

## Minutes

### COUNCIL

6 September 2012

Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge UB8 1UW



HILLINGDON  
LONDON

Councillor Michael Markham (Mayor)  
Councillor Allan Kauffman (Deputy Mayor)

	<p><b>MEMBERS PRESENT:</b></p> <p>Councillors: David Allam Jazz Dhillon John Major Lynne Allen Janet Duncan Carol Melvin Bruce Baker Beulah East Douglas Mills Tim Barker Neil Fyfe Richard Mills Richard Barnes Janet Gardner John Morgan Josephine Barrett Sid Garg June Nelson David Benson Roshan Ghei Susan O'Brien Jonathan Bianco Dominic Gilham Mary O'Connor Lindsay Bliss Raymond Graham David Payne Sukhpal Brar Paul Harmsworth Ray Puddifoot Wayne Bridges Shirley Harper-O'Neill Andrew Retter Mike Bull John Hensley John Riley Keith Burrows Henry Higgins David Routledge Paul Buttivant Patricia Jackson Avtar Sandhu George Cooper Phoday Jarjussey Robin Sansarpuri Judith Cooper Sandra Jenkins Scott Seaman-Digby Philip Corthorne Judy Kelly David Simmonds Brian Crowe Peter Kemp Brian Stead Peter Curling Kuldeep Lakhmana Michael White Catherine Dann Eddie Lavery David Yarrow</p>
	<p><b>OFFICERS PRESENT:</b> Hugh Dunnachie, Fran Beasley, Jean Palmer, Linda Sanders, Paul Whaymand, Raj Alagh, John Seekings, Mark Braddock, Trevor Langworth, Lloyd White and Nikki O'Halloran.</p>
20.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillors Khursheed, Lewis and MacDonald.</p>
21.	<p><b>MINUTES</b> (<i>Agenda Item 2</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 5 July 2012 be agreed as a correct record.</p>
22.	<p><b>MAYOR'S ANNOUNCEMENTS</b> (<i>Agenda Item 4</i>)</p> <p>The Mayor advised that he would be writing to Councillor Khursheed and his family on behalf of the Council to wish him a speedy recovery following a recent illness.</p>

The Mayor invited the Leader of the Council to make a statement. The Leader noted that Great Britain's Olympic and Paralympic teams' achievements over the last few weeks had been incredible. He congratulated Natasha Baker from Cowley on winning two equestrian Paralympic gold medals which was a remarkable and inspirational achievement. The Leader advised that he had written to Natasha to invite her to accept the Freedom of the Borough.

23. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 5*)

Councillor Puddifoot noted that, at the Annual Council meeting in May 2012, he had advised that changes were needed to the directorate structure, Cabinet portfolios and the committee structure. These changes would be formulated over the next few weeks and reported to Council in November 2012.

Councillor Puddifoot moved the recommendations as set out on the Order of Business. This was seconded by Councillor Simmonds and:

**RESOLVED: That:**

- (i) **the Urgency decisions detailed in the report be noted.**
- (ii) **the Cabinet Member for Education and Children's Services, through the Cabinet Member decision making process, be designated if a Councillor (present or within the past four years) or officer seeks authorisation to be appointed to the office of Director or Governor at an Academy.**
- (iii) **the following delegation be approved:**

*In respect of a Council capital project or revenue service, where an emergency or exceptionally urgent situation arises in relation to a commercial contract where:*

- a) *The Leader and Chief Executive agree the urgency;*
- b) *There is no Cabinet meeting imminent;*
- c) *Any delay would seriously jeopardise the Council's finances or its ability to deliver services and;*
- d) *A previous executive decision has been made or proposed in respect of the capital project or service provision concerned,*

*authority is granted to the Chief Executive, subject to the written agreement of the Leader of the Council, to incur expenditure and make any new and necessary contractual decisions in order to secure the successful delivery of the project or service.*

*In such instances, the Council's Procurement and Contract Standing Orders can be waived. Any decisions taken must be reported to a subsequent Cabinet meeting for formal ratification.*

This delegation will be added to Part 3 – Officer Scheme of Delegations.

