Scrutiny Review of the Better Deal for Residents - Quarterly Report**

Cabinet received a reference from the Overview and Scrutiny Committee meeting held on 13 December 2011, which provided a quarterly update on the Standing Scrutiny Review of the Better Deal for Residents, including recommendations for Cabinet's consideration.

**RESOLVED:** That the reference be received and the Corporate Director Adults and Housing be requested to submit a response report to the 8 March 2012 Cabinet meeting.

**Reason for Decision:** To respond to the recommendations of the Challenge Panel in line with Constitutional requirements.

### **351. Modernising Terms and Conditions of Employment**

Cabinet received a report of the Divisional Director Human Resources, Development and Shared Services setting out the position reached to date on the negotiations with the Trade Unions on proposals for Modernising Terms and Conditions of Employment and seeking agreement to consult the Council's workforce directly.

The Portfolio Holder for Performance, Customer Services and Corporate Services apologised for the late circulation of the report in order to allow time to reflect on the proposals being put forward, following the conclusion of negotiations with the Trade Unions.

The Portfolio Holder informed Cabinet that most Councils nationally were reviewing their pay bill, with the most recent being Doncaster Council. The stance that Harrow Council had taken was different, which was to provide a balance that was part 'giving' and part 'taking', as part of its Modernising agenda. He reminded Members that Cabinet had received briefing reports in March and November 2011, following which consultations and negotiations had been undertaken with the following objectives in mind: modernise, simplify, reduce cost and provide greater choice.

Cabinet was briefed on the consultations and the formal negotiations undertaken. As part of the Modernising agenda, the proposals that were developed supported future ways of working with a view to mitigating job losses. The Portfolio Holder informed Cabinet that formal negotiations with the Trade Unions had commenced in November 2011; however he was disappointed that it had not been possible to reach a collective agreement on the full set of proposals, as a result of which negotiations had been concluded. He added that the Trade Unions were of the view that variation of the Terms and Conditions of Employment would have an adverse impact on some and not all employees and considered the approach to be unfair. However, he stressed that the modernising proposals sought to address the differential impact of applying buy-out arrangements thereby ensuring equitable compensation for any adverse impact. The proposals, inter alia, also contained improvements to the existing annual leave arrangements and the 'smoothing of' of current pay bands. The Portfolio Holder was of the view that the Council needed to move forward in light of the pressures on the budget and he commended the report to Cabinet.

The Chief Executive stated that he too was disappointed that the negotiations with the Trade Unions had concluded without agreement, which had been the preferred approach. He was of the view that there was no realistic prospect of reaching an agreement with the Trade Unions and therefore re-convening of negotiations was not considered to be a suitable way forward. He added that, from the outset, the Council had stated its intention, which was to make budget savings, as part of the Modernising agenda, and the Council was unique in its approach. He outlined the consultation process, which would include a set of proposals that would be open and transparent. A ballot would be conducted if required, and he drew Members' attention to the indicative timetable set out in the report with a view to concluding the process by May 2012.

The Leader of the Council compared the approach of other Councils to that proposed by Harrow, which was to modernise whilst making savings and considered this to be an equitable approach. Together with the Portfolio Holder for Performance, Customer Services and Corporate Services, he too thanked the Divisional Director Human Resources, Development and Shared Services and the Organisational Development Manager for their work.

**RESOLVED:** That

- (1) it be noted that it had not been possible to reach a collective agreement with the non-teaching Unions on the modernising approach to the Terms and Conditions of Employment;
- (2) the Chief Executive, in consultation with the Leader and the Portfolio Holder for Performance, Customer Services and Corporate Services, be authorised to:
  - (a) develop a proposition which meets the needs of the Council on which to consult non-teaching staff;
  - (b) consult directly with non-teaching staff and, if appropriate,

- to modify that proposition in the light of consultation;
- to undertake a ballot of non-teaching staff on the final proposition;
- to take action as necessary to implement the new Terms and Conditions of Employment for non-teaching staff.

**Reason for Decision:** To enable the modernisation of the Terms and Conditions of Employment for Council non-teaching employees and deliver the savings required in the draft Medium Term Financial Strategy 2012/13.

### **352. Future of Cultural Services in Harrow**

Cabinet received a report of the Divisional Director Community and Culture, which set out the progress made in delivering the Transformation of Cultural Services and set out proposals for the future development and delivery of Harrow's cultural offer by looking at four key drivers to take Harrow's services forward.

The Portfolio Holder for Community and Cultural Services welcomed the report, which provided an opportunity to empower staff further and learn new skills, including the users of the services. He outlined the recent changes made to various services, particularly the libraries which would benefit from further changes. Additionally, Harrow Museum and Headstone Manor would benefit immensely from restoration work and the commissioning of library and leisure services ought to be explored.

Cabinet noted that all options would be explored and consulted on with the users following which they would be submitted to Cabinet for approval.

