

# CABINET MINUTES

## 8 MARCH 2012

**Chairman:** \* Councillor Bill Stephenson

**Councillors:** \* Bob Currie \* Graham Henson  
\* Margaret Davine \* Thaya Idaikkadar  
\* Keith Ferry \* Phillip O'Dell  
\* Brian Gate \* David Perry  
\* Mitzi Green

<b>In attendance:</b> <b>(Councillors)</b>	Marilyn Ashton	Minute 384
	James Bond	Minute 384
	Kam Chana	Minute 384
	Tony Ferrari	Minute 392
	Susan Hall	Minute 384
	Barry Macleod-Cullinane	Minute 384
	Jerry Miles	Minute 392
	William Stoodley	Minute 384

\* Denotes Member present

### 379. Order of Agenda

The Leader of the Council sought Cabinet's approval to vary the order of the agenda, and announced that:

1. a record number of public questions had been received, the majority of which related to agenda item 18, 'Wood Farm, Wood Lane, Stanmore – Pear Wood Cottages and Ten Acre Field'. Public questions 2, 3, 4, 5, and 14 would be taken first. Following these, questions relating to Wood Farm would be taken. Prior to answering the public and Councillor questions relating to Wood Farm, there would be a statement from the Corporate Director Place Shaping; the purpose of this being to answer the public questions and a Councillor question.

Thereafter, there would be a time limit of 30 minutes for the asking and answering of public questions and a Councillor question, on Wood Farm. At the conclusion of the questions, the substantive item on Wood Farm would be considered by Cabinet.

2. Agenda item 8(c), 'Admiral Nursing Petition', would be considered, and Mr Neville Hughes allowed to address the meeting for up to 10 minutes. The public and Councillor questions relating to this matter would be considered jointly.
3. All other business on the agenda would be dealt with in the order set out.

**RESOLVED:** Cabinet agreed with the variation.

### **380. Declarations of Interest**

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

#### Agenda Item 4 – Public Question

During consideration of public question 20, Councillor Barry Macleod-Cullinane declared a personal interest. He would remain in the room whilst the question was answered.

#### Agenda Item 8(c) - Petition – Admiral Nursing

Councillor Thaya Idaikkadar declared a personal interest in that a relative suffered from dementia. He would remain in the room whilst the matter was considered and voted upon.

#### Agenda Item 14 – Grant Recommendations 2012/13

- (i) Councillor Husain Akhtar declared a personal interest as a member of the Citizens' Advice Bureau. He would remain in the room to listen to the discussion on this matter.
- (ii) Councillor Brian Gate declared a prejudicial interest in that he served on the Citizens' Advice Bureau Board of Trustees, which could receive a grant as part of the decision-making on the item. He would leave the room whilst the matter was considered and voted upon.
- (iii) Councillor Margaret Davine declared a personal interest as a member of the Women's Centre and Relate. She would remain in the room whilst the matter was considered and voted upon.

#### Agenda Item 18 – Wood Farm, Woodlane, Stanmore – Pear Wood Cottages and Ten Acre Field

- (i) Councillor Tony Ferrari declared a prejudicial interest in that, as a former Member of Cabinet, he had been involved in the discussions on

this matter. He would leave the room whilst the matter was discussed, considered and voted upon.

- (ii) Councillor Husain Akhtar declared a personal interest and would remain in the room to listen to the discussion on this matter.
- (iii) Councillor Bill Stephenson stated that he wished to place on record that, contrary to the emails circulating, he was not a friend nor did he have knowledge of the prospective purchaser of Wood Farm. He had met the prospective buyer once for a few minutes when he was putting up a building in his Ward and they had exchanged business cards. Subsequently, he had met the buyer at a social function but had not recognised him when introduced. He did not have any interests to declare in relation to Wood Farm.

### **381. Minutes**

**RESOLVED:** That the minutes of the meeting held on 9 February 2012, be taken as read and signed as a correct record.

### **382. Petitions**

**RESOLVED:** To

- (1) note that the following petitions were received and referred to the Corporate Director Place Shaping and Portfolio Holder for Property and Major Contracts;
- (2) note that the petitions relating to Wood Farm were considered during the decision-making relating to that item.

#### **1. Anmer Lodge**

Councillor Marilyn Ashton presented a petition signed by 296 people with the following terms of reference:

"We the undersigned express considerable concern at the decision of Harrow Council to market the Anmer Lodge and adjacent car park site without proper consultation, engagement or planning documentation. We therefore call on the Council's administration to:

- cease all current activity on the Anmer Lodge and car park site.
- complete the process of adopting a Supplementary Planning Document/Planning Brief, before giving any consideration to marketing the site.
- conduct a complete and thorough consultation exercise with local residents, businesses and Ward Councillors on the

development of the SPD/Planning Brief and on any subsequent proposals put forward by developers."

2. Caring for the Environment – Harrow Nature Conservation Forum

Mr Stephen Bolsover, Chairman of Harrow Nature Conservation Forum, submitted a petition signed by 16 Wardens of eight publicly accessible nature reserves with the following terms of reference:

"We, the voluntary Wardens of Nature Reserves and Open Spaces within Harrow, call on the Cabinet to reject the proposed sale and lease of, respectively, the Pear Wood Cottages enclave and Ten Acre Field in Stanmore. The proposed sale and lease is directly contrary to undertakings made by Council officials in 2008 and 2009 and that these areas would be integrated with Pear Wood Nature Reserve, and would greatly damage the natural atmosphere and biodiversity value of Pear Wood and its surroundings."

3. Wood Farm

A local resident presented a petition signed by 7 people with the following terms of reference:

"We, the undersigned, call upon Harrow Council to defer any legal decision at tonight's meeting as the representations and objections legal deadline is tomorrow and those responses to the statutory notice are not presented to the Cabinet."

4. Save our Green Belt

A local resident presented a petition signed by 10 people with the following terms of reference:

"We, the undersigned, call upon Harrow Council to listen to the 8,200 signatories of the Save our Green Belt petition, submitted at the start of the Wood Farm 2006 planning application, and to refrain from desecrating further areas of our Green Belt in Harrow."

5. Whitchurch Pavilion

Councillor Barry Macleod-Cullinane presented a petition signed by 173 residents with the following terms of reference:

"We the undersigned express considerable concern at the decision of Harrow Council to select the Whitchurch Consortium as the preferred bidder to redevelop Whitchurch Pavilion and Playing Fields. We therefore call on the Council's administration to:

- restart the tendering process for the development of the site. We note that the current decision relied on information obtained from a tendering process which began over three years ago;
- fully consult with local residents, businesses and Ward Councillors as part of the tendering process, and regarding the selection of a preferred bidder;
- ensure that residents' concerns regarding the impact on traffic, security, noise pollution and the usage of the pavilion are addressed before proceeding with any development on the site.”

### **383. Public Questions**

**RESOLVED:** To note that 20 public questions had been received, as set out below.

[The order of the public questions set out in the minutes has been altered to allow questions relating to substantive items on the agenda to be grouped together.]

[Public questions 2, 3, 4, 5 and 14 appear at the beginning but do not relate to any substantive items on the agenda.]

[Public questions 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19 and 20, together with Councillor question 7 (Minute 384 refers), and statements relating to this matter should be read in conjunction with Minute 399, Wood Farm, Wood Lane, Stanmore - Pear Wood Cottages and Ten Acre Field.]

[Public question 1 and Councillor question 4 (Minute 384 refers), including statements responding to the questions on this matter, should be read in conjunction with Minute 389, 'Petition – Admiral Nursing'.]

2.

**Questioner:** Bharti Vyas

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

**Question:** “We welcome the extension of the Day Service Review consultation period. To what date has the consultation deadline been extended and how has the Council communicated this to mental health service users?”

**Answer:** As you know, following the meeting with the Steering Group, it has been agreed that we will extend the consultation period until 5 April 2012 in order to give more

time. Posters are being distributed to Day Services, Community Mental Health teams, psychiatric wards and Voluntary Sector organisations which provide mental health services.

The Leader and I met with the Mental Health Steering Group on 29 February and it was agreed to send the consultation document to all Harrow users of Mental Health services regardless of whether they use the Day Services or not.

The Council and members of the Mental Health Steering Group plan to write a joint press statement about drawing the attention of people to the Day Services consultation.

**Supplemental Question:** What provision has been made to meet with Mental Health Service users during this extended period to make it more inclusive?

**Supplemental Answer:** In addition to my answer to your main question, we have agreed to hold two more meetings. I believe that all of what I have originally said will make it more inclusive and we have got in touch, therefore, with those voluntary organisations that have mental health clients, etc, so that we can liaise with them and make sure that everybody is aware. We have asked everyone that comes into contact with those using the mental health, either day service or any other service, the care co-ordinators and those that come into contact with the staff to help them fill in the form if needed.

3.

**Questioner:** Alan Brown (asked by Mark Gillham, Chief Executive of MIND in Harrow)

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

**Question:** “We welcome the Portfolio Holder’s commitment to circulate the results of the consultation and the recommendations to mental health service users before it is presented to Cabinet for approval.

Will the Portfolio Holder commit to arrange an event with the wider group of mental health service users to explain the results of the Consultation and recommendations to Cabinet?”

**Answer:** I certainly confirm my commitment to share all the outcomes with all the Mental Health users we can possibly get in touch with and we are planning an event

where they can come and join us and do something on the lines of the World Café events. We have been using such events already because the feedback we have got through those has been excellent.

**Supplemental Question:** Thank you that is very welcome news.

Would you also be able to commit to include the service users' feedback if it is on a World Café style event, their feedback on the final proposals from such an event in the final report which we expect to come back to Cabinet later in the year?

**Supplemental Answer:** I can commit to that but also I hope that when we have that event and we have got all the raw material before the report is finalised, that we will take on board maybe some of the comments of the people you are talking about but if there are things that we cannot, we will add it as a notation so that they are considered as well.

4.

**Questioner:** Neil Smith

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

**Question:** "Has information about the planned re-assessments of Discretionary Freedom Passes against the new eligibility criteria been sent to those affected? We have received feedback from Mental Health service users that they do not know what is happening and are worried because of the uncertainty."

**Answer: Provided by Cllr Stephenson, Leader of the Council** At the Cabinet meeting in October 2011 we adopted a new policy concerning concessionary travel where we agreed to review all Discretionary Freedom Passes against our new criteria. Furthermore, we agreed not to cancel any passes for anyone not meeting the new criteria until the 31 March 2013.

As we reported at the time, this has allowed us to start the review from mid May, as we already reported and the action plan for this review has been shared with key stakeholder organisations through the Adult Social Care Consultation Steering Group which includes MIND, CAB, HAD, Age UK etc.

The timetable for the action is:

- In mid May 2012 - a letter will be sent to all Discretionary Freedom Pass holders advising them

that the review will be started.

- In June 2012 - a full assessment form and review information will be sent out to all Discretionary Freedom Pass holders.
- In October 2012 - the outcome of these reviews will be notified to pass holders advising them of their right to appeal.
- In March 2013 - for those who are ineligible and those who have not replied to the request to re-apply, passes will be withdrawn.

The action plan considered by the Steering Group included examples of the letters that will be sent out to pass holders to ensure all organisations supporting residents are fully aware of what the residents are expected to do regarding their re-assessments and all these are up on the website.

By developing this plan of action and communicating this to all interested parties, we hope it is going to minimise problems. We will be keeping in touch with all relevant organisations throughout this period.

**Supplemental Question:** Has provision been made for at least 600 mental health service users who are likely to lose their Discretionary Freedom Pass under the mental health eligibility criteria and for its baleful repercussions?

**Supplemental Answer:** Again, I do not know how many people will be affected and I will remind you that the criteria for Discretionary Freedom Passes were discussed and very carefully considered by the Steering Group and changed and enlarged for people from mental health organisations and that is where we have to do it.

We give out 1,888 Discretionary Freedom Passes. There are only two other Councils that give over 1,000 such passes. Our neighbours between them give about 14 Discretionary Freedom Passes. So we had to have a review. We have got rigorous criteria which have been agreed by the organisations and users as are fair. We will judge all things fairly and there will be an opportunity to appeal. As I have indicated, we are not going to take them away until 2013 so people will be well prepared if they cannot have them.

