



HILLINGDON
LONDON



Cabinet

Date: THURSDAY, 28 JULY 2011

Time: 7.00 PM

Venue: COMMITTEE ROOM 6 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE, UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

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Councillors in the Cabinet:

Ray Puddifoot (Chairman)
Leader of the Council

David Simmonds (Vice-Chairman)
Deputy Leader / Education & Children's Services

Jonathan Bianco
Finance, Property & Business Services

Keith Burrows
Planning, Transportation & Recycling

Philip Corthorne
Social Services, Health & Housing

Henry Higgins
Culture, Sport & Leisure

Douglas Mills
Improvement, Partnerships & Community Safety

Scott Seaman-Digby
Co-ordination & Central Services

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Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters before this meeting
- 3 To approve the minutes of the last Cabinet meeting 1 - 12
- 4 To confirm that the items of business marked Part 1 will be considered in public and that the items of business marked Part 2 in private

Cabinet Reports - Part 1 (Public)

- 5 Hillingdon's response to the Government's consultation on High Speed Rail (Cllr Burrows) 13 - 30
Appendices circulated separately and in full on the Council's website
- 6 Rural Activities Garden Centre - project plan for its modernisation and sustainable future (Cllrs Simmonds and Corthorne) 31 - 44
- 7 Hillingdon's Local Development Framework: Pre-submission draft Core Strategy (Cllr Burrows) 45 - 54
Appendices circulated separately – full copies available online and in Group Offices
- 8 Primary Schools Capital Programme - update (Cllrs Simmonds and Bianco) 55 - 68
- 9 Consultation response to BAA Heathrow's review of noise mitigation schemes (Cllr Burrows) 69 - 90
- 10 Street Trading and Markets Policy (Cllr Bianco) 91 - 142
- 11 Hillingdon's Children and Families Trust Plan 2011-14 (Cllr Simmonds) 143 - 168
- 12 Priorities and Key issues for Hillingdon's Housing Strategy 2011/15 (Cllr Corthorne) 169 - 180
- 13 Voluntary Sector Leasing Policy (Cllr Bianco) 181 - 184

14	Acceptance of Homes and Community Agency funding for Hillingdon's Supported Housing Programme (Cllr Corthorne)	185 - 194
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Cabinet Reports - Part 2 (Private and Not for Publication)

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20	Progress report on New Years Green Lane Landfill Site (Cllrs Bianco and Seaman-Digby)	281 - 292
21	Pan-London Energy Scheme: RE:NEW (Cllrs Corthorne and Seaman-Digby)	293 - 322
22	Acceptance of tender for the supply of recycling bags and garden waste sacks (Cllrs Burrows and Seaman-Digby)	323 - 328
23	Support and development of the Customer Relationship System - contract extension (Cllrs Bianco and Seaman-Digby)	329 - 332
24	Extra Care Housing: contract award for the provision of personal care (Cllrs Corthorne and Seaman-Digby)	333 - 344
25	Extension of IP network and IP telephony support contracts (Cllrs Bianco and Seaman-Digby)	345 - 348
26	Provision of a Temporary Ice Rink 2011 (Cllr Higgins)	349 - 358
27	Review of the Council's fleet holdings (Cllrs Bianco and Seaman-Digby)	359 - 362
28	West London Framework Agreement for private sector accommodation procurement and management (Cllrs Corthorne & Seaman-Digby)	363 - 372
29	Manor Farm - The Stables refurbishment & acceptance of tender (Cllrs Bianco and Seaman-Digby)	373 - 382
30	Adaptations to Council dwellings - extension to contact (Cllrs Corthorne and Seaman-Digby)	383 - 388
31	Extension of electrical repairs contract for support to Hillingdon Housing Repairs Service (Cllrs Corthorne and Seaman-Digby)	389 - 392
32	Selection of Preferred Partners for Affordable Housing Provision (Cllr Corthorne)	393 - 402
33	Barnhill Academy Conversion (Cllr Simmonds)	

Report to follow

The reports listed above in Part 2 are not made public because they contains exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

34 Any other items the Chairman agrees are relevant or urgent

Minutes

Cabinet

Thursday, 16 June 2011

Meeting held at Committee Room 6 - Civic Centre,
High Street, Uxbridge, UB8 1UW



HILLINGDON
LONDON

Published on: 17 June 2011

Come into effect on: from Friday 24th June 2011

Cabinet Members Present:

Ray Puddifoot (Chairman)

Jonathan Bianco

Keith Burrows

Philip Corthorne

Henry Higgins

Douglas Mills

Scott Seaman-Digby

Members also Present:

John Riley

Brian Crowe

Dominic Gilham

Paul Harmsworth

Peter Kemp

Mo Khursheed

Richard Mills

Andrew Retter

Brian Stead

335. APOLOGIES FOR ABSENCE

Apologies were received from Councillor David Simmonds.

336. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING

TBC

337. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING

TBC

338. TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS OF BUSINESS MARKED PART 2 IN PRIVATE

It was confirmed that items 5 to 12 would be heard in the public part of the meeting, items 15 and 16 in the private part and items 13 and 14 would be deferred.

339. 'SUSTAIN, RENEW AND PROSPER' - HILLINGDON'S APPROACH TO REGENERATION 2011-2016

RESOLVED:

That Cabinet:

- 1. Agree the objectives for sustainable economic development from 'Sustain, Renew, and Prosper' as the regeneration strategy for Hillingdon 2011-2016, encouraging a total approach to appropriate growth, viability and regeneration of town and neighbourhood centres;**
- 2. Note the content of Hillingdon's Local Economic Assessment as the key evidence base for our approach to economic regeneration supporting local residents and Hillingdon businesses;**
- 3. Instruct officers to continue to press Transport for London (TfL) for:**
 - a) Improved north – south bus routes, focussing initially from the north to Uxbridge and;**
 - b) An extension of Central Underground Line to Uxbridge in the longer term.**
- 4. Welcome the improvements to Hayes and Harlington station which are being carried out through the National Station Improvement Programme and instruct officers to continue to work closely with TfL, Network Rail and Crossrail to secure further good quality improvements to Hayes Station and its public realm;**
- 5. Support the initiatives which are being undertaken to improve the canal in Hayes and West Drayton, including the proposed allocation of funding from the Chrysalis environmental improvement programme towards the improvements at Western View in Hayes town centre;**
- 6. Instruct officers to review planning policies and to report back in the autumn with regard to:**
 - a) The designated town centre boundaries and the mix of uses within them.**
 - b) Introducing a simplified planning system to support new Small and Medium sized Enterprises, with the primary aim of creating employment for local people.**
- 7. Endorse the proposals for taking forward town centre Improvements in Hayes, Northwood Hills and Ruislip Manor (as set out in paragraphs 24 – 31) including improvements to the public realm; developing a shop front investment programme initially in Hayes; providing commercial expertise to independent traders, such as on visual merchandising; and**

providing a retail apprenticeship scheme for traders through the Uxbridge College Retail Academy.

Reasons for decision

Cabinet received Hillingdon's latest Local Economic Assessment and approved an updated Economic Development Strategy focusing on a total approach to regeneration and town centre development.

It was noted that Hillingdon's town centres were a key driver for the local economy and that the Council had made commitments for further town centre improvement in Hayes, Ruislip Manor and Northwood Hills.

Alternative options considered and rejected

Cabinet could have not approved an update strategy, which would have weakened the Council's ability to work with partners and lever in external investment to provide support for residents and businesses.

Officers to action:

Jales Tippell - Planning, Environment, Education and Community Services
Kevin Byrne - Central Services

340. LOCAL IMPLEMENTATION PLAN 2011-2014 FOR SUBMISSION TO TRANSPORT FOR LONDON

RESOLVED:

That Cabinet:-

- 1. Notes the response to the Council's targeted consultation on Hillingdon's Draft Local Implementation Plan for 2011 - 2014;**
- 2. Approves Hillingdon's Local Implementation Plan for 2011 - 2014 for final submission to Transport for London and delegates authority to the Deputy Chief Executive and Corporate Director of Planning, Education, Environment and Community Services, in consultation with the Cabinet Member for Planning, Transportation and Recycling, to agree any minor changes to the Plan before submission;**
- 3. Notes that the Mayor of London has reversed his previous decision to reduce the overall Local Implementation Plan funding, which was reported to Cabinet in December 2010; and**
- 4. Grants delegated authority to the Deputy Chief Executive and Corporate Director of Planning, Education, Environment and Community Services, in consultation with the Cabinet Member for Planning, Transportation, to agree the most appropriate allocation of the extra funding for 2012/13, once the precise sums involved have been identified by TfL.**

Reasons for decision

Cabinet approved the statutory Local Implementation Plan for submission to Transport for London (TfL). Cabinet noted that the Plan, which set out the future transportation and infrastructure priorities and projects for Hillingdon over the next few years, for which funding would be received.

Cabinet noted that public consultation on the Plan had been generally supportive in nature and, where appropriate, residents' and external organisations' comments had been incorporated into it.

Alternative options considered and rejected

Cabinet could have decided not to approve the document for submission to TfL, which would have risked securing support for future transportation funding.

Officers to action:

David Knowles/ Bob Castelijm
Planning, Environment, Education & Community Services

341. OLDER PEOPLE'S PLAN - PROGRESS UPDATE 2010-2011

RESOLVED:

That Cabinet notes the significant achievements to deliver the Older People's Action Plan during 2010/11 to date to improve the quality of life of older people.

Reasons for decision

Cabinet welcomed the progress on the three-year Older People's Plan 2008-2011 and the commitment by the Council and its partners to the continued development and improvement of services designed to create a better quality of life for older people in Hillingdon.

Alternative options considered and rejected

None.

Officer to action:

Dan Kennedy, Central Services

342. SUPPLEMENTARY PLANNING DOCUMENT - PLANNING FOR CROWDED PLACES

RESOLVED:

Cabinet agrees that:

- 1) The draft SPD be approved for public consultation;
- 2) An immediate 8 week period of targeted consultation begins with the relevant groups that might have an interest in the SPD;
- 3) The Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services, in consultation with the Cabinet Member for Planning, Transportation and Recycling, is given delegated authority to incorporate any amendments that result from the targeted consultation in accordance with statutory public participation requirements and linking the public consultation to the LDF Development Management Development Plan consultation planned for later this year.
- 4) The SPD will be reported back to Cabinet for final adoption.

Reasons for decision

Cabinet approved the Supplementary Planning Document for consultation following Government guidance. The document proposed minimum design standards for new construction or refurbishment of premises which were deemed “crowded places” to make them safer in the event of terrorist attack.

Alternative options considered and rejected

The Cabinet could have decided not to proceed with the planning guidance, but felt that inadequate advice about such minimum standards could increase the risk, albeit remote, of potential injury from such attacks.

Officer to action:

James Rodger
Planning, Environment, Education and Community Services

343. DISABLED PEOPLE'S PLAN 2009-2012 UPDATE

RESOLVED:

That Cabinet notes the progress made on the delivery of the 2010/11 Disabled People’s Plan up to the end of the year.

Reasons for decision

Cabinet welcomed the progress on the delivery of the Disabled People's Plan 2010-11 and the commitment by the Council and its partners to the continued development and improvement of services designed to create a better quality of life for disabled people in Hillingdon. Cabinet gave its thanks to the Disabled People's Champion, Councillor Peter Kemp.

Alternative options considered and rejected

None.

Officer to action:

Daniel Kennedy, Central Services

344. REVIEW OF THE LOCAL LIST OF BUILDINGS OF ARCHITECTURAL & HISTORIC IMPORTANCE AND THE GAZETTEER OF WAR MEMORIALS

RESOLVED:

That Cabinet:

- 5. Approves in principle the proposed changes to the adopted Local List of Buildings of Architectural or Historic Importance as attached in Appendix 1 and 2;**
- 6. Approves a period of consultation with owners and interested groups re the proposed revisions and new entries to the Local List;**
- 7. Approves the new entries in the Gazetteer of War Memorials, as attached in Appendix 3 and ;**
- 8. Instructs officers to carry out the necessary notification on the new entries to the Gazetteer.**

Reasons for decision

Cabinet noted that the Local List of Buildings of Architectural or Historic Importance was adopted in May 2010 following extensive public consultation. A Gazetteer of War Memorials had also been adopted in September 2010. Since then, some owners had requested alterations to the entries for their respective properties and new requests had been received. Cabinet therefore approved an update Local List and Gazetteer.

Alternative options considered and rejected

Cabinet could have decided not to update the existing Local List or Gazetteer, which may have left some buildings or memorials unworthy of local recognition and more vulnerable to insensitive development.

Officer to action:

Nairita Chakraborty
Planning, Environment, Education and Community Services

345. CHANGES TO THE SOCIAL HOUSING ALLOCATION POLICY

RESOLVED:

That Cabinet:

1) Approves the changes to social housing allocation outlined in the report, which have been broadly grouped under the following headings:

- A. Introducing local preference**
- B. Addressing overcrowding**
- C. Encouraging personal responsibility**
- D. Financial considerations**
- E. Removing discretion**
- F. Introducing annual lettings plan**

2) Delegates authority for final approval of the Social Housing Allocation Policy to the Corporate Director of Social Care, Health and Housing, in consultation with the Cabinet Member for Social Services, Health and Housing.

Reasons for decision

Cabinet endorsed a number of changes to the way social housing is allocated in the Borough to promote greater individual social responsibility within the local community, and delegated final approval of the policy to the Corporate Director and Cabinet Member.

Cabinet noted that the Council receives on average 3,000 housing applications per year from people who want to be housed and therefore because demand exceeded housing supply, a fair prioritisation system based upon local circumstances and priorities was required.

Alternative options considered and rejected

Cabinet could have agreed not to approve the changes to the allocations policy.

Officers to action:

Beatrice Cingtho & Emma Humphrey - Social Care, Health and Housing

346. PLANNING OBLIGATIONS - QUARTERLY FINANCIAL MONITORING REPORT

RESOLVED:

That the Cabinet notes the updated financial information attached to the report.

Reasons for decision

Circular 05/05 and the accompanying best practice guidance requires local planning authorities to consider how they can inform Members and the public of progress in the allocation, provision and implementation of obligations whether they are provided by the developer in kind or through a financial contribution. Cabinet noted the report which detailed the financial planning obligations held by the Council and what progress had, and was, being made.

Alternative options considered and rejected

To not report to Cabinet. However, Cabinet believed it was an example of good practice to monitor income and expenditure against specific planning agreements.

Officer to action:

Nicola Wyatt, Planning, Environment, Education and Community Services

347. SUPPORT AND DEVELOPMENT OF THE CUSTOMER RELATIONSHIP MANAGEMENT SYSTEM

This item was deferred.

348. EXTRA CARE HOUSING: CONTRACT AWARD FOR THE PROVISION OF PERSONAL CARE

This item was deferred to the next Cabinet meeting.

349. HIGHGROVE POOL REFURBISHMENT

RESOLVED:

That Cabinet notes the contents of the report and agrees to:

- 1. The appointment of VolkerFitzpatrick Limited as the Council's preferred construction contractor to the second stage of a two stage tender process**
- 2. The payment of the preconstruction fees of £28,000 and the £6,775 advanced payment to the utility company should the project not**

proceed to the construction phase after the completion of the second stage tender process.

3. The development of the enhanced scheme as detailed in the body of the report to extend the internal fabric and overall lifecycle of the facility by 15 to 20 years.

4. A report back to Cabinet for the second stage tender approval.

Reasons for decision

Cabinet agreed to accelerate the progress of the phase II refurbishment of Highgrove Pool to meet the Council's commitment of developing new sporting and leisure facilities and enhancing the existing provision to benefit Hillingdon residents. Cabinet agreed that a two stage procurement route would achieve the best balance of time, cost and quality.

Alternative options considered and rejected

Cabinet could have decided not to proceed with the refurbishment or defer the refurbishment.

Officer to action:

Mohamed Bhimani – Planning Environment Education & Community Services

Exempt Information

This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

350. AUTHORISATION OF CONSULTANT, TEMPORARY AND AGENCY STAFF

RESOLVED:

That Cabinet authorise the retaining of consultancy, agency and temporary staff as set out in Appendix 1 of the report.

Reasons for decision

Cabinet accepted retaining a small number of consultant, temporary and agency staff to support service delivery in the areas of Occupational Health, Adult Social Care and Children's and Families care.

Alternative options considered and rejected

Cabinet could have decided not to approve one or more of the workers or delegated approval where further information was sought.

Officers to action:

Fran Beasley – Central Services
Linda Sanders – Social Care, Health & Housing

Exempt Information

This report was included in Part II as it contained information relating to an individual or likely to reveal the identity of an individual and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraphs 1&2 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

Urgency Provisions

This report had been circulated less than 5 working days before the Cabinet meeting and was agreed by the Chairman to be considered as urgent.

351. ANY OTHER ITEMS THE CHAIRMAN AGREES ARE RELEVANT OR URGENT

None.

The meeting closed at 7:30pm

IMPORTANT INFORMATION

DECISION AUTHORITY

The Cabinet's decisions come into effect from Friday 24th June, subject to call-in by the Executive Scrutiny Committee.

Changes to proposed decisions:

Officers should note that the Cabinet amended recommendations and thereby agreed revised decisions on the following items:

- Item 11 (minute 345) where a decision was delegated.
 - Item 13 (minute 347) which was deferred.
 - Item 14 (minute 348) which was deferred.
 - Item 15 (minute 349) where an additional recommendation was added.
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HILLINGDON'S RESPONSE TO THE GOVERNMENT'S CONSULTATION ON HIGH SPEED RAIL

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Planning, Transportation and Recycling
Officer Contact	Jales Tippell Planning, Environment, Education and Community Services
Papers with report	<p>Appendix 1- Hillingdon's response to the Government's High Speed Rail Consultation</p> <p>Appendix 2- Hillingdon's response to the London Assembly Examination of High Speed 2</p> <p>Appendix 3 – Council owned sites affected by the HS2 proposal</p> <p>Appendix 4 – 51M Group's response to the Government's High Speed Rail Consultation</p> <p>Appendices 1 and 2 are circulated separately. Appendix 4 will follow when approved by the 51M Group.</p>

HEADLINE INFORMATION

Purpose of report	This report provides information on the Government's High Speed Rail Consultation proposing a new high speed rail network linking London to Birmingham and eventually Manchester and Leeds, which was published on 28th February 2011. The route of the proposed high speed railway line will pass through the Borough. This report also seeks Cabinet approval for a proposed response to the Consultation and the relevant delegated authority to endorse the 51M Group's response.
Contribution to our plans and strategies	Hillingdon's emerging Core Strategy Hillingdon's Unitary Development Plan Saved Policies 2007 Hillingdon Partners Sustainable Community Strategy
Financial Cost	The Council's 2011/12 Development and Risk contingency includes £100,000 that was earmarked for any potential challenge against the High Speed 2 rail link.
Relevant Policy Overview Committee	Residents' and Environmental Services Policy Overview Committee
Ward(s) affected	South Ruislip, Manor, West Ruislip. Ickenham, Harefield.

RECOMMENDATIONS

That the Cabinet:

1. Welcomes the Council's resolution on 7 July 2011 reaffirming the London Borough of Hillingdon's full opposition to HS2;
2. Recognises the extensive resident consultation campaign led by the Leader of the Council and notes the overwhelming support against the proposed HS2 route from residents and local action groups across the Borough;
3. Notes the contents of the report and agrees the response to the Government's Consultation for submission to the Department for Transport as set out in Appendix 1;
4. Agrees to grant delegated authority to the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services in consultation with the Leader of the Council and the Cabinet Member for Planning, Transportation and Recycling to agree any further changes required to the Council's consultation response;
5. Notes the response to the London Assembly Transport Committee as set out in Appendix 2;
6. Notes that in addition to residential properties, that there will be a number of council-owned properties that will be affected by the proposed route as set out in Appendix 3;
7. Endorses the 51M Group's response to the Government's High Speed Rail Consultation as set out in Appendix 4; *(TO FOLLOW)*
8. Instructs officers to continue work on opposing the Government's current proposals for High Speed Rail, including joint working with the 51M Group, and to report back to Cabinet on any significant issues and;
9. Agrees the urgency of this matter so that the Council's response can be sent to the Government by the consultation deadline and therefore requests the call-in procedures be waived on the above recommendations so that any decisions take immediate effect.

INFORMATION

Reasons for recommendation

The proposed High Speed 2 rail line is likely to be the most significant development proposal in Hillingdon since the 3rd Runway. Its adverse impacts are considered to be far in excess of the benefits that will ensue from the proposal.

The Government's decision on whether to proceed with the proposal will be largely based on the responses to the consultation documents.

If the Council is to effectively influence the Government's decision, it needs to submit an effective response to protect the interests of residents and businesses in the Borough.

By supporting 51M Group's response to the Government's Consultation, the Council will strengthen its case and benefit from the outcome of the detailed work that has arisen from pooled resources, funds and expertise.

Alternative Options Considered.

The Cabinet Members may influence the Government's proposal by agreeing the proposed response in full or in part; or by making any amendments to the response that they consider appropriate.

The alternative option would be to not respond. This is not considered to be an appropriate option due to the adverse impact that this proposal will have upon residents of the Borough.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting information

The Consultation

1. The Government's Consultation was summarised in the report to Cabinet in April 2011 and this is repeated here as useful background information.
2. In 2009 the previous Government set up a company called HS2 Ltd who were commissioned to investigate the case for high speed rail and key strategic options. Its report was published in March 2010. On the basis of HS2 Ltd's analysis, the Government announced that it favours a Y shaped core high speed rail network, and in December 2010 it published its 'Preferred Route' between London and Birmingham.
3. On 28th February 2011, the Government launched a public consultation on 'High Speed Rail: Investing in Britain's Future'. Within this document the Government states that a national high speed rail network would be a transformational investment in Britain's future and would help to bridge the north-south divide. The suite of consultation documents set out the basis on which the Government has reached this view.
4. The Consultation is requesting public views on two aspects. Firstly it seeks views on the wider strategy for a Y shaped rail network to run between London and Birmingham and then further north to Manchester and Leeds, with a spur to Heathrow. This phase of the development would aim to be completed by 2033. Secondly it seeks views on the proposed route from London to the West Midlands, which is to be the first phase of the high speed rail network. This phase of development would aim to be operational by 2026. The proposal is known as HS2 and more particularly the Government's proposed route.
5. The Consultation document sets out the Government's proposed high speed rail strategy and describes:

- the wider context in which high speed rail has been considered;
- why additional rail capacity is needed;
- the options for providing additional capacity and the case for high speed rail;
- the Government's strategy for delivering a national high speed rail network including links to Heathrow and the Channel Tunnel (known as HS1);
- how the Government's recommended route for an initial high speed line from London to the West Midlands has been identified;
- the core principles underpinning this work; and
- the proposed route in detail, including its sustainability impacts.

6. Annex B of the consultation document itself includes details of some alternative routes considered by Government. These alternative options do not form part of this Consultation and they have not been consulted upon under separate cover. Their inclusion is purely to illustrate the alternative options considered by HS2 Ltd when formulating its view regarding the proposed route and only limited reasoning is provided as to why these options were rejected.

7. The suite of documentation that accompanies the Consultation document includes an Executive Summary, maps of the proposed route, the Economic Case for HS2, the Appraisal for Sustainability (which includes 6 annexes and a summary), the Route Engineering report and a Strategic Alternatives Study.

8. Members of the public/interested parties who wish to respond to the consultation must do so by answering 7 heavily loaded questions detailed in the consultation document itself. The document does not invite more general views. The Consultation deadline for responses is 29th July 2011.

9. As part of the Consultation process, HS2 Ltd have held a number of roadshows along the proposed route. This included one in the London Borough of Hillingdon which was held on 30th and 31st March 2011, at the Winston Churchill Hall in Ruislip. There were also a number of technical seminars conducted by HS2 Ltd. Within the Borough of Hillingdon this included one seminar aimed at specialist technical officers, one for elected Members which was held prior to the HS2 roadshows within the Borough and one for resident group representatives.

10. If, following the close of this Consultation, the Government decides to proceed with HS2 and more particularly the proposed route, it will secure the powers to deliver the scheme by means of a Hybrid Bill (estimated to be laid in Parliament in 2015). This vehicle was used to secure the Cross Tunnel Rail Link (HS1) and Crossrail. The procedure is more restrictive than a private bill and includes an additional Select Committee stage after its second reading in the House of Commons. This allows objectors whose interests are directly affected by the Bill to be heard. If the matter reaches the Select Committee stage, Members of Parliament will be unable to reject the Bill in its entirety and objectors (including the Council and residents) will need to petition to secure a change to the Bill or a concession from the promoters.

The high speed rail proposals

11. The Government's proposal for High Speed Rail was also summarised in the report to Cabinet in April 2011 and for ease of reference this is set out again here as useful contextual information.

12. HS2 is designed to carry trains that can travel at up to 250 mph. The proposed route would initially provide 14 new train paths every hour each way for long-distance services, with up to 18 trains an hour on a wider network. The infrastructure would be designed to accommodate larger and longer trains of up to 400 metres, carrying up to 1,100 passengers each.

13. The proposed route is claimed to initially link London to Birmingham in 49 minutes (currently 1 hour and 24 minutes). In 2033, the route would link London to Leeds in 73 minutes and London to Manchester in 80 minutes (currently over 2 hours). The Government estimates that the construction of the Y shaped network would cost £32 billion. In order to justify this cost the Government has estimated that the development would generate benefits of around £44 billion, as well as revenues totalling a further £27 billion.

14. As mentioned above, the construction of the Y shaped network would be delivered in two phases. The first phase would comprise an initial line from London to the West Midlands (including a link to the existing West Coast Main Line) and incorporate a connection to the High Speed 1 line to the Channel Tunnel. The second phase would comprise two lines from the West Midlands to Manchester and Leeds, including stations in South Yorkshire and East Midlands and a direct link to Heathrow Airport.

15. Broadly, the Government is promoting this scheme on the assumption that it may produce the following benefits:

- increase rail capacity to meet rising demand for long-distance rail travel;
- ease overcrowding on existing railways;
- slash journey times between cities, bringing London within 49 minutes of Birmingham and within 80 minutes or less of both Manchester and Leeds;
- link existing East Coast and West Coast Main Lines, bringing Scotland within three and a half hours of London;
- reduce demand for internal UK flights;
- create around 40,000 jobs; and
- contribute to major regeneration programmes.

Council Resolution

16. On 7th July 2011, at a meeting of the full Council, it was resolved that:

'That this Council welcomes the Mayor of London's support for our argument that the proposed HS2 route through this Borough will cause significant environmental and social disadvantages and that Hillingdon residents gain no benefit from HS2.

Furthermore, Council asks Cabinet, in its formal reply to the Department of Transport consultation on HS2, to highlight the weakness of the current business

case for HS2 and the fact that the cost will, as a minimum, be equal to £51m for each constituency.

Council therefore reaffirms its full opposition to HS2 and its strong support of the creation of "Hillingdon Against HS2" by local residents and the formation of the 51M group of local authorities.'

Hillingdon's proposed response

17. A proposed response to the Government's 7 Consultation questions is attached as Appendix 1 of this report. This proposed response is based on the likely overall impacts of the proposal on this Borough, which are considered to be wholly adverse. It is the view of officers that these adverse local impacts have not been justified by any convincing case that the proposal is in the national interest as there are no wider economic, environmental or social grounds to support it.

18. In order to best protect Hillingdon's interests and avoid obvious duplication of work, the Council has been working in partnership with the 51M Group to manage a number of work streams. 51M has commissioned work from a number of specialist consultants in order to properly evaluate the specific impacts of this scheme on affected areas along the proposed route and to secure legal advice from leading Counsel in order to establish the various options and opportunities available to the Group to oppose HS2 or to influence the proposals.

19. The Council's suggested response has been informed by the work of the 51M Group which at present is a consortium of 15 Local Authorities, led by Buckinghamshire County Council, that all oppose the Government's proposals in whole or part. The consortium consists of:

- Buckinghamshire County Council
- London Borough of Hillingdon
- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council
- Cherwell District Council
- Lichfield District Council
- South Northants District Council
- Warwick District Council
- North Warwickshire Borough Council
- Warwickshire County Council
- Stratford-on-Avon District Council
- Leicestershire County Council
- Staffordshire County Council

20. The 51M Group submitted a response to the Transport Select Committee in May 2011, which is available on the 51M website at www.51m.co.uk/select-committee. In July 2011, the 51M Group also responded to the London Assembly Examination of High Speed 2, which will also be available on the 51M Group website.

21. In addition to working with the 51M Group, officers at Hillingdon have also responded to the London Assembly Examination of High Speed 2 from a Hillingdon perspective (see Appendix 2) with a view to influencing the Mayor of London's response to the Government's Consultation on HS2.

22. Despite Government efforts to publicise the consultation process for HS2, the Council has had and continues to have concerns that the Government's efforts were ineffective in reaching those persons affected by the plans for the proposed route. As a result, the Council held residents meetings as far back as 2nd December 2010 in order to brief residents about the forthcoming consultation, due for release in early 2011. Further meetings were then held on the 24th March 2011, prior to the HS2 Roadshows visiting the Borough, and two further meetings were held on 9th June 2011 and 14th July 2011. These meetings were all very well attended and have helped to shape the views of residents of the Borough.

23. The Council has highlighted the Government's proposal for HS2 on its website and, in the May/June 2011 edition of Hillingdon People magazine, the Council published an article informing people how to have their say on the current HS2 proposal and properly engage in the consultation process. This edition included a reply card which asked residents of the Borough whether they a) 'do not support the Government's current proposals for HS2 because there is not sufficient justification on economic or environmental grounds for it' or b) whether they do 'support the Government's current proposals for HS2'. The response to the reply card has been overwhelming with over 12,000 responses to date, of which over 89% are against HS2.

24. The proposed route would directly impact the residents of this Borough. In particular, Members should note that unlike other areas of London, where HS2 is proposed to be tunnelled, in Hillingdon the proposed route goes right across the Borough, running through urban areas, including Ruislip and Ickenham at surface level and then across the Colne Valley by means of a viaduct. The proposal to provide a Heathrow Link would also have devastating impacts on the Borough but yet again, there are no details provided on this. The Council's proposed response to the HS2 Consultation questions is attached in Appendix 1. A summary of the key issues is set out below.

25. Cabinet Members are advised that there is evidence to suggest that the HS2 Consultation process is far from adequate and possibly flawed. Details of such inadequacies have been included in the Council's responses to the relevant Consultation Questions.

THE STRATEGIC CASE

The principle of high speed rail

26. The Council supports the principle of high speed rail if it is set against an overarching national integrated transport infrastructure framework comprising rail, road and aviation, and provided it is located along an appropriate route. Unfortunately the Government's proposal for high speed rail, as described in the Consultation document, is not set within any such framework and is not located along the most appropriate route. The proposal can, at best, be described as a regional scheme that links just 4 cities, therefore reducing the potential benefits of this

scheme for the UK, due to the lack of integration with other regions, such as the South West, Wales, East Anglia and the South.

27. The tone of the Consultation document appears to suggest that the strategy for high speed rail has already been determined and the only element of this scheme that is subject to review and debate is the line of the route itself. If so, presenting the Consultation as an evaluation of the necessity of a national high speed rail strategy would be meaningless and fundamentally flawed. We are however assuming that this is a genuine Consultation.

No sound business case

28. HS2 would cost in excess of £30 billion, requiring a public subsidy of around £17 billion. There are a range of other alternatives which may make better use of this money, and consequently all alternatives to meet any shortfall in rail capacity should be carefully considered by Government in order to ensure best value is achieved. Given the level of investment that this project requires, it must be demonstrated to be in the public interests on a national basis in order to justify this level of expenditure. Unfortunately, the level of information provided in the Consultation documentation does not provide sufficient detail on whether these factors have been taken into consideration.

29. There are also a significant number of uncertainties relating to the evidence base for a number of assertions put forward in the Consultation document. In summary they are as follows:

- Optimistic “transport user” benefits;
- Optimistic passenger demand forecasts;
- Environmental costs not adequately addressed and costed;
- Alternative options not properly assessed.

30. In light of the above, the evaluation of the HS2 proposal as represented in the Consultation is considered to be seriously flawed and hence inadequate as a basis for making any decisions on the merits of this major infrastructure project.

No proven regeneration benefits

31. There is no robust evidence presented to support the premise that the HS2 proposed route would help to bridge the North/South economic divide, or that the provision of a high speed network is the most cost-effective or appropriate solution to achieve long-term, sustainable economic growth. Furthermore, international evidence suggests that high speed rail may actually generate or reinforce territorial polarisation, with growth more likely to accrue to the capital than the regions. There would most likely be a drain upon economic activity towards London and its surrounding areas, rather than any gain for the UK as a whole.

No proven social benefits

32. The case for HS2 is not supported on commercial grounds, but it is justified if the estimated social benefits are accurate. The Consultation document indicates that the capital and operating costs would not be met by the projected revenues, so would therefore need a public subsidy to assist these long distance rail users. The Government has failed to explain why this group is worthy of such a public subsidy, particularly as the evidence shows that long distance rail trips are predominantly

made up of affluent rail users, with 47% of journeys being made by those in the top 20% household income bracket.

No proven case for a link to Heathrow Airport.

33. There is no quantitative evidence provided in the Consultation document to support the Government's claim that there is a 'compelling strategic case' for the link to Heathrow. Previous HS2 reports to the Government provided clear evidence that the costs of providing such a link outweighed any benefits, whereas this Consultation views a direct link to Heathrow Airport as an integral component to the scheme.

34. The Government's decision to include a link to Heathrow appears to have predetermined the proposed route in a westerly direction and hence through Hillingdon. If alternative routes had been properly explored, without the link to Heathrow Airport being such a pervasive factor, other routes may not have been so easily rejected by the Government. The Heathrow link has limited the choice of routes available for any proposed high speed line, and further undermines a fair and open Consultation process.

No proven environmental case

35. The Consultation documentation claims that HS2 is carbon neutral. The principles of any high speed rail should fundamentally address the issue of reducing carbon emissions, in line with UK commitments, and should ensure that modal shift is a key objective. The Consultation documentation for HS2 admits that the modal shift from road to rail, and hence any corresponding reductions in carbon emissions, is minimal.

36. The Consultation documentation does however assume reductions in carbon emissions with a modal shift from domestic flights to HS2. With regards to this Consultation on Phase 1 (i.e. the London to West Midlands route) there will be no reductions in carbon emissions from aviation as there are no current flights between these destinations. Should HS2 proceed to Phase 2, where there may be an opportunity to realise this modal shift, the slots used for domestic flights are likely to simply be replaced by more high polluting long haul flights anyway, resulting in an increase in overall carbon emissions. In light of the UK's commitment to reducing carbon emissions this is unacceptable.

37. With regards to improving local air quality, there are legal implications in areas where air quality levels are above acceptable limits and the Government appears to have missed a good opportunity to review the alternative options to HS2 or at least to have optimised the route to ensure that modal shift from cars was significant in order to improve local air quality. The additional problem of a potential move towards more long haul flights and hence bigger planes with the ensuing larger numbers of passengers accessing the airport will further exacerbate the problem and is of particular concern given that the Heathrow area is a nationally recognised local air quality hotspot.

Wider transport disbenefits

38. Transport for London has highlighted concerns which are supported by Hillingdon, in particular with regard to the following:

- Whilst supporting the principle of a link between a proposed HS2 route and the existing HS1 link to Europe, insufficient evidence has been given in the Consultation document to provide confidence that this link as proposed, i.e. via the current North London Line, has been developed appropriately to give the necessary capacity, or designed to ensure resilience of existing operating services;
- The magnitude of the work required to incorporate HS2 at Euston has not been properly accounted for. This provides a misleading assessment of the cost implications, which in turn undermines the economic case.
- There are time penalty consequences for all trains stopping at the proposed Old Oak Common station which include the Great Western Mainline trains, Crossrail and the Heathrow Express. Using the methodology applied in the Consultation documentation, these time penalties should be factored in as disbenefits. It is unclear as to whether this has been done.

Unknown impacts from Phase 2 (the Y network)

39. The inclusion of a detailed consultation on a London to Birmingham route (Phase 1) plus a strategic consultation on a wider Y network has caused unnecessary confusion. As yet, no assessment of Phase 2 has been completed, and consequently, the extent of the environmental, social and economic impacts cannot be properly understood by potentially impacted stakeholders. The Phase 2 network would increase the number of trains per hour along the whole Phase 1 route and hence would exacerbate the impacts on areas adjacent to this proposed route. With no assessment of Phase 2, it is impossible to assess the combined effects and this represents a fundamental flaw in the approach to whole Consultation process.

40. In other parts of the Consultation, the Y network has been used to justify the scheme, for example the economic case. However, as the detailed analysis has not yet been undertaken for the Y route, including exact station locations, the proposed line of route, and the local impact mitigation measures, it would appear premature to guarantee the associated costs and benefits.

THE LOCAL CASE

Residential impacts/property loss

41. The proposed route of HS2 runs directly across Hillingdon from east to west. This would require land take thereby affecting residents, businesses and the local environment. Whilst it is possible to identify land directly impacted along the proposed route, it is much more difficult to ascertain the effects on peripheral areas, such as garden space and access areas. There are also significant areas of designated Green Belt which will be affected and where there is likely to be huge disruption during construction. However, exclusion of this information in the Consultation documentation does not allow respondents to properly assess the impact of this scheme on landowners along this part of the route, or fully understand the details of construction, which would have considerable adverse impacts on the Borough as a whole. In this regard, officers have strong concerns that interested parties and the Council are being asked to comment on a scheme whose impacts are unclear.

42. The overall effect of HS2 on the Borough and its communities is much wider than just land take. The local impacts have not been sufficiently addressed by the DfT either in terms of identification or possible mitigation solutions. This is unacceptable and represents a major flaw in the consultation process.

43. The plans produced to accompany the Consultation document do not provide sufficient detail to enable identification of all of the land and properties that will require permanent acquisition. During the HS2 Roadshows in Hillingdon which followed the launch of the Consultation, HS2 Ltd officers confirmed that there would potentially be at least 10 demolitions of residential properties in Hillingdon (3 in Bridgewater Road; 6 in Blenheim Crescent; and the Lodge at Shering Plough Animal Health). However it is not possible, given the level of information provided in the Consultation, to correctly identify whether this figure is unduly low.

44. Blenheim Care Home in West Ruislip is potentially affected. The maps supplied alongside the Consultation documentation illustrate a loss of land from the car park and places the operational train line within metres from the edge of the home. It is unclear whether the facility would be able to remain viable in these circumstances.

Noise

45. The HS2 proposed route would potentially have a substantial noise impact as it passes through Hillingdon. Urban areas, containing residential housing and other sensitive receptors such as schools and residential care homes, would be significantly affected. In addition, where the proposed route leaves the current rail corridor and joins a viaduct, more tranquil areas of the Borough would be exposed to significantly higher noise levels.

46. The Council is also particularly concerned regarding the lack of acknowledgement of Phase 2 impacts. Phase 1 cannot be considered independently. People living along the route in Hillingdon are likely to be subjected to unacceptable noise levels as a result of Phase 1. However, Phase 2 would increase the number and frequency of trains at certain times, which may take the noise levels beyond thresholds of acceptability to many more people; however, by the time this is determined, it would be too late to find appropriate mitigation.

47. The Council is firmly of the view that the noise assessment supplied in the Consultation does not accurately portray the impacts, either in urban areas or in the tranquil areas. The inadequate quality of the information in the Assessment of Sustainability does not form a proper basis for making such significant decisions that could affect the quality of lives of so many people.

Air quality

48. The Heathrow area is a nationally recognised local air quality hotspot. HS2 Ltd's rationale for including a Heathrow link is to deliver better 'international connectivity'. This implies there is an acknowledgement that freed up domestic flight slots would be switched to international slots, with larger aircraft carrying more passengers and thus generating a higher level of emissions. The Heathrow link would therefore induce more activity around the airport, further contributing to poor air quality conditions.

49. As the UK is under increasing pressure to meet its EU targets, particularly within London where there are acknowledged failings, it would be inconceivable for the Government to support a scheme which may well worsen these conditions.

Detrimental visual impacts

50. There are significant concerns over the aesthetics of the HS2 proposal given that Hillingdon has extensive areas of Green Belt land as well as densely populated residential areas very close to the proposed route.

51. The proposed route would have an impact on a number of designated and identified historic assets. These include listed buildings, conservation areas, Locally Listed Buildings and a Scheduled Ancient Monument. Where these are located in close proximity to the proposed route, it is unclear as to whether any mitigation measures would even be possible.

52. In the more rural areas, from West Ruislip to the west, the route passes first in a 17m deep and 100m wide cutting through the area of New Years Green farmland. This area enjoys an extensive hedgerow network which provides visual unity and a wildlife corridor. HS2 would require the destruction of up to 3,000 trees in New Years Green Covert, which is woodland containing a diversity of tree species and wildlife habitats.

53. The proposed route would then pass along a viaduct at a height of up to 12m above the valley floor. The visual amenity of this area would be permanently and drastically affected by HS2, which would dominate the views across the flooded gravel pits. The area enjoys a strong sense of tranquillity, resulting from the absence of settlement and the dominance of open land. This would be severely affected by high speed trains travelling across the viaduct at 300kph.

54. Due to the fact that HS2 would operate with overhead electricity cables to provide it with power, a safety requirement means that trees would not be allowed to grow adjacent to the lines or to overhang the cables. This would severely affect the ability to mitigate any impact of the railway's visual intrusion by screening. Significant work is required by HS2 Ltd on the issue of how to effectively screen the railway, including its electricity cables and infrastructure and noise mitigation walls, from sight of residents and people who use facilities in Hillingdon. Unfortunately no work appears to have been done by HS2 Ltd regarding how best to retain the visual amenity of the areas it runs through.

The Heathrow Link

55. The Consultation requires respondents to comment on the inclusion of a Heathrow link, yet no details have been provided on where the proposed route or any interchange station would be. For Hillingdon, this link would have significant implications in terms of its construction, the operation of the route and the location of the station, which are all likely to cause unacceptable impacts on this Borough.

Council owned facilities

56. Hillingdon Council owns the freehold to significant parcels of land affected by HS2 (see Appendix 3). The following indicates some of the areas that HS2 would need to consider with regard to mitigation measures.

57. The Hillingdon Outdoor Activity Centre (HOAC) is an important community facility for water sports and educational activities and it is used widely by schools and voluntary groups from across north-west London. The facility has an average visitor rate of 40,000 a year, which has grown over a number of years. The Consultation documentation indicates that this facility would be crossed by HS2 on a viaduct directly over the main building and would require significant land take. The site is an educational and recreational facility which is reliant on its unique setting, tranquillity and open space of land and water, and it would not be viable either during or after HS2 has been constructed.

58. The freehold to the site is owned by London Borough of Hillingdon and leased to the registered youth educational charity, HOAC. In terms of practicality there are very few other suitable sites that this hugely valued community facility could relocate to, and certainly none within Hillingdon or the local area that could be leased to HOAC on favourable terms. It is unclear how, or if indeed it is even possible, for this loss to be mitigated.

59. A number of other important sites in the Borough may also come under threat from the proposed HS2 route. These include the Ruislip Golf Club, which also contains the Ruislip Rifle Club, two recreation grounds, and two quarries currently used for fishing in the Borough (see Appendix 3).

Impact on Hillingdon businesses

60. The Victoria Road solid waste transfer station is located in South Ruislip and is run by the West London Waste Authority. Its primary purpose is to bulk up locally collected waste from four boroughs, namely Hillingdon, Harrow, Brent and Ealing. One of its key operations is that of removal of waste by rail dealing with approximately 160,000 tonnes of municipal waste per annum, representing 3 liner trains of waste per week. In addition to this, the site is also home to a Household Refuse and Recycling Centre, which provides services to all six boroughs within the West London Waste Authority.

61. The Consultation documentation does not refer to, or consider the potential impact of HS2 on this regional facility. The Waste Authority officers believe that a 15metre wide strip of land along the southern side of the boundary, which includes the rail sidings, will be lost. This facility is reliant on removing waste via rail so would not be a viable refuse site without this siding. Loss of this site will have huge implications for Hillingdon and west London. This would also have knock-on effects on road traffic and subsequent carbon emissions, as removing waste from London via rail from South Ruislip is a far more sustainable way than the alternative road options that would be used if this site is forced to close. It is unclear how any business loss will be mitigated or its loss compensated.

62. In addition, several local businesses may face some loss of land and possibly face threat of at least partial demolition. These have not been specifically identified in any of the Consultation documentation, which is unacceptable.

Wildlife and biodiversity

63. The proposed route would have a significant adverse impact on wildlife and biodiversity within the Borough. The proposed route impacts negatively on the Mid Colne Valley (Site of Special Scientific Interest), the Mid Colne Valley (Metropolitan Site) and the New Years Green Covert.

64. It is anticipated that eight public rights of way could be adversely affected along with links to two important trails across Hillingdon, the Celandine Route, a walk of 12 miles along the River Pinn from Pinner to the Grand Union Canal at Cowley, and the Ickenham Marsh Trail, which runs from Ickenham Marsh Nature reserve to Ruislip Lido.

Construction impacts

65. Construction of the proposed HS2 route is likely to bring severe disruption to Hillingdon. Insufficient evidence is provided within the Consultation documentation to identify the extent of the impacts, which is considered to be wholly unacceptable. This approach does not allow those who are impacted to engage in an informed manner with the Consultation process.

66. The proposed route would require the construction of several new bridges in Hillingdon, where the route passes over four roads, under two roads and over the London Underground Lines. This is likely to result in significant disruption to traffic flows and public transport services. As the A40 is one of the busiest and least efficient radial corridors in London, the disruption is likely to have wider impacts beyond the Borough boundary. In addition, should the Heathrow Link proceed, this would have further significant implications for the Borough.

67. No information has been presented regarding impacts from associated infrastructure such as transformer points, or feeder stations. For example, from the experience of HS1, it is clear that a transformer station is required every 4km. However this is not clear from the Consultation documentation and there are no provisional locations shown on the maps provided.

68. If this HS2 proposal does proceed, full mitigation will be expected or if this is not possible, full compensation for all losses incurred. The construction works may also require further land for the temporary diversion of utilities and their restoration after the completion of the works, and may consequently affect a far greater number of properties in Hillingdon, where residential housing and business are located close to the proposed route.

Blight

69. If a decision is made to proceed with HS2, the Government will direct local authorities to safeguard land to enable the development of the proposed route to take place. The Government has indicated that in early 2012, a formal consultation would commence on the areas of land to be safeguarded. For some owners this would be the first indication that their land is likely to be compulsory purchased. At this point statutory blight provisions would take effect which enable people with a 'qualifying interest' to serve a notice on the Government requiring them to consider buying the property if particular criteria are satisfied. However, since March 2010 the decision by the Government to proceed to consultation with the HS2 proposals would

have already had a negative impact upon property prices within the Borough and along the course of the proposed route.

70. In response to this issue of generalised blight which is already impacting upon the Borough, the Government has introduced an Exceptional Hardship Scheme, designed to assist property owners most severely affected and wish to move now. However, strict criteria must be satisfied, making it difficult to lodge a successful application. This means that until statutory blight provisions come into effect, residents of the Borough are afforded little redress for the negative impacts that the scheme is already having on them.

Withholding of information

71. During the Consultation period it has become clear that information is being held by HS2 Ltd, and not disclosed to interested third parties. At the Hillingdon Roadshow, a number of residents asked for specific details regarding their own properties. On direct personal application to HS2 Ltd, information was solicited by individual residents as to whether their own properties were within recognised “buffer zones” with regard to impacts. The fact that this information was available but not disclosed to third parties by the Government is unacceptable. If disclosed, the information would have allowed affected residents to properly assess the impact that this scheme will have upon their property and quality of life and it would have allowed them to make fully informed responses in line with the legal principles of a proper Consultation process.

Financial Implications

As outlined above the Council is part of a consortium of 13 Local Authorities that have agreed to share the costs of the specialist consultancy 51M, with different Authorities undertaking to support the fund to different values. Hillingdon Council initially committed to fund up to £100,000 of costs. This has been earmarked within the Risk contingency to meet the council’s commitment to this fighting fund. The Leader of the Council has indicated that he will ask Cabinet to commit a further sum of £100,000 from Risk Contingency when required.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

The proposed HS2 Rail Line is likely to be the most significant development proposal in Hillingdon since the 3rd Runway. The HS2 route runs straight through the Borough. About 60% of the route is through built up areas and 40% goes through the open Green Belt. None of it is in tunnel. The effects on residents, service users and communities will therefore be significant.