- (iv) **the change to the Standing Orders and related sections of the Council's Constitution, as set out below, be approved:**

The Procurement and Contract Standing Orders be amended so that approval to

accept tenders is as follows:

£0 – 9,999	Approved Officer
£10,000 - £49,999	Approved Officer with informal written acceptance from relevant Cabinet Member and <del>Cabinet member for Co-ordination &amp; Central Services</del>
£50,000 – 249,999	Formal decision by the relevant Cabinet Member and <del>Cabinet Member for Co-ordination &amp; Central Services or</del> the Leader of the Council
£250,000 or greater	Formal decision by the Cabinet

This change will be amended in the relevant sections of the Procurement and Contract Standing Orders and other related sections of the Council's Constitution.

- (v) **the Head of Democratic Services and Borough Solicitor, in consultation with the Leader of the Council:**
- a. **be authorised to make appropriate amendments to the Council Constitution to reflect the implementation of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012; and**
  - b. **brief Members and officers on the new procedures to be put in place.**

24. **AUDIT COMMITTEE ANNUAL REPORT 2011/12** (*Agenda Item 6*)

Councillor Bianco moved the recommendation. This was seconded by Councillor Puddifoot and, following debate (Councillor Curling), it was:

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

25. **MEMBERS' QUESTIONS** (*Agenda Item 7*)

**7.1 QUESTION SUBMITTED BY COUNCILLOR O'CONNOR TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS & COMMUNITY SAFETY – COUNCILLOR D MILLS**

“I understand that the Crossrail design for Hayes & Harlington Station is at a critical point and that over the next few months decisions will be made by Crossrail as to the exact design for the future Hayes & Harlington Station. Given the significance of the design work and the impact it will have on Hayes Town Centre and adjoining redevelopments under construction by third parties, would the Cabinet Member inform me how this very important matter is being dealt with by the Council?”

Councillor D Mills responded that the Council recognised the importance of Hayes & Harlington Station to the future development of the area. It was clear that the Station needed to be a quality landmark and major gateway to Hayes and that this work was an ideal opportunity to restore pride in the area whilst also bringing disused buildings back into use. The Council was already in discussions with developers and that it was anticipated that 50% more jobs would be created than would otherwise have been possible.

Councillor Mills stated that the Council's previous GLA Member had made significant

representations on behalf of Hayes and had secured a visit from the Mayor of London in April 2012. Following this visit, Network Rail had commissioned consultants to speak to the Council with regard to the inclusion of the Station in the Crossrail plans. Councillor Mills noted that there had not been any support forthcoming from Hillingdon's current GLA representative on this matter since the May elections.

Councillor O'Connor, by way of a supplementary question, asked whether the Council had considered any further improvements to Hayes Town Centre.

Councillor Mills advised that the Council had submitted a bid to TfL in relation to public realm improvements for Hayes. TfL had encouraged the Council (as well as other authorities) to submit a bid for funding following discussions about the authority's vision for Hayes. A successful bid would mean that, by the end of 2012, the Council could have several million pounds to use on improvements in Hayes, on top of the funding that had already been secured from the Mayor of London in February 2012. Councillor Mills believed that this work demonstrated that Hayes was seen by the Council, the Mayor of London and TfL as being a major regeneration project.

## **7.2 QUESTION SUBMITTED BY COUNCILLOR GARDNER TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION & RECYCLING – COUNCILLOR BURROWS**

“Considering

1. that the strategy in the Hillingdon Local Plan reflects the Council's intention that the higher density residential development will continue to take place in the south of the Borough; and
2. that the recent inspector's report mentions an annual need to provide well over 2000 affordable homes in the Borough,

Can the Cabinet Member please tell the Council how many of these affordable homes are expected to be built north of the A40 and how many to the south?”

Councillor Burrows responded that the recent Inspector's report not only noted the Borough-wide Housing Market Assessment in 2009, which identified a need to provide 2,063 affordable homes per annum, but also went on to state: “This is of course well above the overall housing target but not an unusual situation when there is such a deficiency in affordable housing supply in London as well as nationally”.

The London Plan had set a target of 425 new affordable homes being provided annually in Hillingdon. The number of those homes that would be built would depend on the availability of suitable sites and whether it was economically viable for private developers to provide affordable housing as part of their schemes.