5.

**Questioner:** Raksha Pandya, MIND in Harrow

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

**Question:** “Will the Portfolio Holder commit to a timeframe for the Council to provide template letters to CNWL NHS Foundation Trust to respond to requests for Discretionary Freedom pass evidence and a timeframe for training of CNWL staff in the new Discretionary Freedom Pass eligibility criteria, as previously promised?”

**Answer:** Assessments of applicants for Discretionary Freedom Passes under the new policy will continue to be done by the Council’s mobility contractor and there are no plans at the moment to commission this work to another body.

**Provided by Cllr Stephenson, Leader of the Council** We have already provided our Social Care Steering Group with an action plan with examples of the template letters and assessment forms that will be sent out to existing users as part of the review process. New users simply need to complete an application form which can be obtained either from Access Harrow or the Council’s website and, as I have indicated, they will all be sent this as well as the first part of the review.

CNWL staff are not expected to assess any applicant on behalf of the authority. We will be fully prepared to provide training sessions for CNWL or any other relevant organisations on existing operation/eligibility assessment processes and this has been made clear to all members of the Adult Social Care Consultation Steering Group. If CNWL or any other relevant organisations would like to contact us, we will be very willing to provide such training. Anything which will better help our residents with this process will be very much welcomed.

It should be once again emphasised that the Council has published its full concessionary travel policy and eligibility criteria on the web. CNWL and any other relevant organisation can download these documents which are exactly the same as those used by Harrow for their assessment guidance.

**Supplemental Question:** What is the complaints and appeals process for this new Freedom Pass assessment?

**Supplemental Answer:** Those are all available on the website.

A senior person, different from the one who did the

assessment, will listen to all appeals. Complaints need to be sent to the Council. We will be reviewing processes as we go along. As I said, we are keeping in touch and learning. It will not be perfect but there is quite a large number.

14.

**Questioner:** Anne Diamond, Chair of Harrow MS Society

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

**Question:** "The MS Society has over 150 members in Harrow many would be housebound if the taxi card was to have a cut of 50% of its taxi trips. Our members really use the taxi cards as a way of getting to important appointments as well as doing shopping, and personal grooming etc.

The MS Society does make contributions and Grants to anyone who has MS. We have this year given grants not only to our members but to non-members - the only criteria is that they have MS. Often our members have had to give up driving, it maybe their only independence

We have been approached by the Council to give grants and we just need a little help on the way. Would you not agree?"

**Answer:** We do everything in our power to help voluntary organisations such as the MS Society. I am not quite sure what you are asking us to do but can I confirm that for the majority of our Taxi Card users there will be no change to the number of trips that occur from when we introduce the scheme for 1 April.

The maximum number of Taxi Card trips will reduce for those Taxi Card users who also hold a Blue Badge or a Discretionary Pass. These will change from 104 trips to 52 trips from 1 April but, I can assure you that a cut in trip numbers will only affect a small number of users who have both a Taxi Card and another travel concession and also use their Taxi Card well above the average expected use level.

In 2010/11 65,163 trips were taken by 5,222 users which averages out at about 12.5 trips per member which is well below the minimum reduced trip threshold which again, if you look at other local authorities, many of them have gone from 104 down to 52, and we have reined there.

This matter was very thoroughly discussed by the Adult

Care Steering Group who agreed it was a fair way forward. It was adopted by Cabinet last October. All these policies for concessionary travel will be reviewed in a year's time to see whether any changes need to be made.

**Supplemental Question:** Many of our members, they really do have bad eyesight and the only way of getting around is by taxi. Are you aware of that?

**Supplemental Answer:** Obviously, I am aware that many people have bad eyesight and again, as I said, it all depends whether you have another concessionary card. If we look at it again we may be able to raise it but we had a very thorough discussion with all the groups and went out to consultation and that is what the system is that was adopted in October.

#### **Statement, Questions and Answers relating to Wood Farm:**

**Andrew Treherne, Corporate Director Place Shaping – a Statement in response to all the question relating to Wood Farm** The Addendum paper, which I have tabled this evening, and I apologise for this, provides a very high level summary of the significant number of objections - 90 at close of business yesterday evening and rising - that have been received following publication of our Open Spaces Notice. The Addendum sets out:

- the outcome of further negotiations that have taken place this week with the prospective purchaser;
- an overview of the robust protective arrangements that will be in place should Cabinet approve my amended recommendations;
- and lastly revisions to the recommendations which are the original ones shown on page 268 of the agenda papers.

Planning permission for the Wood Farm development of ten substantial new homes was granted by the Secretary of State on 17 November 2009, following a Public Inquiry. The legal agreement attached to this planning permission provides for the extension of the Stanmore Country Park.

A substantial proportion of the current Wood Farm area provides superb views across much of North London. There is no public access to this land. The views are similar to those that can be enjoyed from the view point at Old Redding but the Council's objective for many years has been to create an opportunity for these superb views to be enjoyed within a wonderful park land setting by our residents, throughout their lives.

It is worth noting also, that a Country Park that will eventually total 150 acres once our project is complete, is likely to be a draw for visitors from outside the Borough, with potential benefit to our local economy, for example the retailers and hospitality businesses within the Stanmore District Centre.

In addition to the extension of Stanmore Country Park, the October 2008 Cabinet decision confirmed that Ten Acre Field and Pear Wood Cottages sites, both of which are currently incorporated within the agricultural tenancy, should be added to the Pear Wood Nature Reserve.

David Ashton, former Leader of the Council, in his letter dated 11 August 2008 and attached at page 285 of tonight's agenda papers, confirmed the extension of the Nature Reserve, as did David Ashton's letters to the Editors of the two local papers at that time and also my letter responding to the objections received in response to the Open Spaces Notice, also at that time.

In the summer of 2011, C P Holdings, who owned at that time, Stanmore Dairies, disposed of their interest in that company.

It is important to note and understand, that the Council had no involvement whatsoever in this wholly private commercial matter. The Council's relationship with the Wood Farm agricultural tenant remains the same as a result of the change in ownership, because our agricultural tenant is, and remains, Stanmore Dairies.

In the late autumn of 2011 the new owners of Stanmore Dairies asked to renegotiate the "Wood Farm Deal" but this was rejected by the Council.

The new owners of Stanmore Dairies subsequently submitted the proposal which I have presented to Cabinet this evening for consideration and determination.

Although it is likely for commercial reasons that the new owners of Stanmore Dairies will wish to complete the property transaction in the foreseeable future, that is the Wood Farm transaction, they have taken the view that completion within the current financial year is a target which has been set by the Council based on negotiations with CP Holdings, to which they are not necessarily committed.

Realisation of the Wood Farm capital receipt is important in terms of the 2012/13 revenue budget and it is because

of this and the need to bring the completion of the extension of the Stanmore Country Park to fruition that I felt it appropriate to present the proposals in respect of Pear Wood Cottages and Ten Acre Field, to Cabinet this evening for determination.

Following the initial receipt of objections to the advertised disposal I have met, together with the Portfolio Holder for Property and Major Contracts, with the new owners of Stanmore Dairies and renegotiated the original proposal.

The plan which is attached to the Addendum at the last page, provides an overview of the new proposal which put simply involves:

- the freehold disposal of the 0.75 acre site known as Pear Wood Cottages, on which stands a totally derelict cottage structure. The identified site also includes a driveway link to Wood Lane and that is shown on the plan;
- the lease of approximately 7.3 acres shown shaded on the plan attached to the Addendum, of part of the area known as Ten Acre Field for a period of 35 years;
- the remainder of Ten Acre Field, approximately 5 acres will be incorporated within the Pear Wood Nature Reserve;
- the disposal of Pear Wood Cottages would provide for a narrow Right of Access between Pear Wood Cottage and the leased portion of Ten Acre Field, through Pear Wood. The original proposal to incorporate an area of Pear Wood within the lease has been removed;
- and for completeness, an access from Wood Lane to Ten Acre Field for agricultural equipment.

### **Protective Measures**

The property contract will include robust protective clauses which restrict in absolute terms the use of any leased area of Ten Acre Field.

In addition to the property contract terms, the planning process also provides exceptionally robust protective measures because of the special status of the area, in determining whether Planning Permission should be granted to reinstate Pear Wood Cottages and subsequently in the event that consent is obtained.

If Cabinet approve the lease of Ten Acre Field, the use by the tenant is restricted in absolute terms, to:

- the production of crops
- grass land
- trees and shrubs
- grazing of horses.

There will be an absolute bar on the erection of buildings and this will include temporary buildings or structures.

In summary:

The Wood Farm project, which is fundamentally about the extension of the Stanmore Country Park by approximately 60 acres, bringing the total area of the country park to some 150 acres, will in turn open up to public access to some of the very best views across London. This project has been under consideration for many years and we have a commercial proposition to facilitate fruition and delivery of that project.

**Cllr Stephenson:** What I am now proposing to do is to take questions and I hope some of the things that the Corporate Director Place Shaping said will answer some of the questions and if you want to put your question and then a supplementary, we are allowing half an hour for that and we do have quite a large number. I start at question 6.

6.

**Questioner:** Stephen Bolsover, Chairman, Harrow Nature Conservation Forum

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

**Question:** "In 2008 and 2009 Harrow Councillors and permanent Council officers argued to the Planning Inspector, and to the public in communications to newspapers and individuals, that the sale of 3.5 acres of Wood Farm and the granting of planning permission for the building of 10 houses thereon was worthwhile because in return the Pear Wood Cottages enclave, the whole of Ten Acre Field, and the remainder of Wood Farm would be returned to Council Control.

The Council would then, as Councillor Ferrari, the then Portfolio Holder for Major Contracts and Property, wrote to the Harrow Times, "incorporate ten acres into Pear Wood as an undisturbed nature conservation area and 59 acres

into Stanmore Country Park".

Lest there is any doubt that the land to be integrated with the Pear Wood reserve included the Pear Wood Cottages enclave, it is worth noting Councillor Ferrari's email to me of 4th November 2008 that refers to a map of the area and reads in part: "The orange section to the east and the little red block surrounding the derelict Pear Wood Cottages are proposed to be integrated with Pear Wood."

Does the administration expect to continue using the effort and expertise of voluntary organisations now that clear promises made to them and the general public are shown to be worthless?"

**Stephen Bolsover:** I think I can skip the main part of the question because you have accepted that it was a promise that the Pear Wood Cottage enclave and Ten Acre Field would be added to Pear Wood, and that was a promise.

So just the finish of the question, does the administration expect to continue using the effort and expertise of voluntary organisations now that clear promises made to them and the general public are shown to be worthless?

**Answer:** Before I go into your question, I considered one thing. If you decide to do nothing, absolutely nothing, what will happen? The Stanmore Dairies may decide to complete the Wood Farm transaction approved by the Cabinet. They may decide to submit a planning application to bring Pear Wood Cottages back into use as domestic dwelling without us doing anything. They have the possibility and, they may of course, decide to use the Ten Acre Field for any of the permitted agricultural uses. That we cannot stop and also we will not realise our ambition to significantly improve Stanmore Country Park, potentially resulting in a loss of a substantial private investment and neither will the Council receive a substantial capital receipts of Wood Farm in a timely way to help our restrained Revenue Budget position.

Things have moved on. We have had to consider options as they are. I have to make it absolutely clear the high regard in which Harrow Nature Conservation Forum is held and also to express my appreciation, and I am sure the appreciation of all Council Members, for the superb work of the Harrow Nature Conservation Forum undertake across the Borough and in particular, the work of the volunteer wardens undertake to maintain Pear Wood.

Furthermore, I would like to clearly state that the advice the Harrow Nature Conservation Forum provides is highly

respected and also much appreciated. I would like to assure you that your advice and the objections that have been raised in respect of this matter are being considered in a most careful way.

This is why the Addendum is tabled because of the objections that we have considered again. I think one of the things I keep saying that we always have to consider if the benefits outweigh any possible harm that could be done and in this case, I think the whole of the Harrow community benefits, the benefit outweighs the harm that could be done.