Consultation Carried Out or Required

This is a Government proposal and the Consultation process is being carried out by HS2 Ltd on behalf of the DfT from 28th February until 29th July 2011. Notwithstanding this, Hillingdon Council held residents meetings on 2nd December 2010, 24th March 2011, 9th June 2011 and 14th July 2011. The Council also included a reply card in the May/June 2011 edition of Hillingdon People magazine, asking people whether they ‘do not support the Government’s current proposals for HS2 because there is not sufficient justification on economic or environmental grounds for it’ or whether they do ‘support the Government’s current proposals for HS2’.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and is satisfied that £100,000 has been included in the 2011/12 Development and risk contingency to meet the costs of any challenge against the High Speed 2 rail link. It should be noted that there could be a possible further call on the general contingency, in the event of costs increasing or any political decision made to further contribute to the High Speed 2 rail link challenge fund.

Monitoring of this contingency, will be done through the monthly budgetary monitoring process and resourcing needs for future years will be identified through the Medium Term Financial Forecast (MTFF).

Legal

Section 2 (1) of the Local Government Act 2000 gives the local authority the power to do anything which it considers is likely to promote the economic, social and environmental well being of its area.

Section 2(4)(b) provides that the power under subsection (1) includes power for a local authority to give financial assistance to any person. The term 'person' includes individuals and particular groups of people.

Section 3 (1) of the 2000 Act provides that 'the power under section 2 (1) does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in any enactment.

Legal Services has checked to see if there would be any prohibition in any legislation which would prevent the well being power from being invoked in these circumstances but cannot find any such prohibition.

The legislation does not define the level of financial assistance that a local authority may provide under the well being power. It is a matter for members to determine what would constitute a reasonable level of assistance and in this respect should have regard to the Corporate Finance comments.

Consultation must be undertaken when proposals are still at a formative stage, must give sufficient reasons to permit the consultee to make a meaningful response, must allow adequate time for consideration and response, and the results of the consultation must be conscientiously taken into account in finalising any proposals.

In considering the consultation responses, the Secretary of State must ensure there is a full consideration of the representations from this Council, including those which do not accord with the proposals.

Corporate Landlord

Property within the ownership of London Borough of Hillingdon will be significantly affected as set out in the text above and Appendix 3. It is difficult to account for the loss in revenue during the works and decrease in the value of the capital assets without further clarity of information from HS2 Ltd. The Rights

of Way officer has been consulted and a number of footpaths and bridleways that create an excellent network across Council owned property will be affected during and after the works decreasing recreational opportunities to the residents and visitors to the Borough.

BACKGROUND PAPERS

The DfT's Consultation Documents regarding 'High Speed Rail: Investing in Britain's Future' dated February 2011

51M Group's Transport Select Committee Submission available on <http://www.51m.co.uk/select-committee>

Appendix 3:

COUNCIL-OWNED PROPERTIES WHICH WILL BE AFFECTED BY THE PROPOSED ROUTE OF HS2

A number of council-owned properties will be affected by the proposed route as follows:

Property name	Comments
Hillingdon Outdoor Activity Centre	Viaduct to go straight through the site and across the lake, which is also in the ownership of the Council. Effectively this means the Centre may have to close. The Council may need to find alternative site within the Borough
Park Lodge Farm	HS2 will cut across fields potentially leaving one field inaccessible, without turning from a fast road which is dangerous with a tractor.
Pit 2, Denham Quarry	HS2 may make fishing impossible during the construction works.
Denham Quarry	HS2 may make fishing impossible during the construction works. The access track to Pit 3 & 4 will be blocked by construction works and HS2 will require access underneath after construction.
Ruislip Golf course	HS2 will affect operations on the southern part of the site, including a loss of a strip of land 20-30 metres wide. May also see the loss of Ruislip Rifle Club, which is within direct line of the proposed route.
Land south of the railway by the River Pinn	Possible interruption during construction works. Access may be required across the land.
Park beside Herlwyn Avenue	Potential loss of land. School and playing fields will need to be protected from noise and disruption during and after construction works.
Recreation Ground near Ruislip Manor School	Potential loss of land. School and playing fields will need to be protected from noise and disruption during and after construction works.

RURAL ACTIVITIES GARDEN CENTRE - PROJECT PLAN FOR ITS MODERNISATION AND SUSTAINABLE FUTURE

Cabinet Member	Cllr David Simmonds and Cllr Philip Corthorne
Cabinet Portfolio	Education and Children's Services and Social Care Health and Housing
Officer Contact	Tricia Collis, Sharon Townsend - Planning, Environment, Education and Community Services
Papers with report	RAGC - Project Plan

HEADLINE INFORMATION

Summary	The report sets out the proposals for the Rural Activities Garden Centre (RAGC) as a multi use site to ensure a sustainable future for the Centre and enable residents with learning difficulties, disabilities and mental health issues to engage in appropriate training, volunteering and supported employment activities.
Contribution to our plans and strategies	Sustainable Community Strategy, Disabled Peoples Plan, Sustain Prosper and Renew.
Financial Cost	The project plan identifies a potential accommodation upgrade which it is estimated would have a capital cost of £240,000 will have a capital financial cost.
Relevant Policy Overview Committee	Education and Children's Service POC and Social Care Health and Housing POC
Ward(s) affected	Yiewsley, All wards

RECOMMENDATIONS

That Cabinet:

- 1. Note the extensive potential that the Rural Activities Garden Centre has for supporting residents with learning difficulties, disabilities and mental health issues into appropriate training, volunteering and supported employment.**
- 2. Instruct officers and to action the proposed Project Plan to ensure the Centres sustainable future.**

INFORMATION

Reasons for recommendation

The Rural Activities Garden Centre has considerable potential to support residents with learning difficulties, disabilities and mental health issues to gain skills which support greater independence and where appropriate supported or full employment. This project will open up real opportunities to provide local services for people with learning difficulties, disabilities and mental health issues or in need of a route to rehabilitation in a more effective and sustainable way.

The site offers many opportunities to provide a multi use facility that will serve the community and benefit many residents. By prioritising opportunities for vulnerable adults alongside activities which generate income for the Centre sustainability and positive future can be achieved.

Alternative options considered / risk management

Alternatives for the Centre have been considered, including an out sourcing approach. The development of a multi use site, where several Council Services can contribute positively and work together for the benefit of the centres users is the preferred option.

All services who will be working together on the site have already had successful interaction with the Centre with positive results and the risks are minimal.

Comments of Policy Overview Committee

The Social Services, Health and Housing Policy Overview Committee will be considering this report at a special meeting held on Monday 25th July. Education and Children's Services Committee Members have also been invited to attend. Any comments from this meeting will be circulated to Cabinet to consider.

Supporting Information

1. The Rural Activities Garden Centre (RAGC) is currently a day service for people with learning disabilities, providing horticultural skills and opportunities to socialise and meet others. The centre currently operates as a garden centre, selling the plants and produce grown by the trainees and giving gardening advice. Poultry is reared on site and eggs are sold. The site is currently run by Social Care Health & Housing Directorate and some management and supervision is provided.
2. The National Development Team (NDT) was commissioned to undertake a thorough options appraisal "Developing the Rural Activities Garden Centre" (Feb 2009). As of this time there were around 26 clients making use of the centre. The majority of clients had been attending the centre for over 12 years and 7 had been there for at least 20 and 4 for more than 28 years. The remainder had been using the centre for between 1 and 3 years. 17 of the clients also attended other day centers or colleges. The clients also attend other venues including Brookfield and Longmead Adult Learning Centres, and day centers at Woodside Day Centre, Parkview and Grassy Meadows.

3. There are strong current and historic links between RAGC and the Adult Learning Service. The Adult Learning Service has been providing learning and training opportunities for service users at the RAGC, in partnership with the Social Services, Day Services Team since 2004, across a wide range of subjects to meet the identified needs of the centres users. In recent years the Adult Learning Service has developed courses, with a strong horticultural content, working with the RAGC to support vulnerable residents into supported employment or greater independence.
4. The site offers many opportunities to provide a multi use facility that will serve the community and benefit residents. Prioritising opportunities for service users alongside activities which generate income for the Centre are essential for ensuring sustainability.
5. During an Event held on the 17th June 2010, facilitated by Officers and attended by Service Users, Parent Carers and stakeholders, 3 key priorities were identified.

Priority 1 Master plan for the site. Phased improvements

Priority 2 Educational use for adult education, work experience, college, environmental studies. (would need a classroom)

Priority 3 Outside Gardening Gangs Private/Contract work

These have formed the basis of a larger offer for both current users and for all residents wishing to use the centre in the future.

6. On further exploration, it is clear that the site is capable of being developed to offer training for life and employment skills and to prepare some people for onward employment or to greater independence in their daily lives. Alongside the current service users residents, currently suffering from mental health issues or in need of rehabilitation may wish to explore its therapeutic offer by engaging in high quality horticultural activities
7. Through the effective cross service working and close partnerships formed between the Adult Learning Service, Day Services and Green Spaces the site could provide opportunities for a wide range of vulnerable residents to develop and gain a variety of skills on an individual basis or as part of a team, to build confidence, develop expertise and work tolerance and to then move on to other opportunities. As part of an Adult and Community Learning offer these opportunities may be educational, in training, volunteer, or employment related within the community, whilst other users may be suited to a regular of pattern of work and interaction based solely at RAGC.
8. For residents with learning difficulties, disabilities or mental health issues the RAGC as a multidisciplinary Centre could provide:
 - ❖ A full Foundation Learning Programme, leading to supported employment across 4 pathways, Horticulture, Catering, Retail and Hospitality, linked with the already successful programme at Brookfield
 - ❖ Opportunities for all vulnerable residents to engage in horticulture supported employment and volunteering, through partnership with Green spaces
 - ❖ Workright” programmes which support LDD residents in and into supported employment

- ❖ Supported employment opportunities in Retail or other work placements
- ❖ Progression and employment for hospitality learners who have completed their foundation course at Brookfield
- ❖ Extension of land based courses to include practical sessions for more advanced levels, providing volunteering opportunities alongside main stream learners.
- ❖ Growing and sale of cut flowers. These could be used by adult learners for training courses.
- ❖ Fully supported Micro Enterprises for users to develop their own businesses.
- ❖ Involvements with the RHS, National garden scheme (yellow book) , Hillingdon in Bloom

9. The Project Plan (appendix 1) sets out, the actions required to ensure a smooth transition of the management of the Rural Activities Garden Centre from the Day Services Team in the Social Care Health and Housing Directorate to the Adult and Community Learning Team within Planning, Environment, Education and Community Services directorate and the future direction for the Centre. The plan has been produced by staff within both teams, all of whom have had involvement with the RAGC over a number of years from various perspectives

10. The priorities identified by users and stakeholders at an event on June 2010 have been fully considered and have been instrumental in shaping a clear vision for the centre moving forward, which is:

'To provide a horticultural bridge, over which centre users may walk with appropriate support towards greater independence and supported employment'

. The Project Plan will realise this Vision through 2 phases:

Phase 1. Transition of Service Management and Resource Identification for sustainability including Capital finance.

Phase 2 Three Year Strategic Plan and Sustainability Strategy, with associated developments.

Financial Implications

The majority of actions described in the project plan will be completed using existing resources. Some training developments can be funded by the adult learning service through their existing contracts with the Skills Funding Agency and Young Peoples Learning Agency and exploration of further revenue funding will be undertaken.

The project plan includes a Capital Funding requirement which the current Administration is fully committed to.

It is estimated that in the region of £ 240,000 will be required to upgrade the current accommodation, which does not currently met legislation nor satisfy the needs of the Disability Discrimination Act, for which a funding strategy will need

to be identified. The requirement can be incorporated into the Councils Medium Term Financial Forecast (MTFF) process, or if an investment is required in the current year consideration could be given to bidding for an allocation from any unallocated capital contingency.

The project plan also identifies a number of work streams that will aim to seek external funding and generate additional income that can be used to enhance existing resources. a number of work streams also look to develop wider links with other Council services that could generate efficiencies going forward , including closer working with the green spaces service.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The realisation of the proposed Project Plan for the Rural Activities Garden Centre will have a significant and positive benefit for not only current users but for those in the future who have learning difficulties, disabilities or mental health issues. It will provide a wide range of opportunities to support vulnerable residents towards greater independence and increase the numbers in supported or full employment.

The change programme will balance the needs of the existing service users who value the preventative aspect of the current service, whilst also widening opportunities accessible to new users, not necessarily solely people with a learning disability.

Consultation Carried Out or Required

Extensive engagement with stakeholders has taken place over the future direction of RAGC, including regular meetings and workshops over the last two years. In June 2010 an event was held, facilitated by officers, which centre users, parent carers and other stakeholders attended to explore new directions for the centre and to identify priorities for its future direction of travel. The proposed Project Plan has been largely influenced by this work and information.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and agrees with the financial implications identified above. Proposals for capital investment included above will be presented to Members through the MTFF process

Legal

Under the Council's Constitution, the Cabinet has the appropriate powers to agree the recommendations proposed at the outset of this report. There are no other significant legal implications arising out of this report to bring to Cabinet's attention.

Corporate Landlord

The Corporate Landlord is in support of the recommendations within the Report

Relevant Service Groups

Planning, Environment, Education and Community Services and Social Care
Health and Housing

BACKGROUND PAPERS

NIL

Project Plan for the modernisation and sustainable future of the Rural Activities Garden Centre

(Including the transition of management responsibility from Social Care Health and Housing to Adult and Community Learning)

Project Plan

This project plan will set out the stages required to ensure a smooth transition of the management of the Rural Activity Garden Centre from the Day Services Team in the Social Care Health and Housing Directorate to the Adult and Community Learning Team within Planning, Environment, Education and Community Services directorate and the future direction and plans for the Centre

The plan has been produced by staff within both teams, all of whom have had involvement with the RAGC over a number of years from various perspectives. The priorities identified by users and stakeholders at an event on June 2010 have been taken into account and have been instrumental shaping a clear vision for the centre moving forward, which is:

‘To provide a horticultural bridge, over which centre users may walk with appropriate support towards greater independence and supported employment’.

Background Information

The RAGC is a day services Centre for people with special needs, providing horticultural skills and opportunities to socialise and meet others. The centre currently operates as a garden centre, selling the plants and produce grown by the trainees and giving gardening advice. Poultry is reared on site and eggs are sold. The site is currently run by Social Care Health & Housing Directorate and some management and supervision is provided.

The National Development Team (NDT) was commissioned to undertake a thorough options appraisal “Developing the Rural Activities Garden Centre” (Feb 2009). As of this time there were around 26 clients making use of the centre. The majority of clients had been attending the centre for over 12 years and 7 had been there for at least 20 and 4 for more than 28 years. The remainder had been using the centre for between 1 and 3 years. 17 of the clients also attended other day centers or colleges. The clients also attend other venues including Brookfield, and day centers at Woodside Day Centre, Parkview and Grassy Meadows. There are strong current links between RAGC and the Adult Learning Service.

RAGC's facilities include:

- Several small out buildings, (mess room, shop, tool shed, toilets)
- A small plant sales area with wooden staging,
- A small formal garden,
- Car parking on site
- Growing areas at rear including a small orchard and vegetable plots.
- A small pond.
- Storage bays for mulch / compost delivered by a local tree surgeon.
- Two glass houses - suitable for raising plants. Heated by simple means.
- Three "poly tunnels" - in good condition and suitable for raising plants.
- Chicken coups.

Proposal

The site offers many opportunities to provide a multi use facility that will serve the community and benefit residents. Prioritising opportunities for service users alongside activities which generate income for the Centre are essential for ensuring sustainability.

During an Event held on the 17th June 2010, facilitated by Officers and attended by Service Users, Parent Carers and stakeholders, 3 key priorities were identify

- ❖ **Priority 1** Master plan for the site. Phased improvements
- ❖ **Priority 2** Educational use for adult education, work experience, college, environmental studies (would need a classroom)
- ❖ **Priority 3** Outside Gardening Gangs Private/Contract work

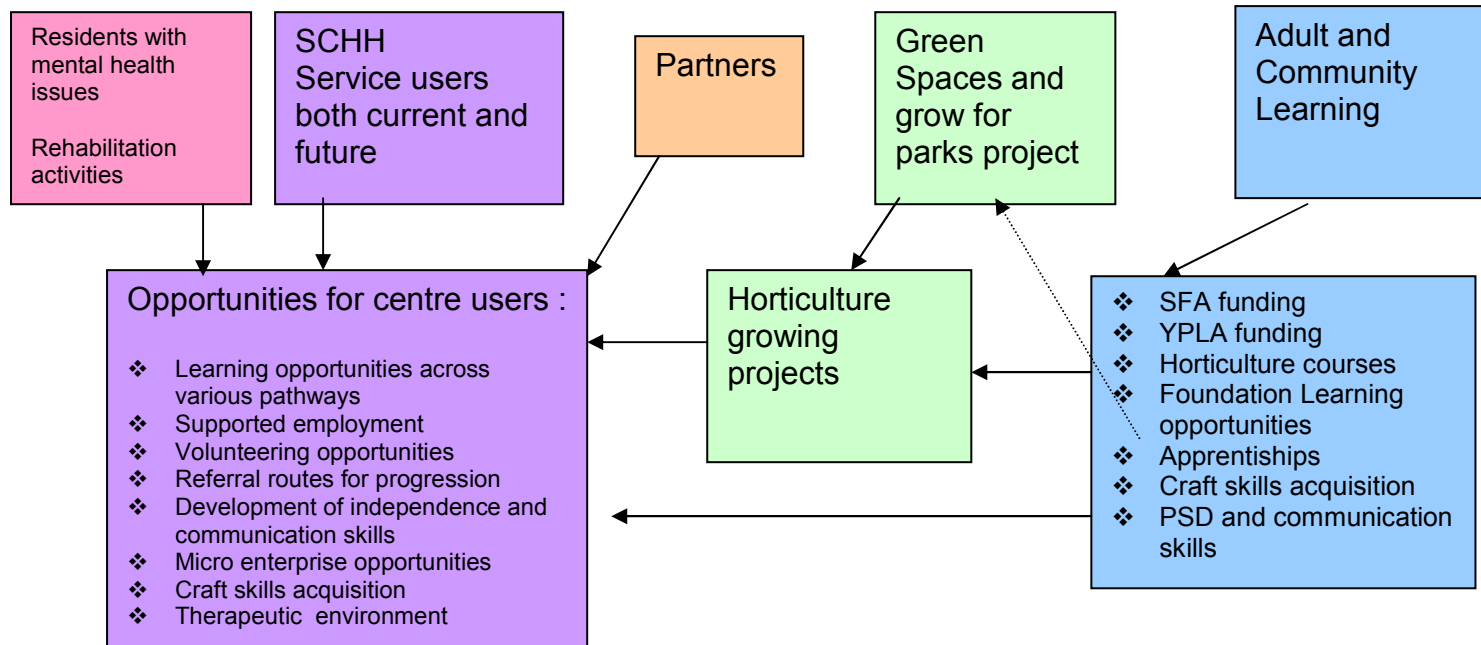
On further exploration it is clear that the site is capable of being developed to offer training for life and employment skills and to prepare some people for onward employment. It could provide opportunities for individuals to develop and gain a variety of skills on an individual basis or as part of a team, to build confidence, develop expertise and work tolerance and to then move on to other

opportunities. As part of an Adult and Community Learning offer these opportunities may be educational, in training, volunteer, or employment related within the community, whilst other users may be suited to a regular of pattern of work and interaction based solely at RAGC.

For residents with learning difficulties and disabilities the RAGC as a multidisciplinary Centre could provide:

- A full Foundation Learning Programme accredited by City and Guilds leading to supported employment across 4 pathways, horticulture, catering, Retail and Hospitality, linked with the successful programme at Brookfield
- “Workright” programmes which support LDD residents in supported employment
- Opportunities for LDD residents to engage in horticulture supported employment and volunteering, through partnership with Green spaces
- Supported employment opportunities in Retail or other work placements
- Progression and employment for hospitality learners who have completed their foundation course at Brookfield
- Extension of land based courses to include practical sessions for more advanced levels, providing volunteering opportunities alongside main stream learners.
- Growing and sale of cut flowers. These could be used by adult learners for training courses.
- Fully supported Micro Enterprises for users to develop their own businesses.
- Involvements with the RHS, National garden scheme (yellow book) , Hillingdon in Bloom

Key Elements



Project Plan

The project will be divided into 2 Phases:

Phase 1. Transition of Service Management and Resource Identification for sustainability including Capital

Phase 2 3 Year Strategic Plan and Sustainability Strategy, with associated developments.

Strategic Objective	Action	Person(s) Responsible	Time Frame	Resource (approx)
Phase 1.				
Lift and shift to Adult and Community Learning	Transfer of the management of the Service from SSHH to PEECs and the adult and Community learning team	Jean Palmer Linda Sanders	July 2011	No Cost
Communication Strategy	With staff in relation to lift and shift	Tricia Collis and Sharon Townsend	Early July date TBC	Officer time - 2 days
	With service users in an appropriate format	Tricia Collis and Sharon Townsend	Early July date TBC	
	With Parent Carers groups	Tricia Collis and Sharon Townsend	Early July date TBC	
Cabinet Report	Endorsement by Cabinet of Project Plan	Cabinet (Cabinet report by TC and ST)	28 th July 2011	Officer time - 2 days

Strategic Objective	Action	Person(s) Responsible	Time Frame	Resource (approx)
Accommodation Strategy confirmed	Plan for the upgrade of accommodation to ensure fit for purpose accommodation in place	Tricia Collis , Nigel Dicker and Mohammed Bhimani	September date	£240K maximum Current exploration of relocating of existing buildings for reuse which will reduce this cost is underway
	Exploration of any grants available and planning conditions	Tricia Collis , Nigel Dicker and Mohammed Bhimani	August 2011	Officer time – 5 days
Training budget secured	Funding through Skills funding agency and YPLA for training negotiated	Tricia Collis with Lisa dancer and Michelle Lindie	In place for 2011-12 academic year	SFA and YPLA Grant
	Additional funding secured for volunteer projects and apprenticeships	TC with Peter Sale and Kim Overy	January 2012	External funding - 2 days
Green Spaces 'growing for parks' initiative	Work with green spaces to project plan 'Growing for Parks' initiative, which will provide supported employment and volunteering opportunities.	Paul Richards with Tricia Collis		Green Spaces budget

Strategic Objective	Action	Person(s) Responsible	Time Frame	Resource (approx)
Phase 2				
Restructure of staffing	Restructure of staff to provide effective management and staffing to support all users	Tricia Collis	October 2011	Officer time- 5 days
Development of 3 year Strategic Plan	Through effective involvement of stakeholders a 3 year Plan with a one year business plan will be developed	Tricia Collis with Sharon Townsend , Staff , Parent Careers , Centre Users, Volunteers, partners	Completion December 2011	Officer time- 10 days
Develop Partnership with charitable bodies	Develop effective partnerships with charitable bodies such as Ground Work Trust , Thrive	Tricia Collis with Centre Manager	Commencing July 2011	Officer time – 5 days
Develop a criteria with Social Services 'for reviewing current centre users and their on going needs' and for new social services clients to be referred to the centre	Ensure residents with LDD needs can have continue access to the Centre including a fit for purpose review to ensure appropriate support.	Sharon Townsend and Sharon Taylor with Tricia Collis	September 2011	Officer time- 3 days

Strategic Objective	Action	Person(s) Responsible	Time Frame	Resource (approx)
Develop effective referral routes for residents	Work with perfect start , reed , Job centre Plus to enable effective referrals for residents	Tricia Collis with partners	December 2011	Officer time – 3 days
Extend funding opportunities	Explore external grants such as Big Lottery for revenue funding	Tricia Collis , Nigel Dicker , economic Regeneration Team	December 2011 and ongoing	Officer time - 10-20 days
Extend revenue opportunities and Micro Enterprises	Develop opportunities for learning opportunities with revenue benefits i.e. wood &craft products	Tricia Collis with Lisa Dancer and Michelle Lindie Economic regeneration team	October 2011 and ongoing	SFA funded and possible grants
Develop SLA agreements with schools and community groups to use the centre	Diverse community groups accessing the centre to enrich all aspects of the work and environment	Tricia Collis with Centre manager	March 2012	Officer time – 5 days
Develop a Volunteers Strategy	Engage with community groups to develop the recruitment of volunteers and Provide appropriate training and support for their role within the centre	Tricia Collis with Lisa Dancer	November 2012	Officer time- 5 days and SFA funding for training

HILLINGDON LOCAL DEVELOPMENT FRAMEWORK: PRE-SUBMISSION DRAFT CORE STRATEGY

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Planning and Transportation and Recycling
Officer Contact	Jales Tippell - Planning, Environment, Education and Community Services
Papers with report	<p>Appendix 1 - Report of Consultations - Responses Received to the Pre-Submission Draft Core Strategy</p> <p>Appendix 2 - Schedule of Proposed Changes to Pre-Submission Draft Core Strategy</p> <p>Appendix 3 - Text of Submission Draft Core Strategy (circulated separately)</p> <p>Appendix 4 - Sustainability Appraisal Report</p> <p>CIRCULATION: Appendix 3 – Text of Submission Draft Core Strategy has been circulated as a separate appendix to Members. Due to size, all other appendices will be made available in Group Offices for viewing or online on the Council’s website. Public inspection copy also available.</p>

HEADLINE INFORMATION

Purpose of report	This report presents the results of the consultation held in February and March 2011 on the Local Development Framework Pre-Submission Draft and seeks approval to proceed with arrangements to submit the Draft Core Strategy to the Secretary of State for an Examination in Public.
Contribution to our plans and strategies	The Draft Core Strategy aligns closely with the Sustainable Community Strategy and contributes to delivering key plans and strategies, in particular the Transport Strategy, Economic Development Strategy and Housing Strategy.
Financial Cost	The cost of preparing and taking the Draft Core Strategy forward for submission can be met from existing revenue budgets for 2011/12.
Relevant Policy Overview Committee	Residents’ and Environmental Services Policy Overview Committee.
Ward(s) affected	All

RECOMMENDATIONS

That Cabinet:-

1. **Notes the responses received to the consultations held during February and March 2011 on the Local Development Framework Pre-Submission Draft Core Strategy, as detailed in the Report of Consultations attached at Appendix 1.**
2. **Approves the Schedule of Proposed Changes to the Pre-Submission Draft Core Strategy for submission to the Secretary of State, attached at Appendix 2.**
3. **Approves the final Sustainability Appraisal attached at Appendix 4.**
4. **Recommends to Full Council that the:**
 - **Local Development Framework Pre-Submission Draft Core Strategy**
 - **Schedule of Proposed Changes**
 - **Report of Consultations on the Pre-Submission Draft Core Strategy**
 - **Consultation Statement for the Consultation Draft Core Strategy and**
 - **Final Sustainability Appraisal Report****be submitted to the Secretary of State for formal examination.**
5. **Grants delegated authority to the Deputy Chief Executive and Director of Planning, Environment, Education and Community Services to agree, in conjunction with the Cabinet Member for Planning, Transportation and Recycling to make any further minor editing and textual changes to the Pre-Submission Draft Core Strategy, before it is formally submitted.**

INFORMATION

Reasons for recommendation

These recommendations are sought to enable the Council to make meaningful progress on the Local Development Framework Core Strategy in order to meet targets approved by the Mayor of London in the Council's Local Development Scheme.

The Core Strategy will in due course replace the Unitary Development Plan Saved Policies, 2007. Strategic policies in the Core Strategy are intended to provide a more up-to-date framework to determine planning applications forming a material consideration alongside the Unitary Development Plan and the London Plan, Consolidated with Alterations 2008, and the Replacement London Plan 2009.

Alternative options considered / risk management

The Cabinet may decline to approve the Pre-Submission Draft Core Strategy and Schedule of Proposed Changes. Alternatively Cabinet may request officers to make significant changes to the Core Strategy for its subsequent approval prior to its submission to the Secretary of State.

It is considered that these alternative options would prejudice progress on the preparation of the Local Development Framework as a whole, result in targets in the Local Development Scheme being missed, and fail to provide the Council with an up-to-date statutory development plan in order to deal with major development proposals in the future.

Comments of Policy Overview Committee(s)

The Residents' and Environmental Services Policy Overview Committee has been involved over the years in the development of the LDF, providing input as part of the process.

Supporting Information

The Local Development Framework Core Strategy - Background

1. The Core Strategy is a spatial plan, providing the strategic vision and direction for new development through to 2026. It aligns closely with the Sustainable Community Strategy and conforms to the Mayor of London's London Plan.
2. The drafting of the Core Strategy has taken into account relevant planning legislation, national planning policy statements; on-going advice from the Government Office for London and the Planning Inspectorate, and also from lessons learnt from professional planning bodies and agencies, in particular the Planning Advisory Service (PAS). In summary the Core Strategy has evolved from the following documents:
 - Issues and Options (Spring 2005)
 - Preferred Options (Autumn 2005)
 - Revised Preferred Options (Spring 2007)
 - Consultation Draft (June 2010)
 - Pre-Submission Draft (February 2011)

The Consultation on the Pre Submission Core Strategy

3. At a meeting on 18th November 2010, the Cabinet agreed to approve the Pre-Submission Draft Core Strategy for public consultation and requested that the results of the consultation be reported to a future meeting.
4. The detailed arrangements made to involve the public and key stakeholders in consultations on the Draft Core Strategy have followed the approach set out in the Council's Statement of Community Involvement (SCI) adopted in November 2006. The SCI sets out a minimum of six weeks for public consultations for each of the stages in the plan making process. Consultations on the Draft Core Strategy were carried out over a six-week period between 9th February and 25th March, 2011.
5. During this period:
 - Press notices were published in the Hillingdon Leader, Gazette series (all Hillingdon editions) and in the London Gazette on the 9th February.
 - Consultation documents were available for viewing and comment at all borough public libraries, the Hayes One Stop Shop, and the Planning Information Services section at the Uxbridge Civic Centre.
 - Public information displays on the Draft Core Strategy were exhibited at Uxbridge Library and at Planning Information Services, Civic Centre, Uxbridge.
 - Six information drop in sessions were held at Ruislip Manor, Uxbridge and Botwell libraries.
 - An article was placed in Hillingdon People in the January 2011 edition and an audio advertisement was placed in Hillingdon talking Newspaper for the visually impaired.
 - The consultation was also advertised on the Council's Website from 9th February.
6. A number of local events and meetings were also attended by officers to raise awareness and encourage discussion about the draft Core Strategy. These included the:
 - Youth Council (10 January)
 - West Drayton Town Partnership (12 January)

- Hillingdon Motorists Forum (12 January)
- Older Peoples Steering Group (12 January)
- Cleaner Greener Group (25 January)
- Hayes Town Partnership (7 February)
- Local Strategic Partnership - Executive Meeting (8 February)
- Hillingdon Force - Older People's Steering Group (18 February)
- Yiewsley Community Fair (26 February)
- Yiewsley & West Drayton Town Centre Partnership (2 March)
- Hillingdon Interfaith Network (2 March)
- Access and Mobility Forum (7 March)

7. Approximately 3,000 letters and emails were sent to various groups and individuals, inviting comments on the consultation documents. The letters included a brief summary about the draft Core Strategy, where to view it and how to provide comments. Relevant groups were also provided with a CD Rom. Responses were invited on-line, by email, by completing a Consultation Response Form, by letter or fax.

8. All elected members and local MPs were posted a letter explaining the consultation process and an invitation to a drop-in session, with a hard copy of the Consultation Draft Core Strategy delivered to the group offices, with additional hard copies delivered upon request. A letter and CD-Rom was sent to all statutory consultees (119). Residents Associations (115) were also sent a letter and CD-Rom.

9. Letters were also sent to 50 randomly selected residents per ward from the electoral register (1100) and to 197 randomly selected businesses from the 2008 Hillingdon Business Directory.

10. Two drop-in information sessions for Council Members were held at the Civic Centre during the evening on 16th February and 1st March.

The Local Development Framework Pre-Submission Draft Core Strategy – Consultation Results

11. Over 570 responses from 126 organisations and individuals were received on the various chapters, policies and proposals. A full set of responses received is attached at Appendix 1 to this report together with a list of people and organisations making representations. The main areas of concern which arose are summarised below:

- a. **Green Belt designations:** some objectors from commercial organisations consider it anomalous that the Green Belt designation continues to cover the Terminal 5 site at Heathrow. Some objectors also consider that designations in the north of the borough no longer fulfil a true Green Belt function and sites should be released for housing or other uses. The officer response is that various detailed Green Belt designations will be reviewed along with a series of other site designations as part of work for the forthcoming Site Allocations development plan document. The Core Strategy simply shows the broad extent of the Green Belt in the borough.
- b. **Heathrow:** one major airline has requested that the Core Strategy should:
 - recognise that land should be reserved to enable future consideration of the need for Runway Three – it should not be released for other uses which would jeopardise future development of a third runway;
 - permit airport-related hotel and employment development in line with anticipated demand;

- allow for more intensive use of the runways; and
- remove the Council's opposition to supporting greater numbers of flights.

The officer response is that it would not be reasonable to effectively safeguard land originally required for the Runway 3 proposal in case the Government reconsiders the case for it at some future date. Officers have also re-iterated the Council's position that land at the Airport is finite and should be primarily used for operational purposes and that it remains opposed to more intensive use of the runways or greater numbers of flights.

- c. **Employment Land:** some commercial organisations believe the borough's population growth projections require more employment land to be released than that identified in the Core Strategy. The officer response is that the current housing trajectory data does not require further land releases in the light of work on the Strategic Housing Land Availability Assessment. Future work on a Site Allocations Development Plan Document may also identify further sites available for housing development which are not on existing employment land.
- d. **Retailing:** several major supermarket operators consider the borough should have a more updated retail study, e.g. in view of recent housing development and that planned in the borough. In response, officers have noted the recent comparison retail study position statement and suggest that a further major retail study could be undertaken relatively early following adoption of the Core Strategy. Preparation of a Site Allocations Development Plan Document may also bring forward sites which offer further retail development potential in the borough.
- e. **Heathrow Opportunity Area Boundary:** some local organisations have asked that the Opportunity Area boundary should be clearly set out in the Core Strategy. The officer response is that the Opportunity Area is a proposal in the London Plan and that it remains for the Mayor of London to issue details of the intended Opportunity Area boundary.
- f. **Mayor of London – London Plan conformity:** the Mayor has raised two issues of general conformity with the London Plan and has asked the borough to amend the Core Strategy to address these issues. As there will be three Crossrail stations in the borough at Heathrow, West Drayton and Hayes, he requests that the Core Strategy makes reference to Crossrail specifically as a strategic infrastructure project; and that it highlights the relevant London Plan Policies and Supplementary Planning Guidance under which Section 106 funding will be sought from office and retail development through Planning Obligations and the proposed Mayor's CIL. Officers intend including these references within the Core Strategy as required by the Mayor.

The Mayor has also requested that Policy EM11 on Sustainable Waste Management should clearly set out the waste apportionment target for Hillingdon from the London Plan - which is 382 thousand tonnes per annum by 2026 – and that the commitment to safeguard all waste sites needs to be within the Core Strategy policy as well as in the supporting text at paragraph 8.159. Officers propose to amend the Core Strategy as requested by the Mayor.

2009 Replacement London Plan - Panel Report

12. Following the borough's consultations on the Pre-Submission Draft Core Strategy, Members should note that a Panel Report for the Examination in Public on the Draft Replacement London Plan was published on 3rd May. As a result, there are some amendments

required to the Core Strategy. Overall, the Panel found the Replacement London Plan to be sound. Their key recommendations were as follows:

Policy 3.5: Quality of Design and Housing Developments. The ‘presumption against’ development on back gardens is to be removed from part A of the policy. It is to be replaced with new provisions allowing local authorities to introduce ‘policies to control’ such development. In Hillingdon such policies would be proposed in the forthcoming Development Management Development Plan Document.

Policy 3.5: Quality of Design and Housing Development: Table 3.3 (Minimum Space Standards) is to be amended to incorporate indicative space standards for 1-bed flats / studios of 37 square metres. Again, in Hillingdon detailed local policies could be proposed in the forthcoming Development Management Development Plan Document.

Policy 3.9: Gypsies and Travellers: Table 3.4 which set out borough-wide pitch provision targets is to be replaced with sub regional targets for the Homes and Communities Agency London sub regions. Hillingdon is in the North West London sub region which is expected to provide 40 – 43 additional pitches between 2007 and 2017.

Policy 3.12: Affordable Housing Targets: Part A of the policy is to be changed so that boroughs “..should aspire towards securing 50% of all new housing as affordable.”.

13. To reflect the provisions of the London Plan and the associated Panel Report, the wording of policy H2 in the draft Core Strategy will be amended to state that Hillingdon will seek to maximise affordable housing provision. The supporting text will refer to the conclusions of Hillingdon’s economic viability assessment and the recently published London Plan Panel Report.

Schedule of Proposed Changes to the Pre-Submission Draft Core Strategy

14. Appendix 2 of this report contains a Schedule of Proposed Changes to the Pre-Submission Draft Core Strategy. Officers propose that this Schedule together with the Pre-Submission Draft will form the principal Submission documents for the Secretary of State.

15. The majority of changes represent minor editing of the text of the Core Strategy for clarification or to update particular wording or statistics - e.g. to reflect the findings of the Panel Report for the Examination in Public on the Draft Replacement London Plan. The main changes proposed in the Schedule are summarised below:

- a. A reference to the borough’s aspiration that the Central Line should be extended to Uxbridge is to be included in the Major Infrastructure Projects section of the Core Strategy as a new paragraph 3.10.
- b. Following a request by the Planning Inspectorate, a further section is to be added to the Core Strategy listing those policies from the Unitary Development Plan Saved Policies, 2007 which will be superseded. (This is shown as “Appendix 5” in the revised text of the Core Strategy - attached for Members’ information as Appendix 3 to this report.)
- c. To meet the statutory requirement to be in general conformity with the London Plan: (i) additional wording is to be included at chapter 3 on the section covering strategic infrastructure, noting how Section 106 planning obligations and Mayoral Community Infrastructure Levy are to be implemented on Crossrail; (ii) policy EM6 will seek the use of Sustainable Urban Drainage Systems in new developments; (iii) policy EM8 will seek the incorporation of water efficiency measures in all new development; (iv) policy EM11 on Sustainable Waste Management is to be amended to include the waste apportionment target for the borough in 2026 and to note that existing waste sites are to be safeguarded for future waste management use.

- d. Paragraph 5.20 is to be amended to note that the Bath Road area at Heathrow is identified in the Hillingdon Tourism Study as potentially suitable for hotel growth, alongside Hayes and Uxbridge.
- e. Reference to the development of a night time economy in the borough's Hayes to West Drayton Corridor is to be added to the text of Table 5.3 to match a similar policy intention specifically for Uxbridge already included at paragraph 5.27 in the Core Strategy.

16. For Members' information, Appendix 3 attached to this report comprises a copy of the whole text of the draft Core Strategy incorporating the alterations proposed in the Schedule of Proposed Changes to the Pre-Submission Draft. These are highlighted in red underlined text.

Submission Documents

17. Members should note that the following documents are to be submitted to the Secretary of State:

- Local Development Framework Pre-Submission Draft Core Strategy
- Schedule of Proposed Changes (attached as Appendix 2 to this report)
- Report of Consultations on the Pre-Submission Draft Core Strategy
- Consultation Statement for the Consultation Draft Core Strategy (previously reported to Cabinet at its meeting on 18th November 2010)
- Final Sustainability Appraisal Report (Appendix 4 to this report)

These documents have to be submitted together under the requirements of Regulation 30 of the Town and Country Planning (Local Development) (England) Regulations 2004.

Next Steps

18. The remaining timetable for production of the Core Strategy is outlined below:-

- (a) Officers to undertake further evidence base research and preparation of supporting topic papers prior to submission of the draft Core Strategy to the Secretary of State.
- (b) A Programme Officer to be appointed by September to facilitate the organisation and running of the Examination in Public.
- (c) Officers to seek full Council approval at the meeting on 8th September for the submission of the draft Strategy to the Secretary of State.
- (d) Subject to any final editing, to advertise and submit the draft Core Strategy and accompanying documents to the Secretary of State by the end of September for subsequent Examination in Public before an independent Inspector.
- (e) To agree the appointment of an Inspector for the Examination in Public with the Planning Inspectorate and arrange office accommodation and supporting facilities for the Inspector and Programme Officer at Uxbridge Civic Centre for the period in the run-up to, and for a further period following the Examination in Public.
- (f) To arrange and advertise any Pre-Examination Meeting required by the Inspector. This would normally be expected to be held within eight weeks of submission, i.e. by the end of November.
- (g) To arrange and advertise final arrangements for the Examination in Public, which can be expected to be held during January 2012.

19. The length of the Examination in Public will not be known until after the Pre-Examination Meeting when a final timetable and details of issues to be examined will be produced by the Inspector. Experience from other Core Strategy Examinations in Public held to date suggests that it is unlikely to extend beyond five days. The inspector will then produce a report whose

findings will be binding on the Council. Publication of this is anticipated by April 2012. Providing the Inspector finds the Core Strategy sound, the Council should then be in a position to move forward to formally adopt the Strategy during May / June 2012.

Financial Implications

The cost of preparing and taking forward the draft Local Development Framework Core Strategy to an Examination in Public is estimated to be £75,000 and will be met from the existing planning budget.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The Core Strategy will provide the overarching long-term development framework for the development of the borough up to 2026. It will be the key delivery mechanism of the Sustainable Community Strategy and will provide the context for the preparation of further Development Plan Documents (DPDs) over the next few years, including the Development Management, Site Allocations and Heathrow Opportunity Area DPDs. The Core Strategy will therefore have a significant impact, both short term and long term, upon residents, businesses, service users and all members of Hillingdon's communities.

Consultation Carried Out or Required

The preparation of the Core Strategy has involved the close and active involvement of Hillingdon Partners through the mechanism of an LDF Working Group. This Group held five meetings from September 2009 to January 2010 and was instrumental in defining the Vision, Challenges, Strategic Objectives, Key Diagram and emerging Core Policies of the Core Strategy.

Internal ongoing involvement of key officers has taken place during the preparation of the Core Strategy, including the Council's Operational Management Group.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and its recommendations and is satisfied, that the cost of preparing and taking forward the Local Development Framework Core Strategy to an Examination in Public, will be contained within the existing planning budget.

Legal

Section 15 of the Planning & Compulsory Purchase Act 2004 places a statutory duty on the Council to prepare and maintain a Local Development Scheme ("the Scheme"). The Scheme will specify those documents that are Development Plan Documents. Regulation 7 of the Town and Country Planning (Local Development) (England) Regulations 2004 states that the Core Strategy will be a Development Plan Document.

When preparing the Core Strategy, the Local Planning Authority must comply with the consultation requirements found both in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and the revised Planning Policy Statement 12 (Local Spatial Planning) which sets out government policy on Local Development Frameworks. This includes a duty to consult with specific and general consultation bodies, requirement to place an advertisement in a newspaper and general duty to comply with the Council's Statement of Community Involvement.

The Town and Country Planning (Local Development) (England) Regulations 2004 require that any representations received must be fully considered and conscientiously taken into account by the decision maker, including those which do not accord with the proposals.

The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) sets out specific functions that cannot be the sole responsibility of the Executive. These functions include and relating to the Development Plan Documents “the approval, for the purposes of its submission to the Secretary of State for his approval of any plan or strategy” (Regulation 4(3)(c)). Accordingly, if approved by the Cabinet, this report will also need approval by the Full Council.

Corporate Landlord

Strategic Policies apply generally to all land and property in the borough regardless of ownership. The Strategy, including the Infrastructure Plan, has been prepared within the context of the council’s asset management plan. In general terms the Plan aims to safeguard property assets in public service or community use. It also helps to identify opportunities where services need to expand, for example to respond to demographic changes. However in circumstances where community services need to be rationalised, the effect of planning policy may tend towards the retention of community facilities, which may at times restrict sales of surplus Council assets for residential development.

BACKGROUND PAPERS

- Cabinet Report 18th November 2010 - Hillingdon Local Development Framework Pre-Submission Draft Core Strategy
- Cabinet Report 27th May 2010 - Hillingdon’s Local Development Framework Consultation Draft Core Strategy
- Cabinet Report 18th December 2008 - Hillingdon’s Local Development Framework Revised Local Development Scheme.
- Statement of Community Involvement, November 2006

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PRIMARY SCHOOL CAPITAL PROGRAMME - UPDATE

Cabinet Members	Councillor Jonathan Bianco / Councillor David Simmonds
Cabinet Portfolios	Finance, Property & Business Services / Education & Children's Services
Officer Contact	Norman Benn and Boe Williams-Obasi Planning, Environment, Education and Community Services

HEADLINE INFORMATION

	<p>Hillingdon Council is on track to deliver sufficient primary school places for local children over the short, medium and long term and this report updates Cabinet on the progress. In particular, Cabinet is asked to:</p> <ol style="list-style-type: none">1. Note the progress on phases 1, 1a and 2.2. Delegate approval to appoint consultants to take forward a phase 2 feasibility studies incorporating the EdVenture Concept.3. Delegate approval to appoint the necessary consultants and obtain the necessary reports and surveys to progress phase 3 new school feasibility study.4. Approval of the necessary capital release.
Contribution to our plans and strategies	Investment in primary schools to adequately address the impact of population increase within the Council on existing school places. This project also forms part of the Hillingdon Improvement Programme.
Financial Cost	This report seeks authorisation to appoint consultants including the provision of necessary surveys and reports for the Primary Schools Capital Programme at an estimated value of £402K along with the capital release.
Relevant Policy Overview Committee	Education and Children's Services
Ward(s) affected	All wards except: Barnhill, Eastcote, West Ruislip, Manor and Northwood although all wards will benefit from the primary schools programme.

RECOMMENDATIONS

That Cabinet:

1. Notes the progress made on phases 1a, 1 and 2 of the primary schools capital programme of works.
2. Delegates authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services, in consultation with the Deputy Chief Executive and Director of Planning, Environment, Education and Community Services to make all necessary decisions on the award of design consultant contracts necessary to develop feasibility stage EdVenture Concept schemes, for Phase 2 projects outlined in this report.
3. Delegates authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services, in consultation with the Deputy Chief Executive and Director of Planning, Environment, Education and Community Services to take all the necessary steps and agree any surveys, reports and consultancy services, for projects outlined in this report, necessary for the preparation of Phase 3 feasibility studies.
4. To approve to release £402K of capital funds in order to progress the above recommendations*¹.

INTRODUCTION

Hillingdon Council is on track to deliver sufficient primary school places for local children over the short, medium and long term and this report updates Cabinet on the progress.

REASONS FOR RECOMMENDATIONS

Revised Forecast Information

Updated pupil forecasts have been produced since the last schools Cabinet report. Indications are that 26 additional forms of entry will be required, including the 6 forms of entry in Phase 1. The revised forecast does not affect the works currently being addressed within Phase 1. This is a reduction from the previous estimate of 32 forms of entry, as shown in table One below.

Table One – Pupil Forecast Forms of Entry

Potential Total Requirements	2012/13	2013/14	2014/15
Previous Forecast – Forms of Entry	30	34	32
Current Forecast – Forms of Entry	24	25	26
Variance	(6)	(9)	(6)

This forecast is based on new housing development and actual birth data up to September 2010 (the most recent period for which birth data is available).

* The Leader of the Council and Cabinet Member can refer to Cabinet their joint delegation to approve any capital release.

The lead-in time for expansions and new schools means that a large number of temporary expansions will be needed to meet demand in the interim. Currently within Phase 1a there are four temporary expansion projects, at Belmore, Glebe, Harlyn and Highfield, plus the new primary provision at Rosedale College.

New pupil forecasts are received once a quarter, so it is possible that the predicted requirements will continue to fluctuate.

Summary of Progress on Phases 1, 1a and 2

The Cabinet Report dated 20th January 2011 highlighted the need for 15 new forms of entry to be available by August 2011. These were split into:

- **Phase 1:** Permanent Expansion - requiring 6 forms of entry
- **Phase 1a:** Temporary Expansion phase - requiring 7 forms of entry.
- **Rosedale:** Temporary Expansion – 2 forms of entry

Phase 1:

This phase involves the conversion of existing buildings and the construction of new school buildings within 6 existing primary schools. The schools involved are: Whitehall, Colham Manor, Grange Park, Brookside, Cranford and William Byrd.

