

# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 12 JUNE 2012

<b>Chairman:</b>	* Councillor Jerry Miles	
<b>Councillors:</b>	* Sue Anderson * Ann Gate * Krishna James Zarina Khalid	* Barry Macleod-Cullinane * Chris Mote (1) * Paul Osborn * Stephen Wright
<b>Voting Co-opted:</b>	(Voluntary Aided) † Mrs J Rammelt Reverend P Reece	(Parent Governors) Mrs A Khan
<b>In attendance: (Councillors)</b>	Christine Bednell Keith Ferry	Minute 280 Minute 279

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

### 274. Attendance by Reserve Members

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

Ordinary Member

Councillor Kam Chana

Reserve Member

Councillor Chris Mote

## 275. Declarations of Interest

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

### Agenda Item 8 – Development Plan Documents (DPD)

Councillor Sue Anderson declared a personal interest in that she lived and worked in Greenhill ward that was part of the Area Action Plan. She would remain in the room whilst this matter was considered and voted upon.

Councillor Paul Osborn declared a personal interest in that one of the site allocations in the Pre-submission Site Allocations DPD was the Harrow West Conservative building, 10 Village Way. He also declared a personal interest in relation to the tabled Area Action Plan document as he lived in Vaughan Road. He would remain in the room whilst these matters were considered and voted upon unless his interests became prejudicial and he would then leave.

Councillor Barry Macleod-Cullinane declared personal interests in that one of the site allocations in the Pre-submission Site Allocations DPD was the Harrow West Conservative building, 10 Village Way, he lived on the edge of Harrow on the Hill and his mother lived in the centre of an area referred to in agenda item 8b. He would remain in the room whilst the matter was considered and voted upon unless his interest became prejudicial and he would then leave.

Councillor Chris Mote declared personal interests in that one of the site allocations in the Pre-submission Site Allocations DPD was the Harrow West Conservative building, 10 Village Way, and as his garden backed on to the River Pinn (Site BD16). He would remain in the room whilst these matters were considered and voted upon unless his interests became prejudicial and he would then leave.

Councillor Stephen Wright declared personal interests in that one of the site allocations in the Pre-submission Site Allocations DPD was the Harrow West Conservative building, 10 Village Way, and his property bordered Pinner Hill Golf Club. He would remain in the room whilst the matter was considered and voted upon unless his interests became prejudicial and he would then leave.

### Agenda Item 9 – Safeguarding Review Report

Councillor Sue Anderson declared a personal interest in that she was employed by NHS Harrow, was involved in work with Central and North West London Hospitals Trust (CNWL) and had a family member in receipt of services from CNWL. She would remain in the room whilst the matter was considered and voted upon unless her interest became prejudicial and she would then leave.

Councillor Ann Gate declared a personal interest in that she was employed by the NHS. She would remain in the room whilst the matter was considered and voted upon unless her interest became prejudicial and she would then leave.

Councillor Chris Mote declared a personal interest in that his daughter was employed by the NHS in paediatrics. He would remain in the room whilst

the matter was considered and voted upon unless his interest became prejudicial and he would then leave.

#### **276. Minutes**

The Committee agreed to receive the minutes of the meeting held on 30 May 2012, which had been tabled and had not been available at the time the agenda had been printed and circulated due to the proximity of the meetings as a matter of urgency.

**RESOLVED:** That the minutes of the meeting held on 30 May 2012, be taken as read and signed as a correct record.

#### **277. Public Questions, Petitions, Deputations**

**RESOLVED:** To note that no public questions, petitions or deputations were received at the meeting under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B of the Council's Constitution).

#### **278. References from Council/Cabinet**

There were no references.

### **RESOLVED ITEMS**

#### **279. Development Plan Documents (DPD)**

- (a) Harrow and Wealdstone Area Action Plan: Pre-Submission Consultation Document:

The Committee received a report of the Corporate Director of Place Shaping which summarised the comments made to consultation on the Preferred Option document in January 2012 and the changes that had been made to prepare it for pre-submission consultation and submission to the Planning Inspectorate for Examination in Public. Officers tabled the Area Action Plan Pre-Submission Development Plan Document (DPD) which had previously been emailed to Members in advance of the meeting. Members agreed to consider the tabled document as a matter of urgency in order to receive the most up to date version.

The Chair welcomed the Portfolio Holder for Planning and Regeneration to the meeting. An officer, in detailing the content of the report, advised that his team were now focused on completing the suite of DPDs. Officers had considered the responses received to the AAP preferred consultation and determined their validity. He added that the next round of consultation was a formal stage.