**Supplemental Question:** Has the Cabinet an estimate of the cost to the borough of failing its Local Area Agreement targets for biodiversity and quality of open spaces as a result of the demoralisation, diversion of time and possible resignation of the volunteer wardens of the Nature Reserve?

**Supplemental Answer:** We are going to be very strict and the potential buyer is going to do all the surveys at no cost to the Council

7.

**Questioner:** Peter Peretti (asked by Simon Braidman)

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

**Question:** "Why was the statutory notice and plan not published on the Harrow Council website, in the interest of openness?"

This has been done for other statutory notices, including for open space."

The questioner was not present at the meeting. The question was considered answered by way of a statement made by the Corporate Director Place Shaping.

8.

**Questioner:** Abe Hayeem,

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

**Question:** "Pears Wood and Wood Farm sites. Regarding these sites:

The Statutory notice was dated 9th February 2012 and invited inspection of the plan, but the plan presented with the Cabinet papers, reference File No. 517/7/3/1 is dated

24/02/2012, over 2 weeks later.

So what are the differences in the plans, and why the changes?"

**Abe Hayeem:** Since the plans seem to be changing every time one looks at them. I am going to just ask my supplementary question which is:

Could you please clarify that according to the plan it is the Council's intention to take land from the Pear Wood Nature Reserve, a site of metropolitan importance for nature conservation and which a tree expert maintains is the best example of a fragment of ancient woodland in the whole of Greater London and allow the questionable legality of the leasing of the land to some millionaire to have 10 acres, but now I believe it is 7 acres, of public open space for his own back garden, particularly when it is part of a nature bluebell wood, a nature reserve that he would be buying and covering up when he rebuilds the cottages on the existing footprint?

**Answer:** The short answer is "no". If you look at the revised plans, it does not do that.

The ancient woodlands, if you want to be precise is at the moment at about 30 acres. We are going to add, if the Cabinet approve the addendum, another 5 acres to it as a buffer zone.

9.

**Questioner:** Carole Lis

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

**Question:** "The plan of 24/02/2012 being presented to the Cabinet states "For illustrative purposes only". Surely if authority is being given to dispose of land, then a definitive plan is required? To be referenced and published."

**Supplemental Question:** What is the definitive plan and are you going to produce a definitive plan?

**Answer:** The plans presented by officers to Cabinet to secure authorisation for property disposals are often presented "For Illustrative Purposes".

The transfer and lease plans which are ultimately appended to the legal documents and submitted to the Land Registry, are produced following final agreement of

contractual terms and the final detailed measurement of the land holding subject to disposal.

The final plan cannot and will not be materially different to that which is accepted by Cabinet.

10.

**Questioner:** Margaret Huitson (Question asked by another resident)

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

**Question:** “The Secretary of State, in November 2008, in overturning the Planning Inspector’s Report recommending refusal of the planning application on Wood Farm, gave various conditions to be applied if permission were granted. However, the Harrow Planning web site has no documents confirming planning approval of building the houses. Why not?”

**Answer:** The Secretary of State’s “minded to approve” letter dated 29 October 2009, including the schedule of conditions in the event of planning permission being granted, the Inquiry Inspector’s report and the Section 106 legal agreement, are held on the planning pages of the Council’s website under reference P/2203/06.

**Provided by Cllr Ferry, Portfolio Holder for Planning, Development and Enterprise** Unfortunately, the Secretary of State’s final decision letter, although also included on the website, was described inaccurately as an “application supporting document” and its purpose and significance would not therefore have been apparent.

The appeal decision has now been more accurately described as a “Formal decision” and is available for inspection with the other appeal documents on reference 2203/06.

11.

**Questioner:** John Hollingdale (asked by Simon Braidman)

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

**Question:** “Could you please tell me what is the status of the planning application for building houses on the 3.5 acres being disposed of on the Wood Farm collection of properties?”

**Answer:** Planning permission was granted by the Secretary of State for Communities and Local Government on 17 November 2009 for the demolition of existing redundant farm buildings and erection of 10 new dwellings, refurbishment of the existing dairy, new vehicular entrances, roadways and landscape works and change of use of residual land to a Country Park / open space.

**Provided by Cllr Ferry, Portfolio Holder for Planning Development and Enterprise** The reference to residual land pertains solely to the Stanmore Country Park Extension.

The permission was subject to some 19 conditions. Condition 1 requires that development must commence before the expiration of 3 years from the date of the permission and that will expire on 17 November 2012.

The permission remains in force, but has yet to be implemented.

12.

**Questioner:** John Williams, asked by Simon Braidman

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

**Question:** "The map showing orange shading of proposed 35 year lease land includes a part of Pear Wood, which is not a part of the agricultural tenancy.

This is removing land from the present conservation area, nature reserve and Site of Metropolitan Importance for wildlife.

There is a danger that this piece of land acts as a new gateway to the Ten Acre field, from the proposed freehold site.

The Ten Acre field should be the only issue, not removing land from conservation area instead of adding to it! The field is not "adjacent to Pear Wood Cottages".

Why is this proposed?"

**Supplemental Question:** Is the Cabinet aware that Pear Wood cottages are actually occupied by bats and by grass snakes?

They are protected species so you just cannot go around trashing what could you describe as ruined cottages which have no value. These buildings amass rare mosses because of the stone work because they get a bit

of heat they attract reptiles. They are really important in their own right, they are not just a load of ruined cottages so the question I am going to ask is, what guarantees can you give me regarding the wildlife that occupy those cottages?

**Answer:** First of all, the sale will go through only subject to Secretary of State Communities and Local Government (Gol) agreement. Further there needs to be a planning application and, as part of the process, we look at all those things and if you look through the whole report, we are demanding a biodiversity report from the purchaser and I will read that properly. There are common four biodiversity surveys: including surveys for bats, reptiles, amphibians, stag beetles and southern wood ants, archaeological surveys and a full agricultural report were clearly understood and accepted by the prospective purchaser.

We can also veto the person who is going to do all the surveys so we are very, very careful. We will make sure we get a professional and thorough report for any rare species found.

**Supplemental Question:** Wood Farm, it is a rural landfill site, which means it has much lower value in itself than Pear Wood.

Now, it is developing heathland plants on it and because of the amount of bare soil it is now proving an attraction to invertebrates at the early stages of succession. Now this piece of land has also been home to skylarks and woodcock and other ground nesting birds. What assurances can the Cabinet give me, with full public access onto Wood Farm, that these birds will not be disturbed and thereby contravening unprotected species?

**Supplemental Answer:** I can assure you all necessary surveys will be undertaken and there will be a management plan. Without these we are not going to sell anything.

**Simon Braidman:** Yes, but what we are looking for is a management plan that protects the early succession of stages. So we want the land disturbed from time to time increasing the amount of their soil but secondly, what is to stop dogs running all over it and then we lose all the ground nesting birds?

**Cllr Idaikkadar:** As I keep saying, we are looking at everything so carefully. At the moment we are only agreeing to disposal, subject to many conditions and everything you say will be taken into account and acted on.

13.

**Questioner:** Mike Turner

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

**Question:** "Planning concerns Aylmer Lodge and Whitchurch Playing Fields

As more information comes to light, there is great concern in the community about what looks like a "fait accompli" on several key sites that renege on previous planning arrangements. It seems that proper planning and consultation procedures in line with planning law and the new localism Bill are not being followed, giving the impression that decisions are being taken behind closed doors by portfolio holders and council officers to dispose of the Borough's assets to developers and tenderers. Can the Cabinet please assure us that these decisions concerning Aylmer Lodge, Whitchurch Playing Fields (Wemborough Rd) and Wood Lane will be withdrawn until full and proper consultation with local residents has taken place?"

**Answer:** Can I say first of all that the meeting that was held on 23 February created an awful lot of misinformation.

In reply to your letter regarding the Whitchurch Playing Field site, Cabinet selected a preferred bidder in November 2011 and on Monday evening, this coming 26 March, the first community consultation event will take place. At this meeting our chosen partner will present their initial visions and proposal for this important sports and leisure site with the clear objective of securing comments and suggestions from our community.

With regard to Anmer Lodge, we will shortly be announcing a preferred bidder and once again, we will then be in the position to arrange an initial consultation event presenting our vision and proposals for this site, which in my opinion is vital to the future viability of the Stanmore District Centre.

If I can also add, there has been an awful lot of talk about a planning brief. A planning brief was produced by the previous administration and was given to the 4 bidders. We have decided that the planning brief does not give us the powers to secure the sort of development we want and we have gone further than the planning brief. We have put to the chosen bidder the fact that we will not sell this land until he has made a detailed planning application

which, if approved, will have the force of law behind it as a covenant will be written between Harrow Council and that developer, which is a far more secure way of making sure that any developer has to do whatever the public want them to do.

If I could just say that a planning brief or a supplementary planning document does not have the rule of law. What we are proposing will tie any future developer to only building what comes out of our public consultations. The way we propose to do it is to make sure that the developer is obligated to provide the works which are the subject of that planning condition - those works and no other works. In other words he cannot remove the planning application, submit another planning application after the sale has gone through.

The issue associated with the Wood Farm Country Park project, which Cabinet will consider this evening, has only recently arisen. Our public notices have secured a very significant response and there have been some good engagements between Harrow Nature Conservation Forum and the prospective purchaser of Pear Wood Cottages. None of this suggests to me that proper planning and consultation procedures are being ignored. In fact in my opinion, this administration does 100% better planning consultations and public consultations than we are required to by law.

We are committed to engaging with our residents and with the many important community groups who work tirelessly for the benefit of the entire borough. Can I also add in summary, planning applications have yet to be submitted for Anmer Lodge, Whitchurch Playing Fields and Pear Wood Cottages in Wood Lane. In the event of future applications being submitted, the Council, as usual will undertake a further public consultation during the planning process in line with our adopted statement of community involvement.

**Supplemental Question:** In as much as there are likely to be further major planning issues in West Harrow, for example the development of the Old Prince Edward Playing Fields now known as the Hive, for first team Barnet Football, that is just one example. Will the borough look to review and open up its consultation procedures so that local residents no longer feel disenfranchised from such decision making?

**Supplemental Answer:** I am not aware of any planning application being submitted for Prince Edward Playing Field but as I said before, we do have a thorough public consultation for any planning application which comes through. We are

required by law to do that and we have, and I can give you an assurance that any major development will go through our new Major Developments Panel and it will also be the subject of public consultation before any planning application is submitted, in exactly the same way that was done by Land Securities on the Kodak site. Kodak selected Land Securities as their preferred developer. Land Securities then took 6 months of public consultation before they submitted the planning application. Exactly the same thing will happen at Anmer Lodge.

15.

**Questioner:** Chris Lomas

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

**Question:** “The agreement to give planning permission to Stanmore dairies for the 3.5 acres was contingent on release the tenancies of 72 acres of Wood Farm (43 + 19 +10) and Stanmore Dairies paying for creation of a wildlife refuge and extension to Stanmore Country Park (estimated by the council to cost £900,000). Stanmore Dairies Ltd still exists so what has happened to this agreement, not mentioned in the cabinet paper?”

**Answer:** The current legal agreement between the Council and Stanmore Dairies pursuant to the Section 106 of the Town and Country Planning Act 1990 remains in force.

**Provided by Cllr Ferry, Portfolio Holder for Planning Development and Enterprise** This legal agreement does not provide for the creation of “a wildlife refuge”.

The Section 106 agreement provides for the Stanmore Country Park Extension.

The agreement still exists and what we are being asked by officers to consider this evening is a commercial arrangement with robust protections for bio-diversity and archaeological interests.

Planning obligations set out in the agreement are binding on the land and apply to both the current owner and any successors in title. Compliance with those obligations will be required to enable the planning permission at Wood Farm to be implemented.

16.