Current Position:

- Cranford Park – foundations and steel frame are complete
- William Byrd – foundations and steel frame are complete
- Brookside – foundations complete
- Colham Manor – redesign work was carried out around the studio and library and a planning application has been submitted. Main works commencing onsite on 25 July 2011.
- Grange Park – engagement with school has taken place on the revised location of the nursery block and reconfiguration of space. A revised planning application is being prepared for submission at the end of July 2011. A separate planning application for a temporary accommodation unit has been submitted to enable additional pupil numbers to be admitted for September 2011.
- Whitehall School – engagement with the school has taken place in the form of design workshops and feasibility meetings to devise a scheme that is acceptable to the school and the Council. Officers are seeking an extension of time against the 3rd March 2011 adjudication from the Office of School Admissions (“OSA”) that required a planning submission by the 31st July 2011. Officers have conducted Informal discussions with the OSA about obtaining an extension of time by means of a letter from the Council, which has been issued on the 13 July 2011.

Phase 1A incorporating Rosedale :

This involves the construction of temporary classroom accommodation to enable a further 7 forms of entry. The schools involved include: Belmore, Glebe, Harlyn, Highfield, Pinkwell and two other schools, which were later assessed as unsuitable. (Pinkwell is also included but has been programmed for next year). For speed, Rosedale was then integrated into this phase rather than being a separate programme of works. The revised pupil forecast does not change the scope of works being progressed in this phase.

Current Position:

- Glebe, Belmore and Highfield – Classrooms are onsite being installed, with a projected completion at the end of July 2011
- Harlyn and Rosedale – Classrooms are onsite being installed, with a projected completion in August 2011.
- Planning consent has been obtained for all the projects.

Phase 2: Permanent Expansions

The Phase 2 feasibility study programme has been split into three strands so that schools in the same school place planning area are grouped. The Schools within the specific groups along with the target feasibility completion dates are as shown in Table 2 below:

Table Two – Phase 2 Feasibility Study Grouping

School	Group One – July 11	Group Two – September 11	Group Three – September 11
Harefield Junior School	√		
Harlyn Primary School *	√		
Glebe Primary School *		√	
Deansfield Primary School		√	
Ruislip Gardens Primary School		√	
Field End Primary School		√	
Hermitage Primary School	√		
Highfield Primary School *	√		
Ryefield Primary School		√	
Hillingdon Primary School			√
Charville Primary School			√
Rabbsfarm Primary School			√
Rosedale Primary School *	√		
Wood End Primary School		√	
Heathrow Primary School			√
Cherry Lane Primary School			√
West Drayton Primary School			√
Laurel Lane Primary School			√
Pinkwell Primary School *	Brought forward from group two	√	

* Phase 1a schools – Temporary Accommodation provided for September 2011

All the initial engagement visits with the schools in groups 1 and 2 have been carried out and group 3 is coordinated for July and early September. All feasibility studies and reports will be reviewed and completed by the middle of October 2011.

It is now possible to look at options for individual planning areas before the overall feasibility programme is completed. This is important when deciding whether to build a new school or expand existing ones.

As part of the feasibility study Pinkwell has been brought forward from group 1 into group 2. This is to enable an early feasibility study to be completed, which will review the available scope for expansion and it is expected to clarify that there is not a need for a further new build school site in this planning area.

Revised pupil forecasts mean that demand for permanent expansion has fallen from 32 FE to 26 FE. This will not affect the scope of the feasibility studies carried out in phase 2.

Hermitage Nursery:

Proposals for Hermitage Primary will include the provision of a nursery on the school site. The existing nursery is currently located off site, next to the Lancaster Centre. This is being prioritised so that the Lancaster Centre site can be released from use and recommended for disposal.

Phase 2 Temporary Provision:

The need for temporary provision is shown in Table 3 below and will be reviewed after the feasibility studies in phase 2 have been finished and pupil number forecasts have been further reviewed.

Whilst schools are generally willing to work with the Council to provide additional places, their responses indicate that they have concerns regarding year-on-year temporary expansion using temporary accommodation. The key to securing schools' cooperation is a commitment to progressing permanent accommodation solutions.

Table Three – Initial Assessed Temporary Expansion Options

School
Harefield Infants School
Hillside Primary School (Temp Bulge)
Bourne Primary School (Temp Bulge)
Cowley St Lawrence Primary School
Brookside Primary School
Rabbsfarm Primary School
Minet Primary School
William Byrd Primary School

Faith Schools - Dr Triplets and St Swithuns:

The Council is required to consult on expansion proposals and initial discussions have taken place with both diocesan boards. As a result, two schools have been identified as suitable for permanent expansion. Until Phase 2 feasibility studies have been completed for all candidate schools in an area, it will not be known whether or not the expansion of faith schools would be needed to meet demand for places. What would also need to be taken into account is the extent to which the expansion of any particular faith school would provide places for local residents. This will vary from school to school, depending upon its location and popularity. It is possible to seek agreement with diocesan boards to a proportion of "open" places.

Although not included within the Phase 2 feasibility programme of works a pre-planning assessment of both sites will be conducted in July 2011.

Phase 2 Construction Options

In the past the Council has used tradition methods of construction. However, new construction technologies are now being considered.

EdVenture Concept

The EdVenture concept is a flexible school design based on a permanent wide span external shell and core with an adjustable interior comprising modular units and panellised units that can be detached from the shell and easily rearranged and dismantled.

The indicative net construction cost for this system is £1,100sq/m, excluding site specific abnormal costs. A Council Officer has visited Liverpool City Council, which has four schemes at the planning stage, and the indicative net construction costs are slightly higher. Even at this level the net construction costs are at the lower end of the benchmark range expected for modern methods of construction.

There are cost and time benefits with this type of construction. A further benefit is the flexibility of the building to adapt to the changing needs of the school e.g. an ICT suite could easily be changed to learning resource centre.

The EdVenture Concept is a risk, as it has not been used in this country. It is based on European technology and has been used in Europe. EdVenture are looking to enter into "pilot" schemes with Local Authorities in England. There are four "pilot" projects being progressed with Liverpool City Council.

The EdVenture Concept is not appropriate for all locations, as there are some sites for which it will not be acceptable in urban design or planning terms. The feasibility studies in phase 2 will consider the appropriateness of the EdVenture system when looking at feasibility options. Based upon a **quotation of £62K** Council Officers are seeking approval for a single tender action to appoint EdVenture to conduct a feasibility study to determine the suitability of this approach on 2 sites.

Other Options

There are other systems available on the market, which incorporate the benefits of standardised design, flexibility and reduced construction time. They are also typically cheaper than traditional construction methods. The alternative options include:

- Modular/Volumetric
- Component systems
- Modern methods of construction

All of these options share the benefits above and are being considered as part of the feasibility studies, on a site specific basis.

Phase 2 Statutory Consultation

After the feasibility studies in phase 2 are carried out and specific sites are recommended for expansion, a report will be submitted to Cabinet containing a recommendation to commence the schools statutory consultation process. There will be dialogue with schools and other stakeholders during the feasibility study so that any accommodation issues will be identified at an early stage and options/proposals will be available at the start of the consultation process. Statutory consultation is a two-stage process and could span two school terms.

Phase 3 – New Schools

There is a particularly high demand for school places within certain parts of the Borough and this cannot be met simply by expanding existing schools. Therefore, new primary schools need to be built. Prior pupil forecasts showed a need to build four new primary schools including RAF Uxbridge. However, the recent lower forecasts now show a need for one new school, plus RAF Uxbridge.

The requirement for new schools will be reviewed as pupil forecasts change. Whilst the forecast methodology is generally robust and utilises the most up-to-date information cross-checked with other data sources, it should be noted that trends can and do change.

A site has been identified in close proximity to the area of high demand, so that the children will not have far to travel to school. There are no suitable brownfield sites available in the necessary location.

Phase 3 Identified Site for New Schools:

Lake Farm

The site identified for the new school is Lake Farm in Hayes. The specific site being considered is just under 5 hectares in total and is in the Green Belt. It is not part of Lake Farm Country Park designated as a nature conservation site, nor is it an area previously developed for leisure activities apart from a very small toddler play area which could be relocated. It is situated on the corner of Botwell Common Road and Botwell Lane.

To develop on Green Belt land a case has to be made showing that there are no other non Green Belt available sites in the area on which to build a new school. A special circumstances argument would also need to be put forward justifying the need for a new school. The special circumstances argument is an assessment of the educational alternatives to a new school (the lack of space at neighbouring schools is relevant). It considers all potential development sites in the search areas so that it becomes clear that a Green Belt site is the only option. It appears that a special circumstances argument could be made for the Lake Farm site.

It should be emphasised that the Council will be able to demonstrate it has an exemplary record of investment in green spaces. There are numerous green flag parks and extensive investment in parks and open spaces.

The design of the school would need to minimise its impact on the openness of adjoining Green Belt land. This limits the size of the school to the smallest required to address the shortfall. There would also need to be extensive landscaping to integrate the school into the country park location.

The school would require a minimum of 3FE and a maximum of 5FE, depending on the results of the Rosedale feasibility study. The Green Belt requirements will determine the design and construction methods used.

The James report on "Review of Education Capital" dated April 2011 indicates a standardisation of design and specification, which may affect school space standards. The existing DfE guidance is reflected in the Hillingdon Schools specification. At this time it would be a risk to design the new schools to a standard below the current guidance. The standard required is, therefore, likely to be above the requirements for Free schools that are required to comply with for example the Education (Independent School Standards) Regulations 2010.

RAF Uxbridge

The construction of a new 2FE Primary School will form part of the Section 106 agreement currently being negotiated with developer. The location of the new school will be within the RAF Uxbridge site. Two options are being discussed; one where the developer builds the school to Council standards and the other where a sum of £8.6 million is given to the Council to build the school. The developer is only obliged to pay for a 2FE school, because the new development has a child density which only generates a need for a 2FE school.

If it is identified that a 3FE school is required the Council will be required to pay for the additional form of entry.

New schools – statutory consultation process

Legal advice confirms that if a new primary school is linked to a secondary school with academy status, the Council does not have to put the school out to competition. A new primary school can only be linked to a non-academy secondary school if they are geographically close to each other. The main implication of this would be a significant reduced lead in time for new school provision.

Special needs schools

There may be a need for an additional special needs school within the Borough. If this turns out to be the case, the USAF school at West Ruislip station could be a suitable location. Typically, as pupil numbers increase the number of pupils requiring special school or specialist resource provision will also increase.

Delivering the New Primary Schools Programme

There is an overarching strategy to deliver this project in accordance with the Council's wider objectives. Hillingdon has a school specification and area schedule that incorporates all statutory and regulatory standards that have to be complied with. This provides a list of requirements that any potential construction systems can be evaluated against.

The approach to the new build school programme is to use the internal design team to produce feasibility reports on potential sites. This requires initial expenditure on surveys, reports and specialist consultants. Where a modular construction system is used, it is likely that the provider will have their own design team to progress pre-construction design, Planning and Construction. There is still a requirement for an in-house design manager, as the Corporate Landlord design team will retain overall responsibility for design review and control, so as to ensure quality of design throughout the project.

A Prior Information Notice "PIN" has been issued, to identify suppliers and construction system options. This will allow more detailed construction costs to be identified and will enable visits to completed projects to obtain necessary feedback.

Following the completion of the PIN review exercise, a feasibility study and design development a formal OJEU tender process will be carried out to appoint a design and construction contractor, which will be the subject of a separate Cabinet report.

Phase 3 New School Concepts

The EdVenture construction system is explained in the section of this report that refers to phase 2. EdVenture will be one of the suppliers that may be invited to tender for the contract to build any new schools, depending on the results of initial feasibility work and in comparison with the value for money solutions that other such construction solutions may provide.

Modular/volumetric, component and modern methods of construction will also be considered within the feasibility study for the new schools.

Principles that will span phases 2 and 3

A consistent approach will be taken when planning school extensions and new schools. This is to ensure design quality and equitable treatment of schools and to enable the cost of different types of buildings to be compared so as to control programme costs. The suggested principles are as follows:

- Proposed accommodation schedules and designs for both internal and external spaces will be developed to comply with DfE guidance, including any statutory requirements, for permanent

solutions. In relation to existing buildings, improvements would generally be limited to addressing statutory requirements only.

- Additional accommodation would usually be in a standalone building. This would keep to a minimum the need for alteration and upgrading of existing buildings. New buildings would have independent services to avoid connections to existing services that may well be in need of upgrading.
- Subject to the above, accommodation would be grouped into year groups, wherever feasible and cost-effective to do so.
- Expansion work would not address defects in existing buildings or services, unless these are directly affected by the building programme and/or where there is a legal requirement on the Council in terms of health and safety. Options for the expansion of existing schools would include the replacement of temporary accommodation, especially where this is logistically necessary in order to develop the site and/or where such buildings are life-expired.
- Expansion projects would include increased nursery provision so that the nursery intake matches the reception intake, unless this is not feasible due to site constraints or where there is already sufficient private and voluntary sector provision in the local area. Where feasible, the early years accommodation would be in the form of a foundation stage unit.
- No dedicated accommodation for extended services would be included in extensions or new schools, unless there is a demonstrated need in the local area, with funding stream. Where such provision already exists at a particular school (e.g. an on-site day nursery), this use would be retained. In this context, “extended services” refers to formalised use by an external organisation, rather than use by the school itself for extended services. Accommodation would be designed to facilitate dual use of space (e.g. additional storage), where feasible and cost-effective to do so.
- Where schools have on-site facilities for cooking school meals, this would be expanded to cope with the increased roll. Where such provision does not currently exist, any new accommodation would only include a servery for transported-in meals. However, it might be necessary to provide additional capacity for cooking meals to meet local area requirement for transported-in meals.
- Existing dedicated dining spaces will be maintained. In accordance with DfE guidance, this will be taken into account in assessing the overall volume of hall space required. Hall spaces in new schools would be multi-purpose and dining furniture storage spaces would be provided to facilitate this i.e. no dedicated dining halls will be provided.
- Schools may have brought hitherto “surplus” accommodation into use for extended services, in order to operate smaller class sizes for part of the school day, or to create other facilities that are over and above DfE guidance for “mainstream” school activity. It is not proposed that additional accommodation is provided that allows these uses to continue.
- If schools wish the extension project to include additional spaces and/or other work, this could be considered, subject to governing body agreement to meeting all of the direct and indirect costs involved and subject to feasibility.
- Rising pupil numbers will result in an increased need for specialist resource provision (SRPs). Feasibly work for extensions and new schools will look at the option of providing SRP accommodation.

Section 106 Money

There is an amount of section 106 funding that could potentially be used to help fund the schools programme. New section 106 contributions could also be allocated towards the schools expansions programme. Council Officers will continue to review the opportunity of further new S106 contributions.

The current forecast for section 106 Education contributions equates to £6,352K of which £4,012K is currently held by the Council. The £6,522K section 106 contributions are shown in the Financial Implications section of this report.

With respect to community and landscape contributions there are unallocated section 106 monies as follows:

- £12.4K towards landscaping in the environment of Lake Farm. (no time limit)
- £140K towards community facilities in the wider Yiewsley area. £77K to be spent by September 2014 and £63K to be spent by March 2016. It is required to be spent in the “ Yiewsley Locality.”

Phase 3 New Schools Feasibility Surveys, Reports and Consultants

For feasibility studies of potential sites to be taken forward, various surveys and reports are required. Specialist external consultants required are likely to include the following:

- EdVenture Concept Feasibility
- Green Belt Planning Consultants
- Structural Engineers
- Mechanical and Electrical Engineers
- Drainage Engineers
- Arboriculturist and ecology for external areas
- BREEAM Assessor and consultancy

Early budget estimates of fees are £340K, as shown in table four below.

Table 4 Phase 3 – Summary of Feasibility Budget Costs.

Phase 3		£(K)
EdVenture Site Feasibility assessment and report	School Primary Capital Funding plus other Capital resources (to be released)	100
New schools feasibility surveys, reports and consultant fees	School Primary Capital Funding plus other Capital resources (to be released)	180
Corporate Landlord Design Fees	School Primary Capital Funding plus other Capital resources (to be released)	45
Corporate Construction Fees	School Primary Capital Funding plus other Capital resources (to be released)	15
Total		£340K

Secondary Schools Requirements

Currently, there is sufficient capacity in both north and south of the borough and it is not expected that further capacity will be needed until 2018 (possibly up to 10 forms of entry required between 2018 and 2021). Forecasts for the sector are currently being updated. However, given lead-in times for provision and the need to develop an overall estates strategy that also addresses building condition issues, it is recommended that initial planning takes place at an early stage.

Alternative options considered / risk management

However robust the data on which forecasts are based, it is, impossible to have certainty on future demand. This means that plans will be adapted in response to changes in demand. The risk that there will not be sufficient places to meet demand has to be balanced against the risk of over-provision.

Not to proceed with the school expansion works will result in a severe shortfall of school places and a breach of the Council's statutory duty.

Financial Implication

Phase 2 & Phase 3 Development

In February 2011 Council approved a PSCP budget for 2011/12 of £28,617k, to be funded from a combination of DfE grant, Section 106 contributions and Council Resources. This report recommends design feasibility for EdVenture Concept schemes within Phase 2 and preparation for Phase 3 feasibility studies totalling £402k, which are to be funded from the un-released £5,291k of this budget. As external funding in the current year is fully committed to on-going Phase 1, 1A and 2 projects, this will represent a call on Council Resources.

Programme Overview

Table 4 sets out the latest PSCP expenditure and funding forecast, following the latest revisions to demand forecasts and updated indications of construction costs.

Forecast expenditure on Phases 2, 2A and 3 is linked to a number of assumptions and forecasts which will be further refined as the programme progresses, the key variables are:

- Pupil number forecasts; which will be further refreshed in August/September 2011
- Construction methods and costs; which will be clarified and further refined as feasibility works are completed in the coming months
- External funding; which will be updated to reflect DfE announcements and progress in lobbying for greater support

Table 5:

	2010/11	2011/12	2012/13	2013/14	2014/15	Total	Permanent FE	Temporary Units	Target Date
Minor Works	559	295	-	-	-	854	-	-	Sept 2010
Phase 1	1,080	16,806	3,049	137	-	21,072	6	-	Sept 2012
Phase 1A	10	3,014	-	-	-	3,024	-	7	Sept 2011
Phase 2¹	-	2,577	42,860	7,216	515	53,169	15	(2)	Sept 2013
Phase 2A	-	-	3,250	-	-	3,250	-	10	Sept 2012
Phase 3^{1/2}	-	170	316	7,780	1,459	9,725	5	-	Sept 2014
Total Expenditure	1,649	22,862	49,475	15,133	1,974	91,094	26	15	
DfE Grant	1,649	18,103	11,560	11,560	1,974	44,846			
Section 106 Council Borrowing	-	2,253	2,599	1,500	-	6,352			
Total Financing	1,649	22,862	49,475	15,133	1,974	91,094			

¹ Forecasts for 2011/12 and 2012/13 include cost of works recommended in this report

² Expenditure on RAF Uxbridge has been excluded from Phase 3 as this will either be directly incurred by the developer or substantially funded from S106 contributions. In addition no provision has been made for a new Special Needs School in current Phase 3 forecasts

Current estimates included in Table 5 indicate that Council Resources of approximately £40m are required to meet demand for school places. Whilst current revenue provision for PSCP borrowing of £3m per annum is expected to be sufficient to service borrowing of approximately £40m, it should be noted that an increase in demand of one permanent form of entry would equate to approximately £3.5m of additional expenditure and without an increase in additional external funding would be wholly funded from Council Borrowing.

Comments of Policy Overview Committee(s)

None at this stage

EFFECT ON RESIDENTS, SERVICE USERS AND COMMUNITIES

Completion of both the temporary and permanent phases of the programme will result in additional school places needed for local children, which the Council has a statutory duty to provide.

CORPORATE IMPLICATIONS

1. Corporate Landlord

The Corporate Landlord has authored this report.

2. Corporate Finance

Corporate Finance has reviewed this Primary School Places (PCP) update report and notes the implication of the latest pupil number projections for the PCP programme and the Council's Capital programme in general. The phasing of the programme and the revenue resources required to support it will be incorporated into the MTF process.

The reduction outlined in the number of forms of entry reduces the total cost of the programme from approximately £140m to £100m (£91m shown in Table 5 plus RAF Uxbridge S106 contribution) thus eliminating the need for further revenue provision to support extra borrowing. The Council already has in

place a financing strategy to fund this amount based on current external funding assumptions. This is detailed in Table 5 and uses a combination of grant funding, third party contributions and Prudential borrowing which is supported by £3m of revenue resources already allocated within the MTF. However, volatility over pupil number projections clearly represents a financial risk potentially leading to either the under or over supply of school places; hence the flexibility that is incorporated into the programme's strategy is considered to be a financially prudent approach. Completion of phase 2 feasibility studies is expected in October 2011 and this, coupled with Quarter 3 pupil number projections, will enable further refinements to the planning of the programme then.

Assumptions made with regard to the availability of DfE grants for future years are based on funding announcements made for the current year. The James review has identified Primary Places pressures as a particular concern, especially within London, and has recommended that DfE capital is targeted to areas of school place needs rather than wider general improvement schemes such as the Building Schools for the Future programme. To date, Central Government has made no further announcements on the targeting of any such capital however the Council will continue to lobby for direct funding of school places rather than relying on setting aside revenue resources to undertake Prudential borrowing. In the absence of additional grants, the bulk of borrowing will be required in 2012/13 with the associated revenue financing costs being incurred from 2013/14.

Capital release of £402k is requested to allow design and feasibility works for phase 2 and 3 to progress. Given the scarcity of DfE funding, Corporate Finance welcomes feasibility studies exploring alternative and new construction methods that could reduce costs per sq/m and also allow future flexibilities for the schools concerned, coupled with the set of principles to span phase 2 and 3 outlined within this report that should help constrain costs of the programme in its entirety. However, it should be noted that feasibility studies for particular designs or schools that are not subsequently implemented may not be capitalisable and hence would require additional one-off revenue resources.

3. Legal

Section 13 of the Education Act 1996 establishes the high-level functions of a local authority in securing education for its area, which it should undertake with a view to promoting high standards and the fulfilment of educational potential for every child and with a view to ensuring fair access to educational opportunity. Section 14 of this Act places local authorities under a general duty to secure sufficient schools for providing primary and secondary education in their area and to have particular regard to securing special educational provision.

The Education and Inspections Act 2006 places new duties on local authorities to promote diversity and increase parental choice in planning and securing the provision of school places. The Act also places an explicit duty on local authorities for the first time to respond formally to parents seeking changes to the provision of schools in their area, including new schools.

The proposals set out in this report will help the Council to meet its statutory duties and they are categorised under various Phases. With regard to Phase 2, the Council will need to carry out a statutory consultation exercise if it wishes to permanently extend existing schools, which will have to meet the strict requirements set out in the case of *R v London Borough of Brent ex parte Gunning*.

As far as the proposals to build new primary schools are concerned, the Department for Children, Schools and Families has published a Guide for Local Authorities on Establishing a New Maintained Mainstream School. The Guide contains both statutory and non-statutory guidance on the process which must be followed for opening a new school.

There are also specific statutory requirements for the establishment of any new maintained schools, whether they are to be brand new schools or replacement of existing schools. These requirements do

not apply to proposals to re-build a school on its existing site or to transfer an existing school to a new site within 2 miles of the existing site.

The general rule is that if a new maintained school is required, a competition must take place; the Department for Education has advised that this takes approximately 18 months to complete. There are, however, two exemptions to this rule upon which the Council may seek to rely.

Firstly, the Council may wish to explore the possibility of establishing a link with any school in the borough which has already acquired Academy status. The Council could then use the existing Academy sponsor as a vehicle for making an application for a funding agreement and if this was approved, an Academy Trust could assume responsibility for building a new school which would have Academy status.

Secondly, A Free School can be set up by a suitable proposer in circumstances where there is demand for one from parents. Although the Free School would not be controlled by the Council, the Council could nevertheless support the proposer in its application to the Secretary of State for Education to establish such a school.

Both of the above exemptions would be in line with the Government's proposals, as reflected in the new Education Bill, to have Academies and Free Schools operating throughout the country".

BACKGROUND PAPERS

Nil

CONSULTATION RESPONSE TO BAA HEATHROW'S REVIEW OF NOISE MITIGATION SCHEMES

Cabinet Member	Councillor Burrows
Cabinet Portfolio	Planning, Transportation and Recycling
Officer Contact	Mike Rickaby & James Rodger, Planning, Environment, Education and Community Services
Papers with report	Appendix 1: Council's consultation response letter to be submitted in response to the consultation. Appendix 2: Letter from DfT Minister of State dated 14 th July 2011.

HEADLINE INFORMATION

Purpose of report	The Council is currently being consulted by BAA on a review of Heathrow Airport's noise mitigation schemes. This report seeks the Cabinet's endorsement of the Council's proposed consultation response.
Contribution to our plans and strategies	The emerging Local Development Framework. A clean and attractive borough. A borough with improving health, housing and social care.
Financial Cost	There are no additional costs to the Council.
Relevant Policy Overview Committee	Residents' and Environmental Services Policy Overview Committee
Ward(s) affected	All

RECOMMENDATION

That Cabinet:

1. Endorse the Council's proposed consultation response contained in Appendix 1 and;
2. Note the recent letter from the Transport Minister regarding the South East Airports Taskforce.

INFORMATION

Reasons for recommendation

To ensure the interests of Hillingdon residents are taken into account in developing Heathrow Airport's noise mitigation schemes.

Alternative options considered

Not to submit a response on behalf of Hillingdon in respect of the borough's interests. This would not ensure that the interests of residents in the borough are protected.

Comments of Policy Overview Committee(s)

No comments submitted at this stage.

Supporting Information

Background to Current Consultation

1. BAA has launched a public consultation on a review of Heathrow's noise mitigation schemes. The consultation runs from 9th May to 1st August 2011. Public exhibitions in Hillingdon borough occurred at Heathrow Academy on 1st June and 20th July, and for Longford/Harmondsworth on 23rd and 27th June. The Council will be submitting a formal response to the consultation. The consultation documents can be viewed at www.heathrowairport.com/consultations.

2. It should be stressed that the current consultation is on changes to the noise mitigation schemes. BAA intends to submit a planning application later this year to the London Borough of Hillingdon for determination. That planning application will include the engineering works, such as changes to taxi-ways that would be required to enable the Cranford Agreement to be lifted in practice (although Central Government agreed in principle the lifting of the Cranford Agreement, the planning application will be for the works required to lift the agreement in practice). That planning application will enable the Council to consider the wider environmental and health implications of BAA's proposals to operationally alter flight patterns in 2014. The planning application will be accompanied by an air quality impact assessment and health impact assessment. Officers also anticipate that the proposals will include a noise barrier of between 600m and 700m in length near the village of Longford. BAA have sent letters to all Hillingdon Residents near where they are proposing the noise barrier seeking their initial views on whether the residents do or do not support a noise barrier. BAA have not produced detailed technical information on the noise barrier (e.g. A noise impact assessment) at the time of writing of this Cabinet report and the noise barrier does not form part of the formal noise mitigation scheme consultation BAA are currently undertaking.

3. In summary this Cabinet report and the Council's consultation response purely provides comment on the noise mitigation schemes, and does not consider the wider environmental and health implications of BAA's proposed works to facilitate the lifting of the Cranford agreement in practice, including any noise barriers. Officers understand that a new planning application will be lodged later this year in relation to adjustments that need to be made in order to fully utilise the ending of the Cranford Agreement.

Reasons for making changes

4. The changes to the existing noise mitigation schemes reflect a commitment made in Heathrow's Noise Action Plan. In addition, the schemes are being reviewed to take account of the Government's decision to end the Cranford Agreement.

Existing and proposed noise mitigation schemes

5. Eligibility under the existing noise mitigation schemes is based on LAeq (noise) contours. Under the proposed schemes, eligibility will be based on Lden noise contours. The Lden noise indicator

was introduced by the Environmental Noise Directive 2002/49/EC. It measures noise over the whole 24 hours and incorporates weightings of +5 dB and +10 dB (decibels) respectively for the more sensitive evening and night periods. The Lden (noise) contours used are all for 2014 and assume the operational end of the Cranford agreement. As part of the Councils response the implications of this change are discussed.

6. The four existing noise mitigation schemes and the changes proposed to them are summarised below.

Residential Daytime Noise Insulation Scheme

7. This existing residential daytime noise insulation scheme provides noise insulation to residential properties in the community. Eligibility under the present scheme is determined by the 69 dB LAeq (18 hours) contour for year 1994. Under the present scheme, residents receive either free secondary glazing, or 50% of the cost of double glazing.

8. Under the proposed scheme, the area in which residents are eligible would increase to the outer boundary of the 63 dB Lden contour. Three zones would be defined within the outer boundary. In Zone 1, determined by the 69 dB Lden contour, BAA would pay 100% of the cost of double glazing. In Zone 2, determined by the 66 dB Lden contour, BAA would pay 50% of the cost of double glazing. In Zone 3, determined by the 63 dB Lden contour, BAA would pay 25% of the cost of double glazing.

Residential Night Noise Insulation Scheme

9. The existing residential night noise insulation scheme provides noise insulation for residential properties specifically for noise from night flights. No changes are proposed to the existing night noise insulation scheme.

Community Buildings Noise Insulation Scheme

10. The existing community buildings noise insulation scheme is provides noise insulation for local community buildings. Eligibility under the present scheme is determined by the 63 dB LAeq (16 hours) contour for 2002. The present scheme provides up to 100% of the cost of noise insulation for rooms impacted by aircraft noise (e.g. school classrooms, hospital theatres and wards, nursing homes and community halls).

11. Eligibility under the proposed scheme would be determined by the 63 dB Lden contour, which means that the area covered would be similar to existing. In addition to noise insulation, grants would be considered for projects which support outdoor learning by reducing noise, or allow trips by pupils to quiet areas.

Home Relocation Assistance Scheme

12. The existing home relocation assistance scheme provides financial assistance to help homeowners in the noisiest areas to move away from the airport. Eligibility under the present scheme is determined by the 69 dB LAeq (16 hours) contour for 2002. The existing scheme provides 1.5% of house sale sum, plus a lump sum of £5,000, up to a maximum of £12,500 per sale transaction.

13. The proposed scheme would extend geographic eligibility to an outer boundary of 66 dB Lden contour, and introduce two zones. In Zone 1, determined by the 69 dB Lden contour, maximum payment is increased to £15,000 per sale transaction. In Zone 2, determined by the 66 dB Lden contour, a payment up to a maximum of £7,500 per sale transaction would be introduced.

Comments on the proposed noise mitigation schemes

14. Officers comments on the proposed noise mitigation schemes are as follows:

(i) The proposals assume the operational end of the Cranford agreement. Officers believe that the Government's decision to end the Cranford agreement was based on a consultation which was fundamentally flawed. It needs to be made clear that Hillingdon is strongly opposed to the ending of the Cranford agreement because of the serious noise impacts on residents in Longford, Sipson and Harlington. Furthermore, we need to make it clear that Hillingdon would strongly resist any attempt to introduce mixed mode runway use following the operational ending of the Cranford agreement, and that Hillingdon considers it essential to retain runway alternation, segregated mode and the 480,000 annual limit on air transport movements in order to avoid additional serious noise impacts (BAA argue that lifting the Cranford Agreement will not increase flight numbers as they are capped at 480,000, but changes to taxi-ways will arguably increase potential flight capacity).

(ii) Officers have recently received a letter from the DfT Minister of State (see Appendix 2). That letter refers to proposals for exploring a set of operational freedoms at Heathrow to enable greater use of tactical measures in defined and limited circumstances to prevent or mitigate disruption of flights and to facilitate recovery. These tactical measures would involve operating twin flight arrivals streams and/or twin flight departures streams on the existing two runways. It is proposed to carry out trials of the tactical measures before any commitment is made to implementing them. The letter claims that the tactical measures are consistent with the Government's commitment to runway alternation at the airport and that there would be no increase in the numbers of flights. The letter suggests that the proposals could reduce stacking and cut the number of unscheduled flights in the night period. Nevertheless, the letter recognises that on the occasions when these tactical measures would be used some communities would experience aircraft noise during current respite periods. It should immediately be stated that these tactical measures are a form of mixed mode use of the runways, to which Hillingdon Council has always been opposed, for various reasons including adverse noise impacts. Another obvious comment would be that the introduction of these tactical measures initially on a limited basis, could lead to their future wider and increased use. The proposed tactical measures are therefore potentially at odds with the Council's established viewpoint concerning runway alternation and segregated mode. Whereas the proposals have not been linked to the current consultation process, there is clearly the potential for additional noise impacts from the 'tactical measures' which have not been taken into consideration by BAA when formulating their current proposals for future noise mitigation. It is considered at this stage a comment should be given that the Council is concerned at the potential implications of the Government's proposed tactical measures and that any changes in noise impact that arise from tactical measures must be reflected in appropriate noise mitigation strategies.

(iii) It is believed that particular attention should be given to households which experience noise increases as a result of the ending of the Cranford Agreement. This could be by providing noise insulation at a lower absolute noise level, or by making the offer of noise insulation more generous or comprehensive. We also believe that all possible options to mitigate airport noise should be explored. Financial compensation should be considered for compensating residents for increased noise and for compensating for reduced property values.

(iv) Officers believe that a much larger boundary than 63 dB Lden contour is appropriate for the residential daytime noise scheme. Also, BAA should pay the full cost of noise insulation in proposed zones 2 and 3, rather than the proposed contributions of 50% and 25%.

(v) There are concerns that BAA considers that the proposed residential noise insulation scheme incorporates a measure of night noise because it is based on Lden. We believe that separate specific provision should be made for insulation against noise from night flights.

(vi) It's believed that specific provision should be made to insulate residential properties against airport ground noise in order to protect residents of the borough living near the airport.

(vii) It's believed that the proposed Community Buildings Noise Insulation Scheme should extend to the 55 dB Lden air noise contour.

Financial Implications

There are no direct financial implications for the Council arising from the recommendations of this report. Although failure by BAA to properly mitigate noise from the airport could lead to wider social and environmental implications, these wider implications could impact on Council budgets.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

The recommendation seeks to prevent significant adverse aircraft noise impacts on residents and other occupiers of the borough.

Consultation Carried Out or Required

No consultations have been carried out by Council officers.

CORPORATE IMPLICATIONS

Legal

Following public consultation, the Secretary of State for Transport announced in January 2009 that the Cranford Agreement was to end. This was reaffirmed by the Minister of State for Transport in September 2010. As a result of this, BAA has decided to undertake a consultation process on the proposed changes to their noise mitigation schemes to reflect the commitments made as part of Heathrow's Noise Action Plan. In addition to this, the Government's decision to end the Cranford Agreement has meant that BAA has decided to consult upon a suite of schemes which are designed to take into account any impacts that the ending of the Cranford Agreement may have on local residents.

The consultation runs between 9 May – 1 August 2011 and therefore consultation responses must be submitted no later than 1 August 2011 in order to be taken into account.

When undertaking this consultation BAA must ensure plans are still at a formative stage, they must give sufficient reasons to permit the consultee (i.e. the Council or residents) to make a meaningful response and they must allow adequate time for consideration and response. The results of the consultation must then be conscientiously taken into account by BAA in finalising any proposals, including those which do not accord with their own proposals.

Fairness and natural justice require that there must be no predetermination by BAA of a particular decision which goes beyond a legitimate predisposition to a certain conclusion.

Finance

There are no direct financial implications for the Council arising from the recommendations of this report. Although failure by BAA to properly mitigate noise from the airport could lead to

wider social and environmental implications, these wider implications could impact on Council budgets.

Corporate Landlord

The Corporate Landlord Support's the recommendations of this report.

Relevant Service Groups

The Council's consultation response has been developed by the Council's Environmental Protection Unit in consultation with the Council's Planning Service.

BACKGROUND PAPERS

- (i) European Environment Agency Technical report No. 11/2010 "Good practice guide on noise exposure and potential health effects."
- (ii) The Environmental Noise (England) Regulations 2006.



HILLINGDON

LONDON

Freepost RSLU-TKHH-BGTH
Heathrow Community Relations
The Compass Centre
Nelson Road
London Heathrow Airport
Hounslow
TW6 2GW

28th July 2011

Dear Sir or Madam,

Re: Review of Heathrow's noise mitigation schemes: A Heathrow Airport consultation 9 May to 1 August 2011

This letter is submitted on behalf of the London Borough of Hillingdon in response to the above consultation.

Section 1: ENDING OF THE CRANFORD AGREEMENT

Ending the Cranford agreement will allow a system of runway alternation on days of easterly operation, so that there would be easterly departures from the north runway and easterly arrivals on the south runway for one half of the day, and easterly departures on the south runway and easterly arrivals on the north runway for the other half of the day. The London Borough of Hillingdon recognises that ending the Cranford agreement may have some benefits with easterly operations in redistributing some departures noise to the east of the airport, however these are offset by increased noise levels to the north and north-east of the airport. Ending the Cranford agreement will have serious local noise impacts to residents in Hillingdon for the reasons explained below.

The operational ending of the Cranford agreement would introduce regular easterly departures from the north runway for the first time. The easterly departures on the north runway would result in residential areas in Longford being seriously affected by departure noise. The "start of roll" component of departure noise with a succession of departures for half the day would cause serious noise disturbance in Longford. Longford would also be affected by noise from aircraft taxiing and queues of aircraft departing easterly from the north runway. To the north and north east of the airport, residential areas in Sipson and

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INVESTOR IN PEOPLE

Harlington would be seriously affected by noise from airborne aircraft departing in an easterly direction.

“Start of roll” noise is an intrusive and subjectively unpleasant component of departure air noise occurring when an aircraft commences its take-off run along the runway. It takes the form of a sudden, loud roaring noise when the thrust of the engines of a departing aircraft is increased at the start of the aircraft’s take-off run. The departing aircraft is often not visible since it is still on the ground. Start of roll noise contains a large low frequency content, which means it is less attenuated by screening of buildings and other noise barriers, and is more penetrative of building structures. Its low frequency content also means its noise impact is not adequately represented by the A-weighting used in noise indicators such as L_{den} and $L_{Aeq,16h}$.

Start of roll noise is hidden in the L_{den} and $L_{Aeq,16h}$ air noise contours since these are average mode contours determined by averaging noise from westerly departures and arrivals, and easterly departures and arrivals. The predominance of westerly departures over easterly departures, with the typical runway split of 70% westerly / 30% easterly, also tends to hide start of roll noise of easterly departures.

The above factors all tend to increase the impact of start of roll noise well beyond that which might be expected from a consideration of average mode L_{den} and $L_{Aeq,16h}$ noise contours. Because start of roll noise comprises a series of intermittent noise events, use of additional event noise indicators such as $L_{Amax,Fast}$ should be considered.

On days of easterly operations, aircraft departing from the north runway would taxi from the terminal buildings to the west end of the north runway 09L. These taxiing aircraft would generate taxiing noise. Aircraft taxiing noise is known to contain unpleasant tonal components which would be expected to make the noise more disturbing to local residents. Furthermore, it is likely that queues of aircraft would build up adjacent to the west end of runway 09L. The total taxing noise at any one time would comprise taxiing noise from a number of aircraft either travelling to the runway or waiting in a queue prior to take off.

Another factor increasing noise impact at Longford concerns the distance to runway threshold 09L compared with corresponding distances for residential properties nearest to the other runway thresholds 09R, 27L, 27R. For runway 09R (easterly south runway), distance from threshold to residential properties at Russell Drive, Stanwell Moor, is around 720m. For runway 27L (westerly south runway), distance from threshold to residential properties at Cain’s Lane, Bedfont, is around 465m. For runway 27R (westerly north runway), distance from threshold to residential properties at Malvern Avenue, Cranford Cross, is around 720m, while distance to residential properties in Waye Avenue, Cranford, is around 1360m. With ending of the Cranford agreement, there would be an additional runway threshold for easterly departures from runway 09L. For runway 09L (easterly north runway), distance from runway threshold to residential properties at Bath Road, Longford, would be only 250m. This is around half the distance of 465m for the closest of the other three runway thresholds. A reduction in distance of half could increase noise levels by around 6 dB assuming point source noise propagation.

The above analysis shows that residential properties in Longford are very much closer to their adjacent runway threshold than are residential properties in Cranford Cross, Bedfont and Stanwell Moor. Furthermore, purpose-built noise barriers are provided to mitigate noise from use of runway 27R and 09L. Because of these factors, start of roll noise and aircraft taxiing levels associated with use of runway runway 09L would be much higher and consequently

much more disturbing in Longford than at the other residential locations nearest to the thresholds of the other runways 27L, 27R and 09R.

The Government's decision to end the Cranford agreement was based on a consultation which was fundamentally flawed. This is because noise impacts were only considered in terms of average westerly/easterly mode $L_{Aeq,16h}$ air noise contours using A-weighted noise levels. Those average mode contours hide the air noise effects of ending the Cranford agreement, such as start of roll noise which will be experienced in Longford. Because the consultation was based on air noise contours, there was no consideration whatsoever of ground noise impacts, such as increased aircraft taxiing noise in Longford.

In order to obtain the operational ending of the Cranford agreement, a number of operational and infrastructure preparations are necessary. These preparations include the provision of new taxiways serving the north and south runways, which will require planning permission from the London Borough of Hillingdon. The preparations required to enable the operational ending of the Cranford agreement may also enable mixed mode use of the existing two runways. Mixed mode use of the existing two runways was considered in the Government consultation of November 2007 "Adding capacity at Heathrow airport". The decision document issued in January 2009 by the previous Government decided against supporting mixed mode use. The decision document stated that the Secretary of State *"has concluded, on balance, that the benefits of mixed mode do not outweigh the impacts"*. That decision was supported by the present Government. In a statement of 7th September 2010, the Minister of State for Transport stated that the Government is *"firmly committed to retaining runway alternation and will not approve the introduction of mixed mode operations at Heathrow. This Government believes that any potential benefits mixed mode might bring to the airport are outweighed by the negative impact such operations would have on local communities."*

Ending the Cranford agreement would involve regular easterly departures from the north runway for the first time. "Start of roll" noise, airborne noise and aircraft taxiing noise associated with these departures would have serious noise impacts on residential areas in Longford, Sipson and Harlington. We believe that the Government's decision to end the Cranford agreement was based on a consultation which was fundamentally flawed because noise impacts were only considered in terms of average westerly/easterly mode air noise contours using A-weighted noise levels, and there was no consideration of ground noise. Hillingdon is strongly opposed to ending the Cranford agreement. Furthermore, Hillingdon would strongly resist any attempt to introduce mixed mode runway use following operational ending of the Cranford agreement. We consider it essential to retain runway alternation, segregated mode and the 480,000 annual limit on air transport movements in order to avoid additional serious noise impacts.

Section 2: MITIGATION AND COMPENSATION FOR ENDING CRANFORD AGREEMENT

In confirming the Government's decision to end the Cranford agreement, the Minister of State for Transport stated on 7th September 2010 *"I will look to BAA to ensure that proper consideration is given to appropriate mitigation and compensation measures for those likely to be affected by the proposals."* It is important to note that the above Government statement requires consideration of both mitigation and compensation. If the operational ending of the Cranford agreement is inevitable, Hillingdon will seek provision of the best noise mitigation measures and best compensation for residents of the borough.

The proposed residential daytime noise mitigation scheme is based on use of the 63 dB L_{den} contour as an outer boundary (with L_{den} determined for 2014 without the Cranford agreement). There is no provision specifically based on noise increases caused by ending the Cranford agreement. We believe that there should be mitigation specifically for mitigating noise increases caused by ending the Cranford agreement.

The Government's Aviation White Paper "The Future of Air Transport" of 2003 contained provisions for mitigating and compensation noise impacts. In order to address the noise impacts of future airport growth, the airport operator was expected to offer acoustic insulation to any residential property exposed to a noise level of 63 dB $L_{Aeq,16h}$ with a noise increase of 3 dB or more. The Government consultation document "Adding Capacity at Heathrow Airport" of 2007 consulted on the issues of provision of a third runway and ending the Cranford agreement.

The Government decision document "Adding Capacity at Heathrow: Decisions Following Consultation" of 2009 asked the airport operator to consider extending its noise insulation schemes to all community buildings and households in the new 57 dB $L_{Aeq,16h}$ contour which will experience an increase in noise of 3 dBA or more. While these provisions mainly relate to noise increases associated with provision of a third runway, they also seem relevant to noise increases caused by ending the Cranford agreement.

We believe that the recommendation in the Government's 2009 decision document to offer insulation at 57 dB $L_{Aeq,16h}$ where this is accompanied by a 3 dB increase is significant. It appears to suggest that particular attention should be given to households experiencing noise increases as a result of changed aircraft operations at the airport. This could be achieved either through offering sound insulation at a lower absolute noise level if accompanied by the given noise increase, or by making the offer of sound insulation more generous or more comprehensive.

We believe that noise increases caused by ending the Cranford agreement should be treated at least as generously as noise increases that would have been caused by provision of a third runway. The Government issued a consultation document "Developing a Sustainable Framework for UK Aviation: Scoping Document" in March 2011 regarding scoping of a new Aviation Policy Framework. Paragraph 1.14 states that the present Government has committed to producing a sustainable framework for UK aviation to replace the previous administration's Aviation White Paper "The Future of Air Transport" of 2003. It also states that many of the provisions of the 2003 AWP "give insufficient weight to the local environmental impacts of aviation".

We therefore believe it would be appropriate to use a lower noise increase threshold of 1 dB for triggering noise insulation for increases in aircraft noise, in line with the Noise Insulation Regulations for roads and railways, rather than 3 dB as mentioned. We believe that particular attention should be given to households within the 55 dB L_{den} which experience a noise increase of at least 1 dB as a result of the operational ending of the Cranford agreement.

In addition, we believe that installation of a noise barrier should be considered in order to protect residents of Longford from increased air and ground noise associated with ending of the Cranford agreement. The noise barrier would require planning permission, which would have to take into account any adverse impacts of the noise barrier, such as visual impact. The provision of such a noise barrier would mitigate "start of roll" air noise from easterly

departures on the north runway, and ground noise associated with easterly departures from aircraft queuing and taxiing in the areas around the western end of the north runway. Depending on its extent, the noise barrier may also mitigate air noise from reverse thrust associated with easterly arrivals on the north runway as occur at present. Noise barriers already exist to the south west of Terminal 5 and adjacent to Terminal 4, and both comprise a concrete wall.

The Government statement of 7th September 2010 required BAA to consider compensation as well as mitigation measures for those likely to be affected by ending of the Cranford agreement. Many residents of Longford and Harlington bought their properties in the knowledge that aircraft departures from runway 09L would not be permitted because of the Cranford agreement. If they had known that the agreement would eventually be ended, this may have influenced their decision to buy in the area. It also seems likely that the value of their properties will be reduced by the increased noise levels to which they are exposed as a result of ending of the Cranford agreement. This is particularly true of Longford. We would ask for consideration of the provision of financial compensation to residents to cover increased noise disturbance and reduced property values caused by ending of the Cranford agreement.

We believe that particular attention should be given to households experiencing increases in air noise as a result of ending the Cranford agreement. This could be achieved either through offering noise insulation at a lower absolute noise level if accompanied by the given noise increase, or by making the offer of noise insulation more generous or more comprehensive. We believe that particular attention should be given to households within the 55 dB L_{den} which experience a noise increase of at least 1 dB as a result of the operational ending of the Cranford agreement. We also believe that particular attention should be given to households experiencing increased ground noise as a result of ending the Cranford agreement. Furthermore, financial compensation should be paid to residents to compensate for increased noise disturbance and reduced property values caused by ending of the Cranford agreement.

We have also recently received a letter from the DfT Minister of State dated 14 July 2011. That letter refers to proposals for exploring a set of operational freedoms at Heathrow to enable greater use of tactical measures in defined and limited circumstances to prevent or mitigate disruption of flights and to facilitate recovery. The letter recognises that on the occasions when these tactical measures would be used some communities would experience aircraft noise during current respite periods. The Council is concerned at the potential implications of the Government's proposed tactical measures and that any changes in noise impact that arise from tactical measures must be reflected in appropriate noise mitigation strategies.

