

CABINET

4 APRIL 2012

DECISIONS NOTICE

(PUBLISHED ON THURSDAY 5 APRIL 2012)

Set out below is a summary of the decisions taken on the substantive items at the meeting of the Cabinet held on Wednesday 4 April 2012. These decisions will be implemented on the expiry of 5 clear working days, unless there is a call-in of any of the decisions (for details on how to do this, please contact Alison Atherton, Senior Professional, Democratic Services on 020 8424 1266 or by email alison.atherton@harrow.gov.uk) in which case any such decision may not be implemented until the resolution of the call-in process. If no request for call-in is received by 5.00 pm on Monday 16 April 2012 then the decisions will be implemented.

If you have any queries about any matters referred to in this decision sheet please contact Daksha Ghelani, Senior Democratic Services Officer on 020 8424 1881 or by email daksha.ghelani@harrow.gov.uk.

9 2012/13 Council Statement of Risk Appetite

RESOLVED: That

- (1) the Corporate Governance Framework be noted;
- (2) the 2012/13 Council Statement of Risk Appetite, as set out in the appendix to the report, be approved.

Reason for Decision: To ensure the Council complies with the UK Corporate Governance Code 2010, as reviewed by the Financial Reporting Council (FRC) and specifically Section C - Accountability, wherein the Cabinet was responsible, on an annual basis, for “determining the nature and the extent of the significant risks it was willing to take in achieving its strategic objectives”. The annual statement of risk appetite fulfils this requirement.

10 Shared Legal Practice

RESOLVED: That

- (1) the establishment of a Shared Legal Practice with the London Borough of Barnet to start on 2 July 2012 be approved, subject to the approval of London Borough of Barnet's Cabinet Resources Committee;
- (2) a delegation from the London Borough of Barnet of its legal function, under Section 101 of the Local Government Act 1972, be accepted;
- (3) the Director of Legal and Governance Services, in consultation with the Portfolio Holder for Performance, Customer Services and Corporate Services, be authorised to:
 - agree the terms of and execute an Inter-Authority Agreement which reflected the principles outlined in the report;
 - implement a Shared Legal Practice in accordance with that Agreement.

Reason for Decision: To allow the development of a resilient and cost effective legal practice, which can provide improved support to both Councils at a reduced cost.

11 Corporate Equality Objectives and Equality of Opportunity Policy

RESOLVED: That

- (1) the progress made against the Single Equalities Scheme (SES) Action Plan, at appendix 1 to the report, be noted;
- (2) the proposed Equality Objectives, at appendix 2 to the report, be agreed;
- (3) the proposed Equality of Opportunity Policy, at appendix 3 to the report, be agreed;
- (4) progress on equalities be monitored through the Council's Improvement Boards.

Reason for Decision: To ensure equalities were key to service development and decision making, services were fair and equitable, improve services, increase customer satisfaction and comply with the Council's obligations under the Equalities legislation and the Public Sector Equality Duty.

12 Primary School Expansion Programme

RESOLVED: That

- (1) the outcomes of the statutory consultations on Proposals for Primary School Expansions be noted;

- (2) the publication of Statutory Notices to expand permanently the following schools be agreed:

Camrose Primary School with Nursery
Cedars Manor School
Glebe Primary School
Marlborough Primary School
Pinner Park Infant and Nursery School
Pinner Park Junior School
Stanburn First School
Stanburn Junior School
Vaughan Primary School;

- (3) a report on the Special School/SEN Placements Strategy, with a series of options for consultation, be submitted to July Cabinet.

Reason for Decision: To enable the Council to fulfill its statutory duties to provide sufficient school places in its area.

13 Determination of Community School Admission Arrangements - Academic Year 2013/14

RESOLVED: That, having taken into account the recommendations of Harrow Admissions Forum, the following admission arrangements be applied to Harrow Community Primary and High Schools for the 2013/14 academic year:

- (1) admission arrangements Part A–G be determined without any further changes to the proposed arrangements and schemes other than the following:

1.i Use the new definition for ‘looked after children’ as required by the School Admissions Code and reword the first criterion in the oversubscription to:

A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order. A looked after child is a child who is

(a) in the care of a local authority, or

(b) being provided with accommodation by a local authority in the exercise of their social services functions (as defined in Section 22(1) of the Children Act 1989).

An adoption order is an order under Section 46 of the Adoption and Children Act 2002. A ‘residence order’ is an order settling the arrangements to be made as to the person with whom the

child is to live under Section 8 of the Children Act 1989. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

- (2) the wording on shared responsibility in the definition of "home address" be changed to:

'Where a child lives with parents with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. If a child's residence is split equally between both parents, then parents will be asked to determine which residential address should be used for the purpose of admission to school. If no joint declaration is received where the residence is split equally by the closing date for applications, the home address will be taken as the address of the parent who receives child benefit. In cases where parents are not eligible for child benefit the address will be that of the parents where the child is registered with the doctor. If the residence is not split equally between both parents then the address used will be the address where the child spends the majority of the school week.'

- (3) the work undertaken by officers in relation to the Fair Access Protocol, as detailed in paragraph 13 of the report, be noted.

Reason for Decision: There is a statutory requirement under the School Standards and Framework Act 1998 for admission authorities to determine admission arrangements by 15 April in the determination year.

14 Street Lighting Policy

RESOLVED: That

- (1) the results of the public consultation be noted;
- (2) Options 1 and 3 be adopted for implementation;
- (3) the new Street Lighting Policy be adopted and noted this would be introduced progressively, subject to funding;
- (4) it be noted that concrete columns would be replaced through the Capital Programme over the next 4 years.

Reason for Decision: Harrow signed up to the Climate Change Strategy which required it to reduce the carbon footprint and energy consumption. Street lighting accounts for 25% of the Council's electricity consumption and 12% of its carbon emissions. The continued application of the existing policy on lighting levels and technology would lead to a significant increase in this consumption as old lighting stock gets replaced. It was proposed to introduce a new policy

reflecting commitments to reduce the impact of climate change by new approaches to lighting levels, embracing the new technology available.

15 Award of Gas Servicing and Repair Contracts

RESOLVED: That

- (1) the Domestic Gas Heating Contract be awarded to Quality Heating Systems, with any final contractual matters delegated to the Corporate Director Community, Health and Wellbeing, in consultation with the Portfolio Holder for Housing;
- (2) the Commercial Gas Heating Systems Contract be awarded to T Brown Ltd, with any final contractual matters delegated to the Divisional Director Environmental Services, in consultation with the Portfolio Holders for Property and Major Contracts and Housing;
- (3) once the Contracts have commenced, they be monitored quarterly (including customer scrutiny), the results of which be reported to the relevant Council Improvement Board and Tenants', Leaseholders' and Residents' Consultative Forum (TLRCF).

Reason for Decision: To ensure appointment of contractors offering to meet the quality requirements and those that have provided the best prices.

16 Planning Enforcement Policy

RESOLVED: That

- (1) the Planning Enforcement Policy be adopted;
- (2) the Divisional Director Planning Services, in consultation with the Portfolio Holder for Planning, Development and Enterprise, be authorised to agree any minor amendments to the Policy to enable its preparation and publication.

Reason for Decision: To enable the implementation of the Planning Enforcement Policy for the purposes of Planning Enforcement in line with the Corporate Priorities of 'supporting our Town Centre, our local shopping centres and businesses' and 'keeping neighbourhoods clean, green and safe'.

19 Award of Gas Servicing and Repair Contracts

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 9.06 pm).