- Questioner:** Alastair Johnstone (asked by another local resident)
- Asked of:** Councillor Thaya Idaikkadar, Portfolio Holder for Property and Major Contracts
- Question:** "If the Council reneges on commitments made in Cabinet and in submissions to a Public Enquiry less than four years ago, why should the people of Harrow place any credibility in any commitments made today?"
- Answer:** The Council is working to secure the extension of Stanmore Country Park and the opening up of fabulous view for our residents.
- New ownership of Stanmore Dairies has resulted in an understandable request to renegotiate the pre-existing commercial arrangement.
- If agreement can be reached between the Council and the new owners of Stanmore Dairies, then we will secure our extension to Stanmore County Park which I am sure will be enjoyed by many thousands of residents throughout their lives.
- But I must emphasise again that we will only approve this if we are satisfied that all necessary protective measures have been robustly incorporated within our legally binding contracts.
- One final point which I would like to make strongly is that we will consider this change in a public forum that is Cabinet tonight, following the publication of our Open Spaces Notice and the careful consideration of the feedback and objections that we have received.
- I can well understand the concerns which have been expressed through these questions but as I said earlier, we need to balance the concerns attached to the decision making against the broad objectives that are intended to benefit our entire community.
- I hope that you will feel that we are considering this matter in an open and careful way.
- Supplemental Question:** I would say on Mr Johnstone's behalf that these were promises made. We have it in writing that these areas would be added to the Nature Reserve and so you have gone back on that, why would we have any faith that is done today? How are we to agree to things when your word is not binding?

**Supplemental Answer:** As I said earlier, time moves on, things do change. We have to do things slightly better. We never expected the government to cut £62 million off the budget to the Council. Now, capital receipts are very important to us and in a commercial world, really changing all the time, we need to change. We cannot say on something that promised 100 years' ago, we are always going to keep it.

17.

**Questioner:** Rosemary Etheridge

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

**Question:** "Could the Council please explain how they intend to avoid criminal prosecution under the Wildlife and Countryside Act 1981 (updated and strengthened in 1998 regarding bluebells) in relation to the destruction of bluebells within a listed nature reserve?"

Pear Wood Cottages are within the Site of Metropolitan Importance for Nature Conservation. The carpet of bluebells surrounds the cottages and covers nearly all of three quarters to be sold. Any road or hard standing created would destroy these protected plants. 'Owners and occupiers may face criminal prosecution if they destroy plants within a reserve'."

The questioner was not present at the meeting. The question was considered answered by way of a statement made by the Corporate Director Place Shaping.

18.

**Questioner:** Claire Abbott

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

**Question:** "How can Harrow Council claim that the leasing of Ten Acre Field will reduce maintenance costs to the council when the two voluntary wardens of Pear Wood Nature Reserve, Claire Abbott and Rosemary Etheridge had already agreed to manage this area when it was added to the nature reserve as promised by the Council in 2008?"

**Answer:** You and Rosemary, both of you undertake superb work as Voluntary Wardens of Pear Wood Nature Reserve.

I am sure that I speak for the whole Council in expressing

our appreciation for this outstanding voluntary contribution which benefits the entire community of Harrow. I thank you for that.

However, we need to recognise that when Pear Wood Cottages are returned to the Council, we will become immediately responsible and liable for the security and maintenance of the derelict cottages.

In my opinion these present a significant liability which cannot be resolved through voluntary work.

19.

**Questioner:** Mr Edward Milner (question asked by Simon Braidman)

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

**Question:** "What detailed information do the Council have about the conservation value of these areas and how can the Council intend to come to decision about disposing of the land without detailed surveys before the decision is reached? Much flora and fauna in Pear Wood (including the cottages) are protected by European law."

**Answer:** A detailed evidence on the ecological and nature conservation value of the Wood Farm site and surrounding area was presented to the 2009 Public Inquiry on behalf of the applicant and by local interest groups. The evidence includes extensive data in respect of habitats and species records completed with a range of organisations including Greenspace Information for Greater London.

Any future owner of Pear Wood cottages would need to comply with all relevant planning policy and legal requirements affecting the use and potential development of the site.

**Supplemental Question:** You were talking about Wood Farm and Wood Farm is not Pear Wood and Pear Wood is under surveyed. I had a call from Edward Milner who is not here tonight, I am asking his question. He went to Pear Wood for the first time 2 days' ago and he said that it is the best woodland in London of its type. It is ancient woodland and the reason it is so valuable is because it has never been disturbed. The amount of standing and fallen dead timber is huge, enormous, more than my own nature reserve at Stanmore Common. It is a very, very sensitive site and we do not want it cleaned up. What information has the Council got on the wildlife of Pear Wood, not Wood Farm?

**Supplemental Answer:** Pear Wood itself, the cottages are the only ones we are talking about going to change. The cottage area is subject to a detailed survey and as I said earlier and many times, we are going to have a thorough survey on the 0.75 acres where the cottage is and we are going to protect the species there professionally, absolutely correctly. We are not going to ignore anything and also, I am more than happy to meet with you after this meeting and go through your concerns and take note of it and act on it.

20.

**Questioner:** Dr Kate Lewis (asked by Cllr Macleod-Cullinane)

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

**Question:** "How will this affect the walk which many of us take up from Stanmore Country Park and along the periphery of Pear Wood? Also, what effect will it have on medical and other staff from RNOH who use Pear Wood and SCP for recreation and to get down to Stanmore Station?"

**Answer:** I am not entirely clear which route you are referring to and I would be very happy to arrange to meet with you outside of this meeting to discuss your concerns in detail.

However, put simply, the extension of the Country Park will provide public access to an additional 60 acres of currently private land, thereby enabling a publicly accessible link between the existing County Park and Wood Lane.

I do want to emphasise though that we will be seeking to maintain the very restrictive access to the Pear Wood Nature Conservation Area.

**The question below was dealt with elsewhere on the agenda.**

1.

**Questioner:** Mr Neville Hughes

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

**Question:** "Against the background of Harrow Council and NHS Harrow's 2010-2015 joint strategy for Dementia which shows Harrow to have the highest level of dementia in North West London and is anticipated to increase by 30%

over the next 15 years, and the tremendous support by the residents of Harrow for the petition to reinstate the Admiral Nursing Service which is unique in its continuity of support to both patients and their carers for all forms of dementia, providing both social and nursing care, and delaying patient entry to care homes and hospital thus saving significant revenue expenditure, will the Cabinet urgently explore all avenues, as appropriate jointly with NHS Harrow, to facilitate the reinstatement of the service?"

The question was not asked at the meeting but it was considered answered by way of a statement made by the Portfolio Holder for Adult Social Care, Health and Wellbeing at Minute 384, Councillor question 4 refers.

### **384. Councillor Questions**

**RESOLVED:** To note that 14 Councillor Questions had been received, as follows:

[The order of the Councillor questions set out in the minutes has been altered to allow questions relating to substantive items on the agenda to be grouped together.]

[Councillor question 7 appears at the beginning and should be read in conjunction with public questions 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19 and 20 (Minute 383 refers), together with the statements relating to this matter, including Minute 399, Wood Farm, Wood Lane, Stanmore - Pear Wood Cottages and Ten Acre Field.]

[Councillor question 4 and public question 1 (Minute 383 refers), including statements responding to the questions on this matter, should be read in conjunction with Minute 389, 'Petition – Admiral Nursing'.]

[All other questions, including those that were not reached at Cabinet are set out at the end of this Minute.]

7.

**Questioner:** Councillor Barry Macleod-Cullinane

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

**Question** "Why have you chosen not to honour the Council's original commitment from 2008 to integrate Pear Wood Cottages and Ten Acre/Brockley Hill Field into the protected nature reserve?"

**Answer:** As you know, the Wood Farm project has been ongoing for some considerable time. In fact, tonight's agenda papers demonstrate that Cabinet were actively considering this project prior to 2002.

Stanmore Dairies Ltd, holder of the two Wood Farm agricultural tenancies, was owned for many years by a holding company known as C P Holdings. In the summer of 2011 C P Holdings disposed of their interest in Stanmore Dairies Ltd. It is important to note and understand that the Council had no involvement whatsoever in this wholly private and commercial matter. The Council's relationship with the Wood Farm agricultural tenant remains the same as a result of the change of ownership because our agricultural tenant is, and remains, Stanmore Dairies Ltd.

In the late Autumn 2011 the new owners of Stanmore Dairies Ltd attempted to renegotiate the "Wood Farm Deal" but this was rejected by the Council.

The new owners of Stanmore Dairies Ltd subsequently submitted the proposal which officers have presented to Cabinet this evening for consideration and determination.

Following receipt of the many objections which have been submitted in response to the Open Spaces Notice, officers have undertaken further negotiations with the prospective purchaser of Pear Wood Cottages and the Ten Acre Field lease, the outcome of which is summarised within the addendum papers tabled this evening.

However, in an attempt to allay some concerns now, I can advise that the officer recommendation, whilst in proposing the sale of Pear Wood Cottages, have been revised, eliminating the link between Pear Wood Cottages and Ten Acre Field and reducing significantly the area of Ten Acre Field recommended for lease with the remaining 5 acres being added to the Nature Reserve.

So until we consider this matter on this evening's agenda, having listened to the public questions this evening and the officer presentations of the report, it will be wrong to assume that this administration has simply decided "not to honour" the Council's original comments.

I hope that we can both agree that the extension of the Stanmore Country Park by some 60 acres and providing residents with access to some of the very best views across London is an appropriate and important thing to do.

The proposal which Cabinet will consider tonight recognises in absolute terms, an association with these important sites and I can assure you that our contract provisions provide for all necessary protective measures.

If Cabinet agree to the recommendations this evening, we will be able to realise our ambitions for Stanmore Country Park in a timely way.

**Supplemental Question:** Given the fact that you have got a consultation that is open at the moment which does not close until tomorrow, how are you able to properly take a decision tonight when there may well be objections still to be received by the Council, given the fact that there was, I understand, a timing decision to make the decision by the existing planning grant winding up towards the end of this month. It seems strange that we have actually got Notices advising the public to make objections, which the closure of that Notice is not until after the decision made here. So I find it very odd that we have a decision being made tonight and it has been changed from the original consultation.

It raises questions about the strength of consultation within this Directorate that he is in charge of and I would like to ask what is going on here, because this is not the first time. We have had other examples, Anmer Lodge, Whitchurch Playing Fields, where things are going on without proper consultation being carried out. There seems to be a mockery made of consultation in this Council and I would like to know his answer to this.

**Supplemental Answer:** Tomorrow is the deadline. We have received a number of objections and we do know what they are but we can, through the delegated power, change things if anything substantial crops up. So there is time.

**Cllr Stephenson:** Can I clarify that the decision this evening is not a final decision. It is to delegate to the Corporate Director Place Shaping and the Portfolio Holder for Property and Major Contracts to consider and determine any objections to the disposal arising from the Statutory Open Space advertising so we are not making any decisions, we are delegating it and when I come to make my comments we will be inviting Harrow Nature Conservation to have a meeting with the 2 people (Corporate Director of Place Shaping and Portfolio Holder for Property and Major Contracts) to summarise and discuss the statutory objections.

**Cllr Macleod-Cullinane:** Leader, I would like to place on record our side's concerns that goalposts are being changed throughout and that there issues around the decision making process of this Council, irrespective of the issue. I would like that placed on record. There is a concern.

**Cllr Stephenson:** We are not making a decision this evening, we are delegating. We have still got to hear the statutory objections.

Right now, are there any questions or comments from Cabinet? Keith, do you want to say anything?

**Cllr Ferry:** No but I am worried about the issue raised about public consultation. When it relates to Anmer Lodge, I would like to be quite categorical that the public consultation has not even started for that yet. There was a preliminary exhibition in December last year, at which some proposals were given. By using the feedback we got from these session(s), we will be able to select a preferred bidder in the same way that Kodak selected Land Securities. We will then have a public consultation on their first proposals. It is probable that when their proposals come back we will have a second consultation and thirdly, when it comes to planning, we will have yet a fourth consultation. Now, I believe that the amount of public consultation that has gone on at Whitchurch and Anmer Lodge and Wood Lane has been far more than the previous administration would ever have thought of.

4.

**Questioner:** Councillor James Bond

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

**Question:** "I had the privilege to present the major petition to request the reinstatement of the Admiral Nursing service to the November Council meeting and was able to speak again in its support at the recent February Council meeting. I now ask the Cabinet to act within the spirit of the recently passed Localism Bill and fully recognise the value of this unique service. It gives continuity of support across both social and medical areas for patients with the many forms of dementia and their carers."