The Hillingdon Local Plan set a target that 35% of all new homes should be provided as affordable housing. This approach was supported by the Inspector as it was based on detailed background research carried out for the Plan and complied with policy on affordable housing provision across London as a whole, something within which the Council had to comply.

Between 2011 and 2021, the Hillingdon Local Plan identified a total of 3,097 new homes which could be delivered from large sites (i.e., those over 0.25 hectares in size). Of this total, 863 homes would be built to the north of the A40 and 2,234 homes

to the south. The resulting numbers of affordable homes which were expected to be built was 305 to the north of the A40 and 782 to the south – this was as a result of the location of suitable sites for development.

Councillor Gardner, by way of a supplementary question, asked how the Council would ensure that the infrastructure would be in place to support the needs of these additional residents (e.g., in relation to health, education, leisure).

Councillor Burrows assured Councillor Gardner that the Council had worked hard to ensure that there were adequate school places throughout the Borough for every child and that work would continue to ensure that the services available to new residents were in place. He stated that the current administration had always, and would continue to, put its residents first.

### **7.3 QUESTION SUBMITTED BY COUNCILLOR GHEI TO THE CABINET MEMBER FOR EDUCATION AND CHILDREN'S SERVICES – COUNCILLOR SIMMONDS**

“Given the recent news that the Secretary of State for Education, Michael Gove, has approved every application for the disposal of playing fields that has come before him, in spite of the Coalition agreement stating that this government will encourage competitive sport by protecting and seeking new school playing fields, will the Cabinet Member take this opportunity to assure Hillingdon's residents that he will inspire the next generation by not seeking, and indeed actively campaign against, the disposal, development or change of use of the Borough's school and municipal playing fields?”

Councillor Simmonds confirmed that, generally speaking, he could make this assurance. He went on to advise that all of the schools that were being extended in the Borough would have sufficient open space.

There was no supplementary question.

### **7.4 QUESTION SUBMITTED BY COUNCILLOR DHILLON TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION & RECYCLING – COUNCILLOR BURROWS**

“Would you please enlighten us as to how the funds made available to Hillingdon by the government to tackle the “Beds in Sheds” issue will be allocated?”

Councillor Burrows responded that the Council was pleased to have received Government support for tackling the issue of beds in sheds. Whilst the problem in Hillingdon was not the same as Slough or Hounslow, it was becoming an issue in some parts of the Borough. Approximately 15% of the Planning Enforcement Team's workload involved dealing with the unauthorised conversion of outbuildings into separate units of residential accommodation. The Council was keen to ensure that this did not develop into a larger problem in the future.

The Council's strategy was therefore to focus on changing public behaviour to prevent unauthorised beds in sheds, with a hard hitting enforcement approach. This meant serving notices, pursuing prosecutions and publicising such actions to prevent new cases arising. It was acknowledged that joint prosecutions involving both breaches of Planning legislation and Housing in Multiple Occupation legislation were more successful and effective, yielding a higher fine and providing a stronger deterrent.

Continuing the administration's innovative and forward thinking approach to problem solving, a dedicated "beds in sheds" prosecutions lawyer would be appointed with both planning and housing expertise, to coordinate robust enforcement processes and to fast track individual cases from investigation all the way through to prosecution. The focus would be on preventative measures that persuaded people not to consider building or occupying outbuildings for residential accommodation by publicising successful prosecutions and also other associated matters such as fire risks, help for those made homeless, removing benefits and pursuing proceeds of crime action (POCA).

The issue of beds in sheds was complex and involved a wide range of Council teams including legal, planning, planning enforcement, housing, private sector housing and corporate communications. The Council had therefore also set up a dedicated and cross-cutting team of existing staff to better utilise resources to tackle the issues in a comprehensive way and liaise directly with the new prosecution lawyer.

The Council's approach had received praise from the DCLG and Councillor Burrows believed that the Council was using the additional funds in the most effective way in order to get the best results for its residents. He encouraged all Members who wanted further information to attend the Beds in Sheds seminar which formed part of the Member Development Day on 30 October 2012.

Councillor Dhillon, by way of a supplementary question, stated that enforcement was a costly process and asked whether the Council would be submitting a bid for additional funding to continue the work once the current funding had ended.