Section 3: RESIDENTIAL DAYTIME NOISE INSULATION SCHEME

The proposed outer boundary for the residential daytime noise insulation is the 63 dB L_{den} for 2014 (without Cranford agreement). L_{den} contours are inherently larger than than $L_{Aeq,16h}$ contours for the same numerical value, and take into account the evening and night periods, albeit through 5 and 10 dB penalties respectively which some consider to be fairly arbitrary.

The choice of the L_{den} noise metric in setting the outer boundary has been made on the basis of consistency with the Environmental Noise Directive 2002/49/EC “The assessment and management of environmental noise”. The directive requires mapping down to 55 dB L_{den} . European Environment Agency (EEA) Technical report No. 11/2010 “Good practice guide on noise exposure and potential health effects” is intended to assist policymakers, competent authorities and any other interested parties in understanding and fulfilling the requirements of the directive.

The EEA report suggests that the threshold of 55 dB L_{den} used for mapping in the directive is intended to delimit the area where noise is considered to be a problem. The EEA report accepts that use of the current threshold noise level of 55 dB L_{den} is understandable as a first step because of the of the large scale noise mapping required. However, the report points out that Member States are free to choose their own noise thresholds from where to start action planning, and the L_{den} threshold for mapping of 55 dB L_{den} does not take into account differences that exist between different noise sources. The EEA report implies that the threshold for noise mapping where aircraft noise is considered to be a problem should be significantly lower than 55 dB L_{den} as currently used.

While Heathrow is the busiest international airport in the world and has one of the highest population densities in its surrounding area, its insulation scheme is one of the least generous in the UK. Schemes at several other airports such as Gatwick, Edinburgh and the proposed scheme at Aberdeen have qualifying areas based on the 66 dB $L_{Aeq,16h}$ contour. Some schemes, such as those at Birmingham, Liverpool and Robin Hood Doncaster, are based on the 63 dB $L_{Aeq,16h}$ contour. The most generous scheme in the UK is believed to be the scheme at London City airport which is based on the 57 dB $L_{Aeq,16h}$ contour.

As mentioned, the residential noise scheme at London City airport is based on the 57 dB $L_{Aeq,16h}$ noise contour. Analysis of L_{den} and $L_{Aeq,16h}$ aircraft noise contours for Heathrow in 2006 shows that, at any given receiver location, L_{den} is approximately 2 dB (to nearest whole dB) higher than $L_{Aeq,16h}$. A noise level of 57 dB $L_{Aeq,16h}$ at Heathrow therefore corresponds to approximately 59 dB L_{den} . We believe that the Heathrow scheme should be at least as generous as the scheme at London City airport based on 57 dB $L_{Aeq,16h}$ contour, approximately equivalent to the 59 dB L_{den} contour. Furthermore, following the recommendations of the EEA report, we believe the outer boundary of the residential daytime noise insulation scheme should extend to at least the 55 L_{den} noise contour. We believe that the proposed outer boundary of 63 dB L_{den} does not protect all those who are affected by aircraft noise.

The proposed residential noise insulation scheme provides 100% of cost of double glazing for households in zone 1 of the scheme. However, the percentage costs of double glazing paid for households in zones 2 and 3 of the scheme are only 50% and 25%. We believe that BAA as the airport operator should pay the full cost of double glazing to mitigate noise from aircraft using Heathrow airport.

A number of residents will be worse off under the proposed daytime noise insulation scheme than they are under the current scheme. Under the proposed residential daytime noise insulation scheme, properties falling outside the boundary of zone 2 (enclosing an area of 26.3 sq km) but inside the 1994 69 dB $L_{Aeq,18h}$ contour (area of 27.3 sq km) will have their percentage of double-glazing costs met by BAA reduced from 50% to 25%, and their eligibility for free secondary glazing will be lost. BAA propose to deal with the above

properties under transition arrangements to be settled in their final scheme. These arrangements must give affected home-owners ample notice and opportunity to take up the current offer of mitigation.

The existing residential noise mitigation scheme is completely inflexible for owners of historic assets, such as listed buildings. The owners of historic assets are faced with a one size fits all glazing system which is in the vast majority of cases harmful to the appearance of the historic building (the owners are unable to obtain planning or listed building consent so cannot benefit from the current noise mitigation scheme). In practice the current residential noise mitigation scheme excludes the owners of historic assets due to its inflexibility. It is considered that there are many different possible solutions such as secondary glazing that could be used. In essence a bespoke service needs to be provided for owners of historic assets so that they are not excluded from the residential noise mitigation scheme.

We believe that the proposed outer boundary of 63 dB L_{den} does not protect all those who are affected by aircraft noise. We believe that a much larger outer boundary than the 63 dB L_{den} contour is appropriate. Following the recommendations of the European Environment Agency report, we believe the outer boundary of the residential daytime noise insulation scheme should extend to at least the 55 L_{den} noise contour. Also, BAA should pay the full cost of double glazing in proposed zones 2 and 3, rather than the proposed contributions of 50% and 25%. This is because we consider it appropriate for the airport operator to pay the full cost of mitigating noise from aircraft using the airport. Furthermore we consider that a specialist noise mitigation scheme should be developed for owners of historic assets, who we consider are prejudiced against due to the inflexibility of the current double glazing offer that is provided.

Section 4: RESIDENTIAL NIGHT NOISE INSULATION SCHEME

Paragraph 3.6 of the consultation document states that the proposed residential daytime noise scheme incorporates a measure of night noise. This is merely a by-product of using L_{den} contours which incorporate 5 and 10 dB penalties respectively to evening and night periods. No specific changes are proposed to be made to the current Night Noise Insulation Scheme which runs until October 2012. BAA intends to wait to see how the Government proposes to set future noise controls on night flights at Heathrow.

We believe that an entitlement to noise insulation based on L_{den} does not provide adequate protection against night noise. This is because L_{den} can conceal night noise within a weighted total. We believe that separate and specific provision should be made for insulation against noise from night flights. We support a continuation of the present night noise insulation scheme in which bedroom noise insulation is based on a "worst night noise event" criterion. Currently, the area within the 90 dB SEL footprint for an arrival by the noisiest variant of B747 aircraft is used to determine the area within which night noise insulation is available.

We note that no specific changes are proposed to be made to the current Night Noise Insulation Scheme. We are, however, concerned that BAA considers that the proposed residential noise insulation scheme incorporates a measure of night noise because it is based on L_{den}. We believe that an entitlement to noise insulation based on L_{den} does not provide adequate protection against night noise. This is because

L_{den} can conceal night noise within a weighted total. We believe that separate specific provision should be made for insulation against noise from night flights. We support a continuation of the present night noise insulation scheme in which bedroom noise insulation is based on a “worst night noise event” criterion.

Section 5: GROUND NOISE

Paragraph 4.12 of the consultation document states that BAA will be investigating ways to mitigate ground noise impacts of ending the Cranford agreement and invites views on how this can be achieved. This is a recognition that ground noise impacts have not been considered in the consultation document.

The L_{den} noise contours used to determine eligibility for noise mitigation relate only to air noise and do not include ground noise. Ground noise such as noise from aircraft taxiing on the ground is a significant issue for residents of Hillingdon borough living in areas near the airport. These areas include parts of Longford, Sipson and Harlington. Noise from aircraft engine testing, particularly at night, can also be a problem. We believe that specific provision should be made to insulate residential properties against airport ground noise in order to protect residents living near the airport in Hillingdon and other boroughs.

A BAA consultation “The Gatwick Noise Insulation Scheme for Homes” dated March 2007 consulted on details of proposed residential noise insulation schemes for the then BAA Gatwick Airport. It recognised that in certain situations, such as noise from ground operations, particularly at night, mitigation in the form of noise insulation is appropriate. Indeed, the scheme proposed at that time included houses within 500 metres of the airport operational boundary as being eligible which in that situation equated approximately to an average night noise exposure of 45 dB $L_{Aeq,T}$.

In view of the proximity of residential areas in Hillingdon and other boroughs to sources of airport ground noise at Heathrow, specific provision should be made on the residential noise insulation scheme for insulation against all forms of airport ground noise including aircraft taxiing noise and aircraft engine testing.

Section 6: COMMUNITY BUILDINGS NOISE INSULATION SCHEME

We note the proposal to base eligibility for the Community Buildings Insulation Scheme on the 2014 63 dB L_{den} air noise contour. We consider this scheme should extend to the 55 dB L_{den} air noise contour.

Section 7: HOME RELOCATION ASSISTANCE SCHEME

A number of residents will be worse off under the proposed scheme than they are under the current scheme. Under the proposed Home Relocation Assistance Scheme, properties falling outside the boundary of zone 1 (enclosing an area of 13.0 sq km) but inside the 2002 69 dB $L_{Aeq,16h}$ contour (area of 16.3 sq km) will have the maximum relocation assistance reduced from £12,500 to £7,500. We note that BAA propose to deal with these properties under transition arrangements to be settled in the final scheme. These arrangements must give affected home-owners ample notice and opportunity to take up the current offer of mitigation. This should not be overlooked.

Yours faithfully,

Jean Palmer,
Deputy Chief Executive and Corporate Director of Planning, Environment, Education and
Community Services,
London Borough of Hillingdon

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Department for **Transport**

**From the Minister of State
The Rt. Hon. Theresa Villiers MP**

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**Cllr Ray Puddifoot
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
Middlesex
UB8 1UW**

14 JUL 2011

Dear Cllr Puddifoot,

Following the Coalition Government's decision to cancel a third runway at Heathrow airport and to make it clear that we would refuse permission for additional runways at Gatwick and Stansted airports, the Secretary of State for Transport announced the establishment of the South East Airports Taskforce to look at how to make the best use of existing infrastructure to improve operations and the passenger experience at our three largest airports.

I chaired the Taskforce, which included senior representatives from:

- Heathrow, Gatwick and Stansted airports,
- Airlines,
- the Civil Aviation Authority (CAA),
- the National Air Traffic Services (NATS),
- London First (representing business interests),
- Air Transport Users Council (representing passenger interests)
- Aviation Environment Federation.

The Taskforce has today published the report on its year long programme of work.

I would draw colleagues' attention particularly to the chapter on Punctuality, Delay and Resilience. Unsurprisingly, the focus is on Heathrow, which is the UK's busiest and most capacity constrained airport. The main recommendation is that the scope for establishing a set of operational freedoms at Heathrow should be explored. These would enable the greater

use of tactical measures in defined and limited circumstances to prevent or mitigate disruption and to facilitate recovery. These measures are consistent with our commitment to runway alternation at the airport and there would be no increase in the number of flights at Heathrow which would remain capped at current levels.

Tactical measures, such as operating twin arrivals streams for limited periods to tackle inbound delays, are already used at Heathrow: implementation of these proposals would mean greater use of such measures on days when the airport faced particular disruption. The Taskforce has concluded that such an approach would deliver benefits, particularly in improving reliability, but would also involve some limited redistribution of noise impact during the periods when the proposed measures are applied.

The work carried out so far indicates that the proposals could result in net environmental benefits, for example through reducing stacking and cutting the number of unscheduled flights during the night period. On the limited occasions where these freedoms would be used, some communities would be likely to experience aircraft noise during current respite periods; hence the need for safeguards to ensure they are deployed only to anticipate, prevent and mitigate disruption and to facilitate recovery.

I believe that these proposals should be taken forward but that before any commitment is made to implementing them, better evidence is needed of the potential benefits and impacts. I have therefore announced support for a trial of operational freedoms. A trial would provide firm evidence on the benefits and impacts as a basis for consultation with local communities before a decision was taken on whether the proposed additional operational freedoms should be adopted on a permanent basis and what safeguards should apply in relation to their use.

The trial would be in two phases to enable evidence to be gathered for both winter and summer operations. Following engagement with local communities, the first phase would run from November to February, followed by a four month period of initial assessment and further engagement on how the regime might be refined to mitigate any impacts of particular concern and deliver additional benefits.

The second phase would run from July to September, providing the added benefit of enabling greater resilience during the London Olympic and Paralympic Games when the UK's airports will be under even more pressure than normal. The trial would be undertaken by BAA, the airport operator, under the supervision of the Civil Aviation Authority, the independent aviation regulator.

BAA will be required to engage fully and transparently with relevant local authorities, communities and other stakeholders throughout the process, particularly on the monitoring of noise impacts. Once assessed, the results of the trial would form the basis for a consultation with local communities which would in due course inform Ministers in deciding whether an operational freedoms regime should be adopted at Heathrow.

I would like to invite you to a briefing which I am chairing from 15:00 to 16:30 on Tuesday 19 July in Grimond Room, Portcullis House, where I will be joined by representation from BAA and CAA, to provide you with further detail on these proposals and how they will be taken forward.

I would like to invite you to a briefing which I am chairing from 15:00 to 16:30 on Tuesday 19 July in Grimond Room, Portcullis House, where I will be joined by representation from BAA and CAA, to provide you with further detail on these proposals and how they will be taken forward.



THE RT. HON. THERESA VILLIERS

STREET TRADING & MARKETS POLICY

Cabinet Member	Cllr Jonathan Bianco
Cabinet Portfolio	Finance, Property and Business Services
Officer Contact	Stephanie Waterford, David Frost, Nigel Dicker – Planning, Environment, Education and Community Services
Papers with report	Appendix A – Final draft Street Trading & Markets Policy. Appendix B – Summary sheet of consultation responses. Appendix C – Consultation responses.

HEADLINE INFORMATION

Purpose of report	This report seeks approval to implement the final draft Street Trading and Markets Policy following the conclusion of consultation with stakeholders.
Contribution to our plans and strategies	This report contributes to the Council's priority of a Clean and Attractive Borough and a Safe Borough.
Financial Cost	Any costs associated with the introduction of the Policy can be met from existing budgets.
Relevant Policy Overview Committee	Residents & Environmental Services.
Ward(s) affected	All

RECOMMENDATION

That Cabinet:

- 1) Approves the amended Street Trading & Markets Policy as set out in Appendix A.
- 2) Agrees an application fee for market licences as set out in this report.

INFORMATION

At the Cabinet meeting on 26th May 2011, a street trading policy report was considered, including a new draft policy for the regulation of street trading and markets.

Cabinet instructed the Deputy Chief Executive and Corporate Director of Planning, Environment, Education & Community Services to carry out a public consultation with stakeholders, regarding a draft Street Trading & Markets Policy, which gives the Council's detailed approach to the regulation of these activities in the borough.

Consultees included street traders; key stakeholders, including Police, Fire Authority & internal council services; community event organisers; Street Champions, etc.

Officers from the Licensing Service also met individually with a number of key stakeholders reflecting traders, residents associations & community groups and market operators, to discuss the proposed policy. A total of 5 responses were received from the following consultees;

- Mr Martin Green, Team Leader, Hillingdon, Hounslow, Harrow Fire Safety Team, LFEPA.
- Mr Philippe Bassett, Savoir Fayre Continental Markets.
- Mr Glyn Craddock, Uxbridge Station Flowers, Licensed permanent pitch street trader.
- Mr Ian Parkinson, Eastcote Residents Association, and organiser of the Eastcote Christmas event.
- Mr Les Drussell, Ruislip Manor Chamber of Commerce & Organiser of the Ruislip Manor Fun Day.

A detailed summary of relevant consultation responses is included in Appendix B. The summary also identifies amendments made to the proposed policy, as a result of the comments. Copies of the actual consultation responses are included as Appendix C. In the final proposed draft of the policy (Appendix A) Additions or amendments following the consultation exercise are shown in ***bold italic*** and deletions are shown as "strike through" text.

Fees

It is important to note that the street trading licence fees under the London Local Authorities Act 1990 (*including shop fronts, tables and chairs and street pitches*), which were approved and set by Cabinet in April 2011 are unaffected and will remain in place until the next fee review, later in this financial year.

The proposed introduction of charges for markets under the Food Act 1984 allows the Council to charge a fee to market traders. Therefore a new fee for markets must be set. Benchmarking information has been obtained from other London authorities, and consideration given to the range of views from consultees on this matter. It is proposed to apply the following fees to markets:

Fees for Market Licence in Uxbridge Town Centre per day	Fees for Market Licence in all other areas of the borough per day
£750 for up to 50 stalls	£500 for up to 50 stalls
Additional £250 for every further 50 stalls	Additional £250 for every further 50 stalls

It should also be noted that S.18 of the policy allows the Council to grant waivers of market licence fees for charitable or community events, where the principal part of the event is community based, bringing social and economic benefits.

Financial Implications

The introduction of a street trading & markets policy has no direct financial implications for the Council. The implementation of a licence fee for markets is in line with statute and can be reviewed as part of the Council's annual consideration of fees and charges.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

The introduction of a street trading & markets policy will create a simpler, more streamlined system of regulation for street trading and markets. The policy will reduce administrative burdens and delays, and provide an easier way for community trading events to be operated. The terms and conditions have been reviewed, made more accessible, and rationalised.

Consultation Carried Out or Required

Officers of the Licensing Service carried out the 28 day consultation between 8th June and 5th July 2011. Legal notices were placed in the local press on 8th & 15th June 2011 as required by Section 27 of the London Local Authorities Act 1990 (as amended).

Consultees included current and past street traders; key stakeholders including Police, Fire Authority & internal Council Services; Community Event organisers; Street Champions etc. Officers have met with a number of consultees, to discuss the policy.

There is no statutory requirement for the Council to consult on the market fees proposed under the Food Act 1984, although the Council must act reasonably in the decision making process.

The London Local Authorities Act 1990 (as amended) requires that a consultation period of 28 days must be allowed before a decision is made by the Cabinet. Following the consultation period, any decision taken by Cabinet will be published in a local newspaper on two consecutive weeks. It is anticipated that if approved, the proposals will be brought in to force in early September 2011.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and is satisfied that any costs associated with the introduction of the policy will be met from existing budgets and that there are no wider financial implications arising from the recommendations of this report. The proposed licence fees will be reviewed as part of the annual fees and charges process.

Legal

With regards to the street trading and markets policy, this report indicates that officers have observed the statutory consultation procedures required under Section 27 of the London Local Authorities Act 1990, and that any regulations will be effected in accordance with the Act.

The Food Act 1984 allows the Council to demand in respect of the market, such charges as they may from time to time determine. This power is constrained by the usual constraints of decision making by a local authority in that any decisions must be reasonable in all the circumstances. Although there is no statutory requirement to consult on the introduction of charges for markets, officers should consider whether it would represent good practice to carry out consultation with any existing stakeholders.

In considering any consultation responses, decision makers must ensure there is full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

BACKGROUND PAPERS

None

Appendix A



HILLINGDON

LONDON

London Borough of Hillingdon

Final draft Street Trading & Markets Policy

***Includes amendments resulting from consultation
ending 5th July 2011***

Effective from xx September 2011
Made by the London Borough of Hillingdon
Pursuant to: Section 27(3) of
London Local Authorities Act 1990 (as amended) and
Food Act 1984 (Part III)

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1.0 Introduction

This draft document sets out a final proposal for a Council policy on the regulation of street trading and markets, and a procedure for applications for street trading licences. The policy proposes a simplified process for licensing of street markets and community events and offers a simple prior approval process to support applicants so that their proposals have the greatest chance of success when a final application is made.

2.0 Intention of this policy

The development of a street trading policy presents an opportunity to encourage small independent businesses and traders and increase employment opportunities, by minimising bureaucratic licensing burdens, but at the same time maintaining sensible levels of public protection and complimenting trading from permanent businesses.

The policy will be reviewed in light of developing practice, guidance and changing legislation as necessary, replaces all previous terms & conditions and covers the regulation of:

- Street trading pitches
- Tables & chairs
- Shop fronts
- Markets
- Community trading events

The policy sets out the Council's approach and requirements clearly, to help applicants and operators. It also aims to guide and re-assure the public, and other public authorities, ensuring transparency and consistency in decision making. This policy is meant as a guide to the Council's decision making process; all relevant factors will be taken into consideration in determining any application.

The grant of a licence for street trading does not override the need for licensees to comply with planning, building control, environmental, consumer protection, health and safety and other legislation. If necessary, the policy will be amended to prevent conflict with other legislation.

3.0 Street Trading Licences

Unless in respect of a market (see para 12.0), street trading licences will be determined under Part III of the London Local Authorities Act 1990 (as amended), referred to as "the Act" in this policy.

- a) Applications can be for permanent or temporary licences.
- b) The term "street trading" covers "pitches" (a defined or licensed area where a stall may be set up), "tables and chairs" – for example serving a café, and "shop fronts" – where there may be a display of goods outside a shop, directly concerned with that shop.
- c) "Street trading" means the sale, and exposing or offering for sale of any article (including a living thing) in a street. A display of goods or services within seven metres of the Highway will require a street trading licence.

Street trading without a licence is an offence under licensing and highways legislation.

4.0 Eligibility criteria & suitability of applicants

- a) Applicants must be aged 17 years or older.
- b) Suitability will be assessed on a case by case basis and information about an applicant's enforcement history with the Council may be referred to.

5.0 Making an application – the documentation needed

Applications for street trading licences must be made in writing or online, using the Council's application form, and must include the following;

- a) Two standard full face passport photographs;
- b) Evidence of public liability insurance for a minimum of £2 million cover;
- c) Proof of address;
- d) Identification that includes a photograph of the applicant; (such as a new style photo driving licence)

Sometimes, the Council may be able to accept alternative supporting documents, but by individual agreement.

6.0 Street trading fees

Fees may be reviewed on an annual basis, and will be advertised in accordance with the legislation. Fees must be paid in full when the application for the grant, renewal, variation or transfer of a street trading licence is made. There will be no refund of licence fees should a licence for any reason become revoked or surrendered.

A list of current street trading and market licence fees can be found on the Council's website www.hillingdon.gov.uk/licensing or by contacting the Licensing Service on 01895 277524

7.0 Temporary applications - pitches

All applicants licensed as temporary traders under the London Local Authorities Act 1990 will have the same conditions as those for permanent street trading licences. However, the legislation does not give temporary licence holders the right of appeal to the Council or the relevant committee against a decision not to grant a licence, or to revoke or vary a licence.

The issue of a temporary licence is without prejudice to the Council's application process for a permanent licence – this means that if a trader is issued with a temporary licence, it does not guarantee that a permanent licence will be issued.

The Council reserves the right to issue licences to traders who offer things for sale or goods ("commodities") which will enhance a shopping area or locale, before any other trader or applicant offering other commodities.

The Council reserves the right, *when appropriate*, to suspend the licence of any trader holding a temporary licence, without notice and without any reason having been given in writing at the time. A trader who holds a temporary street trading licence must therefore stop trading straight away, when asked to do so by the Council, or a police officer.

8.0 Permanent applications - pitches

A pitch trader must have traded continuously under a temporary licence for a minimum of three years within the London Borough of Hillingdon prior to applying for a permanent licence.

Permanent licences must be renewed annually. Officers will advise licensees on the period of renewals and applications for permanent licences. However, responsibility for ensuring that a renewal occurs before the expiry of permanent licence lies with the licensee.

9.0 Succession of licences

“Succession” means when a permanent licence is transferred or “passed on” to a relation. There are rules about this in the legislation.

Succession of the street trading licence may only be granted to a relation of the licence holder specified in the legislation and under the following circumstances, listed in the legislation:

- a) When the licensee dies; or
- b) When the licensee retires, having reached the normal age for retirement; or
- c) When the licensee advises the Council that owing to ill-health, he is unable to continue to operate the licence, and submits evidence to satisfy the Council as to his ill-health.

Licensing officers can provide more detail on the subject of succession and it is always best to clarify what may be involved before any assumptions about any entitlement are made.

10.0 Renewals

The licensee must apply to the Council for a renewal, at least 28 days before the current licence’s expiry. If an application for renewal is not granted by the expiry date, then licence lapses, and the trader will have to cease trading.

The Licensing Service will aim to send renewal reminder notices to licensees up to 8 weeks before the date of expiry. No renewals should be accepted after the expiry date and in such cases any application should be treated as a new application, undergoing the full application process. No trading will be permitted unless a renewed licence has been issued.

11.0 Variation

Licensees may apply to the Council to vary their licence at any time during the licence period. Applications may be made to vary the commodities traded, the pitch size and any assistants.

12.0 Licensing of Markets and Occasional Street Markets

The Council is “invoking its market rights” under the Food Act 1984 (as amended) in the Borough.

The Food Act 1984 allows a local authority to establish a market within its area, and may designate a market place within its area and the days and hours during which markets may be held.

13.0 A Single Licence for Markets

The Authority will consider market applications on a case by case basis for markets proposed within the borough boundary to which there is free public access, and which may have multiple stalls or pitches to sell commodities.

The Council will regulate markets under a single licence, as per Part III of The Food Act 1984. Markets held in the following locations are exempt from the market provisions of the Food Act 1984;

- a) Any Council park or green space
- b) Any private building
- c) Enclosed shopping centres
- d) Any school / community / church hall or similar

The licence issued will authorise a number of traders in a particular area, on predetermined days or dates (a market), or where trading takes place from a stall, a series of stalls or pitches, on an occasional basis.

The market licences may be granted to private a market operator(s), residents associations or similar, or community/charitable groups. The Council does need to enforce its market rights in the interests of public safety, and so will determine the area, size of stalls etc and their **general** layout as well as relevant timings for trading to take place. Efforts will always be made to work with operators or groups, to agree and explain matters.

14.0 Occasional Street Markets

Occasional street markets can encourage economic activity and enhance shopping areas by offering variety and by increasing visitor numbers.

A market operator or a group of traders may apply to the market authority for a licence to hold an occasional street market, for commercial trading purposes. This is a market which takes place on specified dates or days.

15.0 Charity & Community Markets

It is recognised that regulation can sometimes have unwanted impacts on residents, businesses and community groups based in the borough. To minimise these burdens, specific arrangements for local community and charitable group events are outlined below.

- a) A charity or community group may apply for a licence to hold a market for the purpose of supporting a community event e.g. a fun day, or Christmas event.
- b) Applications for charity or community markets must identify community or charitable benefit, or provide evidence of charitable status and intention.**
- c) Charity or community applicants ~~may also ask~~ **should apply** to the Council for a waiver of market application fees. The Council will consider any applications for waivers on a case by case basis, and in light of the above.

- d) Where a charity or community event market includes trading by commercial enterprises, ~~other than small sole traders (whose presence at event brings community benefit) then the Council reserves the right to charge the standard fee to these commercial traders~~ **a waiver of fees should also be applied for. Applications will be assessed on a case by case basis, but such events should have an appreciable community element and bring social and economic benefit to an area.**
- e) Licensees must ensure that the terms and conditions that come with the market licence are kept to by the individual traders, that they have adequate insurances, and where sensible, that they have the required food hygiene training and registration certificates.
- f) Charity or community market operators will be required to make their market applications at least three months prior to the market event taking place.
- g) Where road closures are required, **any initial approval in principle will be entirely subject to subsequent approval by** ~~must be obtained from~~ the Highway Authority before the market application is made. Evidence of the approval will be required as part of the market application.

16.0 “Approval in Principle”

The Council wants good, well promoted markets or events to go ahead. To save wasted effort, increase convenience and to ensure that applications have the smoothest possible journey to approval, the Licensing Service will give support in the form of “approval in principle”.

- a) Where early applications are made, not including full details of traders and their commodities, the Council may approve the application in principle, pending full details of the traders and their commodities being submitted, at least two weeks prior to the market event.
- b) Operators or organisers will be able to hold early meetings with licensing officers to encourage general dialogue, discuss proposals and the Council’s requirements, and agree layouts etc, before a full application is made. No fee is to be charged for these meetings. However, it is anticipated that most events will need one, or perhaps two meetings to agree matters.

Any approval in principle issued by the Council will be subject to other legislative requirements i.e. road closures, parking suspension, alcohol licensing etc.

17.0 Applications and supporting information

The Council needs applications for market licences to be of a good standard of competence. The Council may seek references from boroughs in which the market has previously operated, prior to the determination of the licence. Market operators must make applications using the Council’s own form, or online, and should provide the following information and documents as part of the application;

- a) Two standard full face passport photographs;
- b) Evidence of public liability insurance for a minimum of £2 million cover;
- c) Proof of address;

- d) Identification that includes a photograph of the applicant; (such as a new style photo driving licence)
- e) Plan of the proposed market showing location, sizes and layout of stalls/pitches;
- f) Evidence of or proposals for a trade waste disposal agreement or similar;
- g) Photos/images showing the appearance and style of stall / pitch;
- h) A list of stall / pitch traders and what they want to sell - the commodities – this may be given a minimum of two weeks before the event in the “approval in principle” process.

Sometimes the Council may be able to accept alternative supporting documents, by agreement.

18.0 Market Fees

Market operators for occasional street markets are required to pay a fee in line with the current fee schedule.

Applicants for charity / community markets **should** apply to the market authority for a ~~reduction~~ or waiver of market licence fees. (See S.15) Information on current street trading fees is on www.hillingdon.gov.uk/licensing or can be obtained from the Licensing Service on 01895 277524.

19.0 Consultation and advertisement

On receipt and acceptance of any application for a new or renewal street trading licence, or application for a variation to an existing one, the Licensing Service will carry out consultation with relevant ward members, town centre management, traders or businesses in the area, and any others in the area that the Council sees as appropriate. The consultation period will be 21 days ***beginning on the day after receipt of the application.***

In addition to the above, for applications for shop front and / or tables and chairs licences, consultation and advertisement will take the form of a “Notice of Application” which must be placed in the window of the relevant premises – so that it can be easily seen from outside. The notice will be at least A4 in size and must be in place and easily visible from the outside, throughout the consultation period.

Where market applications are received, the Licensing Service will carry out consultation with ward members, town centre management, traders / businesses in the area and any others in the area that the Council sees as appropriate. The consultation period will be 21 days ***beginning on the day after receipt of the application.***

20.0 Objections

Objections must be made in writing and made by those persons, bodies, or their representatives, who are likely to be affected (in the “vicinity”, or area) by the operation of the licence. Frivolous, vexatious, repetitious and competition based representations will not be accepted.

E.g. “Vicinity” has the common sense meaning of the word and is taken to mean the area in which objectors who are likely to be affected by the operation of the licence are located. E.g. “Frivolous” objections may be based on a one off issue concerning a licence that has previously been managed well. E.g. “Repetitious” means the objection is identical or substantially similar to an objection already discounted ~~or a ground for review already made~~; E.g. “Vexatious” means the objection is not genuine – i.e. It could have been made as a result of a dispute between neighbouring residents or businesses.

21.0 Consideration of Applications

Applications which have not been objected to will be considered by the Deputy Chief Executive and Corporate Director of Planning, Environment and Education Services or by officers authorised for the purpose of determining street trading applications.

If relevant objections are received during the consultation period for a licence application, a Licensing Sub-Committee will determine the application. Where applications are heard by a Licensing Sub-Committee, the Committee may exercise its discretion on accepting late representations where they have been received outside of the consultation period.

22.0 Hearings

Where the Licensing Sub Committee is to determine an application for the grant, variation or revocation of a street trading licence, the hearing will be held as soon as is reasonably practicable.

Where a permanent trader wishes to appeal a decision to grant/vary or revoke his/her licence, an appeal, and the reasons for the appeal, must be made in writing to the Licensing Service within 21 days of the decision being made. The appeal will be heard by a Licensing Sub-Committee as soon as reasonably practicable.

23.0 Decision Making & Grounds for Refusal

All uncontested applications will be considered by the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services or by officers authorised for the purpose of determining street trading applications. Where valid objections are received to an application, a Licensing Sub-Committee will determine the application.

The complete application process may take up to three months and this is to take into account the 21 day consultation period, and also, if required, the arrangement of hearings of the relevant Licensing Sub-Committee.

Where there are no objections to an application, the Council aims to determine applications within one month of receipt of a fully completed application.

Standard conditions will be attached to every street trading licence and these may be varied by the Council at any time. Where relevant, specific trading conditions may be attached to a street trading licence by a Licensing Sub-Committee.

In considering applications for the grant or renewal of a street trading licence the following factors will be considered, and may be grounds for refusal, when the authority may refuse a street trading licence application.

- (a) Public safety - Whether the street trading activity represents, or is likely to represent, a substantial risk to the public from the point of view of obstruction of the highway to emergency vehicles, or otherwise, a fire hazard, unhygienic conditions or other danger that may occur when a trader is using the site.

- (b) Prevention of crime and disorder - whether the street trading activity represents, or is likely to represent, a substantial risk to public order. This is potentially more of a problem for licences operating late in the evening.
- (c) Prevention of public nuisance or environmental damage - whether the street trading activity represents, or is likely to represent, a substantial risk of problems from damage to street surfaces, or from noise, litter, refuse, vermin, fumes, odours or antisocial behaviour, particularly in residential areas.
- (d) For markets licensed under the Food Act 1984, appearance and suitability of the stall or vehicle from which trading takes place - the stall or vehicle must be of a good quality design, of good appearance and meet the criteria, including size, laid down in the standard licence conditions. It is advised that applicants provide photographs or sketches including dimensions of the stall with all new applications.
- (e) Needs of the area – amongst other things, the Council will consider the demand for the articles for sale, and the geographical location of the proposed site.
- (f) History of the applicant - the suitability of the applicant must be considered. Previous failures, without reasonable excuse, to comply with licence conditions or failure or neglect in paying licence fees may result in a licence being refused, revoked or not renewed.
- (g) Pedestrian or vehicular access – whether there is sufficient space for pedestrians and vehicles (including pedestrians using mobility aids and parents with pushchairs/buggies) to continue to use the public highway safely and unhindered.

In addition to the considerations listed above, the Council may refuse or revoke a licence if any of the following statutory grounds exist:

- (h) the applicant wishes to trade for less days than any minimum required trading days;
- (i) the applicant has been determined unsuitable to hold a licence do to any previous convictions or for other reasons;
- (j) the licence holder has failed to pay fees due under another street trading licence or have failed to use a previous street trading licence.

Occasionally, if some grounds for refusal do exist, the Council may still decide to award a licence – but this could be for a shorter period than required, or to allow trading only in certain commodities.

24.0 Appeals

A Licensing Sub-Committee will determine appeals from permanent licence holders unhappy with a decision to grant / revoke / vary their street trading licence. In the event that a permanent licence holder is unhappy with the decision of the Licensing Sub-Committee, an appeal may be lodged with the Magistrates Court within 21 days of the date of the decision of the Licensing Sub Committee. In the case of temporary licences, the legislation gives no right of appeal. Temporary licence holders may apply for a judicial review of decisions, though.

25.0 Duration of licences

Permanent licences will last for one year. Temporary pitch licence holders may apply for permanent licences after 3 years of continuous trading within the Borough. Temporary licences are issued for six months, or less, if the Licensing Committee / Applicant specifies otherwise. A shop front or tables and chairs licence shall be a temporary licence, and a permanent licence may not be issued to a trader who applies for a shop front or tables and chairs licence. Market licences will be issued for a period in accordance with the application and / or any Licensing Sub-Committee decision made to alter the licence period.

26.0 Enforcement Action

The decision to use enforcement action will be taken on a case by case basis and, to ensure consistency of approach, in accordance with this and any other more specific policies which may be applicable. The action taken, which may be immediate, will be proportionate to the seriousness and nature of the non-compliance.

Factors that will be taken into consideration include, but are not limited to:

- a) The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals;
- b) Evidence suggests that there was pre-meditation in the commission of an alleged offence;
- c) The alleged offence involved a failure to comply in full or in part with the requirements of this policy and / or the terms of the street trading licence;
- d) There is a history of previous warnings or the commission of similar offences;
- e) Aggravated circumstances such as obstruction of an officer or aggressive behaviour towards the public;
- f) If the alleged offence, though not serious itself, is widespread in the area where it is committed;
- g) The gravity of an alleged offence, taken together with the seriousness of any actual or potential harm;
- h) There has been a repetition of a breach that was subject to a formal caution or issue of a Fixed Penalty Notice;
- i) False information has deliberately been supplied and/or intention to deceive.

The Council may take any of the following types of enforcement action (*in no particular order*):

- a) Verbal/written warnings – e.g. a contravention and / or where Officer contact has not resolved the contravention;
- b) Simple cautions;
- c) Licence review or application for licence revocation e.g. when fees go unpaid, a breach of a licence condition;
- d) Fixed Penalty Notices;
- e) Prosecution.

Any decision to prosecute will be taken as a last resort and such a decision will be made in accordance with the Code for Crown Prosecutors. Council enforcement services will carry out their enforcement-related work with due regard to the Enforcement Concordat. Information concerning non-compliance may be shared with other enforcement agencies. Any such action will only be undertaken in the public interest and in compliance with the Data Protection Act 1998.

Officers will regularly inspect street trading areas to ensure compliance with the licence terms and conditions i.e. the trader is only trading in the licensed pitch area. In addition, all complaints of unlicensed street trading will be investigated.

The Licensing Sub-Committee will hear all applications for the revocation, variation, or suspension of a street trading licence in the event that a trader significantly or persistently breaches such a licence.

Any trader who is convicted of an offence that is contrary to the Act or regulations made in pursuance of it may be requested to appear before the Licensing Committee or a Licensing Sub committee, when the determination of the recommendation to revoke the licence will be made. Any contravention of licence terms and conditions by an assistant to the licensee will be viewed as a contravention by the licensee whether present or not.

Any breach of the conditions relating to market licences will be investigated, and enforcement action taken where necessary. Any history of enforcement action may be considered as part of the application process.

27.0 Designation of Licence Streets

If the Council considers that street trading should be allowed or licensed in any area, it may pass a resolution designating any further street or part of a street as a licence street under Section 24 of the Act. In deciding if a street or site should be designated for street trading, the following may be considered;

- a) The presence of any existing or planned street furniture;
- b) The proximity and nature of any road junctions and pedestrian crossing points;
- c) The number of street trading sites already licensed in the vicinity;
- d) Whether the proposed site for designation would impact on accessibility for members of the public i.e. pedestrians, pushchairs, wheelchairs etc.
- e) If the safety of the public will be put at increased risk;
- f) Whether the proposed site will leave the recommended clearance of 2 metres clear passage between the trading area and the edge of the kerb or footway;
- g) If there will be a negative impact on the character or appearance of the area.

For designation, there is a consultation period of 28 days, when the Council consults with the Police and Highways Authority, and any other relevant body. The Council may also pass a resolution to rescind or vary the designation of a licence street, and must consult on any intentions to do so in a notice published in a local paper. After publishing the consultation notice, the Council will consider any representations received, before making a decision.

A street does not have to be designated as a licence street for street trading purposes where a temporary street trading licence is issued. A list of current licence streets may be found in **Appendix 1**

28.0 Other legislative considerations

Apart from the legislative requirements of the London Government Act 1990 (as amended) and the Food Act 1984, the Council will take into account its duties under other legislation including, but not limited to;

- a) Section 17 of the Crime & Disorder Act 1998, which places the Council under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent crime and/or disorder in the Borough.
- b) The Regulator's Compliance Code (set out in the Regulatory Reform Act 2006) which requires the Council not to impede economic progress by its regulations, and particularly to consider the impact on small businesses.
- c) The Provision of Services Regulations 2009 which requires the Council to ensure that its requirements are non-discriminatory; proportionate to the public interest; objective; clear and unambiguous; made public in advance; transparent and accessible.
- d) The Disability Discrimination Act 1995 which makes it unlawful to treat disabled persons less favourably than other people, for a reason related to their disability.

EU Services Directive

Tacit consent will apply to street trading licence applications if no objections are received and the applicant is not notified of the determination process within 28 days after receipt of a valid application.

29.0 Policy review

This Policy may be reviewed by Cabinet. Minor changes to this Policy may be made by the Deputy Chief Executive and Corporate Director of Planning, Environment and Education Services, acting in consultation with the Leader of Council.

30.0 Commodities

Applications for street trading licences must be made in accordance with the Council's approved list of commodities and banned commodities (Included as Appendix 2). The Licensing Service will consider commodities that are not on the approved list at its own discretion.

The Council may amend this list in order to ensure fair trading opportunities to all traders in the relevant area. The Council may, from time to time, ban certain commodities in certain areas where there is a need to do so. If the Authority amends the list of banned commodities, a 21 day consultation with traders will be held in the affected area prior to a decision being made.

31.0 Ice Cream Traders

Ice cream trading means the selling, exposing or offering for sale of goods consisting wholly or mainly of ice cream, frozen confectionery or other similar commodities from a vehicle.

Itinerant ice cream trading means ice cream trading from a vehicle which goes from place to place remaining in any one location in the course of trading for periods of 15 minutes or less and not returning to the same location or any other location in the same street on the same day.

The Council may, from time to time, ban ice cream traders in certain areas where there is a need to do so. The Council will carry out the statutory consultation and advertisement before any decision is made. A full list of areas where a ban on ice cream traders is currently in force can be found in **Appendix 3**.

32.0 Licence Conditions

The various licences in this policy are issued under the terms and conditions below. These are effectively the rules by which licensees must operate. They are meant to allow trading to be carried out safely, responsibly and in harmony with the surroundings, other traders and residents.

Full schedules of conditions relating to street trading and market licences can be found in the following appendices;

Appendix 4 – Conditions applicable to all street trading and market licences

Appendix 5 – Additional conditions applicable to tables & chairs licences

Appendix 6 – Additional conditions applicable to shop front licences

Appendix 7 – Additional conditions applicable to market *operators*

Appendix 8 – *Additional conditions applicable to market traders*

33.0 Definitions

The definitions used in the conditions and elsewhere are from the legislation that the Council is given to manage licensing in the borough. Some of the meanings may not be clear – licensing officers will try to answer any queries from residents, organisers or licence holders.

- a) “The Act” means Part III of the London Local Authorities Act 1990 as amended by the London Local Authorities Acts 1994, 1999, 2004 & 2007”;
- b) “Assistant” means a named person, or persons, under the direction of the licensee, who is in control of the trading activities when the licensee is not present. Details of this person(s) must be formally notified in writing to the Council;
- c) “Licensed Street Trader” means any person who is licensed for a street trading under Part III of the Act;
- d) “Licensed Street Trading Pitch” means an area in any authorised street or place at which street trading may be conducted in by a licensed street trader, and includes any temporary alternative place approved by the Council.
- e) “Market” means a concourse of buyers and sellers to trade commodities.
- f) “Premises” means any land, building or part of a building and includes any commercial premises adjacent to a licensed street trading pitch.
- g) “Shop Front Trading” refers to a licence which permits the display of shop goods on a street in a manner permitted by the Act.
- h) “Street trading” shall have the meaning described in Section 21 (1) of the Act.
- i) “Tables and Chairs Licence” refers to a licence authorising the placement of tables and chairs on a street.
- j) “Trader” means a person or that person’s assistant in whose name a current street trading licence is held, authorising street trading from a licensed street trading pitch. The street trading licence may be a permanent or temporary licence.

Appendix 1

SCHEDULE OF LICENCE STREETS

Pursuant to Section 24(10) of the London Local Authorities Act 1990 (as amended) the following streets are designated as "licence streets" for the purposes of street trading.

Bakers Road, Uxbridge Barra Hall Circus, Hayes Belmont Road, Uxbridge Betam Road Botwell Lane, Hayes Bourne Avenue, Gloucester Parade, Hayes Byron Way, West Drayton Cocks Yard, Uxbridge Coldharbour Lane, Hayes Coleridge Way, West Drayton Cowley Road 100-118, Uxbridge Cowley Road 18-20, Uxbridge Dawley Road 1-19, Hayes Dawley Road, Dawley Parade, Hayes East Lane, Hayes Eastcote High Road, Black Horse Parade, Eastcote Falling Lane, Yiewsley Field End Road, Eastcote Field End Road 702-724, South Ruislip Green Lane, Northwood Harlington Road 305-315, Hillingdon Harmondsworth Road, West Drayton Harlington Road 305-315, Hayes Harvil Road, Harefield Hayes By-Pass (The Parkway) Hercies Road, Hillingdon High Road 28-34, Cowley High Road 81-97, Ickenham High Road, Ickenham High Street, Cowley High Street, Dellfield Parade, Cowley High Street, Harefield High Street, Harlington High Street, The Parade, Cowley High Street, Uxbridge High Street, Uxbridge – <i>pedestrianised area between Vine Street and Belmont Road.</i> High Street, Ruislip High Street, Yiewsley High Street 110-118, Northwood	High Street 2-88, Northwood Hillingdon Hill, Hillingdon Horton Road, Yiewsley Howletts Lane, Ruislip Ickenham Road, Station Parade, West Ruislip Ickenham Road, Ruislip Joel Street, Northwood Hills Kingshill Avenue, Hayes Lansbury Drive, Hayes Laurel Lane, West Drayton Long Lane 1-12, Ickenham Long Lane 305-321, Hillingdon Long Lane 370-396, Hillingdon Long Lane, Crescent Parade, Hillingdon Long Drive, South Ruislip Manor Way, Ruislip Manor Maxwell Road, Northwood Moorfield Road, Cowley Moorhall Road, Harefield Mulberry Crescent, West Drayton North Hyde Road 141-171, Hayes Old Stockley Road Park Way, Ruislip Manor Park Lane, Harefield Pasadena Close Pembroke Road, Ruislip Manor Pield Heath Road, Cowley Pinner Road, Northwood Pinner Road, Northwood Hills Pump Lane, Hayes Pump Lane (Eastern end) Redmead Road, Hayes Rickmansworth Road, Harefield Romney Road, Romney Parade, Hayes Royal Lane, Yiewsley Ryefield Avenue, Hillingdon Salisbury Road, Eastcote Silverdale Road Sipson Road, West Drayton Skyport Drive Springfield Road Station Approach, South Ruislip Station Road, West Drayton
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Appendix 1 (Cont)

<p>Station Road, Cowley Station Road, Hayes (<i>NOT pedestrianised</i>) Station Road Hayes, <i>pedestrianised area between Pump Lane and Crown Close</i>; St Dunstons Road, Hayes Sutton Court Road, Hillingdon Swakeleys Road 1-31, Ickenham Swallowfield Way Swan Road 58-66 and 81, West Drayton The Green 1-16, West Drayton Victoria Road, South Ruislip Victoria Road, Ruislip Manor Victoria Road 439-445 and 490, South Ruislip Violet Avenue 53-65, Yiewsley West Drayton Road 177-183, Yiewsley West End Road, Ruislip Gardens Whitby Road 143-163 and 208-218, South Ruislip Windmill Hill, Ruislip Manor Uxbridge Road 1172-1380, Hayes End</p>	<p>Uxbridge Road 124-152, Hayes Uxbridge Road 641-693, Hayes Uxbridge Road 759-849, Hayes End Uxbridge Road, Blenheim Parade, Hillingdon Uxbridge Road, Byron Parade, Hillingdon Uxbridge Road, Crescent Parade, Hillingdon Uxbridge Road, Heathside Parade, Hillingdon Uxbridge Road, Marlborough Parade, Hillingdon Uxbridge Road, Westbourne Parade, Hillingdon Uxbridge Road, Whiteleys Parade, Hillingdon Vine Street, Uxbridge Welbeck Avenue, Yeading Willow Tree Lane, Hayes Windsor Street, Uxbridge Yeading Lane, Yeading</p>
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Appendix 2

Acceptable Commodities

Category	Commodity
Clothing	<ul style="list-style-type: none">• Women's clothing• Gents clothing• Childrens clothing• Baby wear• Sportswear• Clothing accessories i.e. hats scarves, ties, belts etc• Underwear/Nightwear• Footwear/slippers• Other items (must be specified)
Flowers	<ul style="list-style-type: none">• Cut flowers and plants• Uncut flowers and plants• Artificial flowers• Flower accessories i.e. pots, food, hanging baskets etc.• Seasonal i.e. Christmas Trees, Holly, Mistletoe etc• Other items (must be specified)
Fruit & Vegetables	<ul style="list-style-type: none">• Raw fruit/vegetables• Other items (must be specified)
Food	<ul style="list-style-type: none">• Pre-packed groceries• Dried fruit, seeds, pulses, beans etc• Cheese and dairy• Meat/fish• Bread/cakes• Deli food i.e olives, pickles, nuts etc• Confectionary• Other items (must be specified)
Household goods	<ul style="list-style-type: none">• Cleaning products• Laundry products• Cleaning utensils• Plastic storage and accessories e.g. crates, boxes etc• Light bulbs• Other items (must be specified)
Toiletries & Cosmetics	<ul style="list-style-type: none">• Toiletries• Hair products• Make-up• Perfume• Other items (must be specified)

Appendix 2 (Cont)

Soft furnishings	<ul style="list-style-type: none"> • Cushions & throws • Bedding • Curtains & blinds • Rugs & mats • Dining linen • Other items (must be specified)
Kitchen/Dining	<ul style="list-style-type: none"> • Cookware • Serve ware • Glass ware • Table ware • Other items (must be specified)
Electrical & Audio/Visual	<ul style="list-style-type: none"> • Audio/amplification equipment • Visual/display equipment • Computer hardware and accessories • Games consoles • Musical Instruments • Cameras • Electrical accessories • Other items (must be specified)
Travel Accessories	<ul style="list-style-type: none"> • Luggage • Sports bags • Handbags • Other items (must be specified)
Jewellery and accessories	<ul style="list-style-type: none"> • Costume jewellery • Precious jewellery • Hair accessories • Sunglasses • Watches • Other items (must be specified)
Stationery	<ul style="list-style-type: none"> • Office supplies • Paper • Greetings cards • Wrapping supplies/giftbags • Other items (must be specified)
Toys	<ul style="list-style-type: none"> • Childrens toys • Outdoor games and toys • Baby/nursery equipment • Other items (must be specified)
Textiles	<ul style="list-style-type: none"> • Fabric • Haberdashery • Yarn/Wool • Knitting/Sewing supplies • Other items (must be specified)

Appendix 2 (Cont)

Tools, DIY & Gardening	<ul style="list-style-type: none"> • Tools • Garden tools • DIY supplies • Other items (must be specified)
Furniture	<ul style="list-style-type: none"> • Furniture including antiques • Other items (must be specified)
Sports equipment	<ul style="list-style-type: none"> • Exercise equipment • Track & Field • Golf • Sports equipment • Other items (must be specified)
Pet supplies	<ul style="list-style-type: none"> • Pet food • Pet beds • Pet cages/hutches/tanks/carriers • Grooming and care supplies • Other items (must be specified)
Arts & Crafts (original handmade goods)	<ul style="list-style-type: none"> • Art • Sculpture • Craft items • Handmade textiles • Other items (must be specified)
Miscellaneous	<ul style="list-style-type: none"> • Other items not in any category above (must be specified by the applicant)

Banned Commodities

Commodity	Ward/Area of ban
Continuous or regular street trading of food (e.g. Mobile food traders)	Uxbridge Town Centre (<i>as agreed by Cabinet 17th March 2011</i>)

Appendix 3

Prohibition of mobile or “itinerant” ice cream trading.