A Member queried the role of the committee in the process and whether, as a result of Members comments, the report could be amended. Members were advised that their consideration was part of

the formal process. The Portfolio Holder added that any guidance the Committee could offer prior to the document's consideration by Cabinet would be welcomed. The Local Development Framework Panel had considered the report the previous evening and their comments, together with any expressed by the Committee would be submitted to Cabinet on 20 June 2012.

Referring to Policy 6 (Areas of Special Character), a Member sought reassurance that sufficient protection was in place to ensure that views/sight lines were not obstructed by tall buildings. An officer advised that there had been substantial revisions to this policy and stated that work had been done with East architects. Two definitions had been included in the policy, that is, tall (over 10 storey) and taller (dependent on the local area and responsive to the local context) buildings. Tall buildings would not provide housing and would be landmark properties which would restrict where they would be located and the form they could take. He confirmed that the policy would prevent the construction of buildings such as Neptune Point in the future as the surrounding context would be the starting point for building height. The Dandara site did, however, include a tall building up to 18 storey following a ruling by the Secretary of State.

**RESOLVED:** That the Committee's comments on the pre-submission version of the Harrow and Wealdstone Area Action Plan be forwarded to Cabinet for consideration at its meeting on 20 June 2012.

(b) Pre-Submission Development Management Policies:

The Committee received a report of the Corporate Director of Place Shaping which summarised the changes that had been made to the Development Management Policies Development Plan Document (DPD) to prepare it for pre-submission consultation and submission to the Planning Inspectorate for Examination in Public. An officer outlined the content of the report, detailing how the DPD's preparation responded to the consultation in 2011 and reminded Members that the preferred options consultation had been undertaken in May/June 2011. Members then asked a series of questions and made comments as follows:

- With particular reference to the policy on secure residential accommodation, a Member expressed concern that the policies were unclear and that he could only see mention of policy 37 (residential accommodation) in the document. He stated that policies needed to be robust and that there appeared to be a limited number of planning reasons on which to refuse an application and indicated that he would take a specific issue up with officers outside of the meeting.

An officer responded that the approach taken was to deal with impacts. He added that policy 38 covered large houses and multiple occupation hostels but much would in fact be dealt with under policy 1.

- In terms of shopping frontages, a Member questioned how the policy to limit the proportion of non retail activity in the primary frontage within each district centre to 25% of that frontage could be enforced. He referred to Starbucks in Pinner which, in his view, undermined the credibility of the policy and also affected the perception of residents. Officers responded that the planning system had changed recently and that there would be a plan led approach. The policy position was clear and any application decisions based on it would be upheld by the Planning Inspectorate.
- A Member questioned how the Housing Strategy related to this document and was advised that the Core Strategy set out the strategic approach whilst the DPD set out the criteria base. The process for updating the Housing Strategy was simpler than that for updating the DPD if immediate changes were required.
- In response to a Member's comments in relation to rain canopies in that the document appeared to contradict what had been stated at another meeting that day, the Portfolio Holder clarified that he would like St Ann's, as the freeholder in the town centre to replace the unattractive and non uniform canopies with canopies more aesthetically pleasing.
- A Member welcomed the commentary about local amenity in the context of open space stating that it raised questions in relation to Whitchurch Pavilion.

**RESOLVED:** That the report be noted and the Committee's comments on the pre-submission version of the Development Management DPD be forwarded to Cabinet for consideration at its meeting on 20 June 2012.

(c) Pre Submission Site Allocations DPD:

The Committee received a report of the Corporate Director of Place Shaping which summarised the changes that had been made to the Site Allocations Development Plan Document (DPD) to prepare it for pre-submission consultation and submission to the Planning Inspectorate for Examination in Public.

An officer outlined the content of the report and explained how its preparation had responded to last year's consultation and the adoption of Harrow's Core Strategy in February 2012. He advised that the document had been prepared from a range of sources and he also reported details of the housing capacity figures for retail, employment, previously developed, green belt and other sites. He reported that the 3,610 homes would meet and exceed the Core Strategy target for the parts of the Borough outside of the Intensification Area.