Therefore will the Cabinet, in cooperation with NHS Harrow, make a commitment here tonight to work towards the reinstatement of the Admiral Nursing Service and remove from Harrow the stigma of being the only locality in the UK to close the service?"

**Answer:  
Provided by  
Cllr Davine,  
Adult Social  
Care, Health  
and  
Wellbeing  
Portfolio  
Holder**

Firstly, I would like to set out the factual background that came about to the decommissioning because there has been some very inaccurate reporting of this situation.

Harrow Council went through a comprehensive process with the local voluntary sector which identified commissioning intentions; I know we have talked about this.

The Council decommissioned its funding contribution towards Harrow Admiral Nursing Service just over a year ago as it was agreed that when allocating funds to services, those with a social care focus would be our priority and, as Admiral Nurses are health focused, we did not prioritise that for funding at that time. Dementia UK had been providing funding for the Admiral Nurse Service until 1 April 2010, so that was about the same time that it was all going on. From which time, Harrow PCT or NHS Harrow, as they have then become, was due to take over full funding responsibility. At the time they agreed that they were the most appropriate funders for Admiral Nurses. I am sure you know this but they then decided they would not be providing the required funding. This meant that the Admiral Nursing Service in Harrow, which was 2 nurses, was no longer sustainable and it ceased to operate from 1 January 2011.

It is important to note that Admiral Nurses are provided in approximately 1 in 5 local areas nationally and only 12 areas in London. This is contrary to the suggestion that only Harrow does not have this service and I know that was a mistake when it was said.

I would not like anyone to think that I do not value the contribution that the 2 Admiral Nurses we had here and the work they did on dementia in Harrow but the government guidance is that local authorities are not able to provide health services and do not have a duty to provide an Admiral Nurse service. However, Admiral Nurses are primarily a health service and they do carry out tasks which we agree are on the social care side.

It is important in the interests of joint working and to ensure the well-being of carers, funding for Admiral Nurses was temporarily picked up by the Council but when the PCT confirmed that they were not to carry on with that partnership, we could not fund them separately.

So that is really the factual history and if you have any questions, I would be happy to answer.

**Cllr Bond:**

I must immediately challenge so strongly the statement that Admiral Nurses are so heavily biased to the medical side. Anybody who has had personal, close experience of dementia and have had contact with the Admiral Nurses, will know that their whole training is to start with the carer and work through to the patient. I am speaking strongly because of the debate between NHS Harrow and Harrow Council.

I will put a letter which I wrote to senior Members of the Council a year ago, the situation. As I see it, Harrow Council say the role undertaken is primarily medical, not a caring role, and the NHS say no, Admiral Nurses care for carers.

Harrow Council's SLA says "Admiral Nurses provide a unique and nationally recognised approach to supporting carers". That is Harrow's words and in practical terms, anybody who has had close relationship with this, knows that you are in a totally different field.

The assumption that you have got a black and white divide between carer and patient is ludicrous. It is a continuum and the real basic training of the Admiral Nurse, which is provided by Dementia UK, is to provide from the start. Well over half of the effort and time that they put in is for the carer and that is a social side. As the dementia develops so it becomes more of a medical side but there is no way that in any practical way that one can say the Admiral Nurse are not providing a social care to the carers.

When I have challenged the use of the Reablement Service, I have said "tell me, who can train a Reablement Service to give that sort of support". It just cannot be done. I am sorry but if you do not accept that Admiral Nurses care for carers and that was the challenge from the NHS that you spent too much time doing that, and therefore right from outset, I have challenged and said this is a 50/50 split. Now fundamentally, bearing in mind you have got at least 14 common different types of dementia and they are complex, very complex combination of mental and physical. If you think of the physical side of it, there is no difference in caring for the carers than you do in any other part but if this Council does not accept that Admiral Nurses have a major role to play in caring for carers, then it is a very sad day and when it is said that they are nurses, we go back to the 1960s and demarcation levels.

I have to say that I just find this unbelievable. I have to say I question the people who have made these views,

have they ever talked to the carers? That petition was signed rapidly and is so fundamental because this whole point of carers came forward time after time and they said if the Council does not understand the role of nurses and carers, then it is time they did. I am still getting the same feedback.

I suggested a year ago that you should have a joint meeting with the NHS under the chairmanship of one of our MPs to really thrash this out.

Can I go on to say your own paperwork said "it is a unique and nationally recognised to support carers" and that was when you were funding it and you were analysing what they were doing. So I cannot see why now they do not. You also went on to say "it is well documented that this support enables the person with dementia to remain at home". Now that is totally caring for the carers to enable them to stay at home and that is where you were going to do a cost benefit analysis.

**Cllr Stephenson:** As far as I am aware, this was thrashed out between the PCT and Harrow and the PCT acknowledged that it was a health issue but we can take that back.

**Cllr Davine:** I was just going to stress really what you said that back in April 2010 we agreed to work in partnership with NHS Harrow and then they removed their funding. They, at that time, agreed that it was the responsibility of NHS Harrow to provide the service and then they removed their funding and that is when it came to our voluntary sector review.

Having talked about the factual side of this and the history of how it got cut in Harrow, I was going to say how we are taking work forward to support those with dementia and their carers. I take great pride in the sort of support we give to the carers' associations in Harrow and to carers in general. We put significant resources in that and Harrow Carers, in particular, offer a range of services and run specific training for carers of dementia sufferers.

You mentioned Reablement. Reablement is a door to care. It is not the care that a person gets. It is where we look at the people who are referred to us, give them 6 weeks, as you know, intensive care and support, and all the time assessing what ongoing care they will need. Now a great number of those people that come into Reablement are in the early stages or even later stages of dementia.

So it is really important to us to put a specialist in at that

doorway because we have at least 6,000 referrals a year. The work that Admiral Nurses did was great, but they were 2 people and they did very valuable work and over a year they worked with about 100 people.

So I think that we have to look at a far more comprehensive way of how we are going to support the numbers that are coming to us and we need early intervention for those people with developing dementia and what we are doing is working with the NHS Harrow. NHS Harrow, as you know is changing, almost by the day and we have been working with them to develop a joint dementia strategy and I know that you have been invited to be part of that work. So to me that is a really important way of carrying the support we give to people with dementia and their carers. It is only part of it because we do have a very strong support for carers across the board in Harrow and, therefore, I look forward to what might come in. I think the barriers between social care and health are breaking down. So that is a helpful thing in this regard but I do not want in any way to suggest that I do not think the work that Admiral Nurses, the 2 Admiral Nurses we had in Harrow and the way they helped the families, was not really valuable. I think we have a different dimension of problem now. We do have statute that says we are not allowed to pay for health services and we can discuss that at length and try and find a way through. I believe that the joint dementia strategy is the way we need to go forward.

**Supplemental Question:** My supplementary concerns this; but I cannot get my head around these government guidelines. I have been doing a lot of research on this in the last few days amongst everything else I do and I would like to ask Councillor Davine, if Kirklees Council in Yorkshire can part fund the Admiral Nursing Service along with their local NHS Trust why cannot Harrow Council and any other local authority for that matter?

**Supplemental Answer:** We were funding jointly and we were intending to fund jointly with NHS Harrow and NHS Harrow pulled out and that was what brought it all to a head. I do not know about the other places that are funded. I had done quite a lot of research, you would expect, over the last couple of weeks around this issue, and I got the statutes and thought that they prevented us from paying for health services.

**Cllr Stephenson:** I just want to say what I said at Council. We are talking about the symptoms of a major problem. If you had your 2 Admiral Nurses back, it would be a drop in the ocean. I have had correspondence with you (Neville Hughes) and I

know the poor manner in which you were treated. We have a crisis that elderly, frail people, particularly with dementia and mental health problems, are not treated well. It is not a sign of a civilised society. I still think we can try and do what we can locally but there are other people, practitioners who help out in dementia and Reablement is now beginning to detect that and that is helpful. We have adopted a strategy - the Harrow Strategic Partnership Dementia Strategy - and we know it is not just elderly people, it is young people as well who get affected by it but it is still mainly the elderly.

I come back to the Dilnot report, cross-party, talking about a National Care Service having money so that people do not have to lose their houses because they are paying for people to have decent care or any care at all. I would like Cabinet to agree a motion, which will actually address this question. We are saying we do not have the money.

I think about the 1945 Education Act, the Welfare State and the setting up of the NHS. They were all done during the Second World War when times were terrible and we from Harrow and the Cabinet and Harrow Council should be saying to people "do something about Dilnot". Get things so that we treat elderly people and young people and people particularly with dementia properly.

I am going to propose a motion for Cabinet. An e-petition would help. There are people pressing for Dilnot to be implemented and there are a whole lot of other people to do not. We are doing some research into how Kirklees District Council are providing support, but we are putting money into other things

**Cllr Bond:** I am astounded. Why can we not use the 256 money?

The fact that NHS Harrow pulled out of funding, is not the Council's fault but I think it is both our faults that we have reached this impasse and people are suffering.

**Cllr Stephenson:** I mentioned that we are doing other things for people with dementia and the Admiral Nurses are obviously very important but they can deal with a hundred things. We do have a very good record for carers.

Can I suggest to Cabinet, I would like to propose a motion.

In the end, Admiral Nurses is a symptom. We need a lot more Admiral Nurses, we need a lot more carers, we need a lot more people and we cannot solve that at a local level.

**Cllr Bond / Neville Hughes:** I have for 15 months attempted to get this Council and NHS Harrow to jointly work together. A cost benefit analysis has not been done and although you say just 2, it does not take many weeks of £600 per week to save their salaries.

They are the only organisation that actually goes from the initial part to end of life and there is no use saying we will bring in Reablement. You have got to have that continuation and the Admiral Nurses, the one group that saves the people. Please carry out a cost benefit analysis.

I support the Leader with the Dilnot report. I was involved in the preparation of the original White Paper by the last government but there is so much lack of knowledge, that it frightens me. I am sorry Leader and I agree with you on Dilnot but in the short term there is no replacement in Harrow. Please talk to people who have used the memory service in the last 3 months. I was talking to 2 this morning. They want us to find them some help.

**Cllr Bond / Neville Hughes:** I had the privilege of publishing a paper to celebrate the 25<sup>th</sup> anniversary. Please think again.

1.

**Questioner:** Councillor William Stoodley

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

**Question:** “Can you tell me please how much of the Council's money has been spent on Standards Board investigations since we took office until Standards ceased to exist?”

**Answer:** The Standards Board is a national panel and since it was set up the Council has only had one, but as the National Standards Board conducted the investigation it was at no cost to the Council. As you are aware, the Standards Board has now ceased to exist but with the Council's Standards Committee investigations since May 2010 we have had 3 and they have cost approximately around £44,000.

**Supplemental Question:** Would you be in favour of campaigning for the replacement system that we will soon have to introduce having a much more gutsy and rigorous vetting system in place for weeding out complaints that are of a spurious or politically orientated mischief-making nature so that such

incredulously large sums of public money are not caused to be wasted by political party members effectively abusing the complaints system?

**Supplemental Answer:** We have put in the budget to have a local Standards Committee and that is going to the Standards Committee and there will be a report back to Cabinet.

I do agree with you, we need some form of filtering to make sure that only 'proper' complaints go forward.

2.

**Questioner:** Councillor William Stoodley

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

**Question:** "In Practice, how will the Mobile and Flexible Working Programme affect and/or benefit those of our staff who work in the field and in the front line?"

**Answer:** It would not be easy to come up with a short answer now at this time of night that would fit into the time. If I put a written answer back which will also go into the minutes it will give us all the benefits and flavours about what the questions you are asking because the answer is quite long because the project is quite huge as well.

**Supplemental Question:** Will you be able to include in that answer as to whether or not it will save money and if so, do you think you will be able to estimate how much?

**Supplemental Answer:** I will put that into the answer. What I will say is that the cost of the project itself over the 4 years has been pulled in with a cautious estimate. The overall estimate is that we can go much further round the savings and costs of running the Council, so the cost per transaction, as I recall it, will be a lot less than it currently is by people being able to use mobile and flexible working.