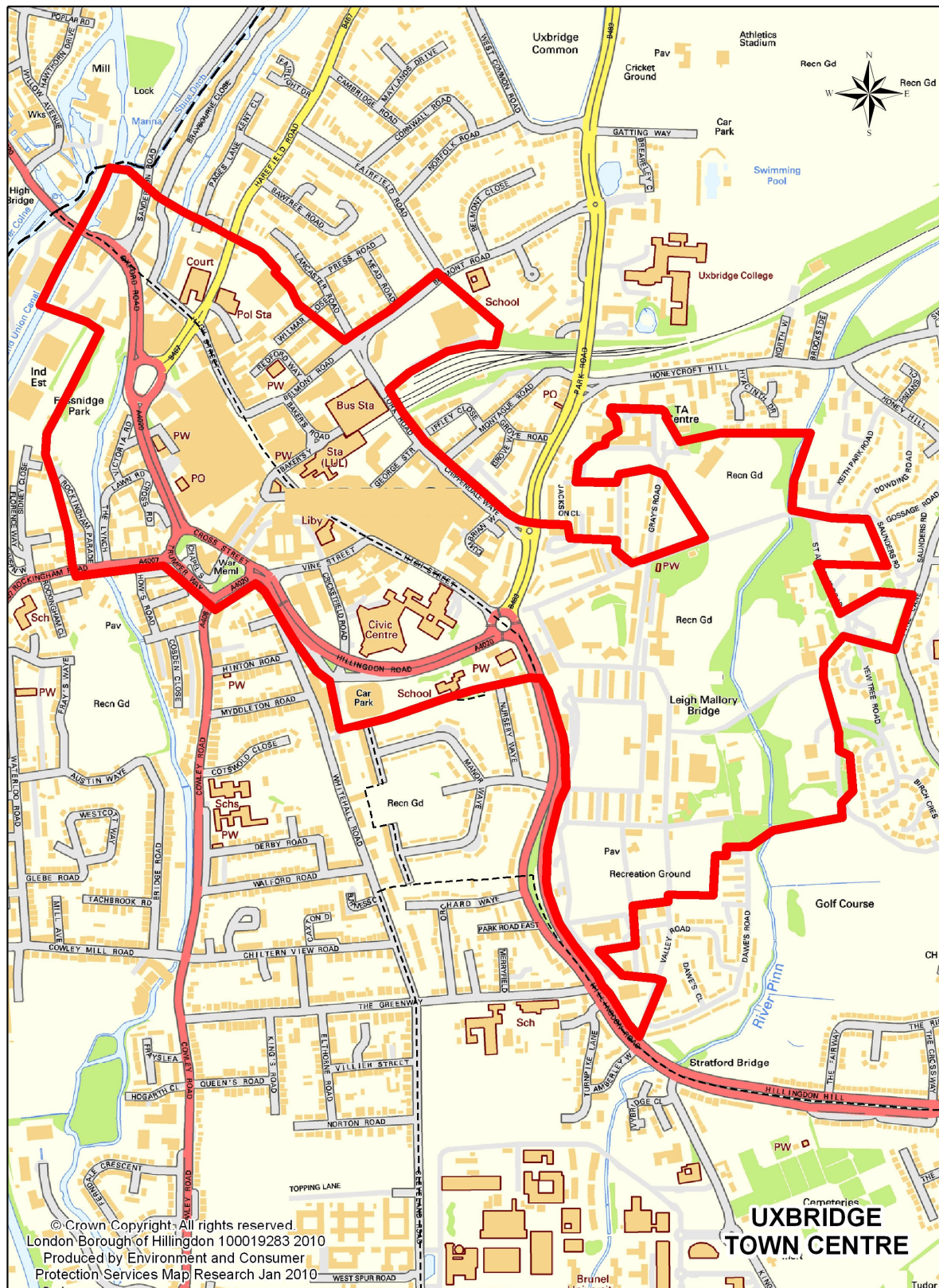
1. Any street or part of streets or side streets within 65 metres of any exit used by children from the following premises:
 - (i) Primary schools
 - (ii) Under 5 centres
 - (iii) Day nurseries
 - (iv) Secondary schools
 - (v) Special schools

2. Any street or side street falling within the Uxbridge Town Centre. The Uxbridge Town Centre falls within the area bordered in bold black on the map below.

3. All streets, part of streets and side streets falling within major retail areas in
 - (i) Eastcote
 - (ii) Harefield
 - (iii) Harlington
 - (iv) Hayes
 - (v) Hillingdon Circus Area
 - (vi) Ickenham
 - (vii) Northwood
 - (viii) Northwood Hills
 - (ix) Ruislip
 - (x) Ruislip Manor
 - (xi) South Ruislip
 - (xii) Uxbridge
 - (xiii) Uxbridge Road Hayes
 - (xiv) Yiewsley and West Drayton

Appendix 3 (Cont)

Area of Uxbridge Town Centre.



Appendix 4

Terms and Conditions for all Street Trading Licences & Market Licences

1. FEES

A fee is payable to the Council for consideration of the grant, renewal or variation of a licence. The prevailing fees can be found on the Council's website. Fees must be paid at the time of application for the application to be accepted as "duly made".

2. SURRENDER OF LICENCES

A licence shall cease to have effect when it is returned to the Council by the licence holder. A receipt shall be provided by the Council confirming this. All fees and charges are due, up to and including the day accepted as the day of surrender of the licence.

3. TRADING LOCATION OR POSITION

The trader shall trade only from the position indicated on the licence, unless otherwise directed by an authorised officer. The Council reserves the right to suspend any licensed street pitch/market place if the highway is obstructed or if health and safety concerns emerge. If this happens, another street trading pitch/market place may be allocated by the Licensing Service, if one is available.

4. PITCH SIZE

The licensed area must be within the dimensions shown on the licence, or any relevant pitch limits marked out on the ground by the Council. An awning may be permitted to extend 30 cm (12 inches) at the front of the pitch/market area, but no articles are to be suspended from the awning beyond the permitted pitch/market area.

5. COMMODITIES / ITEMS TO BE TRADED OR SOLD

Only those commodities or groups of specified on the licence may be sold from the licensed street trading pitch/market place.

6. ADVERTISEMENTS

No advertisement shall be displayed on the licensed pitch/market place for goods, commodities or services other than those licensed for sale or provided on that pitch/market place.

7. DAYS AND TIMES OF TRADING OR BUSINESS

Trading may only take place on the days and during the times specified on the licence. The Council shall advise traders/market operators of any extension of trading times for specified trading periods when and as relevant.

8. TRADING ALONGSIDE PERMANENT BUSINESSES

Licence times shall be the same as trading times applicable to shops in the vicinity of the licensed street trading pitch/market place. However, traders may trade only during the times stated on the licence.

9. REFUSE OR WASTE

It is the trader's/market operators responsibility to ensure that all litter and waste generated by their licensed activity is collected for recycling or disposal, in ways that are compliant with legislation. This can mean storage in suitable bins or containers within the licensed area until collection can take place by a registered carrier of waste.

To prevent blockages, odours or nuisance to others, road gullies or surface water drains may not be used for the disposal of food based liquid wastes or other noxious substances.

10. PORTABLE GENERATORS

Generators shall be positioned so that they do not present problems for other street users or traders. **Traders should not use petrol generators. NB. Diesel generators are permitted.**

11. STREET CLEANLINESS

The trader/market operator must keep the immediate licensed area, and the area within 5 metres in any direction from the licensed area, free of any wastes or spillages resulting from the trading activity, throughout the trading day. When trading is finished or upon leaving the site, the trader/market operator must leave it in a clean condition.

12. DISPLAY OF LICENCE

The licence must be shown at all times, in a prominent position, so that it can be easily read.

13. SAFETY OF EQUIPMENT

Electrical equipment must be approved by the Council before being used on a trading pitch. Regular **safety** testing may be required. All other equipment must be regularly inspected, in a good condition and safe to operate. The use of gas cylinders is permitted only where traders have checked the valves and hoses for defects before use, and bringing them into the licensed pitch or market place. Cylinders must be sound, and free from external damage.

14. USING A MAINS VOLTAGE ELECTRICAL SUPPLY

Traders/market operators using a mains electrical supply must have consent from the Council before seeking installation from an electricity supplier. Where relevant, the trader/market operator and the electricity supplier will be required to provide the Council with certification for the safety of the electricity supply.

15. INTERFERENCE WITH ELECTRICAL SUPPLIES

A trader/market operator will be subject to suspension of a licence if they tamper with, or use an electricity supply belonging to the Council without a prior arrangement to do so. A trader/market operator causing damage to any Council installation or equipment will be required to pay the full cost of any repair or replacement.

16. PITCH EQUIPMENT, OR TRADING STALLS

Pitch equipment or stalls should be easily and quickly assembled and removed. The Council reserves the right to inspect for stability and safety and to ensure that they are fit for purpose. Any obviously dangerous item must be made safe or immediately removed on request. It is the trader's/market operators responsibility to ensure that items and structures are put up and taken down safely, are properly designed, well sited (**e.g. so as not to block access to fire hydrants, entrances, or cause other nuisance etc**) of appropriate appearance in respect **of location** and in a good, clean, condition.

17. GENERAL CONDUCT

Any trader/market stall holder and/or any assistants employed by them shall conduct themselves in a decent manner and ensure that all members of the community are fairly treated and shown courtesy and respect. Trading activities should not give rise to noise inappropriate to the area, or cause other nuisances.

18. PRODUCTION OF LICENCES ON REQUEST

All licensed traders shall produce their licence when requested to do so by an authorised officer **of** the Council, or a police officer.

19. NOTIFICATION OF LOCATION FOR STORAGE OF FOOD COMMODITIES, PITCH EQUIPMENT, OR TRADING STALLS etc.

Traders in foodstuffs must notify the Council in writing of any change of address or addresses at which the pitch equipment stalls etc (the “receptacles”) and any commodities are stored. Such notice must be given within 7 days of the change. Checks may be made to confirm details and suitability.

20. EMPLOYED ASSISTANTS

Traders shall notify the Council in writing of the name, address of every assistant who may be given responsibility for the pitch in the absence of the trader. Details of any subsequent change of assistant or any other relevant information regarding assistants should be given in writing to the Council.

21. EMPLOYMENT OF CHILDREN

A licensed trader shall not employ any person under the age of 17 years in any capacity in the course of his trade or business.

22. ASSISTANCE TO COUNCIL OFFICERS

A trader shall give immediate assistance to Council officers when requested to do so. In dealing with an emergency, this might mean moving a stall or equipment away from the area, quickly.

23. CHANGE OF ADDRESS AND CIRCUMSTANCES

A trader shall give notice in writing to the Council of the change of any of the addresses and circumstances. Unless a trader is unable to do so for good reason, notice of a change of address should be given within seven days of any change. Proof of new address will need to be submitted to the Council.

24. FOOD RELATED TRADING

Food traders shall comply with the necessary food hygiene, food hygiene training and food registration requirements as required by the Councils Food, Health & Safety Team.

Appendix 5

Conditions Specific to Tables & Chairs Licences

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “Tables and Chairs” licences.

1. The grant of a tables and chairs trading licence does not give any approval or consent which may be needed under any other legislation other than under the Act(s).
2. A copy of the tables and chairs licence must be displayed in the window of the licensed premises. The copy licence is to be displayed so as to be clearly visible and legible from the street.
3. Only those commodities sold in the relevant shop premises can be served under the tables and chairs licence.
4. Only those services provided within the relevant shop premises can be provided in the licensed area where a licence permits tables and chairs to be placed on the street.
5. A tables and chairs licence is not transferable.

Appendix 6

Conditions Specific To Shop Front Licences

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “Shop Front” licences only

1. Any display or part of a display of goods or services sold or offered within a shop and that is located on a public forecourt adjacent to the shop shall require a shop front licence, if the display is placed within 7 metres of the boundary at the rear of the footway delineating between the private property and the public Highway, as may be evidenced by deeds of the property and / or the highway register.
2. A copy of the shop front trading licence must be displayed in the window of the premises outside which trading is permitted. The copy licence is to be displayed so as to be clearly visible and legible from the street.
3. Food Traders shall comply with the necessary food hygiene and food registration requirements as required by the Council's Food, Health & Safety Team.
4. Monetary exchange or payment cannot be made in the licensed street trading pitch.
5. The dimensions of a licensed street trading pitch shall be such that a minimum of 2m clear of any obstruction shall be maintained on the Public Highway for the safe pass, re-pass and free flow of pedestrian and vehicular traffic.
6. No equipment, stall, container, or display or tables(s) or chair(s) shall at any time be permitted to obstruct an entrance or exit to any adjacent premises or to any part of the building to which the licence applies that is under separate occupation.
7. Temporary barriers of an approved type must be in place during licensed hours and the same must be removed outside of the hours permitted by the licence
8. A shop front trading licence is not transferable.
9. Only those commodities sold in shop premises can be displayed outside premises provided they are not excluded items as defined in these regulations.
10. A separate street trading licence shall be required in the event that a commodity that is not sold in the shop is displayed or offered for sale on the licensed street trading pitch.
11. Only that equipment, stall, container, or display or tables(s) or chair(s) and containers which is suitable and fit for purpose and approved by the Council shall be used by the licence holder and assistants for shop front trading or ancillary to shop front trading.
12. The following items may not form part of the commodities displayed under a shop front licence:
 - a. Alcoholic beverages, tobacco and tobacco products;
 - b. Lottery tickets, phone cards, raffles, tombola and/or other games of chance;
 - c. Medicines, drugs and other prescribed substances
 - d. Uncooked meat or fish
 - e. New and used cars and motorcycles

- f. Pets and livestock
- g. Containers of Liquid Petroleum Gas (LPG) **or other flammable liquids** including any which are fully or partly discharged or emptied;
- h. Explosives, including fireworks;
- i. Goods considered by the Council to pose a Health and Safety risk to the public.

13. The dimensions of a licensed street trading pitch shall be such that a minimum of 2m clear of any obstruction shall be maintained on the public highway for the safe pass, re-pass and free flow of pedestrian and vehicular traffic.

14. Items that are likely to cause damage **to** the street or street furniture may not be used.

15. An awning may be permitted to extend up to a maximum of 30 cm (12 inches) at the front of the licensed shop front pitch, but no articles are to be suspended from the awning beyond the permitted area. Additionally, the placement of the awning must permit safe pass and re-pass by pedestrian traffic.

Appendix 7

Standard licence conditions for market operators

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “market operator” licences only.

The licensed market operator must ensure that the following conditions are adhered to;

- 1) No person shall sell goods in a market place other than during market hours;***
- 2) No person shall bring a vehicle into the market place during market hours unless in case of emergency;
- 3) No stall shall cover or obstruct a fire hydrant. Clear access must be maintained at all times.***
- 4) No person in charge of a vehicle shall, during market hours, **allow it to stop** in the market place, or in its immediate approaches, for longer than is reasonably necessary for the loading or unloading of goods;

~~No person shall bring any goods into the market place more than one hour before the market hours begin or allow them to remain there more than one hour after the market hours end;~~

- 5) No person shall place any goods on, or occupy any stall or pitch without the permission of the licensed market operator;***
- 6) No person shall light a fire in the market place;
- 7) No person shall keep or sell any explosive or highly flammable substance in the market place;
- 8) No person shall bring a petrol generator into the market place. NB. Diesel generators are permitted.***
- 9) No person shall post or display any bill, placard or poster, other than a description of goods advertised for sale, in any part of the market place, except with the prior permission of the market authority;
- 10) No person in the market place or in its immediate approaches shall, except by way of sale, distribute or attempt to distribute to the public any printed matter unless prior consent has been obtained from the market authority;
- 11) No person shall bring into or allow to remain in the market place any animal;
- 12) Food traders shall comply with the necessary food hygiene and food registration requirements as required by the Council’s Food and Health & Safety Team.
- 13) The market operator shall ensure that each trader is able to demonstrate adequate public liability insurance cover of £2million minimum.***

Appendix 8

Standard licence conditions for market traders

In addition to the conditions for all street trading and market licences, these conditions apply specifically to “market” licences only.

- 1) Every market trader shall;***
 - a. Ensure that the stall / pitch is properly cleansed before and after market hours and as often as may be necessary during those hours;***
 - b. Ensure that all refuse accumulated in connection with the stall is placed in a suitable bin or container;***
 - c. As often as is necessary, ensure that the contents of the bin or container are removed to a designated storage point, before removal for final disposal.***
- 2) Traders shall have in place the following documentation at the time of trading and must produce them if requested to do so by an Authorised Officer of the Council;***
 - a. Food hygiene documentation. (where the trader's commodity is food)***
 - b. Valid public liability insurance of £2million minimum.***
- 3) Traders shall not bring petrol generators, or containers of petrol into the market place. NB. Diesel generators are permitted.***

Appendix B

Summary of consultation responses

<u>Consultee</u>	Summary of comments applying to the consultation	Proposed responses to comments
<p>Mr Philippe Bassett Savoir Fayre Ltd Continental Markets Operator.</p> <p>Page 124</p>	<ul style="list-style-type: none"> Proposes some suggestions for market licence fees. 	<ul style="list-style-type: none"> Proposals taken into account and included in body of the Cabinet report under 'Fees'
	<ul style="list-style-type: none"> Concerns about licences with rigid terms in respect of trading hours and size/location/commodities of market etc. e.g. where the location or times of the market need to be adjusted at the last moment. 	<ul style="list-style-type: none"> Controls are needed but specific licence conditions will manage the time / place / commodities of markets, and may be applied to each different market licence.
	<ul style="list-style-type: none"> Concern about unworkable conditions in Appendix 7 of the draft policy relating to set up of markets. Also promotes some additional conditions for market operators. 	<ul style="list-style-type: none"> Adjustments and additions made to draft policy - Appendix 7 – Conditions for Market Operators and restrictions on set up and break down have been reduced.
	<ul style="list-style-type: none"> Promotes tighter conditions for individual market traders to be included in the draft policy. 	<ul style="list-style-type: none"> Addition of Appendix 8 to the draft policy – Conditions for Market Traders.
	<ul style="list-style-type: none"> Questions the ban on the sale of food in Uxbridge Town Centre and states that there should be an exclusion for markets. 	<ul style="list-style-type: none"> The ban contained in the draft policy - Appendix 2, relates to the continuous or regular sale of food only, and does therefore not cover occasional street markets.
<p>Mr Glyn Craddock Uxbridge Station Flowers Permanent Street Trader.</p>	<ul style="list-style-type: none"> Agrees that proposals for markets would be a more viable and sensible option than the current system in place. 	<ul style="list-style-type: none"> Noted.
	<ul style="list-style-type: none"> Has concerns about the quality and appearance of markets in Uxbridge Town Centre, and would encourage tighter scrutiny and enforcement by the Council. 	<ul style="list-style-type: none"> Addition of paragraph in draft policy S.17 which sets out the expectations of the Council in respect of prospective market operators. Clause 16 in the general terms and conditions changed to address the need for an appropriate and good quality appearance of stalls. Amendments made to S.26 of the draft policy to include a more robust enforcement policy for markets.

	<ul style="list-style-type: none"> Concerns about the business impact of street markets on local traders, particularly during festive periods. 	<ul style="list-style-type: none"> S.19 of the draft policy makes reference to proposals for consulting with local stakeholders, and S.20 refers to objections which may be submitted against market applications.
	<ul style="list-style-type: none"> Concern about S.16 (approval in principle), not allowing enough time for objections as it is proposed to allow full details of traders and their commodities to be submitted up to two weeks prior to the event. 	<ul style="list-style-type: none"> The application form for markets will have a section for the operator to give outline details of the proposed commodities selected from the list contained within the draft policy. Though not final, these will still form part of the consultation process as per S.19.
Mr Les Drussell Ruislip Manor Chamber of Commerce and organiser of the Ruislip Manor Fun Day. Paq	<ul style="list-style-type: none"> Agrees overall with the document and says that the whole process will be easier and helpful. 	<ul style="list-style-type: none"> Noted.
	<ul style="list-style-type: none"> A single licence for markets is welcomed. 	<ul style="list-style-type: none"> Noted.
	<ul style="list-style-type: none"> S.15 of the draft policy should be altered so that applicants must have approval in principle from the Highways Authority for a road closure rather than full approval. 	<ul style="list-style-type: none"> Noted and amendments made to S.15. Also the addition to S.16 which states that approvals in principle will only be issued subject to other necessary permissions being obtained.
Mr Ian Parkinson Eastcote Residents Association, and organiser of the Eastcote Christmas Festival.	<ul style="list-style-type: none"> Proposes a common localism, pride and community strategy policy to enable community events. 	<ul style="list-style-type: none"> This proposal falls outside the remit of a policy for the regulation of street trading and market activities.
	<ul style="list-style-type: none"> Proposes the addition of a definition of 'community event' and the development of a "community test" to assess an event to decide whether it is community or commercial, and if a waiver of fees is appropriate. 	<ul style="list-style-type: none"> Each application for a market for the purposes of a community event will be assessed on a case by case basis. S.15 of the draft policy addresses this proposal.
	<ul style="list-style-type: none"> Proposes a policy for granting certainty of event. 	<ul style="list-style-type: none"> S.16 of the policy introduces the process of giving an 'approval in principle'.
	<ul style="list-style-type: none"> S.15 of the draft policy should be altered so that applicants must have approval in principle from the Highways Authority for a road closure rather than full approval. 	<ul style="list-style-type: none"> Noted and S.15 amended. Also the addition to S.16 which states that approvals in principle will be issued subject to other necessary permissions being sought.
	<ul style="list-style-type: none"> Concerns that the Council is over exercising its rights to control individual traders at community events and feels that this should be a matter for the event organiser. 	<ul style="list-style-type: none"> The draft policy does not seek to control individual traders at events but there is a duty to regulate activities to protect the public. Licences will be issued with sensible conditions to reflect this need.

	<ul style="list-style-type: none"> Proposes that the Council gives special treatment to community events in allowing a light touch process to event organisers. 	<ul style="list-style-type: none"> Regulating market activity under the Food Act 1984 will be an easier process as it will involve a single licence for a market, as opposed to licences for each individual trader, as was the case under the previous system.
	<ul style="list-style-type: none"> Highlights the potential strain on event organisers in complying with the various licence conditions in the draft policy. 	<ul style="list-style-type: none"> Conditions will be sensibly applied to address the obligations of the licence holder e.g. public safety, responsibilities of traders etc.
	<ul style="list-style-type: none"> Proposes some ideas for market licence fees. 	<ul style="list-style-type: none"> Considered whilst drafting of section on fees in the Cabinet report.
	<ul style="list-style-type: none"> Would like a paragraph included within the draft policy to state that Community/Charity events will always be entitled to a waiver or reduction of licence fees. 	<ul style="list-style-type: none"> Adjustments now made to S.18 in the draft policy.
	<ul style="list-style-type: none"> Queries whether the Council can introduce a single licence to regulate all regulatory activities including; alcohol and entertainment; road closures; markets; festive lights; advertising banners etc. 	<ul style="list-style-type: none"> This is not possible given the multiple systems of legislation.
	<ul style="list-style-type: none"> Requests if the Council would suspend permanent street trading licences if they are in the same location as a temporary market to create more space for a community event. 	<ul style="list-style-type: none"> This is not possible, as permanent street trading licences take precedence over a temporary market licence. It is necessary to ensure that there is always 2 metres clear passage on any public highway. The Council will assess the proposed market space to ensure that there is always the required clear passage.
	<ul style="list-style-type: none"> Comments generally on the Council's procedures for the installation of festive lights. 	<ul style="list-style-type: none"> This is not a matter for a Street Trading and Markets Licensing Policy.
<p>Martin Green Team Leader, Hillingdon, Hounslow, Harrow Fire Safety Team - LFEPA.</p>	<ul style="list-style-type: none"> Proposes some conditions relating to the set up of pitches over fire hydrants, closeness of markets to buildings, temporary structures, use of gas cylinders, use of generators and access for fire brigade vehicles. 	<ul style="list-style-type: none"> Now provided within the draft policy - Appendix 7 – Conditions for market operators, Appendix 8 – Conditions for market traders (including fire safety matters) and in changes to street trading general terms and conditions in the draft policy.

Appendix C

Consultation responses

Stephanie Waterford - RE: Draft Street Trading & Markets Licensing Policy

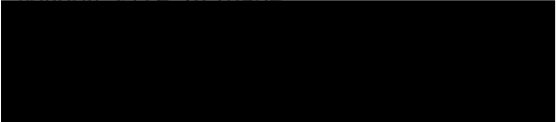
From: <martin.green@london-fire.gov.uk>
To: <SWaterford@Hillingdon.Gov.UK>
Date: 26 June 2011 11:38
Subject: RE: Draft Street Trading & Markets Licensing Policy

Hi Stephanie

Can you have added in the following issues should be considered:-

Not setting 'pitches' over street fire hydrants (PROTECTION OF WATER SUPPLIES)
How close to buildings and other temporary structures (PROVENTION OF FIRE SPREAD)
Use of cylindered gas (GAS CYLINDER SAFETY)
Use of petrol or diesel generators (PREFERENCE FOR DEISEL GENERATORS)
Access must be kept for fire appliances (FIRE BRIAGDE ACCESS)

Martin Green
Team Leader
Hillingdon-Hounslow-Harrow
Fire Safety
London Fire Brigade





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Dear Stephanie and David.

Thank you for inviting me during the consultation process. Sorry for the delay, in submitting my suggestions in writing I have tried to be thorough and I hope that you will have the patience to go through a technical document written in pigeon English.

Introduction:

In general it is important to understand the sense of the law, when a street license is granted on public highway **NO ONE SHOULD MAKE A PROFIT FROM THE SIMPLE USAGE OF A PUBLIC HIGHWAY EITHER UNDER THE LLAA OR THE FOOD ACT.** Other public properties, parks, council forecourt, playgrounds, sporting venues, can be rented out like for recognised markets they are outside the scope of the LLAA . This maybe difficult to apprehend sometime in modern economy when anything as to be income related but it is what it is.

However it is possible for a council to make indirectly profit from street trading: not by renting the public highway, but by selling a space where a commercial interest has been created, (ie a market, an association of stall that has been organised and managed and promoted by a body). Unlike a individual street trading license that is just a granted right to operate a business on Highway and only operating with the natural footfall. (advertising of market that is just an association of stall operating under the London act is prohibited) and as ridiculous as it may seems it is also forbidden to advertise for free space or free pitches because they do not suppose to generate an income.

This is an important point to understand as any regulations should in accord with the sense of the law. When a commercial interest is created, (under the food act) the profit may be shared between the different parties involved. The parties may be: the creator/promoter (council or private), the operator (council or private) and the facilitator (generally the council).

The value of a location while not truly recognised can be then simply measured form offers and demands, but legally it's never the location that is evaluated and sold but a share of the commercial interested created. Even if in reality the success of the commercial interested is often linked to its Location. Creating or facilitating the creation of a commercial interest (a market, a festival, etc) is probably the only way for a council to legally generate income from street trading.

Using the food act

If you are using the food act you should use it to its full potential.

There is two stages to implement the food act:

A) The definition, rules regulations and restrictions applying to each Proposed Market locations.

It is important to differ the operator license from the location restriction, it is my experience that no license will be able to cover each specific locations requirement. So a simple clause of the license should be that the operators has to conform to each locations specific requirement. It is also important to realise that unlike street trading designated areas, market areas are limited to few locations. This doesn't necessarily means that new locations wouldn't be considered, but it can means that planning, consultation and health and safety survey can be carried out by the applicant (creator) and at his cost. This can be the council or a private operator (as Savoir Fayre did for Uxbridge town centre.) This "technique" allows each location to have it's own specific requirement without having to change the terms of the licenses. The principle is the same as for an alcohol license, a license is issued to a person who in turn will have to operate within the regulation attached to the promises he is operating.

Note that when a contract as been issued to private operator, the location restrictions may required to change time to time. It is important that nay contract passed with a private operator allow for these changes to happen, even if these changes affect the terms of the contract. (changes in trading hours or trading days, commodity allowed etc.. may challenge the financial terms of the contract). It is better to change the terms of the contract than not been able to change the location restrictions if require. (you will have to submit this to your legal dpt)

For example in appendix 7 item 4 it is mentioned that no person should bring any good before the market starts.... this is unnecessary and confusing, what do you mean by market start? The opening hours of the market or the set up time of the market? Some stall takes 2 to 3 hours to setup. To express the restriction required for each location you only need to mention the setup time, the operating time and the time when the location has to be cleared from any market activity. For example in the same borough (barnet) we normally set up at 6am, but in one specific location we only can set up at 7 am (this is a very residential location were early morning noises are a problem to local resident) so this is reflected in the location operating restriction and in our management plan.

A market as to fit with the local community as much as it possibly can. The normal procedure for each location is to have a public consultation but it is good practice also to have a probative period. Particularly for long terms market that are newly implemented. Any objection or concerns during that period should be considered and addressed by the operator when possible.

For example much as the public may enjoy the smell of cooking garlic, they may be reluctant to buy a new outfit impregnated with garlic smell. So one of the restriction to implement may be not to allow cooking food stall within a certain area. If the public or locals business have never experienced a market activity near by they promises they may not object at the time of the consultation and only notice the problem once the market is in operation. This is why a probation period is a good idea. I

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B) The policy, terms and conditions, for each type of licenses

Under the food act, there is no street trading licenses, some time **market traders license is issued** by the operator some time just a pitch hire agreement is issued. What ever you choose to do it is a safe practice to distinct the Market traders license from the pitch hire agreement. If issued The market traders license is granted to the traders in recognition for him to be "fit" to trade in his commodities within the borough. The pitch hire agreement is issued by the operator (council or private) for use of the pitch the advantage this configuration are:

-If a trader has his license removed for breach of the terms and condition of his license he isn't necessarily free from the terms of the pitch hire agreement.

-A traders may be removed from a market for breach of the terms and condition of the market but still be able trade on other location where his license may permit him to do so. (if a traders hasn't paid his rent for example he may be suspended to trade on a particular location without a court judgement been necessary, and still been able to make a living elsewhere (his license hasn't been removed). Under the LLAA a trader that hasn't paid his rent will have to be taken to court to have his license removed, and still be able to trade during the appeal without paying the rent this isn't the case under the food act. There is cases where a trader want up to the European Court against the council to finally loose. In the mean time the trader was able to trade during all the appeal proceedings, in the end the council could never recover the cost of the pitch and the cost of the law suit after the trader was declared bankrupt!!!

The usual best practice for markets owned by the council but operated by someone else is to issue an operator's license, this license should be annual and for every potential market location in the borough. The license only means that the holder is fit to operate markets within the area stipulated on his license as long as he is the owner of the land or he has the land owner permission to operate on this land at the mentioned dates. (in Scotland, this license also issued for market operated on private land.)

In that effect individual market traders licenses aren't longer require to be produced by the council for this particular market. but the operator has as part of his license, the responsibilities to insure that any trader not already in a possession of a valid individual trading license recognised by the council, is "fit" to trade in accordance with the council regulation this means: the trader has supply all the necessary documentation required and for the traders to respects the terms and condition of an individual license.

Streets trading licenses should not be issued on market operated under the food act. If a street traders license is issued to a trader the LLAA applies. This will make it impossible for the council or the operator to remove a trader's license without a court judgment, (except temporary removal of stock form trading standard, or closure for Food Safety reason.)

So it is very important to think through the terms and conditions of the operator's license and to spelt-out these terms clearly. I have included below the points that are important.

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- For the operator to keep a date by date list of all attending traders and for each traders all the individual documentations required by the council (same documentation as stated in the individual licenses application) should be made available at any time during working hours on the express demand of the relevant council officers. Failure to do so may be subject to sanctions including a predefined financial penalty, immediate closure of the stall that can't produce the required documentation, closure of the market, removal of the operators license,ect.
- To keep every attending traders documentation on record for at least five years.
- To enforce traders terms and conditions reflecting the council policy. *(it is important that In these terms and condition a clause mention that a trader may have to accept to move locations at any time if safety issue or reasonable circumstances are requiring him to do so.)*
- To produce method statement management plan, generic risk assessment, market operator public liability insurance, event layout, etc..
- To comply with all the restriction specific each individual location, including: set up time, trading dates, trading hours, vehicle access, trader car parking, rubbish collection, specifics shop keeper or resident recorded requirement(s), noise management, staffing policy, security issues, emergency measure, public facilities, anything a location may requires.
- To accept only stalls that fit the theme of the market/event when it apply
- To conduct a site health and safety survey for each market prior opening to the public.

Certificate to be recorded and provided.

- Gas safe certificate for all appliances using LPG on the market.
- Soft structure provided by the operator must have a fire retardant certificate
- Pat testing certificate for every electric appliances used on site
- Hygiene certificat for every stall selling high risk food.
- Generator and plant insurances when apply

What is important to understand that the sense of the law is to insure public safety on any market regardless if the market is operated on private and/or public land, by the local authority or by any other organisation.

Uxbridge food stalls restriction.

You should clarify that this restriction doesn't apply for speciality events. If there is restriction they should be spelt out separately, by totally banning such commodity you will restrict yourself in having such event as food and drink festival.

Also the banned commodity mention food, if the conversation we had is correct it should only be addressed to

Fee structure for the markets

A fee for a operator license is generally nominal and just cover the cost of issuing the license. but as describe previously the council may charge an operator for having facilitated the creation of a commercial interest. This charge is separate to the license fee and depend of the commercial value of the market/event.

There is two case scenario:

1) a location is to be operated by a private operator all year long and at predefinit dates (permanent market) the operation of the market is generally submitted to tender. the term of the tender can varies greatly from a % of the gross income to a flat fee for operating the market. There is no real rules as local authorities may apply different fee structure.

2) a location is rented to a private operator for a determined period of time, generally the rent is a flat fee for several reasons including:

- there is a minimum cost that can't be recovered by the council if the market is too small, for example: under the food act the council can't recover charges for street closure, parking bay suspension etc.. the use of the land is the market right.
- the return isn't dependant to the operator success or failure which will be unpractical.
- if an event became very successful the council may want to put it to tender, in that case the operator will generally only offer a flat fee.

Charging per stall or per trader doesn't reflect the industry needs, most operators are charging per meter, so the operator will prioritise large stall over small ones.

Interestingly craft stall are generally small, and also are often charged less by the operator to reflect they commercial handicap.

To charge per pitch will required to have predetermined pitch for each locations which isn't convenient and costly. (the industry is currently moving away form this procedure).

So we are left with the option to charge a flat fee per location or a fee per meter of stalls. Some council have taken an intermediate approach charging a fee for market under 100m another for markets up to 200 meter and another for larger market depending on the location natural space and requirement.

Charging per meter is normaly applied by the operator himself to the traders, but unless an operator is appointed to managed a large and established market where contract and tender agreement are complicated with profit share structure etc, the operator is normaly charged a fix fee.

The raisons:

charging per meter will creates a great amount of administrative works, every day the exact total pitch length will have to be accounted for, (a traders takes liberty and extend slightly is pitch area, an other has booked but didn't come, another hasn't paid,) it is not only difficult to quantify and managed but also subject to litigations and ask a greater involvement form the council.

The best practice will be to start with an agreed price, and depending on the success of the operation to submit it to tender.

Below you may find rate applied in other locations, (other than stated the prices are generally for market of about 150 to 180 meters of market pitches only). Annually, the cost of the land usage should not exceed 33% of the total gross income. Advertising and direct operational cost another 33% and the last 33% should be for administrative costs, participation to head office cost and profit.

For permanent market and long events, the marketing cost and administrative costs can be reduced dramatically, in that case operator will often be in position to increase they budget and offer for the usage of the land.

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-
- Big established event: they are generally submitted to tender. the offer depend on size, length of the event, popularity, and reputation. (when an event or a market is well establish the tenders can reach 1000s a day, it is often dreaded by the operator that started the event when this is the case, the next operator will take total advantage of the work produced by his predecessor, but such is life).
 - Edimburg princess street will be about £1000 per day for a 200m market and 750 for up to 120 meters market per day.
 - prime location in large city £ 500 to 750 per day
 - London borough £ 300 to £500 per day
 - small town and villages about £250 per day
 - Regeneration needed area; £300 to £0 per day (it also may includes lot of free services, rubbish collection, advertising, etc).

There is very little budget in local government to provide entertainment and excitement to they town centres, as market and so called commercial events are self financed and can even generate income it is important to have an attractive and efficient policy, if not no one will be interested. High Streets will get emptier, shop will close and then it's too late.

Even if you do not take consideration of what I have explain in the above, I thank you for having giving me the opportunity to express my views, my advices are genuine and I hope that you find them helpful.

I also have also included a copy of our traders terms and conditions and our generic risk assessment for your perusal.

regards

philippe

Savoir Foyre Ltd, 78 Dane Road, Northwood, Middlesex, HA62DF

Stephanie Waterford - RE: Street Trading Policy

From: [REDACTED] >
To: <swaterford@hillingdon.gov.uk>
Date: 04 July 2011 11:03
Subject: RE: Street Trading Policy

Dear Stephanie

Thank you for inviting me along to the recent meeting to discuss the new policy for street trading and possible future market events. After hearing the new system proposed to alleviate the amount of work, cost and time involved in passing a decision on an upcoming event, I wholeheartedly agree that this would be a much more viable and sensible option. The new system proposed, in my opinion, mirrors the original policy in place before the current policy today, but with certain conditions for market stalls.

My main concern however is with the licenses given to temporary stalls along the Uxbridge High Street. The last continental market, in theory, should have been a great success, yet in practice was a monumental failure due to a category of negative points. Such as a failure to make the whole appearance of the market aesthetically pleasing, the goods available for purchase themselves being of poor quality at extortionate rates, the clear fact that a huge amount of goods sold were available from permanent businesses within the town centre, an obvious abuse of terms and conditions of their licenses with a lack of council enforcement and many more reasons I could add to an unacceptably long list.

On section 14.00 of your letter, you say that a market's aim is to enhance shopping areas and offer variety. This was certainly not the case. If a high quality, genuine French, German, Italian market was introduced to the town on a temporary basis, I could fully understand the potential to increase trade and overall town popularity but these shabby excuses for European markets do not portray a positive view of fresh trade in Uxbridge by any stretch of the imagination. Even though a survey undertaken may say otherwise, which may be for the simple reason that asking only members of the public who have bought an item is a completely biased opinion.

I sincerely hope that the council will take into account the local retailers' concerns about these markets and understand why, after working through an incredibly tough economic downturn, they truly feel let down and subdued by decisions to allow these markets to trade during the Christmas period where there's a chance to make up for losses over previous months. These markets' sole invested interest is for their own monetary gains with no concern for the town itself. If this weren't the case, then they would be here for the tough months when trade is slow and the town could do with such an event. The town is swamped with shoppers during December, with brimming car parks and packed trains, so why would we need more people to add to the congestion at such an already busy time? The decision to limit the continental market to two days instead of four was very well received by all Uxbridge businesses who felt that to allow a lengthy period of time to outside competition would surely be detrimental to their business.

A question that sticks in my mind is why do these markets have the special privilege of not having to declare what their commodities are until two weeks before the event? I have been trading in Uxbridge for twenty years and still have to get my license application in place, three months before its due. Surely this two-week period does not allow time for any objections.

I appreciate your time in receiving my concerns and hope you will consider all the points I have raised in this letter when making decisions for any proposed upcoming events.

Kind regards
Glyn Craddock-Uxbridge Station Flower

Stall

Response to consultation on Street Trading & Markets

On Behalf of: The Eastcote Festival Team

The responses, observations and suggestions are given from our perspective as Community Event organisers and are based on our experiences of organising Community & charitable events both inside and outside of the Borough and also upon our dialogue with other Community organisers and groups.

Whilst the Council is to be applauded for its desire to encourage, support and simplify the process for communities to organise Community Events we believe the policy as drafted does not achieve this objective. We therefore make the following recommendations for the draft policy to be amended.

Incorporating the following:

1. **A Common Strategic Policy:** A Common Strategic Policy from the Council to support and enable Community Events- Localism.
2. **Define a Community Event:** To clearly define a Community event and distinguish them from a Commercial event.
3. **Certainty of Event:** Adopt policy to provide Certainty of Event at an early stage in the application process for Community Events.
4. **Editorial Control of attendees:** Vest Editorial Control of Stallholders/attendees with the community event organiser.
5. **Light Touch Policy:** Continue a Light Touch Policy with regard to administration of community events.
6. **Commercial Interest and Intellectual Rights:** Recognition that the Commercial Interest and Intellectual Rights are vested with event organisers.
7. **Licence fee tariff:** To adopt and publish a clear, transparent licence fee tariff.
8. **Community Test:** To incorporate a Community Test into the application process to determine if the event is Community or commercial.
9. **Scale of fee discount/waiver:** To have a sliding scale of fee discount/waiver according to the correlation between the "Community Test" and event objectives.
10. **Single multi licence application:** To introduce a single multi licence application for Community events.
11. **Restrict the operational times:** To restrict the operational times of existing pavement licences so as not to conflict with licensed Market Events.
12. **Christmas Light licences:** To discontinue the repeat issuing of Christmas Light licences or waive the fee.

Further expansion of these suggestions together with the rationale is given below:

1.0 A Common Strategic Policy:

Differing geographic areas within the Borough will have their own local concerns and objectives that they wish to address, promote or raise funds for when organising a community event. Examples:

- The Ruislip Manor Chamber of Commerce generally organise events to promote retailers in Ruislip Manor and boost foot fall.
- Hayes Carnival is essentially arts based.
- Eastcote organises events to raise money for Community projects.
- 'Stop HS2' may wish to organise an event to promote their cause.

It is a natural occurrence that people in different communities will swing behind a cause or event with differing levels of enthusiasm dependent upon their passion, dedication and whether or not they are in an affected group by the cause.

The draft policy document lacks any strategic statement or commitment towards the encouragement and support of *Localism and Community Events*. We believe the policy should be tailored towards a local agenda; in a similar way to the 'Pride' program. The Authority should be seen to act as an 'Enabler' to encourage Community events and reflect this through a common strategic policy.

2.0 Define a Community Event

We believe the Authority should define a Community Event, we note the draft policy does not do so. Event organisers should be asked to state their objectives in organising an event at the outset of the application process. The objectives could then be assessed against the definition (the Community Test) as the basis of deciding whether an event is, or is not, a Community event.

The correlation between the Authorities definition and the community event objectives could then be used as the basis for deciding upon:

- Fee waivers or discounts
- Simplified application process

3.0 Certainty of Event:

Community events are organised by a volunteer workforce and primarily funded by way of funds raised within that community. It is essential that the Authority provide community organisers with **Certainty of Event** at an early stage in the process, certainly prior to organisers having to incur cost. Community organisers require comfort in the knowledge that once conditional permission is given 'in principle' that a Community event may proceed,

We believe the draft policy needs to establish who is responsible for giving the conditional consent in principle and the process for appeal; in the event that an organiser feels it has been unreasonably withheld.

Consent in principle and the certainty of event which flows from that should be one of the distinguishing features between commercial and community events. It seems entirely reasonable

that a commercial event organiser or market operator whose motive is purely profit driven, should not enjoy the same protection as a community organiser who has satisfied the "Community Test". The Authority may well feel it appropriate to pursue a commercial application for a market in far greater detail before giving consent.

The draft policy proposes that a Community organiser would have to fund and obtain permission for road closures as a pre requisite to making a community event application - It should work the other way round - where by the Authority has informal discussions, gives consent in principle to the event and only then requires the community organiser to fund and apply for road closure.

4.0 Editorial Control over Attendees:

Community event organisers need to and should be encouraged to bring in outside commercial traders to local events; these traders bring interest, diversity and crucially an audience for the event, boosting footfall.

A Community Event which consists purely of local traders will fail because it has no differential interest to the public to any normal trading day. A good community event will tailor its trade stands in order to appeal to the events target audience or so as to meet the events objectives/theme.

We believe that the inclusion of a particular trader within a community event should be a matter for the community event organiser to decide upon.

In 2010 a debate ensued over the continental market which reflected the differing attitudes of local geographic regions to particular profiles of traders. In Uxbridge the local businesses feared and opposed the continental market believing that it would take business away from the regular market.

In Eastcote the continental market was positively encouraged, to the extent that local traders contributed to the cost of promoting the continental market. Eastcote traders benefitted from a substantial increase in trade whilst the continental market was in Eastcote. This experience reaffirms our belief that it is the community organiser that should have **editorial control over their events trade stalls/attendees** rather than officers or members of the council.

All community events rely upon the goodwill and finance of the local business Community without which it would be impossible to organise a community event. Accordingly local market forces will dictate which commercial traders are acceptable at local events. If community organisers bring in outside commercial organisations which conflict with the local traders the event organisers will lose the support of the local business community and the event will fail. The process is naturally self regulatory.

When determining whether to grant a single licence Market under the Food Act we would respectfully remind the authority that they are determining the principle of the market and not if specific stall holders should participate in that market. This change of emphasis to "the Market" from the stallholder is one of the principle attractions to community organisers of the Food Act as it should lead to:

- An early decision in principle.
- Certainty of event.

- Editorial control over stallholders by community organisers.
- Opening up of a revenue stream to event organisers from the sale of market pitches.

5.0 A Light Touch policy:

Historically the Authority has operated a light touch policy when dealing with the administration of community events and taken a flexible approach to imposing Safety Advisory Group approval upon community organisers. The Authority has allowed a simplified application process for licensing of community events permitting master applications for community stall holders and waiving the need for community organisers to produce proof of address, national insurance numbers, photos of stalls and stall operators etc. The draft policy currently makes no provision for a continuance of the light touch policy, the application process being identical regardless of whether the application is made by a commercial operator or community organisation. The Authority is urged to reflect upon this and relax its procedures for community organisations.

We would recommend a flexible risk assessed approach to granting of a licence for community events; whereby the policy simply states that the granting of a market licence to a community organiser will be subject to the terms and conditions as the authority deems appropriate.