Councillor Burrows advised that the current funding had been provided for a one year period and that officers would be applying for funding in subsequent years to continue the good work. This would enable the Council to continue to prosecute individuals and take tough action against anyone who flouted the regulations.

#### **7.5 QUESTION SUBMITTED BY COUNCILLOR SANSARPURI TO THE CABINET MEMBER FOR CULTURE, SPORT & LEISURE – COUNCILLOR HIGGINS**

"This year we are seeing the nation being brought together through the joys of young people taking part in competitive sport. However, the focus is now turning to the legacy of the Olympics and Paralympics. The Tory led coalition government has scrapped the 2 hours per week of compulsory sport and P.E that the last Labour Government introduced. In light of our recent sporting success, will the Cabinet Member ask the Government to reintroduce compulsory sport and P.E to support and inspire the next generation of Hillingdon residents to become the next recipients of Olympic medals?"

Councillor Higgins responded that the Conservative led Government was giving control of school curriculum back to the parents and governors who were best placed to make decisions in relation to the amount of time that should be devoted to sport in their schools. He went on to highlight that schools such as Harefield Academy specialised in sport and that they would now be able to use the Olympics to inspire a generation and focus on competitive sports rather than promoting a culture of prizes for everyone.

Councillor Higgins stated that young people in the Borough had access to some of the best sporting facilities in London. He advised that the recent medal achievements of

local Paralympians, Andy Lapthorne and Natasha Baker, was testament to the good work that was already being undertaken in the Borough. Both of these athletes had been awarded bursaries by the Council and had expressed their thanks for this support.

There was no supplementary question.

26. **MOTIONS** (*Agenda Item 8*)

**8.1 MOTION FROM COUNCILLOR CURLING**

Councillor Curling moved the following motion:

“This Council notes and highlights the following statements from the Inspector’s report on the core strategy of the Hillingdon Local Plan:

*“A particular challenge will be to ensure that planned-for growth does not take place at the expense of valued open space and locally distinctive townscape elements. I have been made aware of the strength of local feeling in this respect.*

*There is concern locally, expressed at the Hearings, that the Green Belt might be eroded by the Council’s search for new school sites. Policy EM2 does state that it will carry out the search for school sites in a sequential way, exhausting all other options before Green Belt land is considered.*

*Provided the Council does this, and applies the Policy in accordance with “the very special circumstances” test I am satisfied that the Policy is sound. Clearly it will be a matter for the Council and local residents to be vigilant in ensuring that the Policy is strictly and consistently applied”.*

This Council believes that the Cabinet has

- failed to carry out a proper search for alternative school sites before opting to build on the much valued Lake Farm Country Park;
- failed to demonstrate any “very special circumstances” that would justify building on Green Belt land; and
- failed to display any semblance of transparency or open government in the conduct of this exercise.

It therefore requests the Cabinet to go back to the drawing board and to conduct a thorough review of all possible options for a new primary school in Hayes and to do this with full and meaningful public consultation.”

The motion was seconded by Councillor Gardner. Following debate (Councillors Allam, Ghei, Major, Puddifoot, Sansarpuri and Simmonds), Councillor Puddifoot moved, and Councillor Simmonds seconded, the following amendment:

After the extract from the Inspectors’ report, add:

*“This Council further notes and highlights that the Council evaluated a total of 17 sites in relation to Primary School provision in the Hayes area. These were evaluated against a number of criteria, including location (i.e., being within the school catchment), size (must be large enough to accommodate a 3FE school, taking into account DFES standards), accessibility, planning policy designations, and availability to the Council. As a result of this work, the Lake*

*Farm site came out as the most suited for the proposed school.*

*With regards to any 'very special circumstances', these will be considered in the determination of the planning application. It should be pointed out that any planning application for such development on green belt land would have to be referred to the Mayor of London and the Secretary of State, who will examine the case for very special circumstances. This justification would include the sequential test that demonstrates that there are no alternative sites available."*

**Delete** the words "This Council believes the Cabinet has" and replace with "The Hillingdon Council Labour Party Group believes that the Cabinet has".