**RESOLVED:** That

- (1) the progress to date on transforming cultural services in Harrow, outlined in paragraph 2.3 of the report, be noted, including the proposals for a further Transformation Phase, as outlined in paragraph 2.2 Option B;
- (2) the Corporate Directors of Place Shaping and Community and Environment, in consultation with the Portfolio Holders for Community and Cultural Services and Property and Major Contracts, and with key stakeholders, be authorised to develop proposals for the Libraries Transformation Phase 2 Programme (paragraph 2.2 Option B) and a Programme of physical improvements to cultural assets, subject to the final approval of the options by Cabinet;
- (3) the Corporate Directors of Place Shaping and Community and Environment, in consultation with the Portfolio Holders for Community and Cultural Services and Property and Major Contracts, be authorised to explore the commissioning of leisure and library services in

collaboration with partner boroughs, currently Ealing and Brent for leisure management and Ealing for library services, as outlined in paragraph 2.2 Option C, subject to further final approval of the service delivery options by Cabinet.

**Reason for Decision:** To deliver the next phase of the Transformation of Harrow's Cultural Services and to ensure the continuation of leisure and library service delivery to the Council whilst delivering efficiency savings.

### **353. London Boroughs Grants Scheme 2012/13**

Cabinet received a report of the Corporate Director Community and Environment, setting out the recommended levels of the London Boroughs Grants Scheme budget for 2012/13.

The Leader of the Council referred to the London Councils Leaders' Committee meeting held on 13 December 2011, which had agreed a budget and made recommendations to constituent Councils. He also referred to the answer given to the Leader of the Conservative Group earlier in this regard and which set out the background to this matter.

**RESOLVED:** That the London Councils' Grants Committee budget and the Council's contribution of £338,153 be agreed.

**Reason for Decision:** To formally respond to London Councils on the decision following the receipt a Circular dated 16 December 2011 informing the Council of the recommended level of budget for the 2012/13 London Boroughs Grants Scheme.

### **354. Local Freight Movement Operational Strategy**

Cabinet received a report of the Corporate Director Community and Environment, which sought approval to consult on a Local Freight Movement Operational Strategy.

The Corporate Director added that the Strategy outlined how the movement of freight traffic on the borough's roads would be managed and identified measures to support the movement of freight traffic to major freight destinations as well as mitigating the detrimental impact of freight traffic on unsuitable local roads. Moreover, the Strategy proposed the establishment of shorter sections of targeted restrictions where HGVs (Heavy Goods Vehicles) were prohibited from traveling thereby allowing enforcement through the use of CCTV. Currently, this was not possible, because in order to prosecute a vehicle, the Council required the HGV to be followed for its entire journey inside the zone from entry to exit.

The Corporate Director added that public consultation would be undertaken and that residents and key stakeholders would be invited to identify key locations where the problems were acute. Funding to implement measures to address freight issues had also been identified. He commended the report to Cabinet.

**RESOLVED:** That

- (1) the draft Local Freight Movement Operational Strategy be noted;
- (2) public consultation be undertaken on the Local Freight Movement Operational Strategy;
- (3) the Divisional Director Environmental Services, in consultation with the Portfolio Holder for Environment and Community Safety, be authorised to consider the results of consultation, amend the draft Strategy as necessary and approve the Local Freight Movement Operational Strategy;
- (4) the Divisional Director Environmental Services be authorised to make changes to the Strategy, subject to changes in industry best practices;
- (5) it be noted that the Transport Local Implementation Plan had £160,000 allocated to implementing measures to address freight issues in 2012/13 - 2013/14.

**Reason for Decision:** To set out a clear operational framework for how freight traffic could better access freight destinations within the borough whilst also minimising the detrimental impact of heavy goods vehicles (HGVs) on local residents.

**355. Development of Apprenticeship Opportunities**

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which set out the reasons in favour of establishing a Council-wide apprenticeship project, including the development process and the methodology for managing that project.

The Portfolio Holder added that, unlike other London boroughs, the Council had not fully engaged with the Programme other than by asking local employers to appoint apprenticeships. He commended the report to Cabinet, identified the key lead personnel to move the Programme forward and moved that work should be undertaken through the Council's Recession Busting Group.

**RESOLVED:** That

- (1) Cabinet confirms its commitment to the London Councils 2009 pledge to establish a Council-wide Apprenticeship Programme and appoints the Portfolio Holder for Planning, Development and Enterprise to Champion the Apprenticeship Project;
- (2) the Corporate Director Place Shaping/Enterprise and Environment be nominated to act as Champion for Apprentices and s/he be supported by officers in Human Resources and Economic Development teams through the Recession Busting Group;

- (3) a pilot Apprenticeship Programme be established to determine a small number of Level 2 intermediate apprenticeships and, from this first cohort, a smaller number of Level 3 advanced apprenticeship places for those who successfully achieve their Level 2 qualification be developed.

**Reason for Decision:** In January 2009, Council Leaders and Chief Executives of London's 33 Local Authorities pledged to offer 2,000 apprenticeships in their own workforces or in those of their contractors by March 2012. They met this target in September 2011, but without input from Harrow Council. The Council has apprentices within its wider workforce, but no direct Council-run Programme. Implementation would allow the development of an appropriate Programme within the Council to benefit local workless young people and make good its pledge to support the London-wide Council commitment.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.57 pm).

(Signed) COUNCILLOR BILL STEPHENSON  
Chairman