Whilst we accept that the current regulatory framework for licensing is only relevant to street trading conditions, the authorities statutory obligations extend to all public events. Currently the authorities approach to regulation and enforcement is based on venue and commercial content rather than looking at the event and asking is the kind of event we wish to support and encourage? This has resulted in some peculiar anomalies within the borough for example The Duck Pond Market which is a commercial for profit event, which arguably conflicts with local traders is unregulated with regard to food hygiene standards, stallholders are required to produce only a 1 million Public liability policy, whereas a Residents Association attending a street event is required to produce a 5 million policy, Duck Pond Market also enjoys a competitive advantage as stallholders are able to obtain a pitch for less than the current daily street trading licence fee. We are not advocating that we wish to see other events regulated just simply that the authority tailors its response and requirements as appropriate to community events.

We understand that a principle difference between Street Trade licensing using LLA and the Food Act is that under the LLA statutory obligations remain with the Authority, whereas it is now proposed that these will be transferred to the Market Operator (Community organiser) under the Food Act.

The transfer of statutory obligations onto Community organisers will be a daunting prospect for many Community organisers who will be risk adverse and feel unable to take these responsibilities on. Community organisers will not be able to regulate specialised areas such as Trading Standards, Food Hygiene, Health & Safety, Environmental Issues (Noise, waste, pollution) and regulation of Fairgrounds without considerable training. Public liability insurance costs also escalate considerably for Community organisers organising an event under the Food Act rather than Street Trading regulations.

For the reasons stated above the Authority is strongly urged to continue to pursue its soft touch approach with regard to Community events and to question whether it really needs to apply the same application process to community events as commercial events.

When considering the application process and in particular notice periods the Authority is asked to take into account the fact that community events rely entirely upon a volunteer workforce which by its very nature is transient and last minute. The Local Church, Women's Institute etc may well indicate that they wish to participate in a Community event but in practice will not know until the last moment whether they are able to, until their volunteers actually turn up on the day. They certainly will not be able to commit weeks in advance of an event as to the identity of individual volunteers. Accordingly getting Community stall holders to submit photos of proposed stands or volunteers; in advance of the event is both impractical and unworkable. The same is true of accurately identifying the activity of community stall holders, they may intend to do face painting and sell craft products but actually end up just giving out leaflets because the appropriate volunteers are not available.

The costs of complying with the minimum requirements of SAG (based on Eastcote's Experience) are at least £12,000. Compliance with SAG was a principle contributor to the demise of the Ruislip Victorian Evening. It is understood that Big Fest & Hayes Carnival have an organisational cost of approximately £40,000, coincidentally this is a similar cost claimed by the Rickmansworth Festival and the initial Budget of the proposed Eastcote Christmas Festival. By comparison Ruislip Manor Fun days cost approximately £3,000 each. It is therefore imperative that the new draft proposals for street trading and licensing which transfer the statutory obligations of the local Authority to the organiser; do not lead to a backdoor imposition of SAG and that community events continue to benefit from the light touch approach

6.0 Commercial Interest and Intellectual Rights:

We note that under the LLA the Authority is prohibited from making a profit from the cost of issuing a license and that the basis of the Act is to recognise the basic right to trade, the Authority being limited to recovering its direct cost of administering and meeting its statutory obligations. Under the Food Act the principle of a commercial interest is established where by an organiser creates a market of 3 stalls or more. The commercial interest is always vested with the event organiser and not the local Authority. It is the event organiser that creates the event, promotes the event and is ultimately responsible for the success/failure of the event. Successful events will over time establish themselves and gain a reputation as being a worthwhile event to attend from a traders view point. This in turn will lead to a willingness on behalf of commercial operators to pay a premium stall fee/rent in order to attend established and high footfall events. This surplus of revenue over market fee cost may then be appropriately used by the community organiser to fund and promote the event or for redistribution within the community to achieve the community objectives of holding the event. We would therefore urge the authority to restrict future market licence fee increases to inflationary rises and not to treat community events which may become successful as a potential revenue source; we trust the authority will recognise that the intellectual rights , branding and event name will be vested in law with the creators of the event.

7.0 Licence Fee tariff:

The draft policy document does not set out any licence fee tariff for the issuing of the single market licence under the Food Act. We understand that the fees for Street trading licences issued under LLA have already been set by cabinet and published. As our response to the consultation is purely concerned with community events and we understand that all community events will be licensed under the Food Act using the single licence system, we will contain our response to the single licence fee which is yet to be published.

We understand that it is the practice of many local authorities to set a daily fee in the range of £300 - £500 per market. We also understand that Hillingdon charges circa £400 per day to commercial operators to hire parks to hold events such as Circuses and Fun Fairs. We believe that commercial market forces would indicate therefore that the ceiling licence fee for a commercial market is likely to be in the region of £300 per day, but that this figure is only likely to be achieved for premier Town Centre spaces such as Uxbridge. Secondary locations such as Eastcote or Ruislip Manor will command a lesser fee from commercial operators.

The Council has indicated a past and future willingness to discount and waive fees for community events and we have early in this document presented the arguments for the Council to support, enable and encourage community events. We would therefore urge the council to adopt a policy where by those events which meet the Community Test would always benefit from a discounted fee, the level of discount being at the discretion of the council.

We would urge the council to resist basing the single market fee upon the number of stalls or by size of a community event as this confuses the principle of the legislation and seeks to effectively tax local communities on the success of their events. It also conflicts with the principles of commercial interest and intellectual property presented earlier. We would urge the council to take into account that the move to the single licence market represents a considerably cost saving to the council and eliminates the previous correlation between cost and number of stalls attending which existed under the LLA licensing regime. The Cost and administrative savings which are achieved under the single licence market are of course directly transferred to and will be borne by the event/market organiser.

8.0 Community Test:

The community test concept has been discussed elsewhere in this document and therefore is briefly summarised as a mechanism whereby the stated objectives of holding an event are compared against the council's definition of a community event in order to unlock a simplified application process and market fee discount.

9.0 Scale of fee discount/waiver:

To have a sliding scale of fee discount/waiver according to the correlation between the "Community Test" and event objectives as referred to earlier for community events.

10.0 Single multi licence application:

There are currently a multitude of licenses required when organising a community event, for example: A Temporary Event notice, An Advertising Banner Licence, A licence to hold an event on the Public Highway, and the proposed single market licence.

Is it possible for the Council to extend the single licence/single fee policy for community events so that only one application and one fee need be submitted to cover all the licence requirements of community events?

11.0 Restrict the operational times of existing Pavement licences:

It is our understanding that existing pavement and table chairs licences will continue to be issued under the LLA and that under the Act the council has the right to grant those licences to operate at hours and times it sees fit with regard to pedestrian safety.

Generally speaking there is a borough wide problem where by holders of those licences will push past the boundaries of those licences in order to maximise their selling space. On the rare days a year when a community event is held in the street the pavements become very congested and these shop front displays pose a genuine health and safety issue and often make it impossible for wheelchairs and prams to pass by. We would urge the council to amend the operational hours of these licences to the effect that the licence may not be operated on days when a community event/market is in operation.

12.0 Christmas Light licences:

The Council currently requires an annual licence application and a fee of £140 each year for permission for local communities to have Christmas lights on lamp columns and sometimes the actual licence is not issued until into the New Year. We appreciate that it is necessary to obtain a licence for the initial installation but cannot see the logic or cost justification for requiring it annual particularly on a repeat installation.

DEAR STEPHANIE

IN RESPONSE TO CHANGES TO THE REGULATION OF STREET TRADING
ACTIVITIES
LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) FOOD ACT 1984.

Thank you for asking me to take part in this consultation, having met you and various members past and present working in this section, you all have been very helpful and forthcoming in making my job of organising events easier.

I believe that a lot of thought has been put into this document and you have made the applications more amenable and helpful to one and all.

In the section 13.0 A Single Licence for Markets

I am pleased that my request for one application form will now be used.

15.0 Charity & Community Markets

Suggestion: Where road closures are required, approval must be obtained in principle from the Highway Authority before the market application is made. Evidence of the approval will be required as part of the market application.
(Reason to save time and initial fees before approval from your department)

In conclusion a first class document covering all the aspects required, if you require any more help please do not hesitate to call me.

Kind regards

Les Drussel
Chair for BMCC



HILLINGDON CHILDREN AND FAMILIES TRUST PLAN 2011-14

Cabinet Member	Councillor David Simmonds
Cabinet Portfolio	Education and Children's Services
Officer Contact	Linda Sanders, Social Care, Health and Housing
Papers with report	Draft Hillingdon Children and Families Trust Plan 2011-14

HEADLINE INFORMATION

<p>Summary</p>	<p>The Children & Families Trust Board (the Children's Theme group of the Local Strategic Partnership –Hillingdon Partners) in Hillingdon believes a family approach is required to support the child and to improve their life chances and outcomes. To achieve this aim the Hillingdon Children and Families Trust Plan (HCFP) outlines the vision that the partnership has for vulnerable children, young people and their families in Hillingdon. It identifies the joint priorities that the Trust Board will commit to undertake, in partnership, over the next 3 years (2011-14) to improve outcomes for children and young people.</p> <p>Since approval by the Cabinet Member in May, the Council has consulted on the Plan and comments can be seen in the body of the report. Cabinet endorsement of the Plan is now required before submitted to Full Council in September for ratification.</p>
<p>Contribution to our plans and strategies</p>	<p>The Hillingdon Children and Families Trust Plan ensures the delivery of key priorities of the Council and those of our partners Hillingdon Partners has agreed to focus on a streamlined list of headline objectives. Within these the Hillingdon's Children's and Families Trust (HCFT) will lead on:</p> <ul style="list-style-type: none"> • Developing a prevention strategy for young people undertaking risky behaviours. <p>The partnerships has also identified objectives to:</p> <ul style="list-style-type: none"> • Promote community-based provision, prevention , independence, recovery and reablement • Reduce repeat offending • Increased access to employment, apprenticeships and skills • Promoting sport and leisure <p>These will be taken forward across the partnership's theme groups. The HCFT draft plan proposes six priorities that the Trust itself will commit to, to improve outcomes for children and young people and in broad support of the overarching objectives.</p>

Financial Cost	No direct financial cost to the Council.
Relevant Policy Overview Committee	Education & Children's Services Policy & Overview Committee
Ward(s) affected	The Hillingdon Children and Families Plan affects all children's services in wards across Hillingdon.

RECOMMENDATION

That Cabinet recommend to full Council in September that the Hillingdon's Children and Families Plan be adopted as a policy framework document.

INFORMATION

Reasons for recommendation

The current plan expired at the end of March 2011. This will be the third HCFP and is owned, delivered and monitored by the Children and Families Trust Board.

Effective joint work has taken place over the last five years and this work is now embedded in service delivery across children's services in Hillingdon. This Plan goes further and highlights the transformational agenda across the partnership in Hillingdon and how it will be achieved.

The partnership is focused on continuing to improve services and outcomes. However, the Trust Board realise given the current economic climate that we must change the way we work and target those most vulnerable within the community.

The Trust Board have agreed on six priorities which will drive the transformational agenda:

- Priority 1. Keeping all children and young people safe
- Priority 2. Ensuring all children have the best start in life
- Priority 3. Improving the health and well-being of young people, focusing on those groups undertaking risky behaviours¹
- Priority 4. Improving the outcomes of Looked After Children
- Priority 5. Improving the outcomes of Disabled Children
- Priority 6. Strengthen multi-professional integrated working

By identifying these priorities we will be able to focus our resources, ensuring that those most vulnerable receive the support they need, while ensuring that those potentially 'at risk' do not fall into acute statutory provisions.

Alternative options considered / risk management

None.

¹ The risky behaviours we refer to include: 1. Unprotected sex leading to STI's and under 18 conceptions; 2. Substance misuse (including alcohol); 3. Emotional health and wellbeing; 4. Young people not in education, employment or training (NEET); and 5. First time entrance into the criminal justice system

Comments of Policy Overview Committee(s)

As a statutory consultee on policy framework documents, the Education and Children's Services Policy Overview Committee welcomed the Plan and felt that in this difficult economic climate it was positive that partners across Hillingdon had come together to form joint priorities. The Committee indicated that unlike in some areas it would be wrong to abandon a good model of partnership working in which the Local Authority is fully committed

The Committee made the following observations and comments:

- POC recently reviewed the impact of Overcrowding on children's attainment levels. The Committee requested that the findings be inserted and actioned in the HCFT Plan
- It was felt that a stronger statement was required within Priority 6 on the value of front line staff in the early identification of need to children, young people and their families
- The work in improving outcomes of children with SEN to be made more explicit in Priority 5
- Stronger statement on the governance arrangements and the accountability of the Children's Trust Board
- Commitment in the importance of sharing information and data across the partnership to be included in Priority 6.

Supporting Information

The Children and Families Trust Plan is an important element of the reforms underpinned by the Children Act 2004, building on the best local planning practice to produce a single, strategic, overarching plan for all services affecting children and young people. This should support more integrated and effective services to secure the outcomes for children set out in local Sustainable Communities Strategy.

Financial Implications

There are no direct financial implications arising from this report. For the current year, activity will be funded within existing resources. Any future budgetary implications that arise in relation to the delivery of the plan will be fully considered as part of the Council's medium term financial forecast (MTFF).

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The new plan is aimed at improving the outcomes for vulnerable children, young people and their families within Hillingdon.

The plan aligns the priorities of the Children and Families Trust alongside the Council's priorities and those of Hillingdon Partners and the Sustainable Communities Strategy.

Consultation Carried Out or Required

The vision and priorities were produced through the analysis of need and consultation of the following groups:

- Children and Young People
- Partner agency on the Children's Trust Board

- Local Safeguarding Children's Board
- Schools

Agency	Comments	Accepted/ Rejected	Reason
LSCB Chairman	Updates to the outcomes of the Munro Review	Accepted	The updates highlight the revised recommendations of the review.
Hillingdon Play Association	<p>1. It is regrettable that there is no mention of either the Hillingdon Play Strategy nor the new Hillingdon Play Pledge which strategic officers and community organisations and local parents have developed and are adopting across the borough. Play is an excellent facilitator of broader social outcomes including community cohesion, inclusion, health and education.</p> <p>2. Despite the mention of Partnership, Hillingdon Play Association is disappointed that the voluntary sector is not mentioned at all in the Executive Summary, nor its potential involvement and contribution welcomed and appreciated. In these challenging times this omission is especially surprising. We believe we all need to work together and source and share resources available in most cost-efficient and effective ways. A framework that fails to include the potential contribution by voluntary and community groups in the borough would miss out significantly, working in parallel at best..</p>	<p>1. Accepted</p> <p>2. Accepted</p>	<p>An acknowledgement of the contribution of the Play Association has been added. Further work will be undertaken to to enable the co-ordination across all agencies within Hillingdon rather than identity specific groups.</p> <p>Sentence included in section 6.4 acknowledging the importance of the voluntary and community sector.</p>
Homestart	Would have liked to have seen more explicit commitment to partnership working with the voluntary sector.	Accepted	Sentence included in section 6.4 acknowledging the importance of the voluntary and community sector.

Policy Overview Committee &	POC recently reviewed the impact of Overcrowding on children's attainment levels. The Committee requested that the findings be inserted and actioned in the HCFT Plan	Accepted	Recommendation have been agreed by Cabinet
	It was felt that a stronger statement was required within Priority 6 on the value of front line staff in the early identification of need to children, young people and their families	Accepted	Sentence included in Priority 6
	The work in improving outcomes of children with SEN to be made more explicit in Priority 5	Accepted	Sentence included in Priority 5
	Stronger statement on the governance arrangements and the accountability of the Children's Trust Board	Accepted	Sentence included in Priority 6.1
	Commitment in the importance of sharing information and data across the partnership to be included in Priority 6.	Accepted	Sentence included in Priority 6

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and there are no direct financial implications to the Council.

Legal

Under the Council's Constitution, the Cabinet has the appropriate powers to agree to the recommendation proposed at the outset of this report. As a Policy Framework document, it requires final adoption by full Council. There are no other significant legal implications arising out of this report to bring to Cabinet's attention.

Relevant Service Groups

The Hillingdon Children and Families Plan will be presented to Corporate Management Team, for consideration on implications for all Council departments.

BACKGROUND PAPERS

NIL

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**HILLINGDON'S
CHILDREN AND FAMILIES TRUST PLAN
2011-14**

DRAFT

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DRAFT

Foreword

The biggest motivating factor driving the work of the Children and Families Trust Board is the desire to improve outcomes for the children and young people of Hillingdon. Since the formation of the Partnership Board in 2006 a great deal has been achieved and outcomes have improved in a number of key areas. These include reducing teenage pregnancy and infant mortality, raising attainment at Key Stage 2, GCSEs and A Levels and reducing numbers of young people not in education, employment or training. This is set against a backdrop of worsening financial positions both nationally and locally.

We recognise, particularly in the difficult economic climate in which we find ourselves, that difficult decisions have to be made and we know that the future presents us with a number of new challenges in a local and national context, in delivering services for children and young people. The size of the overall budget deficit means tough decisions have to be made. It is predicted that local authority funding will reduce by about 28% over the life of the current parliament. Work has now started on the range of projects aimed at transforming the way children's services in all agencies work and this is reflected in this plan.

We need to further develop the impact we can make as leaders of change across all aspects of services for children and young people in Hillingdon. We have already made a wide variety of changes to structure and processes. We have commissioned new evidence based services and reshaped others. To make the most of these changes and to ensure that all this work has the best impact on outcomes for children, young people and families and is 'value added' means further change in how we work and the cultures within which we work. This direction of travel requires clearer and more ambitious leadership, with everyone working in the partnership being clear how they contribute to our collective goals.

We submit this, the third Children and Families Trust Plan as our framework to deliver change for Hillingdon.

Hillingdon Children and Families Trust Board

Corporate Director, Social Care, Health and Housing and Statutory Director of Children's Services - London Borough of Hillingdon
 Education Services - London Borough of Hillingdon
 Children's Social Care - London Borough of Hillingdon
 Youth Offending Service - London Borough of Hillingdon
 Joint Director of Public Health - London Borough of Hillingdon/Primary Care Trust
 Chief Inspector, Partnership Office - Hillingdon Metropolitan Police
 Non-Acute Commissioning - Hillingdon Primary Care Trust
 Independent Chairman - Local Safeguarding Children's Board
 Children and Families Lead - Hillingdon Association of Voluntary Sector
 Consultant Paediatrician - Hillingdon Hospital
 Director of Patient Experience & Nursing - Hillingdon Hospital
 Managing Director - Hillingdon Community Health, CNWL
 Director - CAMHS
 Representative - Secondary School
 Representative - Special School
 Representative - Primary School
 Principal - Uxbridge College
 Child Poverty/Partnership Manager - Job Centre Plus

1. Hillingdon - Context

Hillingdon is the second largest of London's 32 boroughs covering an area of 42 square miles (11571 hectares), over half of which is a mosaic of countryside including canals, rivers, parks and woodland. As the home of Heathrow Airport, Hillingdon is London's foremost gateway to the world, and is also home to the largest RAF airport at RAF Northolt. Hillingdon shares its borders with Hertfordshire, Buckinghamshire, Hounslow, Ealing, and Harrow.

The London Borough of Hillingdon has been in existence since 1965. In its current form, it is made up of 22 wards. The north of the borough is semi-rural with a large proportion protected by green belt regulation, and Ruislip is the major centre of population. The south of Hillingdon is more densely populated, urban in character and contains administrative centre of Uxbridge and towns of Hayes and West Drayton.

Heathrow airport is situated in the south of the borough, and is the largest employer offering a range of relatively well-paid skilled and unskilled manual positions. There are a number of major manufacturing and retail organisations with headquarters and sites in Hillingdon. Stockley Park, to the north of Heathrow, is one of Europe's largest business parks. Hillingdon council, RAF Northolt, Brunel University, Harefield and Hillingdon hospitals are major public sector employers within the area.

1.1 Population

The Office of National Statistics (ONS) estimated (2008 MYE based) Hillingdon population for 2010 at 263,527. Hillingdon has a significantly larger proportion of people in younger age groups (5-19) when compared with England and London. ONS mid 2008 projections indicate 65,156 children and young people aged 0 to 19 live in Hillingdon, which represents nearly 25% of the total population of the borough. In January 2009, 48.8% of the school population was classified as belonging to an ethnic group other than White British. 33% of pupils speak English as an additional language, with this figure now 37% in the primary sector. Punjabi, Somali and Urdu are the most commonly spoken community languages in the borough. 6.4% of pupils are of Black African background, over half of which are Somali. This group is growing; 7.2% of pupils in primary schools are Black African compared to 5.4% in secondary schools.

44,033 pupils attend 91 schools in Hillingdon, an increase of 1,600 pupils since 2002. There are 65 primary schools, 18 secondary schools, 6 special schools, 1 nursery school and 1 pupil referral units. Around 7% of pupils attending schools in Hillingdon are resident in other local authorities.

1.2 Gender

Of the total of young people population under 19 there were marginally more males (52%) than females (48%).

1.3 Ethnicity

Hillingdon is expected to become more diverse, with greater diversity in the 0-25 age group where the ethnic minorities in this age group are expected to increase to 50% by 2016 (GLA 2007 Ethnic population projections). Population of ethnic elderly is expected to grow especially in the south of the borough.

Ethnicity is closely linked to health status, outcomes and inequalities. Black and minority ethnic (BME) groups generally have worse health than the overall population, although some BME groups fare much worse than others, and patterns vary from one health condition to the next. Evidence suggests that the poorer socio-economic position of BME groups is the main factor driving ethnic health inequalities.

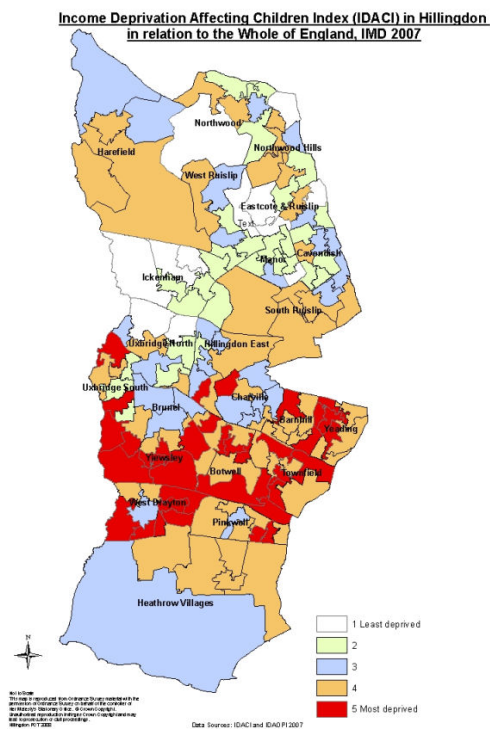
1.4 Changing Demography

In Hillingdon, numbers of births have risen for several consecutive years with record highs in 2006, 2007 and 2008. Births in 2008 were exceptionally high at 4,126 children and several hundred more than the previous record high. Demographic professionals at the GLA indicate a prolonged period of births at around the high 2008 level, which seems consistent with the local annual births data. Additionally, this demographic pressure is currently exacerbated by unusual family movements to Hillingdon believed to be caused by the recession and housing market crises. The geographical distribution of births in 2008 show that the increase is predominantly in the south of the borough (i.e. south of the A40). This translates into additional demand for services across education, health and social care in these areas. The current additional recession led pressure across the borough is expected to recede by 2012 (leaving mainly pressure from births and local housing developments).

The projected population for 0-19 years olds is expected to increase from 67,608 in 2010 to 75,494 in 2020 to 81,201 in 2030.

1.5 Deprivation

Hillingdon is ranked 157 out of 354 in the English index of multiple deprivation (IMD 2007) where the most deprived is ranked 1. Social segmentation of Hillingdon’s neighbourhoods by dominant acorn types also shows that a large proportion of Hillingdon’s population is stable, home owning and ‘fairly comfortable’. There are however major differences in deprivation between wards in the north and south of Hillingdon with small areas in the south the borough falling in the 20% most deprived quartile nationally.



Source: Office for Deputy Prime Minister Indices of Deprivation 2007

The supplementary indices provided for estimating deprivation among children (0-15 year) IDACI shows that a significant proportion of areas in the South of the Borough have children living in poverty (defined as 60% of median national income before housing costs). An additional index on children’s wellbeing ranked Hillingdon 231 out of 354, where the best child wellbeing is ranked 1.

The Super Output Area (SOA) in Hillingdon which has the highest IDACI deprivation ranking is situated in Yeadon, where 55% of the children aged under 16 in that area are affected by income deprivation. The least deprived SOA is situated in Ickenham, Eastcote and East Ruislip where only 2% of children aged under 16 are affected. Income deprivation tends to affect children living across much of the south of the borough, in particular Botwell, Yiewsley and Townfield with some extreme pockets of deprivation in West Drayton, Pinkwell, Yeadon, Barnhill and Uxbridge South.

2. Vision & Values

The Hillingdon Children & Families Trust Plan is our key strategic plan for all partners delivering services to children, young people and their families within Hillingdon.

2.1 Our **vision** is to:

“Improve the outcomes for children, young people and their families in need or at risk through co-ordinated evidence based services.”

2.2 Our **principles** on which this plan is formed ensure that the Trust is:

- delivering evidence based services and using limited resources effectively
- focused on the education and wellbeing of children, young people and their families
- taking account of what children, young people and families are telling us
- promoting equalities/addressing inequalities
- addressing issues where there is sustained poor performance in relation to our priorities
- taking the opportunity to intervene early
- cross-cutting across the partnership
- based on a willingness of partners to commit resources and do things differently
- responding effectively to the challenge of reduced resources

2.3 Our **purpose** as a partnership is:

- to ensure that children, young people and their families in Hillingdon experience better outcomes through improved services; and
- to support practitioners working in their constituent agencies to see themselves (and also act) as part of a community of Hillingdon children's workers, interconnected with others, and able to see their role in the wide range of provision and services.

2.4 We, the HCFT Board have agreed to focus on six key **priorities**:

Priority 1. Keeping all children and young people safe

Priority 2. Ensuring all children have the best start in life

Priority 3. Improving the health and well-being of young people, focusing on those groups undertaking risky behaviours¹

Priority 4. Improving the outcomes of Looked After Children

Priority 5. Improving the outcomes of Disabled Children

Priority 6. Strengthen multi-professional integrated working

See section 5 for further details.

By identifying these priorities we will be able to focus our resources, ensuring that those most vulnerable receive the support they need, while ensuring that those potentially 'at risk' do not fall into acute statutory provisions.

2.5 Transformational

We recognise that effective joint work has taken place over the last five years and this work is now embedded in service delivery. This Plan goes further and highlights the transformational agenda across the partnership in Hillingdon and how it will be achieved.

¹ The risky behaviours we refer to include: 1. Unprotected sex leading to STI's and under 18 conceptions; 2. Substance misuse (including alcohol); 3. Emotional health and wellbeing; 4. Young people not in education, employment or training (NEET); and 5. First time entrance into the criminal justice system

The partnership is focused on continuing to improve services and outcomes. However, we realise given the current economic climate that we must change the way we work and target those most vulnerable within the community. We recognise that difficult decisions will have to be made over the next 3 years. As a partnership we need to be innovative and transformational in our service design and delivery to ensure those most vulnerable will receive the services they need.

2.6 Value for Money (VfM)

We are operating in challenging financial times but by working together we are better placed to meet these challenges. Any decision to commission or de-commission services will be based on evidence, transparency, fairness, equality and will ensure we provide value for money for local people. The ultimate decision-making process will lie with the commissioning partner and be rigorous and consulted upon as required by the partner agency procurement procedures. VfM can be measured in terms of:

1. Quality and suitability of the service for the individual
2. Long-term implications or whole-of-life costs
3. Wider outcomes for society and the state.

2.7 Safeguarding

Underpinning the Plan and all our services must be the strongest possible commitment to safeguarding our children & young people.

The Hillingdon's Local Safeguarding Children Board (LSCB) is a multi-agency Board of key decision makers where safeguarding policies, procedures and practice are developed, monitored and reviewed. There are a number of shared aims and responsibilities across all agencies and communities to keep children and young people safe from harm. To achieve this, the Board makes a strong commitment to partnership between agencies. This includes integration, accountability and participation at all levels.

Further information on Hillingdon's LSCB see www.hillingdon.gov.uk/lscb

2.8 Prevention and Early Intervention

We will ensure that effective and appropriate early intervention/preventive services are in place across the 'continuum of need'. In particular; when targeted and multi-agency intervention is required the risk of poor outcomes for children and young people will be reduced. Services across the partnership will be targeted to focus on those 'at risk' and vulnerable ensuring their outcomes improve and support them back to universal provisions.

High quality early intervention, preventing poor outcomes for children and young people has huge long term benefits for the child, family and society but also adds value in preventing local expenditure through savings on high cost acute services. Early intervention and prevention is at the heart of our overall strategy to improve the outcomes of those children, young people and their families requiring high cost acute services.

2.9 Equality and Diversity

As with all public bodies, we are bound by the three general duties to promote disability, ethnicity and gender equality. This applies across all policies and functions. We strive to provide a range of experiences, cultures, traditions and histories that surround Hillingdon's residents, enabling them to access a diversity of opportunities while at the same time catering for individual need. Our aim is to mainstream equality and diversity, rather than considering it as a separate issue to be addressed.

3. National and Local Context

3.1 National Context

The size of the overall budget deficit means tough decisions have to be made. It is predicted for instance that local authority funding will reduce by approximately 28% over the life of this Plan.

The Coalition Government have given their commitment to transforming and reforming education and children's services so that all children, regardless of their background, thrive and prosper. The governments proposals will provide teachers with the powers that they need to instil good behaviour; Health professionals are to commission Health services to meet the needs of their local communities, social workers will be free to do their day jobs without excessive bureaucracy and there will be a reform of early years education and Sure Start so that all children and families receive the support they need, particularly the most vulnerable.

3.1.1 White Paper, Equity and excellence: liberating the NHS: Department of Health²

It provides details of how government will:

- put patients at the heart of everything the NHS does
- focus on continuously improving those things that really matter to patients - the outcome of their healthcare
- empower and liberate clinicians to innovate, with the freedom to focus on improving health services

Further detail see appendix A.

3.1.2 White Paper, Healthy Lives, Healthy People: Department of Health³

It provides details of how government will:

- Make Public Health a higher priority locally placing it within the responsibilities of Local Authority to improve people's health and tackle health inequalities and the wider determinants of health in every community with a Director of Public Health as the strategic leader.
- Establish health and wellbeing boards in every top tier local authority.
- Protect the population from health threats – led by central government, with a strong system to the frontline
- Empower local leadership and encourage wide responsibility across society to improve everyone's health and wellbeing, and tackle the wider factors that influence it
- Strengthen self esteem, confidence and personal responsibility; positively promote behaviours and lifestyles; adapting the environment to make healthier choices easier

3.1.3 White Paper, The Importance of Teaching: Department of Education⁴

It provides details of how government will:

- free teachers from constraint and improve their professional status and authority
- raise the standards set by our curriculum and qualifications to match the best in the world
- hold schools effectively to account for the results they achieve
- ensure that school funding is fair, with more money for the most disadvantaged
- support teachers to learn from one another and from proven best practice

Further detail see appendix A.

² www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_117353

³ www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_121941

⁴ www.education.gov.uk/b0068570/the-importance-of-teaching/

3.1.4 Munro review of Child Protection⁵

The areas for reform include:

- the importance of a management and inspection process
- developing social work expertise
- giving other professionals easier access to social work advice when they have concerns
- revising and reducing the statutory guidance Working Together to Safeguard Children
- considering having a national system of trained reviewers of serious case reviews (SCRs)

Further detail see appendix A.

3.2 Local Context

Work has now started on the range of projects aimed at transforming the way the local authority works. The transformation programme known as Business Improvement Delivery (BID) will review every part of the Local Authority, with the aim of helping to deliver the council's children's services savings targets of more than £10.8 million over the next four years.

Hillingdon Primary Care Trust (PCT) is under going transition arrangements under the Health reforms and has merged with Hounslow and Ealing PCTs to ensure any adverse impact on clients is reduced and economies of scale can be achieved. Hillingdon Community Health (HCH) the local NHS Provider of community health services, formally joined Central and North West London NHS Foundation Trust (CNWL) from February 2011. CNWL is part of the NHS and provides community services in nine boroughs in Greater London.

Work is already underway in Hillingdon to implement government proposals where commissioning for children and young people's health will be split three ways between health and wellbeing board, the National Commissioning Board and GP consortia. A shadow Board has been formed with nine elected GPs and 12 non-voting members.

We can see clear benefits to children and young people from the development of a localised system of GP consortia, commissioning NHS services and being held to account for them. The role of the local authority led Health and Wellbeing Board will be crucial here, in providing the necessary constructive challenge on commissioning decisions made by GP consortia and also providing a route by which the views of children, young people and their parents and carers can be expressed.

Challenges of the GP consortia include managing the transition from the present to the future governance arrangement, this poses particular challenges that will need to be addressed regarding the demise of PCTs and the creation of new consortia. The potential for conflicts of interest and while much is promised by the reforms in terms of improving patient choice, the extent to which these will benefit patients is unclear, given that one of the overall primary objectives is to cut costs. Lastly, localism in policy decision-making may make it difficult for some patients to receive necessary care; i.e., there are likely to be significant variations between consortia regarding the availability of certain types of care.

Several Hillingdon secondary schools have made the decision to become Academies in 2011/12 and others will determine their status over the forthcoming years.

One of the main challenges to Uxbridge College and other full time education and training providers for 16-18s will be the reduced amount of funding available, following the abolition of the EMA, to support the participation of young people from low income households. The reduction in support may impact on the initial recruitment of 16-18 learners, and potentially also the ability or willingness of these learners to stay the course.

⁵ www.education.gov.uk/munroreview/downloads/TheMunroReviewofChildProtection-Part%20one.pdf

3.3 Shaping Policy

As a partnership we need to ensure that we shaping and influence policy on a national and regional level to ensure local needs are understood. To enable this the Cabinet Member for Education and Children's Services in Hillingdon is Vice Chairman of the London Councils Children and Young People's Board, Vice Chairman of the National Employer's Organisation for Schoolteachers, Peer Member at Local Government Improvement and Development Agency and an advisory board member of the National Foundation for Education Research.

4 Needs Assessment

This section was informed by the Joint Strategic Needs Assessment⁶ (JSNA) which is relevant across all partners and all age groups within Hillingdon.

Outcomes from the needs assessments form an important part of commissioning, de-commissioning and service development, as well as informing priorities for our HCFT Plan. The needs assessment uses intelligence gathered from partners, children, young people and their families via the HCFT Plan consultation process. Much of this information was drawn together in the form of a detailed needs assessment in the summer of 2010.

The full children's needs assessment⁷ comprises of (1) engaging with priority groups of children and young people and an (2) desktop analysis which draws upon information from the field study, needs assessments across the partnership and other data sources.

4.1. Engaging with Children and Young People

Only by listening to our children and young people can we ensure that they receive the most effective types of support in the best ways for them and at the most appropriate times. We routinely consult children and young people to see how responsive services are to their needs and to ask what they think could be done to further improve their lives.

Hillingdon has an active Youth Council. There are School Councils in all Hillingdon's schools, and these are linked to the Youth Council. Both the Schools and Youth Councils participate in a number of initiatives, activities and consultations, regularly giving their views to inform strategies and projects on issues such as anti-bullying, safeguarding and youth services. These views are then used to inform service development and we give feedback on how they have been incorporated into plans for the borough. We have also developed a Children in Care Council.

This Children and Families Trust Plan has been informed by the views of children and young people gathered via a consultation process run by the NSPCC⁸, information gathered from the Tellus4 survey and the Youth Council.

4.2 Desktop analysis and other data sources

The desktop analysis pulls together data and information on:

- Demographics
- Improving the Health and Well-Being of Children and Young People
 - Community Health Activity
 - Substance Misuse
 - Sexual Health
 - Mental Health
 - Safeguarding
 - Looked after children

⁶ Hillingdon JSNA - www.hillingdon.gov.uk/index.jsp?articleid=21833

⁷ Hillingdon Children's Needs Assessment - www.hillingdon.gov.uk/index.jsp?articleid=14756

⁸ Hillingdon Children's Plan Consultation NSPCC report - www.hillingdon.gov.uk/index.jsp?articleid=17206

- Disabled children
- Raising aspiration and achievement of children and young people
 - Early Years (0-4yrs)
 - School years (5-16yrs)
 - Post 16 (16-19yrs)
 - Young people's involvement in offending and disorder
 - Looked after children
 - Disabled children

5 Strategic Priorities

We have been through a rigorous review of our needs assessment in developing the new strategic priorities. As a consequence we have reduced the number of priorities from 13 to 6. By reducing the number of priorities we will be able to focus our resources to ensure that those most vulnerable receive the support they need.

Priority 1: Keep all children and young people safe

Why is this so important?

Safeguarding children and young people remains a key priority within Hillingdon. Since 2006, Hillingdon has received a 'Good or better' rating from Ofsted on the provisions to keep children and young people safe. However, as the demographics of Hillingdon and the external environment i.e. technology change so does the challenge to ensure all children are kept safe. Therefore the partners across Hillingdon will continue to work together to identify and safeguard vulnerable children and young people.

Overseeing this priority is the responsibility of the Local Safeguarding Children Board (LSCB). Through its sub groups, the LSCB drives improvement, monitors and oversees multi agency practice, and advises on the development of priorities for the Children and Families Plan

What will we do?

- The LSCB will focus its work on ensuring that all agencies are working together as effectively and efficiently as possible to safeguard children, and will make recommendations as to the most effective interventions and those target groups who are most in need of services in order to ensure that children are effectively protected and safeguarded.
- The LSCB will develop better ways of measuring impact on outcomes for children, and by incorporating more user views in its work.
- Funding for preventative services, though cost effective in the long term, will inevitably be reduced in the short to medium term so the LSCB, through the independent chairman, will continue to challenge the Children's Trust to ensure that those resources are being effectively targeted towards services most likely to impact on the safeguarding and protecting of children.
- The LSCB will also monitor each of its constituent agencies in terms of the impact of their funding decisions, and work with universal services to inform their work in safeguarding children, thus ensuring that specialist services are able to focus on those at high risk of harm
- Work with partner agencies to reduce the impact on children and young people's life chances of domestic violence, adult mental illness and bullying, particularly bullying online and by mobile phone.

Priority 2: Ensuring all children have the best start in life

Why is this so important?

Studies have shown that early Intervention to promote social and emotional development can significantly improve mental and physical health, educational attainment and employment

opportunities later in life. Studies have shown that early intervention programmes in the pre-school years can help to prevent criminal behaviour (especially violent behaviour), drug and alcohol abuse and teenage pregnancy.

We believe by building on the strong network of Children Centres, Midwives, Health Visitors and other early year providers in Hillingdon we can give all parents with newborns and young children the information and support needed to give their babies and children the best possible start in life. The Hillingdon Play Pledge will offer an excellent facilitator of broader social outcomes including community cohesion, inclusion, health and education.

In addition, the Health Inequalities Working Group reviewed the effect that overcrowding has on educational attainment and children's development in the Borough. The Working Group believe that failure to tackle overcrowding will have a significant impact on many families and therefore further work needs to be undertaken to put mechanisms in place to identify instances where poor attainment at school is linked to overcrowding.

What will we do?

- We will implement evidence-based early years programmes such as, Play and Learning to Socialise (PALS), Attention Hillingdon and Every Child a Talker (ECAT) that are proven to improve the communication and social and emotional development of young children across early years and Children's Centre provision.
- We will implement the Childcare Sufficiency Assessment action plan, target outreach and information strategies to maximise the impact of lifting children out of poverty, piloting transformational delivery models of provision for vulnerable 2 year olds particularly for the most disadvantaged
- Transforming Children's Centres to provide more integrated preventative and early intervention services for families through the Team around the Child (TAC), mental health, early intervention and roll out of maternity care projects in order to improve health, educational and material outcomes for children under five and their families..
- Redesign parenting and family support for children in the early years through the early intervention and early years BID projects to provide more joined up, effective and efficient services
- Roll out a comprehensive programme to identify children as early as possible with communication issues and provide support to their parents/carers and settings so that co-ordinated action can be delivered.
- Further investigations be made into the development of breakfast clubs in primary/secondary schools, libraries and children's centres.
- Regular housing / overcrowding drop-in sessions be held in Children's Centres within the Wards that have the highest levels of overcrowding together with housing / overcrowding information leaflets being made available at all Children's Centres in the Borough.

Priority 3: Improving the health and well-being of young people, focusing on those group undertaking in risky behaviours

Why is this so important?

Some risky behaviour is a normal and positive part of growing up. It can also support the development of resilience and enable young people to grow and aspire to make positive decisions about their lives and the world they live in.

However some risky behaviour can be harmful. It can reduce aspirations, increase vulnerability, cause physical and social problems, reduce opportunities and may promote criminal and anti social behaviour.

Some young people are involved in multiple risky behaviours and may be receiving interventions from different agencies at the same time. This can appear confusing and at times contradictory to the needs of the young person. There are efficiencies to be made by co-ordinating these interventions better thus ensuring that some young people aren't being

overwhelmed by services whilst others are having difficulty accessing any. Co-ordinated services will assist in actively improving young peoples life outcomes rather than simply maintaining their status quo. Therefore these young people are often accessing fragmented services and costing significant amount of resources to both the local authority and PCT who are simply reducing the behaviour from escalating rather than impacting and improving their life outcomes.

What will we do?

- We will develop an integrated service that will intervene early to promote positive outcomes for children, young people and their families or with a population most at risk of developing problems.
- We seek to ensure that effective and appropriate early intervention and prevention processes are in place across the 'continuum of need'. This will mean that targeted and multi-agency responses may be made when required so that the risk of poor outcomes for children and young people may be reduced.
- Processes will build on existing good practice, both locally and nationally. Processes and associated services will be shaped by available resources and the needs of the children, young people and their families to ensure that early intervention and prevention activity is managed and delivered in a manner that eliminates duplication and ensures resources are focussed on front-line service delivery.

Priority 4: Improving the outcomes of Looked after Children

Why is this so important?

A significant amount of work has been put in place to improve the outcomes of LAC over the life of the previous HCFT Plan. These include the introduction of the Virtual Head, targeted health services work with young people in residential homes, including sexual health and relationships education, and drug awareness and the development of the Children in Care Council. We believe that much more work needs to be done across the health, well being and education outcomes to narrow the gap between LAC and their peers. Therefore to confirm the importance for these children we have rolled forward this priority from the previous plan.

The Corporate Parenting Board remains the driver to ensure that this priority is delivered and will report to the HCFT Board on a quarterly basis on progress against performance and actions.

What will we do?

- Transformation of the commissioning of placements for LAC and Care Leavers that increases the number of in-of-borough placements, ensuring services provided to children looked after are within or close to Hillingdon
- Ensure the stability and choice of placements to children and young people in care
- Increase in-house foster care provision including carers who can deliver intervention programmes for young people with more challenging behaviours by developing a provision of wrap around support package to foster carers
- Broaden the range placements available for children/young people with more complex needs.
- Retain more young people within the local community where there are well established referral pathways, protocols and service level agreements with partner agencies who share responsibility for meeting the needs of these children and promoting positive outcomes.
- Further developing the Virtual Headteacher role to narrow the gap in achievement of LAC and their peers

Priority 5: Improving the outcomes of Disabled Children

Why is this so important?

It is clear that progress has been made against the Disabled Children's Strategy and the use of the Aiming High grant, which includes the establishment of a parent forum, development of short break provisions and Easter, summer and out-of-school activities.

In some instances service provision is rarely based on the priorities and needs of individual families. What is provided is often too little and too late to make the best possible improvement to their everyday lives. For example, families may miss out on their full entitlements to benefits because services don't pass on key information at the right time. The Local Authority and the PCT jointly have an important role to play in commissioning services for children and young people with disabilities, complex and palliative care needs, ensuring an integrated approach which improves outcomes. It is for this reason we have rolled forward this priority from the previous plan to ensure improving the outcomes of disabled children remain high.

In addition, we will be working towards the final recommendations of the Green Paper 'Support and aspiration: A new approach to special educational needs and disability' which proposes a new approach to identifying SEN through a single Early Years setting-based category and school-based category of SEN; a new single assessment process and Education, Health and Care Plan by 2014; gives the option of a personal budget by 2014 for all families with children with a statement of SEN or a new Education, Health and Care Plan; and gives parents a real choice of school, either a mainstream or special school.

What will we do?

- Ensure, wherever possible, the services and support will provide progression as well as care for disabled children and young people. This therefore improves their life outcomes as adults, for example, through their involvement in sports and leisure, youth and play
- Provide more flexible and tailored support for disabled children with more complex needs, placing less reliance on traditionally inflexible and costly packages of care, for example, less use of out-of-borough and full-time residential provision and more emphasis of "shared care" arrangements involving statutory agencies working with families
- Ensure that through more effective assessments, joint commissioning and joint-working across agencies disabled children and their families receive better co-ordinated support which tackles health, education and social needs
- Help disabled children and their families choose and access the services and support which they want and need, through the further rollout of personalised budgets and direct payments
- Create a seamless journey for disabled children as they progress through services which support their transition to adulthood, through more effective joint-planning of services across Children's and Adult Social Care, Health and Education
- Narrow the gap in achievement of disabled children and their peers, for example, by tracking and improving their educational attainment both through individual schools' Self Evaluation Form (SEF) and Annual School Review (ASR) processes and monitoring performance over time at a borough-wide level

Priority 6: Strengthen multi-professional integrated working

Why is this so important?

We value the resources and knowledge base that front line staff offers the partnership in identifying and assessing the needs of children, young people and their families. We believe that integrated working makes a real difference to the lives of children and young people. We are committed to integrated working and where everyone supporting children and young people work together effectively to put the child at the centre of all services to improve their lives.

Only by working together, across statutory, voluntary and community sectors sharing information and resources effectively, can we maximise the difference we make for children and young people. Effective integrated working is also becoming increasingly important in the current economic climate as a way to increase impact and deliver value for money with a limited budget.

Integrated working is achieved through collaboration and co-ordination at all levels and across all services to identify needs early, deliver a co-ordinated package of support for the child/young person and their family and help to secure better outcomes.

What will we do?

- Establish a Team Around the Child model and identification of a Lead Professional for every child requiring multi-agency support
- Provide services that deliver good value for money by working together across the children's partnership as efficiently as possible.
- Maintain multi-professional communication and best practice whilst agencies progress through structural change
- Offer skills development in areas identified by the Board as a priority

6 Framework for Delivery

This plan has been developed alongside the 'Sustainable Community Strategy' which sets out the priorities of the Local Strategic Partnership (LSP) and is aligned with the recommendations of the Joint Strategic Needs Assessment 2011.

6.1 Governance arrangements

Hillingdon Children & Families Trust Board is the Children's Theme group of the LSP and are accountable to the LSP Board. As the Board has senior representatives from agencies across Hillingdon this will ensure delivery of the priorities by the sub groups. We oversee the multi-agency working that is required to improve outcomes for children, young people and families in Hillingdon. This governance arrangement will be continually reviewed to reflect national and local policy and to remove duplication across other LSP theme groups.

Hillingdon has had strong partnership arrangements in place since the inception of the Children and Young People's Strategic Partnership Board in 2006. The Partnership developed formally into the Children and Families Trust in 2008.

The partnership can include any agency working with children and young people. In Hillingdon both statutory and non-statutory agencies are key partners. these include:

- Central and North West London Mental Health Trust (CNWL)
- Hillingdon Association of Voluntary Services (HAVs)
- Hillingdon Hospital Trust (HHT)
- Hillingdon Primary Care Trust (PCT)
- Hillingdon Metropolitan Police
- JobCentre +
- London Borough of Hillingdon
- Youth Offending Service
- Local Schools
- Local Safeguarding Partnership Board
- Uxbridge College

HCFT Board will meet every quarter with a special AGM in order to consider progress against the plan, review recommendations and to sign off the annual report.