**Written Answer:** The Mobile & Flexible Working Programme will address the current inflexibility of the Council's operating model. Crucially, it will provide staff with the ability to access data electronically in a secure environment when and where required.

For our field workers and front line staff the affect and benefits would include:

- For the first time information will be able to be shared securely across the business and with its partners,

allowing field workers to resolve an increased number of customer requests at first contact, at the time and location of the customers choosing. This will improve the efficiency of front line staff and reduce the need for repeat visits.

- The ability to store and share information securely electronically, will enable inefficient paper based processes to be replaced with, efficient automated business processes and electronic document management systems. This will free up field workers time and allow them to concentrate on delivering front line customer focused services, whilst the supporting back office functions, are carried out by a new efficient and professionalised Business Support Service.
- Improved communication tools providing instant messaging in a secure environment and visibility of which colleagues and managers are working and accessible to contact, will provide more immediate support and assistance to field workers.
- Improved management information will allow managers to identify what needs doing, when, where and by whom. Providing improved workforce scheduling and programming to ensure front line staff are effectively supported to deliver the correct service to the customer in a timely manner.
- The need to visit the office in the morning to collect work and return after visiting customers to update records will be significantly reduced. Staff will have the flexibility to go straight from home to the customer location and with no requirement to return to the office to update records, as this can be carried out by staff at a time and location of their choosing. This will reduce unnecessary commuting time for staff and associated travel costs.
- The ability for field workers to work flexibly to deliver agreed outcomes, provides the opportunity to move away from a primarily 9 to 5 Monday to Friday organisation. This could benefit both staff and customers as new ways of service delivery are considered and implemented.
- A move away from presence based management to one focused on delivering agreed outcomes, will provide field workers with increased opportunities for flexibility, allowing improved life/work balance.

- Front line staff will be provided with the modern tools and support they require to perform their role with the customer efficiently. This should enhance their job satisfaction and increase locality to Harrow.
- The opportunities for flexible working should help relieve some of the stress associated with balancing and accommodating outside commitments within a working environment.

The project will enable the consolidation of out buildings on the civic campus into Civic 1. Out buildings can then be demolished and associated savings from running costs and rates will be made. The ability for staff to work flexibly will reduce the organisations floor space requirements, which will provide opportunities to lease space within Civic 1 to partner organisations and obtain a rental income.

Mobile and flexible working will inform the commercial master planning for the civic campus. As the new ways of working are embedded and mature over the life of the project, the organisations space requirements will be significantly reduced. Should a decision be made to relocate to another site, the building footprint required could be reduced by circa 40%, which would amount to a significant cost avoidance.

Improved staff productivity, reduced travel costs and business continuity resilience, will conservatively make savings of circa £10.5m over the 10 year period as per Feb Cabinet report.

The project will also assist and contribute to a range of organisation wide benefits which would ultimately make financial savings for the council

Reduced overall cost per transaction providing ability to mitigate against growth pressures.

Reduced staff turnover  
 Enhanced staff satisfaction  
 Reduced workforce stress  
 Reduced internal mail and associated cost  
 Reduced loss of productivity through casual absenteeism/  
 sickness etc.

3.

**Questioner:** Councillor William Stoodley

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

**Question:** "Please would you outline the procedures that Harrow Council has in place for explaining the full connotations to a family who have one of their members diagnosed with Dementia and placed in care, including with respect to statutory charges, finances, powers of attorney and Court of Protection issues?"

**Answer:** There are a number of technical things that we have to go through, and I will supply a written answer.

**Written Answer:** Community care assessments are carried out in partnership with the service user, family/carers to identify the person's assessed need. The service user and family are central to this assessment process. As part of the needs assessment the following procedures are fully discussed with the service user, family/carers:

- A Social worker/ Care manager discusses safeguarding the client's financial welfare with family and carers and will assess the client's capacity in relation to their ability to understand their financial circumstances incorporating medical information and the family/carer(s) views.
- The Social Worker/ Care manger will discuss with the family/carer(s), the requirement for the client to be assessed under the national policy - charging for residential accommodation guidance (CRAG). This will determine the client's financial contribution towards the cost of their care.
- Where Clients are referred as part of the assessment by the Social Worker/Care manager for Court of protection or power of attorney, information about the categories and process involved are explained to the service user, family/carers.
- Where family members exist they are always notified of Harrow Council's intention to apply to the court of the protection to act on the relatives behalf initially by the Social Worker/Care manager.
- Harrow Council includes all known relatives on their application to the court of protection. The court of

protection directs that Harrow Council sends a copy of all application papers to all parties named. Each relative listed has the opportunity to oppose Harrow Council's application.

Work is being taken forward to create a dementia specific social care post which will work across Council Reablement services and the PCT Memory Service. A key focus for this post is to provide comprehensive information and support to dementia sufferers and their family/carers following diagnosis. This new service development will contribute to the service user and family/carer's understanding of care assessment etc at an early stage.

5.

**Questioner:** Councillor Susan Hall

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

**Question:** "The Q3 Strategic Performance Report states that 611 invitations were sent out for Neighbourhood Champion training sessions in February and March. Can you confirm how many of these invitations have been taken up, and therefore how many Champions have completed training to date and how many are booked to complete training by the end of March?"

**Answer:** 160 people have taken up the invitation to attend training during February and March and to date we have trained 1,029 people.

**Supplemental Question:** Would you be prepared to make more of a personal commitment to it because it is worrying the way the numbers are dwindling? I think if somebody got hold of it and made more of a personal commitment to it, to be at all the training, etc., then we might get to the end schedule as in 2,068 for one per road. When do you envisage that you will have a Neighbourhood Champion for every single street in the Borough?

**Supplemental Answer:** I think this administration is fully committed to training Neighbourhood Champions. We have a broad breadth of Members who are involved in the membership training because I think they can bring the breadth of their experience to the Neighbourhood Champion scheme.

6.

**Questioner:** Councillor Susan Hall

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

**Question:** "You will be aware that a number of organisations are currently set to miss out on Grant funding for 2012-13. With the appeals process needing to take place before the final determinations are made, what assistance is being offered to ensure that organisations which offer important community services – such as Harrow Shopmobility, who won funding after appealing last year – have the best chance of having their appeals succeed?"

**Answer:** In being brief, I will not go into all of the details of how the Council have supported groups submitting applications in the numerous sessions we have held with many of the groups which have attended, but in terms of appeals, the Council cannot offer direct support in helping them draft a letter. There is always infrastructure of support throughout the voluntary and community sector in Harrow and the lead on that is our interim partner, CAVSA which is an Ealing organisation.

**Supplemental Question:** I must congratulate Councillor Perry. This seems to have gone a lot smoother than last year. So given that, what sort of feedback have you had regarding this and what lessons have you learnt that you will put towards the next commissioning system when that is introduced?

**Supplemental Answer:** I think what has been of benefit this time round is that we have tried to listen to the sector and some of the measures which we put in have been more open and transparent. For example, with the assessment panels of the organisations who have put in a project and a grant application, we have had independent observers from the voluntary and community sector and that has definitely built bridges. We will also be doing the same when we run our appeals process. Again, to be more transparent, we will have the observers there too. Their involvement has been very welcomed in the sector.

8.

**Questioner:** Councillor Kam Chana

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

**Question:** "Can you please provide statistics on the following?

- (a) The number of service users who have made use of the Council's day centres over the last 2 years – ideally in terms of a quarterly or monthly breakdown.
- (b) The cost to the Council of maintaining and running these centres over the same time period.
- (c) Any statistics showing how the usage of expenditure on day centres in Harrow compares with other London boroughs."

**Answer:** Yes, but I can only do it by year and you said could we break it down by quarterly.

- in 2009-10 we had 707 clients;
- in 2010-11 we had 792 clients; and
- in 2011-12 (to 1 March) we have 766 clients

and the cost to the Council of maintaining those services:

- in 2010-11 in the Neighbourhood Resource Centres they cost £1,778,000;
- the Bentley Day Centre: £425k;
- Milmans Day Centre: £402k;
- the Mental Health Day services 2011-12 budget was £1.1m

So if you add those up together and round up it is approximately £4m, the total.

The statistics showing how the usage and expenditure on day centres compares with other London boroughs:

There are a total of 2100 clients supported by the community with 682 people receive a day service and the average daily cost of day service in Harrow is £47.75 which overall is below the average cost of day care in London.

In relation to usage we have analysed the number of units provided per 10,000 of the population and this is higher than the average of 45 units per 10,000 and this is higher than the London average of 40 and makes us the fifth highest provider in the capital.

**Supplemental Question:** Would the number of care users taking advantage of personal budgets to gain more independence and make their own choices when it comes to care provision, has any work been done to map the impact of increasing

numbers of personal budgets on Day Centres and whether Day Centres can adapt their services to better attract and retain those with personal budgets?

**Supplemental Answer:** Certainly we are watching very carefully the affect on the use of the Day Care centres and you can see from the numbers that they have not gone down dramatically. We are already at 50% of people with personal budgets but of course it is up to the service user whether they choose Harrow services or not or choose to go elsewhere and we are watching that. We are not seeing a big change at the moment or even any change really but we realise that we have to watch that but at the moment Harrow services are standing up pretty well.

9.

**Questioner:** Councillor Marilyn Ashton

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

**Question:** "According to the Harrow Observer of 1<sup>st</sup> March 2012, the Council has rejected development option B for the Aylmer Lodge site. Can you confirm if this information is correct?"

**Answer:** I can confirm that the proposal for the Aylmer Lodge Site, which included a substantial supermarket and relatively few homes has indeed been rejected.

**Supplemental Question:** Would you not agree that it would have been better as an administration to do what we were going to do and that is to invite people to express their opinion and give their ideas on what it is that they would like to see on that site?

Nowadays in line with the Localism Act it is quite important to do that.

Would you not agree that what you have done and you have done it on Whitchurch Pavilion as well, is you have selected what you want, you have been led by developers and you have not really asked the people what they want?

**Supplemental Answer:** No, I do not agree.

10.

**Questioner:** Councillor Barry Macleod-Cullinane

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

**Question:** "Regarding Whitchurch Pavilion and Playing Fields, can you explain the cost/revenue benefit of leases of 99, 120 or 125 years compared with the 30-year lease that was originally offered during the tendering process?"

**Answer:** The marketing brief for the Whitchurch Playing Fields project clearly stated that the Council were offering a 30 year lease.

A number of the bidders indicated that they would require a "long lease" term of 99 years or more.

No detailed negotiations have been undertaken with the preferred bidder in respect of this matter and absolutely no decision has been made formally to extending the lease term.

The cost benefit issue is quite simple. If we cannot reach an agreement with the preferred bidder over the term of the lease; and it is important to note that the lease term is often driven by bankers providing loans; then we will not realise the superb new community sports facility on the Whitchurch Playing Field.

To put it simply, failure to reach agreement on this point will result in the loss of a substantial capital investment in much needed new, modern sports and leisure facilities.

I will explain a bit more to you Barry. When you previously gave a 125 year lease there was no cost benefit analysis done. It is very difficult to do that and I do not blame you because there is no cost associated with it. With regards to the benefit, we are not going to get a rent so it is very difficult to put numbers on this. It is the people who are going to benefit and people's enjoyment and people's happiness. It is very difficult to put a number on that. Now it is also going to depend on the planning they may get and the licensing.

If they are going to get only say, in an extreme case, they start at 11 o'clock and finish at 2 o'clock in the afternoon, this is giving them only 3 hours. They need a very, very long lease but on the other hand, if you say, okay you can open 24 hours a day and do what you want to, a short lease will be sufficient so cost benefit is very subjective and very difficult to put in number and have a graph on that.

**Supplemental Question:** When you buy a house and it is a leasehold property, a 30 year lease as opposed to a 125 year lease, you expect to pay a lot less than the 125 year lease.