**Delete** the last paragraph and replace with:

*"Council therefore requests that the Hillingdon Council Labour Group provide the Cabinet with a list of what they consider to be viable and practical alternatives in terms of cost and the timetable for provision of a new Primary School in the relevant area of Hayes for inclusion on the agenda for the Cabinet Meeting on 27 September 2012.*

*For the sake of transparency and open governance the Cabinet will ensure that The Labour Group proposals and the Cabinet response is circulated in the local area to aid meaningful Public Consultation".*

Following debate (Councillors Allam, Allen, Curling, Dhillon, Harmsworth, Major, D Mills and Nelson) the amendment was put to a vote and carried. The substantive motion was then put to the vote and carried.

**RESOLVED:** That this Council notes and highlights the following statements from the Inspector's report on the core strategy of the Hillingdon Local Plan:

*"A particular challenge will be to ensure that planned-for growth does not take place at the expense of valued open space and locally distinctive townscape elements. I have been made aware of the strength of local feeling in this respect.*

*There is concern locally, expressed at the Hearings, that the Green Belt might be eroded by the Council's search for new school sites. Policy EM2 does state that it will carry out the search for school sites in a sequential way, exhausting all other options before Green Belt land is considered. Provided the Council does this, and applies the Policy in accordance with "the very special circumstances" test I am satisfied that the Policy is sound. Clearly it will be a matter for the Council and local residents to be vigilant in ensuring that the Policy is strictly and consistently applied".*

**This Council further notes and highlights that the Council evaluated a total of 17 sites. These were evaluated against a number of criteria, including location (i.e. being within the school catchment), size (must be large enough to accommodate a 3FE school, taking into account DFES standards), accessibility, planning policy designations, and availability to the Council. As a result of this work, the Lake Farm site came out as the most suited for the proposed school.**

**With regards to any 'very special circumstances', these will be considered in the determination of the planning application. It should be pointed out that any**



planning application for such development on green belt land would have to be referred to the Mayor of London and the Secretary of State, who will examine the case for very special circumstances. This justification would include the sequential test that demonstrates that there are no alternative sites available.

The Hillingdon Council Labour Party Group believes that the Cabinet has:

- failed to carry out a proper search for alternative school sites before opting to build on the much valued Lake Farm Country Park;
- failed to demonstrate any “very special circumstances” that would justify building on Green Belt land; and
- failed to display any semblance of transparency or open government in the conduct of this exercise.

Council therefore requests that the Hillingdon Council Labour Group provide the Cabinet with a list of what they consider to be viable and practical alternatives in terms of cost and the timetable for provision of a new Primary School in the relevant area of Hayes for inclusion on the agenda for the Cabinet Meeting on 27 September 2012.

For the sake of transparency and open governance, the Cabinet will ensure that The Labour Group proposals and the Cabinet response is circulated in the local area to aid meaningful Public Consultation.

## **8.2 MOTION FROM COUNCILLOR ALLEN**

Councillor Allen moved the following motion:

“This Council notes:

1. The findings of the recent ‘Dispatches’ documentary into fixed odds betting terminals.
2. The outcome of the vote at July 5 Council Meeting where the Council declined to support a motion highlighting the issue of the clustering of betting shops in Hillingdon and the need to reform the current planning laws surrounding betting shops.

This Council resolves to:

1. Enforce and sustain the current limit of no more than 4 Fixed Place Betting Terminals per betting shop.
2. To write to John Whittingdale MP, Chair of the Culture, Media and Sport Committee requesting he withdraw his recommendation to increase the limit on Fixed Place Betting Terminals in Betting Shops.
3. To write to Secretary of State Jeremy Hunt to ask the Government to bring forward legislation that will further regulate the use and numbers of Fixed Place Betting Terminals on our High Streets and to commission independent research into their affect on society.
4. Consider the true economic impact of betting shops and the services they offer on the local area and if necessary commission research to examine the effect they have on local communities.”

The motion was seconded by Councillor Sansarpuri. Following debate (Councillor Puddifoot) the motion was put to the vote and lost.

	The meeting, which commenced at 7.30 pm, closed at 8.49 pm.
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These are the minutes of the above meeting. For more information on any of the resolutions please contact Lloyd White, Head of Democratic Services on 01895 556743. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.