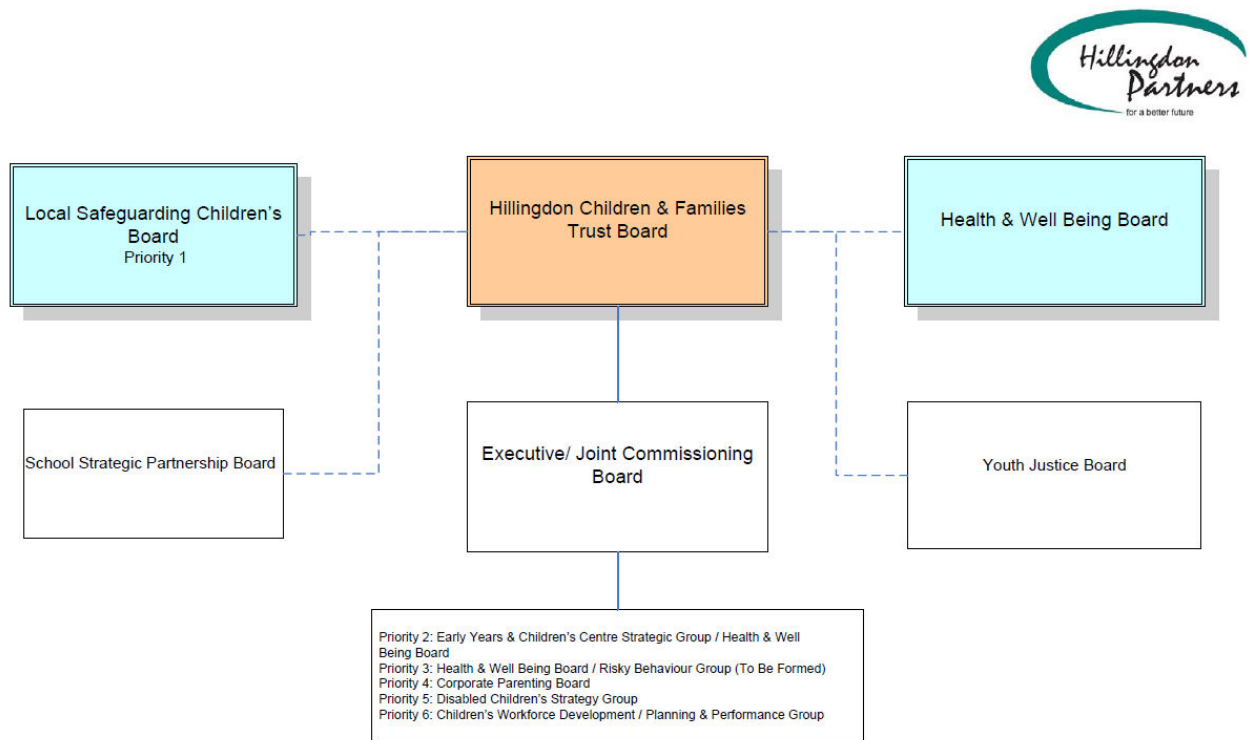
HCFT Executive/Joint Commissioning Board (JCB)

The HCFT Board devolves responsibility for a range of functions to the Executive/ JCB. The Executive/ JCB will be the 'engine room' for the joint decision-making, joint priority setting and managing the performance across the partnership.

Strategic Delivery Groups

Diagram 2 below gives an indication of the strategic delivery sub groups that currently exist. The sub groups are not set in stone but are set up and dissolved in accordance with national requirements and / or the priorities of the HCFT as detailed in this Plan. The purpose of the sub groups is to act with input from a wide range of relevant partners to assess local needs and scrutinise priorities. They act as a reference point for development of new strategies and the delivery of the plans and priorities. They are accountable to the HCFT Board; however they are overseen by the Executive/JCB.

Diagram 2 – Hillingdon Children and Families Trust Governance



HCFT Priorities 2011-14

1. Keeping all children and young people safe
2. Ensuring all children have the best start in life
3. Improving the health and well-being of young people, focusing on risky behaviour groups
4. Improving the outcomes of Looked After Children
5. Improving the outcomes of Disabled Children
6. Continuing to strengthen multi-professional integrated working

The multi-agency sub groups highlighted in diagram 2 will be expected to turn the HCFT priorities into operational work plans. These work plans will be signed off by the HCFT Board at the annual planning day and monitored and reviewed on a quarterly basis. The work plans will be part of the single agency plans and part of the responsible officer's individual tasks to deliver.

6.1 Involving children, young people and their families

We recognise and value children, young people and their families right to be actively involved in matters that concern them and acknowledge the unique role they play in a progressive and healthy society. We also recognise and value the contribution that genuine consultation and active involvement users can make to service development, service improvement and improved outcomes. Active involvement is the key element in safeguarding children's well-being and ensuring that all children and young people, particularly those who may be more vulnerable or at risk, are included and their needs are being met.

6.2 Commissioning arrangements

Commissioning is about achieving best outcomes and this is most effective when partners across sectors work to a common set of standards.

Commissioning is a continuous cycle of needs analysis, prioritisation, design, performance management and service review, to ensure that services are focused on improving outcomes for children, young people and their families. As our population changes, the services needed by our children and young people also change and we must be responsive to this.

In Hillingdon, we aim to ensure services are commissioned based on a thorough assessment of needs and aspirations, including the experiences of users, partners and other stakeholders.

There are many different models and approaches to commissioning, but they generally all explore some combination of a four stage cycle of activity involving:

- Understand - understanding the needs of a particular population and what services exist and how they operate in the market
- Plan - being clear about a plan for changes required in services to better meet need and match best practice
- Do - driving change in services to deliver improvements and better meet desired outcomes
- Review - monitoring and reviewing the impact of plans and services to ensure that improvements continue.



The HCFT Plan acts as the main commissioning framework for children's services in Hillingdon, within the context of the budget provision agreed by partners.

We will only accept the highest standards of service delivery and will monitor contracts robustly; working with service providers to improve standards. Where necessary we will redesign and /or re-commission services to meet new needs or ensure quality requirements are met.

For further information on joint commissioning arrangements in Hillingdon see <http://www.hillingdon.gov.uk/index.jsp?articleid=15344>

6.3 Performance framework

It is increasingly clear that services should be outcome focussed, evidence based and be able to demonstrate, with a balanced mix of quantitative and qualitative data, that they are working and that they are making the required difference to their intended target populations.

The framework recognises the importance of outcome focussed (quality of life) measures alongside other data/information (including process measures).

Managing performance is integral to each step of the commissioning cycle, and the framework has been developed to structure performance management around the four stages of the commissioning cycle outlined above.

Those responsible for strategic commissioning and for performance need to work closely together in the planning and commissioning services and reporting the performance at each

stage to ensure accurate, properly analysed data is available to inform review and to measure success.

An Equality Impact Assessment and risk assessment, including action plans to alleviate risk, will also be prepared by each of the strategic delivery groups and each quarter report progress to the Executive to see how we're progressing towards the objectives outlined in this plan before this is fed up to the HCFT Board.

6.4 Joint Working

In Hillingdon there are some very successful examples of joint multi-agency working including the integrated targeted youth support service, which brings together multiple agencies to support vulnerable young people with a personalised package of support and Children's Centres which co-ordinate services for parents with young children from health visitors, JobCentre plus and Adult Education.

The Common Assessment Framework is also being used to coordinate the support for children identified as requiring interventions from more than one agency. This is helping us to identify and support children earlier, thereby reducing the likelihood of them requiring higher level interventions at a later stage.

We believe that further developing our partnership arrangements particularly across the voluntary and community sector will be key to securing value for money and improved outcomes for children and young people.

6.5 Developing our Workforce

The continued reform of our children's workforce is integral to the delivery of this plan - it's about thinking through and changing the ways in which services are delivered in order to ensure better outcomes for children and young people. Over the coming months the Children's Workforce Strategy will be refreshed in line with the new priorities set out in this Plan and will set out our ongoing partnership approach for developing a world-class children and young people's workforce through a diverse range of learning and development initiatives open to the entire workforce.

Our multi-agency Workforce Strategy Group has continued to lead the development of the skills and knowledge of our workforce through a diverse range of collaborative learning and development initiatives and a focus on common and practical recruitment approaches.

Our focus going forward is further developing the leadership skills across the partnership, equipping strategic leaders and managers with the relevant skills and knowledge to help them effectively lead and manage our integrated working approaches and embed joint service delivery.

Appendix 1: National Context

Equity and excellence: liberating the NHS: Department of Health⁹

The areas for reform include:

Structure of NHS: NHS funding will be handed to GPs to buy care for patients in their area, with primary care trusts and strategic health authorities to be abolished by 2013.

Foundation Trust hospitals will be allowed greater freedoms to treat more private patients and more patients with long-term conditions will be given their own health budgets to buy their care.

Patient records: The patient is to be put at the centre of the health service, under a Government motto of "no decision about me, without me" and will have greater control over their medical records and will decide who gets to see them. The aim is to make it easier for patients to download their records to share with healthcare organisations of their choice. Doctors and patients will also be able to communicate via email for greater efficiency and convenience.

Public health: The Department of Health will focus more on improving public health and less on the day-to-day running of the NHS. Regions with unhealthy inhabitants will be given extra cash to reduce inequalities. A national consultation has been issued regarding Public health responsibilities and associated budgets.

Information revolution: In a move away from waiting time targets, hospitals and doctors will be judged on the clinical effectiveness of their work. Hospitals and doctors' teams performance will be scrutinised in greater detail with data published on infections, deaths, readmission rates and accidents.

Patients feedback: The patient will be asked if they thought their treatment was effective and lived up to their expectations and this will be published so others can use the information to choose where to be treated.

The Importance of Teaching: Department of Education¹⁰

The areas for reform include:

Schools to work together with voluntary, business and statutory agencies to create an environment where every child can learn, where they can experience new and challenging opportunities through extended services and build stronger communities.

Dramatically extend the Academies programme so that all schools can take on the autonomy Academy status offers, using it to raise standards and narrow the attainment gap. Those attaining poorly and in an Ofsted category or not improving, are considered for conversion to become Academies to effect educational transformation.

Ensuring that local authorities play a critical new role – as strengthened champions of choice, securing a wide range of education options for parents and families, ensuring there are sufficient high-quality school places, coordinating fair admissions, promoting social justice by supporting vulnerable children and challenging schools which fail to improve.

Ensuring Local authorities are ultimately responsible for making sure the needs of some of our most vulnerable pupils, who attract significant additional funding, are met – such as those with highly complex Special Educational Needs and those being educated outside mainstream education.

⁹ www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_117353

¹⁰ <http://www.education.gov.uk/b0068570/the-importance-of-teaching/>

Munro review of Child Protection¹¹

Professor Munro recommends that local areas should have more freedom to develop their own effective CP services, rather than focusing on meeting central government targets. Her wide ranging review concludes that a 1 size-fits-all approach is preventing local areas from focusing on the child.

Professor Munro says that the Govt and LAs should operate in an open culture, continually learn from what has happened in the past, trust professionals and give them the best possible training.

Her recommendations signal a radical shift from previous reforms that, while well-intentioned resulted in a tick-box culture and a loss of focus on the needs of the child. Currently local areas are judged on how well they have carried out certain processes and procedures rather than what the end result has been for children themselves.

Professor Munro's recommendations are:

- Remove specific statutory requirement on LAs to complete assessments within often artificial set timescales, so professionals can give equal weight to helping children, young people, and families, as well as assessing their problems.
- Local services to be:
 - o freed from unhelpful targets, national IT systems and nationally prescribed ways of working.
 - o free to re-design services, that are informed by research and feedback, and that pay more attention to the impact on A change of approach to SCRs, learning from sectors such as aviation and healthcare, with a stronger focus on understanding underlying issues that made professionals behave the way they did and what prevented them from being able properly to help and protect children. The current system is too focused on what happened, not why.
- A duty on local services to coordinate an early offer of help to families who do not meet the criteria for social care, to address problems before they escalate to CP issues.
- Ofsted inspections of children's services to add more weight to feedback from children and families, directly observe social workers' interaction with children and families, as they do when inspecting schools, and pay more attention to whether children benefit from the help given.
- Experienced social workers to be kept on the frontline even when they become managers so their experience and skills are not lost. The expertise and status of the profession to be improved with continual professional development that focuses on the skills needed in CP.
- Each LA to designate a Principal Child and Family Social Worker to report views and experiences of front line to all levels of management. Nationally, a Chief Social Worker would be established to advise the Government on social work practice.

¹¹ <http://www.education.gov.uk/inthenews/inthenews/a0077182/independent-review-into-child-protection-says-free-professionals-from-central-government-control-to-let-them-do-their-jobs-properly>
<http://www.education.gov.uk/munroreview/>
http://www.education.gov.uk/munroreview/downloads/8875_DfE_Munro_Report_TAGGED.pdf

Agenda Item 12

HILLINGDON'S HOUSING STRATEGY 2011/15: PRIORITIES AND KEY ISSUES

Cabinet Member	Councillor Philip Corthorne
Cabinet Portfolio	Social Services, Health and Housing
Officer Contact	Paul Feven, Social Care, Health and Housing
Papers with report	None

HEADLINE INFORMATION

Purpose of report	This report presents the updated priorities and key issues for approval by Cabinet at an early stage in the development of the borough's revised housing strategy 2011- 15.
Contribution to our plans and strategies	<p>The Housing Strategy will take into account the priorities of the Hillingdon's Sustainable Community Strategy 2008/18.</p> <p>The housing strategy is one of the documents which make up the council's policy framework as defined in the Council Constitution, and is required to be approved by Cabinet and full Council.</p>
Financial Cost	There are no financial costs directly relating to the content of this report
Relevant Policy Overview Committee	Social Services, Health and Housing
Ward(s) affected	All

RECOMMENDATION

Cabinet is asked to approve the priorities and key issues for Hillingdon's Housing Strategy 2011/15 for consultation with partner organisations. Consultation is a key stage in the development of the strategy which will return to Cabinet for endorsement later this year before approval by full Council.

INFORMATION

Reasons for recommendation

Hillingdon's current housing strategy *A Decent Home for All* will be revised and updated in 2011 to take account of changes in local need and circumstances and the Government's agenda for housing and adult social care.

Cabinet approval for the revised priorities of the service and key issues for the strategic approach is sought at an early stage in order that subsequent work on the preparation of the housing strategy can include consultation with a range of partner organisations.

Alternative options considered / risk management

Cabinet could decide not to update the current housing strategy, which dates from 2007 and does not reflect the current national agenda for housing. In addition, it does not take into account changes in the economic environment, local and regional housing markets or local housing need. The housing strategy should be a fit for purpose and forward looking plan based on up to date evidence and information. This option was therefore rejected.

Comments of Policy Overview Committee(s)

Social Services Health and Housing Policy Overview Committee considered a report on housing need, planned housing reform and future strategy on 21st April 2011. The report contained the key issues for Hillingdon's strategic approach to housing which are also included in this Cabinet report. The main observations of the Committee were:

- **Housing Benefit changes** (Paras 18 – 19) – The impact of the changes to housing benefits is unclear at the present time and will not be known until December or January 2012. Officers will continue to monitor this area for signs of increased poverty.
- **Funding for new affordable housing** (Paras 23 – 27) – There was concern that the proposed changes might create a two-tier system within the affordable housing sector, as the impact of the new affordable rent scheme becomes clear.
- **Homelessness** (Para 30) – the Council needed to continue to use good quality housing in the private rented sector to help reduce homelessness
- **Encouraging mobility in the social housing stock** (Para 42)– It was noted that an outcome of the Mayors' pan-London mobility scheme would involve making properties available to households from outside the borough

Committee resolved –

- That the comments made by the Committee be used to inform the development of future strategy.
- That Officers be asked to produce a further update report on developments within Housing (in the future)
- That Officers be asked to investigate what mechanisms might be available for Members to become more involved in strategy development earlier in the process.

The Committee will be further consulted as the development of the draft strategy progresses.

Supporting Information

Guidance on the requirement for a housing strategy

1. The Department for Communities and Local Government has confirmed that it is for local authorities to decide whether to continue to produce housing and homelessness strategies to meet their obligations under the emerging localism agenda of the coalition government. Prior to this, statutory guidance had stated that local authorities are expected to refresh their housing strategies periodically and have discretion about how, when and in what format they document them. Whatever format is used, the strategy should fully reflect the wider vision of the authority and its partners, reflect a clear and evidenced approach and provide a strong

focus on how partners will deliver their commitments. (*Creating Safe, Strong and Prosperous Communities: Statutory Guidance, CLG, July 2008*)

2. The council's housing strategy is also required to be in general conformity with the Mayor's London Housing Strategy, published in February 2010. The GLA will wish to be consulted on any revisions to the council's housing strategy.

Outline of the proposed strategy

3. The strategy will contain the following information :
 - Vision for Social Services, Health and Housing
 - Specific housing priorities
 - The national, regional and local context
 - A summary of housing market and housing needs information, including affordability
 - The council's use of resources
 - Partnership working
 - Feedback from residents and service users
 - Implementation plan 2011/15
4. The first part of the work to develop a fresh strategy includes a review of the contribution housing services make to the council within the context of the Social Care Health and Housing vision and strategic priorities.

Vision for Social Care, Health and Housing

5. The overall vision for Social Care, Health and Housing services in Hillingdon is to ensure that *'Hillingdon residents will have choice and control to live safe, healthy and independent lives in supportive local communities.'*

Strategic priorities for Social Care, Health and Housing Department

6. There are three strategic priorities that are the focus for delivering the vision – (a) Managing Demand (b) Managing the Support System and (c) Managing Supply. These are defined below, along with the specific contribution from the range of housing related services.

(a) Managing demand

Definition: keeping residents independent, investing in preventative services to stop or significantly delay residents from requiring ongoing social care or becoming homeless or in housing need.

Housing contribution:

- Offer advice on a range of housing options to reduce homelessness, providing help to at risk groups and providing services for young people.
- Work with other registered housing providers to deliver social housing which is managed to excellent common management standards.
- Improve the standard of private sector homes by accrediting landlords and working closely with them

- Maintain council owned housing and its surroundings to high standards of decency, safety and energy efficiency.

(b) Managing the support system

Definition: efficient and effective in-house service provision that is focused on reablement, delivering time-limited interventions to effect change so that residents can learn or re-learn crucial skills to live independently.

Housing contribution:

- Provide advice and support to residents to enable them to maintain their tenancies and live independently
- Deliver an efficient and effective Housing and Council Tax Benefits Service to reduce poverty and support independence
- Ensure that children and young people can live in housing where they are safe, healthy and supported.

(c) Managing supply

Definition: commissioning private and voluntary social care and housing services, delivering support, choice and independence to vulnerable, complex and high dependence residents.

Housing contribution:

- Provide accommodation with care and support for older people and people with a physical, sensory or learning disability or mental health needs to enable them to live independently in a community setting.
- Deliver additional housing, maximising affordable rented homes and low cost home ownership.
- Reduce the use of temporary accommodation for homeless households by finding alternative private rented homes
- Work with private sector landlords to ensure the supply of well managed private rented housing
- Promote increased energy efficiency for existing homes in the private sector and reduce fuel poverty
- Reduce overcrowding in social rented housing
- Deliver adaptations to residents homes where they are needed to maintain independence

Supporting principles

7. Social Care, Health and Housing services will work together to :

- Ensure that service users have more choice and control in deciding how their needs can best be met within the resources available
- Shift the emphasis from providing long term institutional services to providing time limited support which helps people regain independence in the community
- Support local communities and individuals to help themselves and each other
- Deliver services which are more efficient and effective and based on an up to date, evidence based approach
- Commission services which draw on existing networks and community capacity through integrated working with health and other partners.

Key issues for the housing strategy

8. Set out below are the key actions suggested as part of the borough's future strategic approach. These are informed by local identified need (such as need identified as part of Hillingdon's Joint Strategic Needs Assessment 2011) as well as recent Government proposals for housing reform. In some cases, strategic direction has already been approved by Members and work is in progress. However there are also issues listed here which will require further consideration with partners and other stakeholders before officers can return to Cabinet with specific recommendations.

Part A Housing supply

Supported housing

9. The council has a five year plan to modernise accommodation for people with support needs by re-engineering services to maximise independence and choice. The plan will result in the development of more supported housing and shift the balance from residential placements in care homes to dispersed accommodation with integrated support .

10. A review is taking place of the resources available (including use of council land and buildings, use of Housing Revenue Account and external grant funding) to develop approximately 450 units of supported accommodation. The council's key strategic priority is to provide suitable accommodation to allow more vulnerable people to maintain their independence and live in the community with support rather than living in residential care. The needs of older people, people with a physical or sensory disability and people with mental health are assessed to make sure that suitable housing is provided.

11. Similarly, the council's sheltered housing stock will be reviewed to assess how it can be used to provide extra care accommodation for older people and people from other vulnerable groups.

Funding for additional affordable homes

12. Resources available for funding additional housing, such as the affordable housing bonus element of the New Homes Bonus, could be used to make more affordable homes available in the borough. The Local Development Plan identifies a five year land supply for 3,967

residential units, and the council may agree a target to deliver 425 units annually with the Mayor of London. Thought will need to be given to which housing related projects may be most acceptable to the wide range of stakeholders involved. Selected supported housing schemes and schemes to ensure the affordability of a number of homes for first time buyers are likely to be appropriate projects for funding.

13. One positive impact for Hillingdon is that opportunities for direct development are offered by the combination of Affordable Rent flexibility and HRA reform. The government's new Affordable Rent model (at 80% of market rents) is only available to local authorities that are successful in bidding for Homes and Communities Agency funding for new affordable housing. The council may charge 60% to 70% of market rents for re-lets and new lettings (rather than the maximum 80%) to maintain a level of affordability for residents while generating income for a new supply of supported accommodation. This in turn will enable the council to reverse the trend of recent years of an over reliance on expensive residential accommodation.
14. Additional models of affordable housing could also be considered by the council such as discounted market housing. In this model, qualifying applicants are offered newly developed housing with a 25% discount. Despite the discount, this would not be shared ownership as the applicant would become the owner of the whole property. A restriction in the lease ensures that, should the property be sold, it is sold to the next person with the same level of discount. In the past the council enabled the flats in Victoria Court to be available to qualifying first time buyers in a similar scheme. Discounted market housing can be designed to benefit particular groups such as first time buyers or vulnerable adults.
15. Accessing funding specifically to bring empty homes back into use should also be considered. Over 300 empty homes were brought back into use in 2009/10, using funding from the Mayor's Targeted Funding Stream which is no longer available. Bids for HCA funding to continue this work may be appropriate.

Working with preferred partners

16. The council is currently working to designate a number of housing associations as 'preferred partners' of different sizes and offering different specialisms in order to be able to progress development projects quickly. Some of the advantages of working with social housing providers which have preferred partner status (and therefore an agreed working protocol) are :
 - Ability to develop common performance standards.
 - Shared knowledge and understanding of the priorities required to meet local need.
 - Familiarity – providers who already have housing stock in the area and are known to local residents.
 - Less competition between selected preferred partners and a co-ordinated and partnership approach to bids on sites to avoid duplication.

Temporary accommodation and homelessness website

17. The council has been successful in reducing the number of homeless families in temporary accommodation to 900 by the end of March 2011, and aims to continue to reduce the number by 200 each year.
18. Hillingdon's method of meeting the housing needs of all groups – not only those likely to be in priority need - focuses on the prevention of homelessness. Housing officers provide individual assessment and support for households with a housing need to help them either

maintain their existing accommodation, or where that is not possible, to move to an alternative.

19. Continuing and expanding this approach will be instrumental in reducing the number of households going into temporary accommodation. It will also ensure that the temporary accommodation that is maintained year on year in Hillingdon is targeted at those most in need of this type of accommodation
20. From July 2011 the Private Managed Accommodation scheme will be rolled out across West London, enabling the council to obtain homes in the private sector from a range of 17 supplying partners at reduced costs.

Private sector housing renewal and energy efficiency

21. By tackling private sector housing renewal, the council can improve the availability and condition of the housing stock as well as the wellbeing of residents. The council will work with landlords to raise standards and promote good living conditions in the private rented sector. The Landlord Accreditation Scheme in Hillingdon will provide landlords with advice and support, and training will be available from the National Landlords Partnership and the London Landlords Accreditation Scheme.
22. The council will be working to install insulation to increase the number of homes in the borough where these measures have been taken, helping to lift residents out of fuel poverty and give them a more comfortable environment to live in. Hillingdon Energy Efficiency Team will be continuing their leading role in projects across London, such as the Pan-London RE:NEW project, making sure residents are able to access all available grant and discount schemes and ensuring that homes in the private sector can take advantage of future opportunities. Hillingdon aims to be a leading borough in London for energy efficiency retrofitting.

Under occupation and overcrowding in social rented housing

23. The council will continue to tackle overcrowding in social rented housing in the borough. The Home Release Reward scheme offers incentives to tenants who give up one bedroom or more to move to a smaller sized property, thus releasing family sized accommodation for another household in need. 85 homes family sized homes have been released in this way in 2010/11, and we have a similar target for 2011/12.
24. Room2Move has been specifically set up to help ease the effects of overcrowding within the social housing sector. There are a range of options available as part of this initiative, including mutual exchange of social housing, prioritising the allocation of some homes for overcrowded families, and help with a deposit to rent privately. The council aims to help 100 overcrowded tenants in 2011/12.

Part B Social housing management and maintenance

Strategic policy on tenancy

25. The council is required by Government to lead on the development and publication of a 'strategic policy' on tenancy for the borough. It will entail partnership working between social landlords to consider local needs and objectives, the consideration of the use of flexible

length tenancies across all social landlords and the introduction of Affordable Rents which can be set at levels up to 80% of market rents in the area.

Flexible tenancies for council housing

26. As part of the development of the new Housing Strategy the council will investigate whether to offer a range of tenancies to new council tenants, with the aim of making best use of the council housing stock. Consideration should be given to the introduction of a range of tenancies of different lengths and the circumstances in which they should be offered, to maintain stability and security in housing provision. Progress through the stock would be slow as annual relets are low in number. An enhanced support, information and advice service could be introduced to help tenants consider their options at the end of a flexible tenancy. The affordability of housing costs will be an issue for those tenants who are not of pensionable age and are therefore affected by Housing Benefit changes.

Monitoring and scrutiny of social housing

27. Consideration will be given for a revised model for social landlord scrutiny and regulation in the borough. Local social landlords are already working together to conduct more effective joint inspections of housing estates. Capacity building will be necessary so that tenants can play a leading role in scrutiny. Partnerships between multiple landlords and tenants will over time drive up standards of housing management and housing maintenance. This work is linked to the further development of Hillingdon's Local Housing Partnership of registered providers of social housing where much work of this nature has already been progressed leading to national recognition by the Tenant Services Authority.

Social HomeBuy for council housing

28. The council will consider whether to offer the national Social HomeBuy part rent part buy scheme to enable council tenants to gain a foothold on the housing ladder. The council did not offer this voluntary scheme when the option was introduced by Government in 2006, but the new freedom to keep 100% of capital receipts from sales has made it more attractive financially. As Social HomeBuy is a discretionary product, it may be possible to offer it to specific tenants or in respect of specific property types.

Encouraging mobility in the social housing stock

29. The Mayor's proposed pan London mobility scheme will be considered as part of the development of the Housing Strategy including a review of the benefits of membership. All social landlords across London will be expected to be part of the scheme and to make new and existing homes available. From April 2011 a proportion of new social-rented homes developed with HCA funding should be included in the pan-London mobility scheme. The Mayor also wants to see relets of existing homes incorporated in the scheme. It is proposed that access to homes in other boroughs should only be available to tenants of social landlords that are making a proportion of homes available for pan-London mobility.

Council housing finance – business planning

30. A business plan will be produced which takes account of the new financial model for the funding of council housing. The council will be able to keep the rental stream from council housing and use it for planned maintenance, external play facilities and reconfiguration of sheltered homes. Capital receipts from Right to Buy will be pooled and will not be available to fund new housing. Tenants will in future be able to make a transparent link between what they pay in rent and what the council spends on the maintenance of their homes.

31. The asset management challenges for the council's housing stock over the next ten years are to:

- Ensure property compliance.
- Maintain the decent homes standard
- Meet the need for supported housing.
- Improve energy efficiency and reduce carbon dioxide emissions.
- Improve the environment of council estates

32. The review of the Housing Revenue Account (HRA) will have a significant impact on the future financing of the council housing operation. The indicative figures for Hillingdon are favourable, mainly due to the current system being disadvantageous, and any change will improve the HRA finances. A thorough analysis of future revenue and capital spending requirements is needed during 2011 to test the financial details for Hillingdon announced as part of the new self-financing HRA regime.

Part C Housing options and homelessness

Housing register and lettings policy

33. The council has already taken decisions to amend its allocations policy. Access to the housing register will be restricted to groups that the council considers to be in housing need. Households with no priority and therefore no realistic hope of being allocated social housing will be given advice on other realistic options in the private rented sector. The council will be able to focus effort on those with a housing need and send a clear message to residents about the likelihood of being rehoused.

34. Access will be increased for certain local preference groups. This flexibility will allow the council to promote local objectives and be clear with local residents about how the policy does so. People in employment (after an affordability test), people who do volunteer work in the community, ex-service personnel, couples with no children, people with a long established local connection are among the groups who will benefit from this policy change. In the longer term it will result in more sustainable communities and will ensure that a wider cross section of borough residents can access the borough's social housing resource.

35. The council will publish an annual lettings plan to show the planned proportion of properties to be let to households in particular groups during the year.

Homelessness and the private rented sector

36. The council will investigate the feasibility of using accommodation in the private rented sector for all tenants owed the main homelessness duty. Currently the private sector is used only to prevent households becoming homeless and it has become harder to find properties of suitable size and quality even though the private rented sector in Hillingdon is thriving. In future changes in legislation will allow the council to discharge its duty to rehouse in the private rented sector. The proposed benefit caps may however deter more landlords from renting to tenants on benefits. Although the effects of the caps will be less severe in Hillingdon than in inner London where rents are higher, there is a risk of other boroughs looking for properties in Hillingdon, thus reducing supply for local homeless applicants. The council will also explore suitable accommodation outside London in order to meet demand.

37. The intention is to consult more widely than previously with private sector landlords of different types and sizes in order to work with them to offer tenancies to housing needs clients.
38. The council will review current council run private sector housing schemes and use the results to adapt existing and design new products which are attractive to landlords.

Homelessness prevention

39. Homelessness prevention measures will be reviewed to ensure that the council takes the most effective action it can within its means. Advice for people on how to meet their housing costs will be an increasing priority. Previous experience at times of economic difficulty indicates that single people, who make up 50% of the prevention client group, are likely to be more at risk of losing their home. Younger single men are more likely to fall into rough sleeping. For owner occupiers, Support for Mortgage Interest (SMI) has been extended to January 2013, and mortgage interest rates may rise as a result of forecast base rate increases in 2011.
40. The council should consider action necessary to deal with changes to the Local Housing Allowance and their effects on both landlords and tenants.

Financial Implications

The Housing Strategy has wide ranging implications for many aspects of life for Hillingdon residents including our approach to housing service delivery, the modernisation of housing services and the distribution of housing related resources.

This report concerns the direction of a revised housing strategy. Any proposed new initiatives will need to be carefully financially evaluated and funding identified.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The Housing Strategy is a long-term strategy that ensures housing priorities best suit the needs of Hillingdon residents and that best use is made of available resources. Approval to consult on the proposed priorities and strategic approach will ensure that the work to develop the strategy for the borough will involve appropriate key local partners.

Consultation Carried Out or Required

Limited consultation within Adult Social Care Health and Housing and with some key housing partners has taken place as part of the preparation of this report.

As the Housing Strategy is one of the designated strategies that form part of the council's budgetary and policy framework, it will be subject to consultation with all other corporate groups and external consultation with partner organisations, the voluntary and community sector and residents.

CORPORATE IMPLICATIONS

Corporate Finance

This report presents the updated priorities and key issues for Hillingdon's Housing Strategy 2011/15, as part of the strategy preparation process and as such it has a number of potentially wide ranging implications for Hillingdon. Any proposed new initiatives arising from this strategy will need to be financially appraised at a later date, once firm proposals have been developed.

Legal

Cabinet has before it a Recommendation seeking authority to approve the proposed key issues for the Council's Housing Strategy 2011/15 for consultation with partner organisations as part of the strategy preparation process.

Under Articles 7.08(b) 1 and 7.08(c) 5i of the Council Constitution, Cabinet as a whole has overall responsibility for developing proposals that require the Council to amend its policy framework and for proposing policy development, changes and new policy.

The above Recommendation therefore falls within the Cabinet's delegations.

Article 13 of the Council constitution requires that all key decisions taken by Cabinet follow the seven principles set out therein, which if followed, should minimize the risk of judicial review of the decision to approve the proposed key issues for the Council's Housing Strategy 2011/15.

In discharging any functions that have been delegated, the Cabinet must act lawfully. This means that the Cabinet must act within the scope of the authority that is delegated to it in accordance with any limits within the delegation, the Council Constitution, Council policies, procedure rules and the Members Code of Conduct.

Under the provisions of Sections 1 and 2 of the Local Government Act 2000 the Council has the power to do anything which they consider is likely to achieve any one or more of the following objects; (a) The promotion or improvement of the economic well-being of the area; (b) the promotion or improvement of the social well-being of the area, and (c) the promotion or improvement of the environmental well-being of their area. This power may be exercised in relation to or for the benefit of; (a) the whole or any part of a local authority's area, or (b) all or any persons resident or present in a local authority's area.

Statutory guidance offered in paragraph 3.17 of Creating Safe, Strong and Prosperous communities: Statutory Guidance, CLG, July 2008 confirms that local authorities will have discretion about how, when, and in what format they document their refreshed housing strategy. Whatever format is chosen, refreshed housing strategies should:

- fully reflect the wider vision of the authority and its partners
- reflect a clear and evidenced approach
- provide a strong focus on how partners will deliver their commitments, including on the infrastructure needed to support housing growth

In addition, under Section 333D (2) of the Greater London Authority Act 1999 any local housing strategy prepared by a local housing authority in Greater London must be in general conformity with the London housing strategy.

Corporate Landlord

Comments will be sought as part of the consultation process.

Relevant Service Groups

Comments from other service groups are not included at this stage but will be sought as part of the consultation to produce the draft strategy.

BACKGROUND PAPERS

- Hillingdon's Sustainable Community Strategy, 2008/18
- Hillingdon's Wellbeing Strategy 2010/15
- *Support, Control and Independence* , The Commissioning Plan for Adult Social Care, 2011/15 (draft)
- Social Services Health and Housing Policy Overview Committee Public Document Pack , 21 April 2011
- *A decent Home for all* Hillingdon's Housing Strategy 2007

VOLUNTARY SECTOR LEASING POLICY

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property and Business Services
Report Author	Greg Morrison; Planning, Environment, Education and Community Services
Papers with report	None

HEADLINE INFORMATION

Purpose of report	This report recommends amendments to the Voluntary Sector Leasing Policy with the intention of making better use of the Council assets leased to voluntary organisations in the future.
Contribution to our plans and strategies	The provision of premises to voluntary sector organisations on terms that are affordable encourages their continued development and contributes to the community development priorities in the Council Plan under the theme “A borough where opportunities are open to all”.
Financial Cost	There is no financial cost to the Council.
Relevant Policy Overview Committee	Corporate Services and Partnerships
Ward(s) affected	All wards.

RECOMMENDATIONS

1. That Cabinet instructs officers, when new leases of Council premises are being negotiated with voluntary sector tenants, to offer leases for a maximum term of 10 years and ensure that they are contracted out of the security of tenure provisions of Part II (Sections 24 – 28) of the Landlord and Tenant Act 1954.
2. That Cabinet instructs officers, when existing leases to voluntary sector tenants are being renewed, to offer new leases with a maximum term of 15 years and seek to also have these contracted out of the security of tenure provisions contained within Part II (Sections 24 – 28) of the Landlord and Tenant Act 1954.
3. That Cabinet instructs officers to invite applications to the Cabinet Member for Finance, Property and Business Services on a discretionary basis, whereby the applicant’s case will be considered on its individual merits, in cases where a new or existing voluntary sector tenant wishes to have a new lease term that exceeds either of the above thresholds.

INFORMATION

Reasons for recommendation

It is considered that amending the current policy in this manner will help the Council to make better use of its property assets going forward.

Alternative options considered / risk management

To continue to grant leases to voluntary organisations for 25 years, as this is generally understood to be the standard lease term by the volunteers representing those organisations, who normally require leases to have an unexpired term in excess of 21 years to facilitate applications for funding.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting Information

1. Leases granted to voluntary sector organisations are classed as business tenancies and as such, currently provide the tenants with security of tenure and a right to a new lease upon expiry under the provisions of Part II (Sections 24 – 28) of the Landlord and Tenant Act 1954 (“the Act”).
2. This means that as long as the Council as landlord is unable to prove that any of the grounds for opposition provided under Section 30 of the Act apply, the organisation as tenant has a right to a new lease under the same terms as before, at an initial rent to be agreed and for a term of up to 15 years, which is the maximum term that could be granted by a Court should the parties be unable to agree by negotiation.
3. The duration of the lease can be longer than 15 years if agreed between the parties, but if they are unable to agree and the lease renewal negotiations end up with applications to Court, 15 years is the maximum term that can be set.
4. It is possible to negate these security of tenure provisions and thereby allow the Council to terminate a lease upon expiry without recourse to the Act if the landlord (i.e. the Council) and tenant (i.e. the voluntary body in question) agree prior to commencement to contract the lease, whether newly granted or upon renewal, out of the provisions of the Act, with notice of the agreement then documented in the wording of the lease.
5. Officers can offer leases that must be contracted out of the Act to new tenants, but when existing leases are renewed they can merely seek to reach agreement on this issue because if the parties are unable to agree and the matter goes to Court, the Court will decide and bearing in mind the tenant’s abovementioned right to a new lease under the same terms as before, it is likely that the Court will not allow the “contracting out” of the new lease in such cases.
6. The existing Voluntary Sector Leasing Policy, as approved by Cabinet in July 2004, provides that the formerly standard lease term of 25 years no longer applies, although no standard duration for leases has been set.

7. It is considered by officers that granting leases of a shorter duration in future will allow the Council to retain increasing control over its portfolio of properties leased to voluntary organisations and by association, make better use of those assets.
8. However, bearing in mind the possible implications for tenants' funding applications that this decision might have, it is also considered reasonable to allow affected tenants, who in certain cases may require funding for improvements to Council owned buildings, to make representations to the Cabinet Member on a discretionary basis if a longer lease term is absolutely required.

Financial Implications

There are no significant financial implications, although it is worth noting that granting shorter leases may have a small, negative effect on the market rental values for the properties in question, as a shorter lease is less valuable than a longer one.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The recommendations in this report will ensure that there is no longer any question as to the length of new leases to voluntary organisations being offered by the Council.

Consultation Carried Out or Required

None.

CORPORATE IMPLICATIONS

Corporate Finance

There are no direct corporate financial implications.

Legal

Cabinet has before it a recommendation that it:

1. Instructs officers, when new leases of Council premises are being negotiated with voluntary sector tenants, to offer leases for a maximum term of 10 years and ensure that they are contracted out of the security of tenure provisions of Part II (Sections 24 – 28) of the Landlord and Tenant Act 1954.
2. Instructs officers, when existing leases to voluntary sector tenants are being renewed, to offer new leases with a maximum term of 15 years and seek to also have these contracted out of the security of tenure provisions contained within Part II (Sections 24 – 28) of the Landlord and Tenant Act 1954.
3. Instructs officers to invite applications to the Cabinet Member for Finance, Property and Business Services on a discretionary basis, whereby the applicant's case will be considered on its individual merits, in cases where a new or existing voluntary sector tenant wishes to have a new lease term that exceeds either of the above thresholds.

Under Article 7.08(c) (5) of the Council's Constitution proposing policy development, changes and new policy is a general responsibility of Cabinet.

The recommendation therefore falls within Cabinet's delegations.

Article 13 of the Council Constitution requires that all key decisions follow the seven principles set out therein.

Cabinet should have full regard to the officer's comments in the Information section of this report vis-à-vis the Landlord & Tenant Act 1954.

Corporate Landlord

The Corporate Landlord has authored this report.

BACKGROUND PAPERS

Nil.

ACCEPTANCE OF HCA FUNDING FOR HILLINGDON'S SUPPORTED HOUSING PROGRAMME

Cabinet Member	Councillor Philip Corthorne
Cabinet Portfolio	Social Services, Health and Housing
Officer Contact	Paul Feven, Social Care, Health and Housing
Papers with report	

HEADLINE INFORMATION

Purpose of report	To seek the Cabinet's approval to progress the supported housing programme and to accept funding from the Homes and Communities Agency.
Contribution to our plans and strategies	<p>This project will directly contribute to the council's objectives of:</p> <ul style="list-style-type: none"> • Achieving the Medium Term Financial Forecast (MTFF) saving of £3.46m by providing supported housing as an alternative to expensive and inappropriate residential care. • Providing older people, people with physical learning disabilities and mental health issues with a range of housing options as an alternative to institutional forms of living. • Making better use of property assets by redevelopment • Achieving value for money – providing financial benefit to the Council by providing inward investment. • Helping to meet housing targets within the Local Development Framework (LDF)
Financial Cost	The cost of the 3 year programme is £27.98m. This will be financed by HCA grant of £3.38 and £24.6m of HRA prudential borrowing.
Relevant Policy Overview Committee	Social Services, Health and Housing
Ward(s) affected	All Wards

RECOMMENDATIONS

That Cabinet:

- 1. Approve that the Council accept Homes and Communities Agency (HCA) funding in order to deliver a supported housing programme of 225 units for a range of vulnerable client groups over a 3 year period. The council will enter into a grant agreement with the HCA setting out terms and conditions of the grant funding.**

2. Delegate authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Service to approve sites to be included in the programme, including the authority to approve substitute sites if needed.

3. Approve that the Council enters into prudential borrowing arrangements to meet the project costs of £24.6 m not covered by the grant funding.

4. Approve that the procurement process for suitably qualified specialists for professional and technical services and the building contractor be carried out by Corporate Landlord and Corporate Procurement and reported to Cabinet or Cabinet Member for decision as appropriate.

INFORMATION

Reasons for recommendation

1. To reduce the dependence on residential care by increasing supported housing options, which is a key Social Care Health & Housing strategic objective with this scheme being an essential contributor to the achievement of wider MTFF savings £3.46m.
2. To meet the needs of older residents, people with physical learning disabilities and mental health issues and promote independence.
3. To make better use of redundant or underused council land including sites on existing estates or General Fund sites agreed to be used for housing.
4. To take advantage of an opportunity to accept funding from the HCA in order to deliver a range of supported housing which would not be delivered by sole reliance on the market within the timescale required.

Alternative options considered / risk management

Cabinet could decide not apply for this external funding to deliver its supported housing programme.

Comments of Policy Overview Committee(s)

5. None at this stage.

Supporting Information

Hillingdon Supported Housing Programme

6. As with other local authorities, Hillingdon still uses some institutional forms of accommodation such as residential care for people with care and support needs - with a current annual spend of approximately £36m on residential and nursing care. This form of accommodation is expensive to run and is not always suitable for people who in many cases could live more independently.

7. The council's Medium Term Financial Forecast (MTFF) proposes that over 400 supported homes be built over a period of three years to create real alternatives to the current situation and reduce the numbers of people living in residential care. The new accommodation will provide independent living with either floating support or care available on site tailored to clients' needs. It will be less expensive to manage and the cost of providing care will be reduced.

Financial modelling conducted for the MTFF process suggests that the annual cost of extra care is £13k less per person than the cost of residential care.

8. This report proposes that the Council accept Homes and Communities Agency funding in order to directly develop 225 supported homes, approximately half of the council's requirements. The remaining homes would be provided at no direct cost to the council by working in partnership with housing associations (Registered Providers) – note that the housing associations would be required to pay for the land if disposed by the council thus bringing in a receipt.

HCA Funding

9. The council has a history of success in attracting HCA funding to deliver new housing. The Triscott House extra care scheme currently under construction was partially funded from HCA grant and the successful progress of this project has strengthened Hillingdon's position as a reliable delivery partner.

10. In April 2011, Cabinet approved that officers could submit a bid to the HCA for grant funding under the 2011-15 affordable homes programme. This has been approved by the HCA and officers are now seeking cabinet approval to accept this funding. Using the funding to deliver the supported housing programme will have a number of advantages including a reduction of the borrowing required to fund the programme and further strengthen the council's track record as a reliable HCA partner.

11. Proposed HRA reforms coming into force in April 2012 will provide the borrowing capacity to allow new supported housing development as well as improvements to existing stock. However, this capacity will be limited as are the availability of council owned sites. Consequently, the HCA grant represents a window of opportunity to reduce dependence on care and to counter the impact of the economic downturn on the delivery of affordable housing for all client groups. Direct development of supported housing by the council will allow the authority to invest in its assets and retain control over them for the benefit of Hillingdon residents.

12. It is a condition of taking part in the HCA framework that providers adopt a new form of tenure for new supply alongside existing ones. This new tenure provides the flexibility to charge rents up to 80% of market levels. This generates funding to compensate for the reduced levels of grant available at present. The council's offer to the HCA is that 60% of market rents will be charged meaning that rents will still be affordable to tenants but with sufficient funding to make the programme self financing so long as the council takes advantage of the added benefit of HCA grant.

13. The timetable to accept HCA funding is as follows:

- Week commencing 4th July 2011 - HCA and ministers signed-off the national programme
- End of July 2011 – Initial contracts with the HCA to be signed by grant recipients

Types of Supported Housing

14. The types of supported housing delivered would come under the following categories:

Extra care

15. There are two examples of extra care currently under construction in the borough – Triscott House in Hayes which is being project managed by the council and Ickenham Park which is being delivered by Paradigm Housing Group.

16. The extra care model can provide independent living for older people (usually over 55), as well as people with physical and learning disabilities, providing care and support on site 24 hours each day. Schemes often contain communal facilities such as dining areas, hydrotherapy, surgery/treatment room, hairdresser and a shopping kiosk. This model of housing is much more popular than traditional care homes with a modern, not institutional, setting and is also less expensive to run. The estimated saving compared to a care home is £13k per unit per annum. To achieve economies of scale the optimum size of an extra care scheme is around 40-60 units. In allocating extra care units a banding system is used to have a mixture of people with a range of needs which will ensure the scheme has a mixed and more sustainable community. Low cost home ownership options can also be provided.

17. In addition to the 95 units being constructed at Triscott House and Ickenham Park, the council has identified a need for a further 136 units of extra care housing for older people. This would result in a further net saving of up to £1.77m per year. Currently, sites have been identified for housing association provision of up to 50 units with a further 86 units being considered on council land including the redevelopment of existing accommodation.

Support for people with learning disabilities

18. Supported housing schemes for people with learning disabilities tend to be smaller in size than for extra care schemes and may have fewer communal facilities. They can either offer self contained flats with on-site support or fully independent living with floating support. The council has previously delivered Hamlet Lodge in Eastcote in partnership with Look Ahead Housing and Care, and is carrying out conversion projects at Ascott Court and Horton Road to provide new flats for this client group. The shortage of residential care for those with very high needs means that high savings are achievable by providing supported housing for this group where this is appropriate. It is estimated that the savings are around £19k per unit per annum.

19. The identified need is for 217 units with 36 of these being accommodated within extra care facilities. Currently 81 units have been identified for council provision with the remainder being provided by housing associations.

Support for people with mental health problems

20. The council has previously delivered the Hayes Park Lodge redevelopment in partnership with Catalyst and Look Ahead. This provides 20 units of independent living adjacent to the Mead House daycare centre. The council has identified a need for 45 further homes of this type with potential savings to be made in the region of £14.3k per year per unit.

Support for people with physical and sensory disabilities

21. The provision of supported housing for people with physical disabilities involves the development of new wheelchair access properties as part of the general needs housing programme. There are a number of units in the pipeline that are under construction. The possibility is being explored of developing a number of HRA sites to provide wheelchair access bungalows. The council has already delivered 4 wheelchair access bungalows as part of the council's HRA Pipeline programme. The estimated saving is £13k per unit per annum. 18 units could be delivered through the HRA pipeline sites and 32 could be delivered by housing associations.

22. The table below shows the estimated need for supported housing and the units to be directly provided by the council programme in the last column.

Tenure	Estimated Future Need *	(minus) Capacity for Housing Association Delivery 2011-15	(equals) Required Council Delivery 2011-15
Extra Care (older people and learning disabilities)	136 units	50 units identified	86 units
Learning Disabilities (excluding extra care)	181 units	18 units identified 82 units to be found	81 units
Mental Health	55 units	15 units to be found	40 units
Physical Disabilities	50 units	32 units identified	18 units
Total	422 units	100 units identified 97 units to be identified = 197 total units	225 units

*Excludes sites already under construction

23. Officers in SCHH would be responsible for scheme briefs, commissioning of care and support, assessment and allocations processes and overall programme co-ordination. The Corporate Landlord will lead on the professional and technical aspects of the project, potentially by external appointment using established frameworks of consultants or appointing following competitive tenders.