If you were advertising, the Whitchurch Playing Fields at a 30 year lease, if you had actually advertised up to 125 year lease and made it clear; firstly you would have different people applying, you would have people willing to bid far more for that longer lease, therefore it would seem to be, there is no justification for your proceeding if you are saying we are now willing to turn round and quadruple the length of the lease to the bidder who came through a 30 year lease process. They have got a wonderful gain which should rightly be the Council's rather than the winning consortium. I put it to you Councillor that you have not sought Best Value for the disposal of Council property?

**Supplemental Answer:** Absolutely not. When the 30 year lease was talked about, people were talking about refurbishing the old pavilion not building brand new facilities - a number of bidders asked for a 99 year lease or a long lease.

When you are talking about the Best Value that will come out of the development control agreement which we have not even started. Now, how could you say we have not looked at it? That is what will happen after the next Cabinet meeting. Once we have started negotiations, local development control and planning issues will come. I am repeatedly telling you, despite you misleading people, that 99 years was never agreed. In fact at the last Cabinet meeting I said I do not know whether it is going to be 30, 40, 50, 60 years or 90 years. You are misleading people.

*The following questions were not reached. It was noted that written responses would be provided, which have been reproduced below:*

11.

**Questioner:** Councillor Barry Macleod-Cullinane

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

**Question:** “Can you confirm whether any Council and/or Environment Agency or other funding has or will be used to conduct any form of maintenance work regarding the prevention of flooding prior to the proposed development of the Whitchurch Pavilion and Playing Fields site?”

**Written Response:** The river, Edgware Brook, and surrounding Whitchurch Playing Fields form part of the Borough's flood defences.

The Council have therefore undertaken regular planned maintenance on the flood defence structure in Whitchurch Playing Fields for many years.

The Council are currently undertaking tree/ vegetation clearance and bank re-profiling to the watercourse to improve flood protection.

These works have no connection with the proposed Whitchurch Playing Fields development project.

12.

**Questioner:** Councillor Susan Hall

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

**Question:** "The Q3 Strategic Performance Report states that a project to turn libraries into 'Community Hubs' is waiting the outcome of a bid to the Transformation (and Priority Initiatives) Fund. Can you provide an update on how many bids for funding from this Fund have been received, as well as a departmental breakdown, their individual and total amounts, and specifics of the projects that are requesting funding?"

**Written Answer:** There have been 32 bids to the Transformation and Priority Initiatives Fund totalling £2.3m.

The analysis over Directorates is as follows:

Directorate	No of bids	£000
Adults & Housing	8	573
Chief Executive	7	563.1
Children's Services	5	560.5
Finance	3	260
Community & Environment	7	284.6
Place Shaping	2	72.4
Total	32	2,313.6

Thirteen bids totalling £1.124m have been approved for funding from the Transformation and Priority Initiatives fund, as reported in the Quarter 3 budget monitoring report presented to Cabinet on 9 February. In addition, a further 5 bids totalling £0.3126m in value have been funded through other sources you shortly. The further information you requested will be sent to you in due course.

13.

**Questioner:** Councillor Susan Hall

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

**Question:** “Can you provide an update on the progress of the Shared Legal Practice programme, as it no longer appears on the Forward Plan?”

**Written Response:** Barnet and Harrow are committed to the idea of a Shared Legal Practice, hosted by Harrow.

The Practice management team is meeting Barnet Corporate Directors next week, and the financial arrangements underpinning the project are being finalised.

We are hoping that the project will go live in the Summer, but this is dependent on both Cabinets' approval. This is later than planned, which might delay delivery of some of the efficiencies in the budget, but we remain confident that the project can deliver improved services at reduced cost as promised.

14.

**Questioner:** Councillor Barry Macleod-Cullinane

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

**Question:** “Calls to the Council's IT helpdesk are redirected to a potentially premium-rate external 0870 number. Can you confirm whether calls to this number from the Council are absorbed into the overall cost of the IT contract with Capita, charged at a lower than premium rate, or whether the Council pays the full cost of all calls to this number – in addition to the cost of the Capita contract?”

**Written Response:** The Council was responsible for call costs to the Capita Service Desk on the non-geographic 0870 number for the first 4 months of the contract. The cost of those calls amounted to approximately £300 per month. During this time Capita was expected to set up the routing so that calls were sent over the Capita network. After the four months elapsed Capita became responsible for any residual call costs and the Council has not been liable for the costs thereafter.

## **RESOLVED ITEMS**

### **385. Forward Plan 1 March - 30 June 2012**

The Leader of the Council informed Cabinet that the decision relating to 'Transformation Programme Mobile and Flexible Working – Referral by the Call-In Sub-Committee' was Key and had not been included on the March 2012 Forward Plan. The agreement of the Chairman of Overview and Scrutiny Committee had been obtained as the decision could not be reasonably deferred.

The Leader added that the decision relating to 'Wood Farm, Wood Lane, Stanmore – Pear Wood Cottages and Ten Acre Field' had not been included on the March Forward Plan and the Chairman of Overview and Scrutiny Committee had been notified that this item would be included on the 8 March Cabinet agenda for decision.

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

### **386. Progress on Scrutiny Projects**

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

### **387. Whitchurch Pavilion and Playing Fields**

**RESOLVED:** That the Motion be referred to the Corporate Director Place Shaping and the Portfolio Holder for Property and Major Contracts.

*[Call-in does not apply].*

### **388. Whitchurch Lease**

**RESOLVED:** That the Motion be referred to the Corporate Director Place Shaping and the Portfolio Holder for Property and Major Contracts.

*[Call-in does not apply].*

### **389. Petition - Admiral Nursing**

In accordance with the Council's Petition Scheme, Cabinet considered a petition referred by Council. The contained over 2000 signatures with the following terms of reference:

*"We, the undersigned, urgently request the Council of the London Borough of Harrow and NHS Harrow to reinstate the Admiral Nursing Service in Harrow. Admiral Nurses provide a unique and crucial service for Residents who have any form of Dementia, and their carers."*

Following consideration of public question 1 and Councillor question 4, including the hearing of the statement at Minutes 383 and 384, the following was agreed.

**RESOLVED:** That

- (1) Cabinet notes the petition signed by over 2000 residents which indicates the need for a proper integrated health and social care service to cope with the needs of the elderly and frail people and their carers, in particular, those with dementia;
- (2) Cabinet further notes that the Harrow Strategic Partnership has adopted a borough-wide joint Dementia Strategy and supports this joint work; the Department of Health has allocated dedicated funding to provide advice and support for memory services; the new reablement services help identify dementia sufferers earlier; Harrow is one of the top performing Councils for providing support for carers;
- (3) notwithstanding this Cabinet believes proper care of the elderly can only be solved at national level;
- (4) Cabinet therefore instructs the Chief Executive to write to Harrow's three MPs and the GLA Member for Brent and Harrow (i) informing them of the above and (ii) drawing their attention for the need for a comprehensive National Care Service and asks that they lobby for a positive outcome arising from the government's consideration of the Dilnot report in the forthcoming Social Care White Paper.

*[Call-in does not apply].*

### **390. Key Decision (Special Urgency Rule applied) - Call-In of Cabinet Decision (9 February 2012) - Transformation Programme Mobile and Flexible Working**

The Portfolio Holder for Performance, Customer Services and Corporate Services referred to the report, which set out the decision of the Call-in Sub-Committee following the consideration of the Call-in Notice in relation to the decision of Cabinet on 9 February on the Transformation Programme Mobile and Flexible Working. He added that one of the two Call-in grounds – the absence of adequate evidence on which to base a decision – was not upheld due to insufficient grounds. However, the Call-in ground of inadequate

consultation with stakeholders prior to the decision had been upheld. He agreed that whilst consultation should have taken place, he believed the way forward for Cabinet was to re-affirm its previous decision, as detailed reports on the proposals would be the subject of further discussions.

**RESOLVED:** That, having re-considered the decision of the Cabinet meeting held on 9 February 2012, as set out at Appendix 3 to the report, in relation to the Transformation Programme and Mobile and Flexible Working, as a result of the decision of the Call-in Sub-Committee, the original Cabinet decision of 9 February 2012 be confirmed.

**Reason for Decision:** In accordance with Committee Procedure Rule 46.8.3, to reconsider the decision within 10 clear working days of a referral by the Call-In Sub-Committee.

*[Call-in does not apply].*

### **391. Strategic Performance Report Q3**

The Portfolio Holder for Performance, Customer Services and Corporate Services introduced the report, which summarised Council and service performance against key measures and drew attention to areas requiring action. He was pleased to report that performance in many areas was exceptional, particularly at a time when the Council was facing many challenges. He accepted that some of the information could be better presented.

**RESOLVED:** That

- (1) Portfolio Holders continue working with officers to achieve improvement against identified key challenges;
- (2) the report be noted.

**Reason for Decision:** To note performance against key measures and to identify and assign corrective action where necessary.

### **392. Scrutiny Review - Debt Recovery Process - Response**

Cabinet received a report of the Interim Corporate Director Resources setting out a preliminary response to the recommendations of the Scrutiny Challenge Panel on the Debt Recovery Process.

The Leader of the Council welcomed the Chairman of the Challenge Panel and the Chairman of the Overview and Scrutiny Committee to the meeting and invited them to address the meeting.

The Chairman of the Challenge Panel informed Cabinet that the Panel had considered the application of the Council's debt recovery process and had examined examples of where the Council appeared to be applying its policy, in the Panel's opinion, in a manner which did not fully take account of potential distressing personal circumstances of some residents. A blanket

application of the policies could, in the Panel's view, become harmful although it was recognised that it was critical for the Council to collect the money owed to it. However, the Panel considered that there needed to be some form of encouragement in the process that would also assist residents.

The Challenge Panel had been of the view that the process of applying severe sanctions had not been carefully considered, particularly where these impacted on residents in difficult financial circumstances. Capturing residents in trouble earlier in the process was essential. The Chairman of the Panel suggested that before severe sanctions were taken, the circumstances and vulnerability of the individual ought to be examined with care, as sanctions applied would result in life time changes for the individual concerned. Additionally, there were opportunities for the Council to streamline the debt collection functions, looking to reduce cost, improve collection rates of some of the smaller collection functions.

The Chairman of the Overview and Scrutiny Committee welcomed the response report, and thanked the Chairman of the Challenge Panel for leading a robust review. He added that he also felt that the Council needed to appreciate that a number of factors could result in a non-payment situation. Furthermore, a streamlining of the debt collection function would help save money and he hoped that the recommendations of the Challenge Panel would help enhance the service and processes applied.

The Leader of the Council thanked the Members for their contributions and acknowledged that debt recovery was an emotive issue. When compared with other local authorities, Harrow Council's policy on debt recovery could not be considered to over-zealous. However, he acknowledged that early intervention in the process was critical and suggested a working group be established that could oversee this process. Moreover, it was important that the policies were applied in a reasonable, sensitive and proportionate manner. He agreed that a progress report be submitted in three months' time.

**RESOLVED:** That the responses recommended by officers be endorsed and that a further progress report be submitted in three months' time.

**Reason for Decision:** To provide an appropriate response to the Scrutiny recommendations and to improve the effectiveness of the handling of exceptional cases.

**393. Locata (Housing Services) Ltd [LHS] - Amendment to Articles of Association**

The Portfolio Holder for Housing introduced the report, which sought approval for the Council, as a member of the Locata Housing Services (LHS) Ltd, to vote to amend the existing Company Memorandum and Articles to allow, inter alia, the distribution of profits amongst members. He outlined the objectives of the LHS and it was noted that the LHS was made up of four local authorities and three Housing Associations to manage social housing lettings through an IT solution that matched housing applicants to available vacant homes. The LHS was a successful body and had given the Council access to

cutting edge technology. The Portfolio Holder commended the report to Cabinet.

**RESOLVED:** That the “Yes” Vote for changing the Locata (Housing Services) Company Memorandum and Articles be approved.

**Reason for Decision:** To allow for distribution of profits amongst the members, appointment of specialist directors to add relevant skills to the Company’s Board and simplify Director voting rights.

**394. Reablement Progress Response to Recommendations from Standing Scrutiny Review Group**

Cabinet received a report of the Divisional Director Adult Social Care setting out the responses to the recommendations from the Standing Scrutiny Review.