Having considered the report, Members made comments and asked questions as follows:

- A Member stated that site H4: 205-209 Northolt Road, South Harrow was not in Roxeth Ward. Members expressed concern at the condition of this site and were advised that there was currently no interest from developers. The officer advised that sometimes developers/ land owners land banked in order to wait for an improvement in the market or land was owned by overseas investors. Those sites that were causing problems such as this one, could be dealt with by enforcement or, as suggested by a Member and in accordance with the Core Strategy, by compulsory purchase order.
- A Member questioned the appropriateness and level of retail development on site R1, land between High Street and Love Lane, Pinner, and expressed surprise that no consultation response had been received from the Pinner Association. An officer confirmed that this had been included in the pre-submission DPD in response to the NPPF and Harrow's Retail Study as a site appropriate for retail development. He also advised that the Retail Study had been carried out by specialist consultants who had been employed to look at development possibilities. Not all retail sites had been included in the preferred options document and the officer re-affirmed that the document before Members was for consultation. Another Member stated that consultants needed to visit the sites rather than merely look at aerial photographs on the internet.
- The inclusion of the road behind the shops in Pinner for the purposes of consultation was questioned as it was also used for deliveries to Marks and Spencer. A Member advised that traffic officers were unclear as to who was responsible for the maintenance of the road. The Portfolio Holder undertook to consider further the inclusion of this site.
- Site BD 16 should refer to Eastcote Road rather than Eastcote Lane. Roxeth Library (Site R5) was not in Roxeth Ward.
- A Member sought clarification on the Whitchurch Playing Fields site in that the Cabinet report for the 20 June meeting indicated that there was a proposal that a caretaker live on the site which appeared to be at odds with the DPD. In addition, the Cabinet report stated that there would be an indoor facility whilst the DPD stated that it would be suitable for community outdoor sports use only. The Portfolio Holder responded that, to his knowledge, there was no plan for a bungalow on the site and in terms of sports facilities, there were rooms available. These were the current proposals from the Whitchurch Consortium.

- Referring to paragraph 31 of the officer report a Member indicated that she would be concerned if there were to be further development in the Harrow School area. An officer advised that it had been suggested to the school that they include community use of their facilities in their 20 year plan rather than continuing with ad hoc applications. If the school upgraded their facilities and the Council secured community use, a premier facility would become available.

Following the questioning and responses individual Members requested meetings with officers to discuss site R1 and the proposals for Harrow School.

**RESOLVED:** That the report be noted and the Committee's comments on the pre-submission version of the Site Allocations DPD be forwarded to Cabinet for consideration at its meeting on 20 June 2012.

(d) Revised Local Development Scheme:

The Committee received a report of the Corporate Director of Place Shaping which set out the revised content and timetable for the Local Development Framework (LDF) documents that the Council was intending to prepare over the coming years. The revised Local Development Scheme (LDS) was intended to replace the current outdated LDS.

A Member suggested that there be discussions as to the appropriateness of such reports being submitted to the Overview and Scrutiny Committee. He added that there was a need to understand what changes, if any, the Committee could make.

**RESOLVED:** That the revised Local Development Scheme, attached at Appendix A to the report of the Corporate Director of Place Shaping, be noted.

(e) Revised Proposed West London Waste Plan: Pre-Submission Consultation Document:

The Committee received a report of the Corporate Director of Place Shaping which followed on from a previous report submitted to the Committee which had considered and recommended that Cabinet approve the West London Waste Plan: Pre-Submission Consultation document subject to amendments. The report advised that, following discussions with partner boroughs, agreement was sought to a revised site designation to Harrow's Depot site that would overcome the Council's concerns in relation to the policy wording of the draft Plan.

Members welcomed the ownership of the land and expressed the view that the Council dealt with waste more efficiently than other boroughs.

**RESOLVED:** That

- (1) the revised West London Waste Plan: Pre-submission Consultation Document attached at Appendix A to the report of the Corporate Director of Place Shaping, including the revision to the Harrow Council depot site designation, be noted.
- (2) to note that the revised West London Waste Plan: Pre-submission Consultation Document would be recommended to Cabinet and Full Council for an eight week period of public consultation.

## **280. Safeguarding Review Report**

The Chair welcomed the Chair of the Review Group, Councillor Christine Bednell, to the meeting. The Committee agreed to receive the report which set out the interim findings from the scrutiny review looking into children's safeguarding arrangements as a matter of urgency as it had not been available at the time the agenda had been printed and circulated due to the review group having met with partners on 28 May 2012.

The Chair of the Review Group stated that the results of the Ofsted inspection were not yet available to report and that report of the Review Group was work in progress. There had, however, been discussions with NHS Harrow.