The Corporate Director Community, Health and Wellbeing referred to the five recommendations from the Scrutiny Review and explained that the majority of these had been taken on board. He invited the Chairman of the Scrutiny Review Group for a discussion outside of this meeting, if needed.

**RESOLVED:** That the response to the recommendations from the Standing Scrutiny Review on the Reablement Service be noted.

**Reason for Decision:** To provide an appropriate response to the Scrutiny recommendations.

*[Call-in does not apply].*

**395. Key Decision - Grant Recommendations 2012/13**

The Portfolio Holder for Community and Cultural Services introduced the report, which set out grant funding recommendations from the main Grants Programme 2012/13. The report also included the recommendations of the Grants Advisory Panel.

The Portfolio Holder for Community and Cultural Services added that a total of 78 applications had been received, which equated to requests for funding in the region of £1.5m. The Portfolio Holder was pleased to report that the amount of funding had not been reduced from the previous year and that a sum of £669,000 was available for 2012/13. He added that the process applied had been transparent and had included a full Equalities Impact Assessment. Moreover, officers had ensured that the assessments conducted had been carried out in a fair and informed manner. Additionally, external observers from the Voluntary Sector had been invited to the Assessment Panel meetings held. The feedback from the external observers had been positive and they had commended the process adopted. Furthermore, the Voluntary Sector had been well supported with workshops being offered to the applicants, including a 1-1 telephone advice service for those groups that required further support.

The Portfolio Holder informed Cabinet that in allocating grant funding, the Council wished to:

- recognise and reward excellence of application and therefore a two-tier funding was being recommended whereby the high scoring applications would receive a larger percentage of funding;
- ensure the widest possible spread across by offering a small grants fund and a large grants fund to ensure that as many organisations as possible were funded;

whilst taking into account the deliverability of projects.

The Portfolio Holder outlined examples of the administration's passion for the work carried out by the Voluntary Sector and advised that approximately 60,000 people of all ages and special requirements would benefit from the successful applications. In commending the report to Cabinet, the Portfolio Holder thanked the Divisional Director Community and Culture and her staff for their work in ensuring a successful and transparent process.

**RESOLVED:** That

- (1) £74,000 be ring-fenced from the Main Grants budget to fund the commissioning of an infrastructure support service for the Third Sector;
- (2) 37 grant applications be awarded grant funding at the levels outlined in paragraph 2.2.1 of the report, subject to:
  - (a) receipt of satisfactory references and supporting documents from applicants two weeks after notification of the grant funding decision;
  - (b) completion of the appeals procedure and any changes to the amounts awarded necessitated by decisions on appeals.
- (3) applications with a score below the threshold agreed for grant funding be placed on a reserve list.
- (4) authority be delegated to the Corporate Director Community, Health and Well-Being, in conjunction with the Portfolio Holder for Community and Cultural Services, to:
  - (i) withdraw grant offers where organisations do not comply with the conditions of grant funding as detailed in (2) above;
  - (ii) award available funds to organisations on the reserve list in order of highest scores achieved if sufficient funds become available (where scores are tied, funding will only be distributed when sufficient funding is available to fund all projects with the same score);

- (iii) vary the threshold and percentage award as appropriate in light of new information.
- (5) authority be delegated to the Portfolio Holder for Community and Cultural Services and the Divisional Director of Community and Culture to consider and determine appeals, in consultation with an Independent Adviser appointed to advise the Portfolio Holder and Director on those appeals and in the presence of an independent observer nominated from the Harrow Voluntary and Community sector; and the delegation of authority to the Divisional Director of Community and Culture, in consultation with the Portfolio Holder for Community and Culture to vary both the percentage of the grant awarded and the scoring range within which grants are allocated, in the light of decisions on appeals.

**Reason for Decision:** To award funding from the Main Grants Programme to Third Sector organisations to support them in delivering their services in 2012/13.

**396. Key Decision - Appointment of Contractor(s) to Deliver Responsive Repairs Services**

Cabinet considered a joint report of the Corporate Directors Community, Health and Wellbeing and Community and Environment, together with a confidential appendix, which set out the results of the tender process for the provision of general repair services to corporate buildings and housing stock, including an analysis of the tenders received.

The Portfolio Holder for Housing set out the process since September 2011 when Cabinet initially agreed to re-tender the repairs and maintenance service. He added that, in total, 12 bidders had expressed an interest and were invited to tender for the works and eight bids were received. Of the eight bids, four passed the quality of proposed service delivery threshold assessment which required bidders to score at least 60% overall and 60% in Customer Care. The procurement process was in compliance with the requirement of the Public Procurement law.

The Portfolio Holder thanked all those who had been involved in bringing this project to fruition, particularly the Divisional Director Housing Services and her staff and the representatives of the Tenants' and Residents' Associations whose contributions had been acknowledged in writing.

The Portfolio Holder for Property and Major Contracts was complimentary of the role played by residents whose knowledge and experience of the difficulties faced was of immense value in moving this project forward.

The Divisional Director Environmental Services drew Cabinet's attention to an additional recommendation circulated with the supplemental agenda, which would allow for the appointment of corporate works to proceed.

**RESOLVED:** That the following be approved:

- (1) the appointment of Linbrook Services Ltd and Slade (London) Ltd as contractors to the framework for the provision of Responsive Repairs Services for Housing;
- (2) the retender of the Corporate Works for responsive repairs for up to two years pending a full OJEU procurement exercise;
- (3) the relevant Corporate Director, in consultation with the relevant Portfolio Holder, be authorised to take all necessary steps to enter into an interim responsive repairs contract for corporate works on such terms as s/he shall determine.

**Reason for Decision:** The evaluation of the tenders received was conducted to arrive at the most economically advantageous bids. The Framework structure was designed to maintain a degree of competitiveness and resilience throughout the 4-year framework period. However, the lack of competitive responses for the Corporate Works meant that no clear value for money result could be demonstrated. To enable the Corporate Director to put in place the necessary interim arrangements commencing on 1 July 2012.

### **397. Key Decision - Outer London Fund Round 2 Harrow Town Centre**

Cabinet received a report of the Corporate Director Place Shaping, which set out the rationale for entering into an Agreement with the Mayor of London, acting through the Greater London Authority (GLA), to secure money from Round Two of the Outer London Fund to support Harrow Town Centre. The Portfolio Holder explained that approval was required to enter into a funding arrangement which would bring in up to £1.75m for Harrow Town Centre, and he commended the report to Cabinet.

**RESOLVED:** That

- (1) Harrow Council enter into a funding agreement with the Greater London Authority (GLA) in respect of Round Two of the Outer London Fund, in order to deliver the programme of improvements for Harrow Town Centre;
- (2) the Corporate Director Place Shaping, in consultation with the Portfolio Holder for Planning, Development and Enterprise, be authorised to enter into the funding agreement with the GLA.

**Reason for Decision:** By entering into a funding agreement with the GLA, Harrow Council will receive a sum up to £1,758,750 for Harrow Town Centre, which will be matched by £300,000 from the Council's Capital Programme. The funds provide a means to deliver the Corporate Priority of "Supporting our Town Centre, our local shopping centres and businesses", and to take forward the Core Strategy and emerging Area Action Plan for the Heart of Harrow.

**398. Key Decision - Draft Local Development Order Public Consultation Response**

The Portfolio Holder for Planning, Development and Enterprise introduced the report setting out the outcome of the public consultation exercise carried out on the Draft Local Development Order (LDO) for North Harrow District Shopping Centre. It was noted that the aim of the LDO was to encourage businesses to relocate to North Harrow in the knowledge that the process for obtaining consent for uses would be more certain.

The Portfolio Holder added that subject to Cabinet approval, and prior to adoption, the LDO would be submitted to the Secretary of State whose approval was required as he could ask for a modification of the LDO. He added that 2,000 letters had been sent to local residents and the majority of those who had replied had supported the principle of the LDO. It was intended to monitor and review the impact of the LDO, as referred to in the recommendation from the Local Development Framework Panel meeting which had met the previous evening.

**RESOLVED:** That

- (1) the Local Development Order (LDO), annexed at Appendix A to the report, be submitted to the Secretary of State for consideration;
- (2) subject to no adverse comments being received from the Secretary of State, the Portfolio Holder for Planning, Development and Enterprise be authorised to adopt the LDO for a period of three years;
- (3) it be noted that there would be monitoring and review of the Order at the end of 12 months.

**Reason for Decision:** To enable the implementation of the Local Development Order in North Harrow District Shopping Centre to support the regeneration of this important District Shopping Centre in line with the Corporate Priorities of supporting our town centres and businesses.

**399. Urgent Key Decision: Wood Farm, Wood Lane, Stanmore - Pear Wood Cottages and Ten Acre Field**

Following consideration of public questions 6-13 and 15-20, including Councillor question 7, together with the statement of the Corporate Director Place Shaping, Minutes 383 and 384 refer, Cabinet considered the substantive item on Wood Farm, Wood Lane, Stanmore - Pear Wood Cottages and Ten Acre Field, as set out below.

Cabinet received a report of Corporate Director Place Shaping, which set out amendments to the resolutions authorised by Cabinet in October 2008, in respect of Wood Farm, by additionally proposing the disposal of the former Pear Wood Cottages and the grant of a lease of the adjacent field known as Ten Acre Field. Additionally, Cabinet received an addendum to the report which was tabled at the meeting, setting out further information following engagement with representatives from Harrow Nature Conservation Forum,

subsequent to their response to the Open Space Notice, enquiries from Cabinet Members and further negotiation with the proposed purchaser. The addendum also included a revised recommendation 3, to lease approximately 7.3 acres of Ten Acre Field, and an additional recommendation 4 for consideration by Cabinet.

The Leader of the Council referred to the decision before Cabinet and acknowledged that this would be a difficult decision. The Leader outlined his ambitions and aspirations for Wood Farm, which was to open up it up to the public to enjoy, including the views across London, and that some ten years on from the Council's original consideration of the matter, there was an opportunity to do this, as there was a potential purchaser.

The Leader added that he was of the view that Pear Wood Cottages and a part of Ten Acre Field should be part of a revised commercial proposal, however, he was not supportive of the prospective purchaser leasing part of Ten Acre Field in the event that the Government Office (Secretary of State) refused to endorse the disposal of Pear Wood Cottages.

The Corporate Director Place Shaping offered to have discussions with the Harrow Nature Conservation Forum regarding nature conservation issues across the entire site.

**RESOLVED:** That in addition to the freehold disposal of the development site at Wood Farm, previously authorised by Cabinet, the Corporate Director Place Shaping, in consultation with the Portfolio Holder for Property and Major Contracts be authorised:

- (1) to consider and determine any objection to the disposals, arising from the Statutory Open Space Advertising;
- (2) subject to (1) above, dispose of the Council's freehold interest in Pear Wood Cottages; and
- (3) subject to (1) above, enter into a 35 year fixed term lease of approximately 7.3 acres of Ten Acre Field, as shown on the plan attached to the addendum tabled at the meeting;

in each case for the best consideration reasonably obtainable.

**Reason for Decision:** To secure public access to a significant area of Green Belt land to be incorporated into an enlarged Stanmore Country Park and receive a substantial capital receipt budgeted within the Medium Term Finance Strategy (MTFS) for 2011/2012.

*[Call-in does not apply].*

#### **400. Termination of Meeting**

In accordance with the provisions of Executive Procedure Rule 9.2 (Part 4B of the Constitution) it was

**RESOLVED:** At 9.50 pm to continue until 10.30 pm or earlier upon the conclusion of business.

#### **401. Exclusion of Public and Press**

**RESOLVED:** That, in accordance with Part I of Schedule 12A to the Local Government Act 1972, the press and public be excluded from the meeting for the following item for the reason set out below:

<u>Item</u>	<u>Title</u>	<u>Reason</u>
21	Appointment of Contractor(s) to Deliver Responsive Repairs	Paragraph 3, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

#### **402. Key Decision - Appointment of Contractor(s) to Deliver Responsive Repairs Services**

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

**Reason for Decision:** To allow the appendix to be considered in conjunction with the main report at agenda item 15.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.21 pm).

(Signed) COUNCILLOR BILL STEPHENSON  
Chairman