In considering the report, Members made comments and asked questions as follows:

- Concern was expressed about the potential merger with Ealing Hospital and the implications for Harrow. Particular mention was made of the need to increase the number of beds from 21 to 25.
- There were still no parents' rooms available.
- A Member sought clarification as to whether any of the recommendations following the NHS London Safeguarding Children Improvement Team visit in October 2010 had been implemented and was advised that some improvements had been made.
- A Member indicated that there appeared to be a typographical error on page 12 in the paragraph relating to mental health.
- In relation to paediatric therapies, Members requested that clarification be provided as to what the Harrow case (1996) related to.
- The Chair of the Review Group clarified that the Occupational Therapy service had seen an increase in demand from school aged children with Autistic Spectrum Disorder (ASD).
- Members commented that a glossary would be helpful.



- An officer clarified that it was expected that a report on the Ofsted inspection would be submitted to the Committee at their 18 July meeting if it was available.

The Chair thanked the Chair of the Review Group for her attendance and responses.

**RESOLVED:** That the proposed next steps be approved and that the review group consider the outcomes of the recent Ofsted inspection and re-align the scope for the review in light of this.

## **281. Scrutiny Work Programme Update**

Members received a report which provided an update on the progress on the 2011/12 work programme.

A Member commented that whilst he was content that the challenge panel on Modernising Terms and Conditions had been cancelled he would still wish to have the opportunity to question officers and seek explanations for the proposals after the consultation period.

In relation to the Standing Review of the Budget and the fieldwork visits a Member commented that it would be helpful to have representatives from both Groups attending.

**RESOLVED:** That the action being taken be approved and the cancellation of the Modernising Terms and Conditions challenge panel be noted.

## **282. MOTION TO EXCLUDE THE PRESS AND PUBLIC**

**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>
12.	Strategic Future of Leisure and Libraries Provision - Outcomes	Information under paragraph 3 (contains information relating to the financial or business affairs of any particular person (including the authority holding that information)).

## **283. Strategic Future of Leisure and Libraries Provision - Outcomes**

The Committee received a confidential verbal update from the Divisional Director of Community and Culture on the work conducted so far for the potential commissioning of library and leisure management services in partnership with Brent (leisure) and Ealing (libraries and leisure). The Divisional Director advised that due to the dates of this Committee and

Cabinet, her formal report had not been available to circulate for this meeting, however, the public Cabinet report for 20 June had been published that day. The Divisional Director alerted Members that, if Cabinet gave approval for the proposals to go to tender, a further report would be submitted to Cabinet with the outcome and recommendations in December.

Following the Divisional Director's update, Members asked questions and made comments as which included:

- Clarification on the vision for libraries in Harrow was required. There was a need to be clear as to what was required from a service and it may be cheaper to use vouchers than to provide a library service. The Divisional Director advised that there was a detailed draft specification, a clear vision and that the development of libraries as a community hub was key. Libraries were being modernised and the Council was looking at innovation, deliverability and sustainability. There was a statutory obligation to have a library service.
- A Member questioned the driving force behind the change and was advised that there was a need to make efficiencies – the Medium Term Financial Strategy set a savings target of £200,000. There could be difficult choices for Members but the current proposals were an interesting and innovative way to develop the service.
- In response to a question about whether there would be any further reductions in the levels of staffing in libraries, Members were advised that this would be a matter for the contractor if the service were commissioned and staff were TUPE'd across but that it would remain the Council's, rather than the contractor's, responsibility to make strategic decisions such as whether to keep libraries open or whether to refurbish its library buildings.
- A Member indicated that he had significant concerns about the proposals and stated that, in his view, there was a lack of detail. He questioned the level of flexibility to be included in the tender and the role of scrutiny and Members in the invitation to tender process. There did not appear to have been consultation with Members. The Divisional Director advised that the specifications were available and that Portfolio Holders had been briefed and given a full set of the draft specifications and draft contract.
- The results of the Let's Talk consultation had indicated that residents did not want the libraries to be outsourced to anyone other than the Council. The Divisional Director acknowledged this but advised that the proposal was that the management of the libraries be commissioned but that the Council would retain sovereignty over its library service and would continue to drive the strategic vision for the service. The alternatives, given the current financial imperatives, could be even more unpalatable for Members and residents.

- Cabinet needed all the relevant information in order to come to a decision, including evidence. The Divisional Director advised that background documents were available to view in the Members' Library.

Members expressed concern at the method of consultation and suggested that there be a challenge panel to review the specifications prior to going out to tender in order to engage Members in the process.

The Chair thanked the Divisional Director for her attendance and responses and it was

**RESOLVED:** That

- (1) a scrutiny challenge panel be established to consider the contract specifications in July;
- (2) the comments be forwarded to Cabinet for consideration.

(The meeting, having commenced at 7.35 pm, closed at 9.55 pm).

(Signed) COUNCILLOR JERRY MILES  
Chairman