Financial Implications

24. The supported housing capital programme will cost £27.98m. This includes £24.6m of HRA prudential borrowing and £3.38m HCA grant. The borrowing will be carried out within the HRA over 3 years starting in 2012/13 and the full £24.6m will therefore be taken up by 2014/15. Debt costs for the loan will be wholly charged within the HRA. The rent for these 225 properties will be governed by the new affordable rent provision which allow the individual rents to be set at 60% of market rent.

25. A financial appraisal of this supported housing programme indicates that the scheme will break even by year 34 during 2045/46 assuming interest on borrowing averages at 5.5%. If interest rates average 5% then the break even position will be achieved around 10 years earlier during 2036/37 in year 25.

26. Apart from management and maintenance costs a provision has also been made for major repairs within this financial appraisal. This major repairs provision will ensure that the long term value and life of the assets will be maintained for many decades. The appraisal also assumes that the loans will be repaid within 40 years. This will therefore require the HRA to absorb annual cash outflows of around £468k if interest rates are at 5.5% or £369k if interest rate average at 5%. A report elsewhere on the agenda on the implementation of the HRA Self-financing regime indicates that the HRA will be able to absorb these costs. At the point at which

the loans are repaid there will be no interest costs to set against the rental stream so the scheme will provide a substantial financial benefit for the HRA.

27. In addition, unlike housing for general needs, these supported housing units are not eligible for purchase under the Right to Buy scheme so there is no risk of the council being left with debt and no asset if 75% of the sales proceed had been taken by central government.

28. The programme will also provide substantial benefits for the General Fund by making available supported housing units for older people as well as those with learning disability, mental health and physical disabilities. The scheme is also a critical element in the council's strategy of transferring people from residential care into independent living. Apart from making a big difference in their ability to lead independent lives and correspondingly in their quality of life such a strategy will have significant benefit for council in financial terms as set out in the table below.

Supported Housing Programme		
Tenure	Units	Saving £'000
Extra Care	86	1,118
Learning Disability	81	1,539
Mental Health	40	572
Physical Disability	18	234
	225	3,463

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

There will be an improvement in the provision of affordable and supported housing which will promote choice, independence and quality for service users who have a need for this type of accommodation.

Consultation Carried Out or Required

Local residents and Ward Councillors will be consulted on all new proposed developments.

CORPORATE IMPLICATIONS

Corporate Finance

This report follows that of April 2011 'Bidding for the Homes and Communities Agency's (HCA) Affordable Housing Framework 2011-2015' and now recommends the take up of HCA funding alongside the adoption of a programme to deliver 225 units of supported housing.

In that report, Corporate Finance supported the recommendations but highlighted the following council-wide implications:-

- Potential loss of receipts to finance the general capital programme. Supported housing savings would therefore need to be sufficient to cover the additional borrowing costs incurred due to additional borrowing up to the amount of receipt unrealised.

- Following the proposed Subsidy reforms, borrowing limits will be imposed on the HRA and although there will be some headroom for additional borrowing, the proposals recommended within this report would use a sizable portion of this, thus potentially limiting future developments requiring borrowing.
- Borrowing for the Council in its entirety is set to increase substantially with major borrowing required for Subsidy settlement, Primary Capital Programme and ongoing capital developments.

This report is seeking recommendation to approve prudential borrowing of £24.6m to fund this programme over 3 years starting from 2012/13. The Council's authorised borrowing limit approved by Council on 24 February is sufficient at present to accommodate such additional borrowing.

Corporate Finance has reviewed the financial appraisal of this scheme considering its feasibility under two scenarios, namely a) self-financing reforms go ahead as outlined in previous reports, and b) under the highly unlikely event that reforms do not proceed and the HRA continues to operate within a similar framework to that currently in place.

The cash flows shown in paragraph 26 indicate a net cost during the financing period of up to £468k per year. However, significant prudence has been applied with assumptions used, namely a long term interest rate of 5.5%, provisions for management and maintenance, repairs and bad debts with no recourse to balances or non-pooled HRA capital receipts. If self-financing reforms are introduced as planned, there will be plenty of headroom within the annual budget to absorb these costs; indeed the reforms are partly designed to facilitate such developments and hence revenue allowances for such financing have been factored into the draft settlement model.

Should reforms not proceed, there are strategies available to the HRA over and above reviewing the prudent provisions described above which include the reprofiling of principal debt under the current Item 8 determination and/or the employment of existing HRA balances and capital receipts to reduce the borrowing requirement. Hence, it would be perfectly feasible to reduce the net cost shown in this report if the HRA is still operating under the Subsidy system.

However, with the proviso around forgone receipts, substantial savings will accrue to the GF if vulnerable residents can be diverted from residential care to supported units thus providing savings currently within the MTFE as well as affording significant non-financial benefits for all residents concerned. This provides an additional incentive to use any available HCA funding, albeit that this contribution would be a fairly minor part of the programme costs, particularly once land values have been included. From a Council wide perspective, potential residential costs savings makes the programme suitable for Prudential borrowing satisfying the Prudential Code criteria of affordability, sustainability and prudence. Hence Corporate Finance supports the recommendations of this report.

Legal Implications

The Borough Solicitor advises as follows:

HCA GRANT

The HCA has offered the Council a grant of £3.38 million to contribute towards the cost of the Supported Housing Capital Programme. This grant is made under Section 19 of the Housing & Regeneration Act 2008. There are no legal impediments to the Council accepting this grant.

HOUSING REVENUE ACCOUNT (HRA) PRUDENTIAL BORROWING

As stated in the report, the Government has indicated that it will change the legislation relating to the HRA from April 2012.

The Localism Bill, currently progressing through Parliament, contains clauses to abolish the current HRA subsidy system and grants powers to the Secretary of State to establish a new system for Housing Finance. However, the Bill has not yet completed its legislative passage through Parliament. Any decision for the Council to borrow money must, therefore, be based on the Council's existing powers. If new powers subsequently become available, the Council could legitimately decide to borrow the money using its new powers if it is in the Council's best interests to do so.

Part 1 of the Local Government Act 2003 regulates borrowing by the Council. Section 1 of the Act enables the Council to "borrow money for any purpose relevant to its functions under any enactment", provided that the amount of borrowing does not exceed its affordable borrowing limit.

The Council, as Local Housing Authority, has power under Section 9 of the Housing Act 1985 to provide housing accommodation and under Section 17 to acquire land for the provision of housing accommodation.

The provision by the Council of supported housing constitutes "housing accommodation" under the Housing Act 1985 and the Council is therefore able to borrow money in order to provide such accommodation.

However, before exercising its power to borrow under the Local Government Act 2003, the Council is required to determine an affordable borrowing limit and to comply with regulations issued by the Secretary of State.

Article 4 of the Council's Constitution provides for Full Council to approve the Council's budget, including any borrowing.

The report shows that the Council's authorised borrowing limit, approved by Full Council on 24 February 2011, is sufficient to accommodate the borrowing of £24.6m. Cabinet, therefore, has authority to approve this borrowing.

The Local Authorities (Capital Finance & Accounting) (England) Regulations 2003 requires the Council to have regard to the "Prudential Code for Capital Finance in Local Authorities" published by CIPFA. This code requires the Council to be satisfied that the borrowing is affordable, sustainable and prudent. The report shows that Corporate Finance consider these criteria to be satisfied.

Finally, with regard to borrowing, Cabinet is reminded that all costs associated with the provision of housing by the Council must be charged to the HRA. Therefore, Cabinet therefore needs to be satisfied that the cost of the borrowing can be contained within the HRA.

HOUSING MATTERS

This report states that rents of 60% of market level will be charged for these properties and that the properties will not attract the right to buy.

Section 24 of the Housing Act 1985 enables the Council to "make such reasonable charges as they may determine for the tenancy or occupation of their houses and from time to time to

review rents and make such changes, either of rents generally or of particular rents, as circumstances may require". This section, therefore, enables the Council to charge a higher rent for these properties in order to attract HCA funding or to make the cost of borrowing affordable.

If the Council proposes to charge rents that differ from the levels currently approved, additional approval from Cabinet would be required.

With regard to the right to buy, Schedule 5 to the Housing Act 1985 specifies the circumstances in which the right to buy does not arise. It is proposed that these properties will be offered to older residents, people with physical or learning disabilities and residents with mental health issues. Exemptions to the right to buy arise where the Council has a policy of allocating accommodation to persons with physical or mental disabilities or to those of pensionable age provided that the properties are adapted to cater for the needs of these tenants and that special services are provided to assist them to reside in their accommodation.

In all other respects the tenants of these properties, as secure tenants of the Council, will enjoy the same rights as all other council tenants.

Corporate Landlord

The Corporate Landlord supports the recommendations of this report.

BACKGROUND PAPERS

**"2011-15 Affordable Homes Programme – Framework", Homes and Communities Agency
Cabinet Report – Bid for the Affordable Homes Programme**

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COUNCIL BUDGET -2010/11 REVENUE AND CAPITAL OUTTURN

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property and Business Services
Report Author	Paul Whaymand, Central Services
Papers with report	None

HEADLINE INFORMATION

Purpose of report	<p>The report sets out the council's overall 2010/11 revenue & capital outturn position. The revenue outturn was a £3,651k underspend on normal activities and a £3,593k pressure on exceptional items, an overall improvement of £229k on the Month 11 forecast.</p> <p>The capital outturn for 2010/11 was £59,027k compared to a revised budget of £77,058k. This report recommends the rephasing of £14,787k into 2011/12, resulting in an underspend of £3,244k.</p>
Contribution to our plans and strategies	Achieving value for money is an important element of the Council medium term financial plan.
Financial Cost	N/A
Relevant Policy Overview Committee	Corporate Services and Partnerships
Ward(s) affected	All

RECOMMENDATIONS

That Cabinet:

1. Notes the revenue and capital outturn position for 2010/11.
2. Notes the annual treasury report at Appendix B
3. Approves the rephasing of £14,323k of General Fund and £464k of HRA capital budgets into 2011/12 as set out in appendix A

INFORMATION

Reasons for Recommendations

1. The reason for the recommendations is to ensure the Council achieves its budgetary objectives. The report informs Cabinet of the successful outturn revenue and capital position for 2010/11.
2. Recommendation 3 is included to match capital resources to planned expenditure in cases where agreed and planned expenditure fall within different financial years.

Alternative options considered

3. There are no other options proposed for consideration.

SUMMARY

A) Revenue

- 1 The outturn position for 2010/11 was an underspend of £58k, a £229k improvement on the month 11 forecast.
- 2 The balances carried forward at 31 March 2011 were £17,022k as a result of the budgeted drawdown from balances (-£1,500k), the in-year underspend (+£58k) and the transfer from earmarked reserves (+£719k).
- 3 In addition to the £17,022k of general reserves carried forward there are a number of earmarked reserves as follows:
 - £170k unspent priority growth
 - £36k contingency carried forward for HS2
 - £297k unspent Leader's initiative
- 4 Table 1 indicates the overall impact of the expenditure forecasts now reported on the approved budget, and the resulting balances position.

2010/11 Original Budget	Budget Chang es		2010/11		% Var of budget	Variances (+ adv/- fav)		
			Current Budget	Outturn		Variance (Outturn)	Variance (As at Month 11)	Change from Month 11
£'000	£'000		£'000	£'000		£'000	£'000	£'000
223,425	24,225	Directorates Budgets on normal activities	247,649	246,099	-1%	-1,550	-1,343	-208
-27,731	-24,224	Corporate Budgets on normal activities	-51,955	-54,056	4%	-2,101	-2,079	-22
195,694	0	Sub-total Normal Activities	195,694	192,043	-2%	-3,651	-3,422	-229
		Exceptional items:						
		Central govt. grant cuts		2,900		2,900	2,900	0
		In-year recovery savings		-2,000		-2,000	-2,000	0
		Icelandic Impairment		2,500		2,500	2,500	0
		Team bonus underspend		-175		-175	-175	0
		Development Control		111		111	111	0
		Commercial property rental		166		166	166	0
		Golf Stockley Park		91		91	91	0
0	0	Sub-Total	0	3,593		+3,593	+3,593	0
195,694	0	Total net expenditure	195,694	195,636	0%	-58	171	-229
-194,194	0	Budget Requirement	-194,194	-194,194		0	0	0
1,500	0	Net total	1,500	1,442		-58	171	-229
-17,745		Balances b/f 1/4/010	-17,745	-17,745		0	0	0
		Transfer from earmarked reserves	0	-719		-719	-719	0
-16,245	0	Balances c/f 31/3/11	-16,245	-17,022		-777	-548	-229

Directorates' Outturn

5 Table 2 shows further details on the budget, outturn and variance at Directorate level now reported. Further detail on each directorate is shown in Appendix A.

Table 2

2010/11 Original Budget	Budget changes	2010/11 Final Budget (Outturn)	Directorate	2010/11 Outturn	% Var of budget	Variances (+ adv/- fav)		
						Variance (Outturn)	Variance (As at Month 11)	Change from Month 11
£'000	£'000	£'000		£'000		£'000	£'000	£'000
120,615	6,083	126,699	Social Care, Health & Housing Planning, Environment, Education & Community Services	128,055	1%	+1,356	+1,675	-319
73,943	28,927	102,871	Central Services	102,829	0%	-41	+111	-152
16,307	-412	15,895	Developments	15,181	-4%	-714	-726	+12
10,760	-9,692	1,068	Contingency	0	-100%	-1,068	-1,320	+252
1,800	-683	1,117	Growth to be allocated	34	-97%	-1,083	-1,083	0
223,425	24,224	247,649	Sub-Total Normal Activities	246,099	-1%	-1,550	-1,343	-208

6. **Social Care, Health & Housing** outturn was a **pressure of £1,356k (£319k improvement)**. The improvement from Month 11 primarily relates to a £249k improvement in housing benefits due to an improvement in the bad debt provision at outturn following a successful audit of the claim. In addition there was an £84k improvement in Mental Health arising from the finalising of cross charging arrangements with the Health bodies and £169k in children's commissioning and respite services due to additional funding being received and applied, expected costs on IT expenditure being curtailed and a tribunal payment not needing to be paid. The main adverse variances offsetting these were due to an increase in Older Peoples Services final residential care placement costs (£41k) and due to a draw down of reserves being apportioned to service budgets (£116k). This outturn exclude sums provided for in contingency for Transitional Children (£2,300k), Mental Health Services (£450k), Homelessness (£800k) and Older People's Services (£800k).
7. **Planning, Environment, Education & Community Services** outturn was an **underspend of £41k (£152k improvement)**. The favourable movement from month 11 was due to a £255k improvement in Highways, Transportation & Planning mainly due to the maximisation of TfL recharges and a lighting stock adjustment at the year-end; a £359k improvement in Business Services & ICT relating to the further transfer of Imported Food Unit balance sheet credits following a detailed review; a £194k improvement in the Learning & School effectiveness service due to lower than previously expected schools redundancy costs; and a £93k improvement in Children's Access & Inclusion due to the necessity to apply a revenue grant in-year. However there were adverse movements in corporate landlord (£595k) mainly due to costs relating to late asset sales not being able to be offset against capital receipts due to those sales being delayed due to market conditions. Additionally there were adverse movements in within Public Safety & Environment, arising in Off-Street parking of £120k as

income recovery in the final month was lower than expected and in the Directorate an adverse movement of £155k as a result of incurring specialist advice on planning matters and legal disbursements, partially offset by a £119k favourable movement in the Arts and Library Services arising from a one-off NNDR refund in relation to Library sites.

8. The outturn also included a £91k pressure due to the economic downturn at Stockley Park Golf Course and a £111k pressure on Development Control over and above the contingency provision which have both been highlighted as exceptional items. Other pressures are on Development Control Income (£310k), Golf (£262k), Waste Disposal Levy (£1,528k), Recycling services (£150k), and Vehicle Fuel costs (£150k) were provided for within contingency.
9. **Central Services** outturn was a **£714k underspend (£12k adverse)**. The small adverse movement of £12k on the position reported in Month 11 was due to additional redundancy costs being incurred in the last month of the year.
10. **Development & Risk Contingency** outturn was a **£1,068k underspend (£252k adverse)**. There were only 2 changes from the position reported in the month 11 report. £145k of senior management redundancy costs arising from the restructuring in PECS during the year which were 3 unable to be absorbed within existing budgets were charged against contingency. The asylum outturn position required a £1,048k call on contingency (£107k greater than that forecast at Month 11), although still £162k less than the budget provide for in contingency. This adverse movement was mainly due to a one off £65k clearance of debt in relation to asylum tenants where we could not justify Council Tax exemptions in the 2010/11 accounts. The overall underspend of £1,068k arose from the £1m general contingency not needing to be called upon during the year.
11. **Priority Growth** outturn was an **underspend of £1,083k**, no change on the month 11 position.

Corporate Budgets' Outturn

12. Table 3 shows the corporate budget outturn.

Table 3

2010/11 Original Budget	Budget Changes	2010/11 Final Budget	Corporate Budgets	2010/11 Outturn	Variances (+ adv/- fav)		
					Variance (Outturn)	Variance (As at Month 11)	Change from Month 11
£'000	£'000	£'000		£'000	£'000	£'000	£'000
-2,564	2,564	0	Unallocated savings	0	0	0	0
10,109	-991	9,117	Financing Costs	6,925	-2,192	-2,079	-113
			FRS 17 Pension				
9,161	-9,159	2	Adjustment	2	0	0	0
-23,535	-29,247	-52,782	Asset Management A/c	-52,667	+115	0	+115
-20,901	12,609	-8,292	Corporate Govt. Grants	-8,316	-24	0	-24
-27,731	-24,224	-51,955	Corporate Budgets	-54,056	-2,101	-2,079	-22

13. The corporate budgets show an **underspend of £2,101k (£22k improvement)**, mainly due to:-

- £1,000k of budget to facilitate borrowing for the Primary Capital Programme that was not undertaken during the year, and
- £1,192k under-spend on Interest Payable attributable to a combination of Treasury debt management (delaying refinancing of maturing debt by using internal resources), a macro-economic environment of interest rates that were 'lower for longer' than originally projected at budget setting, and an increased contribution from the HRA to reflect the difference in interest paid on actual HRA loans and the interest contribution they are charged determined under legislation.

14. A report on treasury management activity is attached at Appendix B.

B) Capital

Summary

15. The capital outturn for 2010/11 of £59,027k was financed from £8,534k of borrowing, £4,508k of capital receipts (£6,827k unsupported, £1,707k supported), £33,287k of grants and £12,698k of other contributions and resources.

16. General Fund outturn was £41,760k compared to a revised budget of £59,327k resulting in a variance of £17,567k. This report recommends the rephasing of £14,323k of budgets on on-going projects into 2011/12, leaving a residual underspend on projects completing in 2010/11 of £3,244k. HRA outturn was £17,267k compared to a revised budget of £17,731k with rephasing of the full variance of £464k recommended in this report.

17. Pressures of £1,824k arose during 2010/11, the most significant being £1,406k on Botwell Green Leisure Centre as reported throughout 2010/11. As at 31 March 2011, unallocated capital contingency was £1,945k.

18. The Council did not breach HMRC's VAT partial exemption limit of 5% during 2010/11, with an outturn of 2.33% (3.52% in 2009/10).

2010/11 Expenditure

19. Table 4 shows the outturn position for capital projects against revised budget, which was £4,870k lower than forecast at Month 11.

Table 4

Service Area	Original Budget	Revised Budget	Forecast Outturn Month 11	Actual Outturn 2010/11	Variance (Change from Month 11)	Outturn Variance	Rephasing into 2011/12
Planning, Environment, Education & Community Services	69,226	51,946	42,220	37,153	-5,067	-14,793	13,442
Central Services	970	1,049	1,049	186	-863	-863	749
Social Care, Health & Housing	4,960	4,387	4,200	4,421	221	34	132
Total Groups	75,156	57,382	47,469	41,760	-5,709	-15,622	14,323
Contingency	2,000	1,945	0	0	0	-1,945	0
General Fund Capital Programme	77,156	59,327	47,469	41,760	-5,709	-17,567	14,323
Housing Revenue Account	22,568	17,731	16,428	17,267	839	-464	464
Grand Total	99,724	77,058	63,897	59,027	-4,870	-18,031	14,787

2010/11 Financing

20. Table 6 shows financing of the 2010/11 capital programme,

Table 6

2010/11	Unsupported Borrowing £'000	Capital Receipts £'000	HRA - Capital Receipts £'000	Supported Borrowing £'000	Grants £'000	HRA (inc MRA) £'000	Section 106 and other contributions £'000	Total Capital Programme £'000
Revised Budget	18,272	1,500	0	2,564	39,604	10,043	5,075	77,058
Outturn	6,827	2,831	1,677	1,707	33,287	8,647	4,051	59,027
In-year Variance	-11,445	1,331	1,677	-857	-6,317	-1,396	-1,024	-18,031
Rephasing into 2011/12	8,176	0	0	0	5,577	399	635	14,787
Total Variance	-3,269	1,331	1,677	-857	-740	-997	-389	-3,244

21. If the recommendation to Cabinet to for the rephasing of budgets included in this report is agreed, the net underspend for 2010/11 is £3,244k of which £2,234k represents savings against Council Resourced budgets.

22. An additional £6,827k of unsupported borrowing was applied in financing the 2010/11 capital programme, bringing total prudential borrowing to £41,513k. Prioritisation of external resources has allowed approximately £4m of borrowing to be deferred, with corresponding revenue savings of £300k arising in 2011/12.
23. A total of £2,831k of General Fund capital receipts were applied during financing, which related to hostel sales from 2009/10 (£1,538k), right to buy and lease income (£919k) and in year disposals of general fund sites (£374k). Expenditure on Council Resourced programmes of works in 2010/11 amounted to £5,741k.
24. £1,677k of HRA capital receipts were applied to Pipeline projects instead of grants and revenue resources included in the revised budget and this further contributed to a £5,446k HRA revenue surplus for 2010/11.

VAT Partial Exemption Position

25. The Council has a concession under VAT regulations that enables it to reclaim its VAT on expenditure on exempt from VAT activities, providing this does not exceed 5% of the total VAT reclaimed in a financial year. In the event of a breach the Council would be unable to reclaim such VAT, resulting in an additional revenue charge of approximately £1,500k.
26. VAT reclaimed on exempt activities during 2010/11 was below the 5% limit at approximately £701k (2.33%) as set out below:

	2009/10 Actual	2010/11 Actual
Revenue Exempt Reclaimed VAT (%)	1.64%	1.91%
Capital Exempt Reclaimed VAT (%)	1.88%	0.42%
Total Exempt Reclaimed VAT (%)	3.52%	2.33%

27. The movement from the 2009/10 partial exemption position was due to lower capital expenditure on projects generating VAT exempt income, including leisure projects and works to Breakspear Crematorium. The outsourcing of leisure operations has also contributed towards this decrease, as the Council is no longer in receipt of VAT exempt income arising from the operation of leisure centres.

CORPORATE CONSULTATIONS CARRIED OUT

Financial Implications

28. The financial implications are contained in the body of the report.

CORPORATE IMPLICATIONS

Corporate Finance

29. This is a Corporate Finance report.

Legal

30. There are no legal implications arising from this report.

BACKGROUND PAPERS

31. Monitoring report submissions from Groups.

APPENDIX A – Detailed Group Forecasts

Social Care, Health & Housing

1. The Group has an outturn pressure of £1,356k, an improvement of £319k from month 11. The improvement primarily relates to an improvement in the mental health, housing benefits and children's commissioning and respite services.

Adult Social Care, Health & Housing

Revenue: £1,892k Pressure (£155k improvement)

2. In summary adult social care, health & housing is reporting an adverse position of £1,859k, an improvement of £155k from month 11.

Services	Variances (+ adv/- fav)		
	Variance (Outturn) £000	Variance as at Month 11 £000	Change from Month 11 £000
Older Peoples Services	+1,485	+1,444	+41
Physical & Sensory Disability Services	+534	+544	-11
Learning Disability Services	+751	+748	+3
Mental Health Services	+568	+652	-84
Housing Benefits	-1,009	-760	-249
Housing Needs Services	-60	-89	+29
ASCH&H Other Services	-377	-493	+116
ASCH&H - Total	+1,892	+2,047	-155

Older People Services: £1,485k adverse (£41k adverse)

3. This service has improved its forecast by £491k since the start of the calendar year which is a result of a net reduction in residential care placements, the movement from month 11 is marginal in the context of a £29.8m budget. The underlying cause of this adverse position is as previously reported and primarily due to the effect of residential and nursing placements.

Physical Disabilities: £534k adverse (£11k improvement)

4. The adverse position is primarily due to increasing pressures to support people to live independently and increases in the cost of individual residential care packages following care reviews, the movement from month 11 is marginal in the context of a £8.4m budget.

Learning Disability: £751k adverse (£3k adverse)

5. The adverse position is primarily due to increasing pressures to support people to live independently; increases in the cost of individual residential care packages following care reviews; and the cost of children transferring from E&CS, the movement from month 11 is marginal in the context of a £23.6m budget.

Mental Health: £568k adverse (£84k improvement)

6. This favourable movement in forecast results from finalising the arrangements between Health bodies and LBH in respect of non-client cross charging arrangements. The underlying cause of this adverse position is as previously reported and primarily due to the effect of residential and nursing placements.
7. Throughout the year monitoring reports have referred to a potential transfer of financial responsibility for a number of clients currently funded by Health. Senior Officers from both organisations are fully engaged to resolve this issue and good progress is being made. All procedural arrangements between LBH and Health are being reviewed under the direction of the Joint Partnership Board and will ensure that future decisions are soundly based. However until these specific cases are resolved it is difficult to establish the exact liability relating to the current financial year although an informed estimate has been used for accrual purposes.

Housing Benefits: £1,009k favourable (£249k improvement)

8. The primary reason for this favourable variance is due to an excellent DWP external audit of the LBH Housing Benefits claims which is expected to result in the DWP disallowing any part of the £151m claim. This outcome has enabled the release of contingency sums set aside for any adverse impacts on housing benefit subsidy following the DWP audit.
9. The HB budget is showing a small favourable movement of £249k which is due to a minor improvement in debt provision on an income budget of £155m, gross budget £157m.

Housing Need Services: £60k favourable (£29k adverse)

10. The primary reason for this favourable variance relates to a small improvement in the PSL budget. The minor adverse movement of £29k is due to a number of small variations across a gross budget of £22m.

Other ASCH&H Services: £377k favourable (£116k adverse)

11. The primary reason for this favourable variance relates to a £122k in the low cost homes budget, the majority of which resulted from late withdrawals by some applicants from the scheme and the remainder from in-year action plan on recruitment and a reduced use of agency staff. The adverse movement from month 11 is mainly due to a draw down of reserves being apportioned to service budgets.

Children's Social Care

12. The Children's Service is reporting an underspend of £536k as at year end, an improvement of £164k from month 11. This excludes the overall pressure on asylum funding and the cost of exhausted all appeals cases which are a call on contingency.

13. The year end variances for the 2010/11 financial year are summarised in the following table:

Services	Variances (+ adv/- fav)		
	Variance (Outturn) £000	Variance (as at Month 11) £000	Change from Month 11 £000
Commissioning and Respite Services	-130	+39	-169
Safeguarding Children	-406	-411	+5
Asylum Services	0	0	0
Children & Families Services - Total	-536	-372	-164

14. The planned in-year savings linked to BID projects, Placements Review and the Recruitment & Retention Strategy implemented by the management group has successfully achieved savings to offset the previously reported pressure of £320k arising from activities due to the Southwark Judgement.

15. The reduction in placement costs has been achieved by ensuring that high cost care packages such as Residential and Secure Accommodation are reviewed regularly and alternatives identified for these children and young people i.e. more cost effective in-house, residential and foster care services. The main factor which is uncertain is DSG education income which ceases when the child reaches statutory school leaving age.

16. Savings were also achieved through earlier than anticipated permanent recruitment to Social Work posts within the Assessment and Care Management team. In addition, the Family Support Service, the Child Protection Service, In-House Fostering Services and the Other Care Services are reporting improved positions.

17. There was additional income from the DfE of £50k for Social Work Practice and a favourable variance in the Directorate due to spend anticipated on tablets for Social Workers which was not incurred leading to a £35k under spend. An improved position in the in-house fostering of £45k is due to additional grant being applied. An anticipated payment for the Youth Service Industrial Tribunal is not now going to materialise leading to an under spend of £35k.

Housing HRA

18. The HRA has a gross budget of £51.4m and is reporting an underspend of £5,027k, a favourable movement of £2,023k from the month 11 position.

Division of Service	Variance (Outturn) £000	Variance (as at Month 11) £000	Change from Month 11 £000
General and Special Services	-3,032	-1,483	-1,549
Repairs Services	-83	0	-83
Subsidy Payment to Government	+279	+273	+6
Capital Funded from Revenue (RCCO)	-1,099	-1,093	-6
Other Expenditure	-788	-707	-81
Income	-304	+6	-310

In Year (Surplus) / Deficit	-5,027	-3,004	-2,023
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General and Special Services: £3,032k favourable (£1,549k improvement)

19. The reason for the £1,549k movement on the HRA gross budget of £53m from month 11 is due mainly to a number of improvements on corporate contracts for estate services impact of new insurance contract £323k improvement, grounds maintenance £159k improvement, energy supplies £158k improvement and unused contingency and reserves not needed for the return of HH Ltd of around £660k, as well as favourable corporate legal and ICT recharges. The overall favourable outturn position includes £1m balances from the closure of Hillingdon Homes and other favourable variances previously reported including a slippage in ICT spend of £250k.

Repairs Service: £83k favourable (£83k improvement)

20. The reason for the £83k movement from month 11 is due to staffing and specialist major building work consultancy cost underspends.

Subsidy Payment to Government: £279k adverse (£6k adverse)

21. The overall adverse variance is mainly due to lower interest rate costs impact on subsidy which is offset by reduction in interest charges on HRA loans.

Capital Funded from Revenue: £1,099k favourable (£6k improvement)

22. The favourable overall outturn position is due to slippages in programmes for lift refurbishment £500k, roofing projects £200k and the main works to stock programme £399k. This variation is within the context of a £10.9m budget.

Other Expenditure: £788k favourable (£81k improvement)

23. The favourable outturn position is due to a number of variances - reduced interest costs of £279k (this offset by equal movement on Subsidy Payment to Government) a reduction of £121k for bad debts, £55k resulting from a small delay in the HRA pipeline programme and £300k of unused contingency.

Income: £304k favourable (£310k improvement)

24. The favourable outturn position is due to an improved position from the month 11 position on a £47.9m income budget, mainly due to a small improvement of around £130k on dwelling income and £178k on non-dwelling income (HRA shops and garages).

Planning, Environment, Education & Community Services

Revenue: £41k underspend (£152k favourable)

1. The Group has an outturn position of £41k favourable variance, this excludes all pressure areas that have identified contingent provisions.

Services	Variances (+ adv/- fav)		
	Variance (Outturn) £000	Variance as at Month 11 £000	Change from Month 11 £000
Corporate Landlord	+935	+340	+595
Public Safety	-258	-405	+147
Planning, Trading Standards, Consumer Protection Sport & Green Spaces	+111	+60	+51
Highways Transportation & Planning	-255	0	-255
Business Services & ICT	-167	+192	-359
Director & Youth Services	-154	-149	-5
Resources, Policy & Performance	-289	-302	+13
Learning & School Effectiveness Service	+634	+828	-194
ECS Central Budget	-237	-185	-52
Access & Inclusion – Children	-361	-268	-93
PEECS – Total	-41	+111	-152

Corporate Landlord: £935k pressure (£595k adverse)

2. The key pressures at outturn for Corporate Facilities and Property are outlined below and total £935k.
3. There is a final shortfall of £69k on income from the hire of the Middlesex Suite a small improvement on month 11. The pressure has been due to a general slow down in demand set against a challenging income target. The marketing of this service has been reviewed and updated, in anticipation that this could have a positive impact on the income levels.
4. The outturn pressure for Borough Wide Maintenance income target for the schools buy back of maintenance has increased to £133k, this has been due to schools opting to procure services directly rather than through the FM Team. Also under this budget a provision of £106k was made for dilapidations for Hayes One Stop shop.
5. The outturn pressure on the Harlington Road depot reduced to £121k from the previous forecast position of £159k. The pressure chiefly relates to a reduction in the intensity of usage. This is due to the movement of some Council services to the Civic Centre, together with the loss of Hillingdon Homes contributions for space occupation at the depot and use of the Stores facility. A number of space rationalisation measures have been implemented, such as Block A being decommissioned during November, resulting in some minor savings on rates and utilities.
6. The outturn for surplus property and asset sales is a pressure of £506k, this has resulted from the larger sales that were anticipated late in the year not occurring. Therefore the cost of the

assets sales team and income target set for the buyers premium which were expected to have been balanced by these late sales were not able to be offset as anticipated.

Public Safety & Environment: £258k favourable (£147k adverse)

Waste Services: £317k favourable (£43k adverse)

7. The underspend on waste service of £317k relates to the waste and recycling initiatives budget which was not spent during 2010/11. The small adverse variance from month 11 represents the net impact of a number of minor changes across a range of the service and represents 0.31% of the net annual budget. There were minor improvements in street cleansing, waste disposal, civic amenities sites and public conveniences offset by adverse movements on trade waste.

Community Safety: £97k Underspend (£52k favourable)

8. The underspend represents a saving on staffing due to maternity and sabbatical leave (£18k), a saving on the Police ASB team, due to a favourable variance on pay costs (£27k) and a vacancy of (£20k) plus underspends on supplies and services and the ASB grant (24k).
9. In addition to the revenue underspend above there were also savings on the ABG grant of £41k and the achievement of the BID savings target of £124k made in community safety.

Arts and Libraries Service: £119k favourable (£119k favourable)

10. The final outturn for Arts and Libraries is a net underspend of £119k, the Arts final position showed a pressure against a number its income lines due to the general downturn in economic conditions, this was mitigated by strict expenditure controls, elsewhere in the service. Libraries underlying position showed a pressure on its income lines as with Arts but this was balanced out by a one off windfall from a NNDR refund based across the library service sites.

Off-Street Parking: £120k pressure (£120k adverse)

11. The outturn position for parking income is a pressure of £120k. The reduced levels of income experienced during 2009/10 continued into the first half of 2010/11, with the economic climate considered to be a significant factor. The 3rd quarter began to suggest a more positive trend, however the adverse weather over the Christmas period is considered to have reduced the usual seasonal boost, and although there was some recovery in February of the income from the surface car parks this was insufficient to recover the entire position. The position also factors in the funding of the free parking costs estimated at £38k for the Christmas period, which was agreed at February Cabinet.

Directorate: £155k pressure (£155k adverse)

12. The outturn pressure is a result of a range of smaller staffing pressures and some consultancy costs related to the specialist advice on planning matters such as Third Runway and the transformational project work for the BID savings programme, plus there was also a pressure on legal disbursement costs of £71k.

Planning, Trading Standards, Consumer Protection, Sport & Green Spaces: £111k pressure (£51k adverse)

Sport & Greenspaces : £68k Pressure (£8k adverse)

13. The final outturn for Leisure services of £143k is due to the pressure caused by the late opening of Botwell earlier in the year, this impacted on both the providers management fee and the additional costs of running Hayes Pool for a longer than originally planned period. A general provision has also been included in the closing accounts to mitigate against any bad debts that may occur. Greenspaces has shown a compensating underspend due to the impact of tight control of it's discretionary spend.

Planning: **£43k Pressure (£43k adverse)**

14. The final position for planning is a pressure which is largely due to a shortfall on the pre application fee income of £37k which, is linked to the downturn in the economy and a reduced level of major application developments coming forward in the year, plus a minor staffing pressure in the planning teams.

Highways, Transportation & Planning Policy: £255k favourable (£255k favourable)

15. There have been a range of favourable outturns within Highways transportation budgets of £224k, and a number of underspends on staffing across teams including structures and lighting due to some vacancies and the maximisation of the recharge to TFL for project work. The lighting budget has also seen a £91k adjustment for stock held at year end. Plus there has been a range of minor improvements across all non pay budgets due to the policy of tight control on discretionary spend, operating in the year.

16. Planning Policy has had a £31k favourable outturn due to slippage in recruitment of vacancies late in the year.

Business Services & ICT: £167k favourable (£359k favourable)

17. The service underspent by £167k, which is an improvement of £359k on the month 11 projections, due primarily to a transfer of credit balances from the balance sheet, following a review of the need for them.

18. The underspend of £167k is due to a number of over and underspends across the service as follows. There was an underspend of £456k on Staffing costs (£172k in Passenger Services, £118k in SEN Transport, £118k in Building Control and £116k in ICT Services, netted down by an overspend of £41k in the Imported Food Unit and £27k in Emergency Planning), due to posts being held vacant throughout the year, pending proposed implementations of staff restructurings. Further, a surplus of £277k relating to the Imported Food Unit credit balances were transferred from the balance sheet following a detailed review, added to this was a overachievement of £258k on the Imported Food Unit income which was due to a number of new levies being introduced throughout the year.

19. This was netted down by an overspend of £459k on SEN Transport costs, relating to an historical increase in the number of children needing support, an overspend of £230k on Passenger Services income, due to a number of changes in the clients requirements, and a cost of redundancy totalling £93k, following a number of restructurings.

20. Fleet Management outturn was reduced from the previously reported pressure of £195k to £43k. The main reason for the improvement was a saving resulting from the budgeted financing costs. Additional financing costs are calculated on the basis of the capital spend in the previous year. In 2009/10 no prudential capital spend was utilised although it was anticipated that there would be such expenditure at the time the budget was set and thus a budget was provided for the associated revenue costs being incurred in 2010/11 onward. As a result, this was not required

which, coupled with additional savings resulting from treasury management restructuring of debt resulted in this saving being achieved.

Resources, Policy & Performance: £289k Underspend (£13k adverse movement)

21. The service is reporting an underspend of £289k, an adverse movement of £13k, mainly due to the transfer of part year salary budgets from Research and stats to Corporate ICT for the ECS research and stats officer post. This is part of the centralisation of the Council’s research and stats teams.

ECS Central Budget: £237k Underspend (£52k improvement)

22. The ECS Central budget is reporting an under spend of £237k, an improvement of £52k. The improvement is mainly due to releasing the previously held Milk subsidy creditor of £42k back into the revenue account. The balance of £10k is made of small improvements from various areas.

Learning & School Effectiveness: £634k Pressure (£194k Improvement)

23. The service is reporting an overspend of £634k due to redundancy cost within schools and School Improvement services. This is an improvement of £194k since month 11 mainly due to lower than reported schools redundancy costs incurred in 2010-11. Additionally, some earmarked reserves were applied against school redundancy costs.

Director’s, Youth & Connexions: £154k Underspend (£5k improvement)

24. There has been a slight improvement to the position previously reported within the service area.

Access & Inclusion – Children: £361k Underspend (£93k improvement)

25. At Month 11 the service made an unsuccessful bid to carry forward unspent TaMHS grant into the 2011-12 financial year to complete the project. As a result of this the Education Psychology service is reporting an additional £60k improvement. The other £33k improvement relates to efficiency savings from various areas.

Schools: £8,280k underspend

Services	Variances (+ adv/- fav)		
	Variance (Outturn) £000	Variance as at Month 11 £000	Change from Month 11 £000
Schools	-5,877	n/a	n/a
Central DSG	-2,403	n/a	n/a

26. The Schools Budget is ring fenced and funded from the DSG. The individual schools budget underspend for 2010-11 is £5,877k which will be carried forward to future financial years as part of schools balances. These do not affect the General Fund.
27. The balance of £2,403k underspend is within LA managed DSG to be carried forward into 2011-12 and would have no effect on the General Fund.

Central Services

Revenue: £714k underspend (£12k adverse)

1. The 2010/11 outturn position for the central services revenue budget was an underspend of £714k, an adverse movement of £12k on the position reported in Month 11, resulting from additional unforeseen redundancy costs being incurred in the last month of the year. An analysis by service area is provided in the following table:

Services	Variances (+ adv/- fav)		
	Variance (Outturn) £000	Variance as at Month 11 £000	Change from Month 11 £000
Chief Executive/Deputy Chief Executive	-2	-9	+7
Audit and Enforcement	-7	-9	+2
Corporate Communications	-118	-61	-57
Democratic Services	-56	-47	-9
Finance and Procurement Services	-110	-265	+155
Human Resources	-197	-146	-51
Legal Services	+93	+123	-30
Policy and Performance	-317	-312	-5
CS - Total	-714	-726	+12

2. Major variances to note were an underspend of £358k on staffing costs across the service, where a number of posts have been held vacant and where staffing structures have been reviewed as part of the BID Review process, an underspend of £226k on non staffing costs across the group due to having a freeze on all non essential expenditure, additional income from the Housing Revenue Account to reflect the transfer of Hillingdon Housing Services back into Council control in October, totalling £149k, an underspend of £107k on anticipated charitable relief that would be provided through NNDR, and an overachievement of the in year savings target by £79k, which was identified as part of the Expenditure Review. These were netted down by the cost of redundancy, which totalled £216k and an increase of £120k in the Bad Debt Provision.
3. The adverse movement from Month 11 was due to redundancy costs in Finance, however these were largely absorbed by positive movements elsewhere within Central Services.

Capital Programme

SCHH – General Fund

1. A summary of the 2010/11 general fund Social Care, Health & Housing capital programme is set out below:

Capital Project	Revised Budget	Forecast Outturn Month 11	Actual Capital Expenditure 2010/11	Variance (Month 11 Forecast - Actual Capital Expenditure)	Variance (Revised Budget - Actual Capital Expenditure)	Rephasing into 2011/12
Disabled Facility & Private Sector Renewal Grants	3,907	3,719	3,965	246	58	107
Other Projects	480	481	456	-25	-24	25
Social Care, Health & Housing	4,387	4,200	4,421	221	34	132

2. Pressures amounting to £243k are forecast on Disabled Facilities Grants as a result of additional referrals from Social Care; however forecast outturn remains within the original approved budget of £2,823k.
3. Final contract payments and retentions on Mead House are due in 2011/12 with £25k to be rephased to cover this expenditure.

SCHH – Housing Revenue Account

4. The HRA Capital Programme for 2010/11 contains the following projects:

Capital Project	Revised Budget	Forecast Outturn Month 11	Actual Capital Expenditure 2010/11	Variance (Month 11 Forecast - Actual Capital Expenditure)	Variance (Revised Budget - Actual Capital Expenditure)	Rephasing into 2011/12
Works to Housing Stock	10,240	9,688	9,849	161	-391	391
New Build Pipeline Projects	7,491	6,740	7,418	678	-73	73
Housing Revenue Account	17,731	16,428	17,267	839	-464	464

5. Investment in Council Dwellings continued in 2010/11 through works to stock and LDA funded estates improvement programmes, part of these budgets are to be rephased into 2011/12 to allow completion of a number of projects delayed due to tender, leaseholder consultation and site access issues.
6. Works are continuing on the new build pipeline projects, with nine sites within Phase 1 to be completed by May 2011 and the remaining 6 to be handed over to the Council by July 2011. HCA Grant funding for these Phase 1 projects has been fully drawn down and used to finance 2010/11 expenditure.

7. Pipeline Phase 2 works at one site scheduled to begin in 2010/11 have been delayed for two months due to birds nesting in the structure, the five houses on this site are now expected to complete by the end of July 2011. The HCA have confirmed that this rephasing will not affect the availability of grant funding for these units.

PEECS

1. A summary of 2010/11 capital projects within PEECS is set out below:

Service Area	Revised Budget	Forecast Outturn Month 11	Actual Capital Expenditure 2010/11	Variance (Month 11 Forecast - Actual Capital Expenditure)	Variance (Revised Budget - Actual Capital Expenditure)	Rephasing into 2011/12
Business Services	1,317	855	892	37	-425	0
Civic Centre & Property Works Programmes	2,005	1,790	1,250	-540	-755	0
Community Safety Projects	50	50	56	6	6	0
Culture & Heritage Projects	936	155	58	-97	-878	877
Highways & Infrastructure Projects	6,037	5,720	4,799	-921	-1,238	1,066
Libraries Projects	3,052	1,647	972	-675	-2,080	2,075
Leisure Projects	2,955	4,508	3,334	-1,174	379	1,000
Locality Budgets	1,842	1,352	1,073	-279	-769	0
School Estates	11,222	9,620	9,565	-55	-1,657	1,377
School Expansions	11,965	8,752	8,110	-642	-3,855	3,705
Surestart Projects	5,344	4,748	4,617	-131	-727	681
Waste & Recycling Projects	1,900	200	116	-84	-1,784	1,784
Youth Projects	2,248	1,953	1,710	-243	-538	394
Other PEECS Projects	1,073	870	601	-269	-472	483
Total PEECS	51,946	42,220	37,153	-5,067	-14,793	13,442

2. Corporate Construction Fees of £858k are included within 2010/11 expenditure shown above, accounting for 6.44% of the £13,330k total expenditure on these projects. Of these fees only £241k were funded from Council Resources.

Business Services: £425k underspend (no rephasing requested)

3. The reported underspend on the ICT Single Development Plan relates to a planned scaling back of on-going projects and residual expenditure on the Improving Information Management and Benefits ICT projects being rephased into 2011/12. Following quarter 4 expenditure returns budgets on devolved programmes were increased by £826k of schools contributions, bringing contribution towards 2010/11 expenditure from schools own resources to £1,638k.

Civic Centre & Property Works Programmes: £755k underspend (no rephasing requested)

4. An underspend of £660k is reported against the Civic Centre Works budget as a result of projects not taking place in 2010/11, including members car park improvements, kitchen & WC improvements and the deferral of elements of works to quadrant lighting & air handling. Works continuing into 2011/12 will be funded from new year civic centre works budgets approved by Council in February 2011.

Culture & Heritage Projects: £878k variance (rephasing of £877k requested)

5. Manor Farm Stables and Winston Churchill Hall projects did not commence in 2010/11, with works expected to begin on the Manor Farm site in early 2011/12 alongside potential Chrysalis works.

Highways & Infrastructure Projects: £1,238k variance (rephasing of £7,066k requested)

6. As a result of the majority of TfL projects included in the 2010/11 Local Implementation Plan not commencing until quarter 4, projects to the value £1,007k are to be rephased into 2011/12 and completed by 31 August.
7. Other highways programmes of works reported an underspend for 2010/11 of £172k, which mainly arose within Street Lighting.

Libraries Projects: £2,080k variance (rephasing of £2,075k requested)

8. 2010/11 saw completion of works to a new library at Botwell Green. The £557k variance on Libraries Refurbishments relating to contractor delays on phase III works at Eastcote and Northwood Hills, which are expected to complete by June 2011.

Leisure Projects: £379 pressure (rephasing of £1,000k requested)

9. The expected outturn on Botwell Green Sports & Leisure centre remains an overspend of £2,593k due to late design changes. It had been anticipated that this would be settled in 2010/11, however this amount remains disputed and is now expected to be agreed in 2011/12.
10. Negotiations with the main contractor are continuing on Hillingdon Sports & Leisure Centre, with the final outturn expected to represent a pressure of between £271k and £644k to be settled in 2011/12.

Locality Budgets: £769k underspend (no rephasing requested)

11. Investment in community assets through the Chrysalis programme amounted to £672k for 2010/11, from a revised budget of £915k. This included expenditure on Environmental Improvements, Park Security and Community Safety projects including alley gating.

School Estates: £1,657k variance (rephasing of £1,377k requested)

12. Following quarter 4 expenditure returns budgets on devolved programmes were increased by £826k of schools contributions, bringing contribution towards 2010/11 expenditure from schools own resources to £1,638k.
13. Despite this increased expenditure within devolved budgets, there remains £869k of DFC to be rephased into 2011/12 bringing total brought forward balances held by individual schools to £2,967k for 2011/12. In light of the pressing need for school places and estate modernisation, potential for utilising such balances more effectively will be investigated.
14. In line with recommendations included within the James Report into School Capital, DfE grant allocations have greater flexibility in order to allow more effective targeting of funding at the local level. In order to reflect this move away from relatively small ring-fenced allocations new year budgets most smaller budgets included above (including school travel plans and specialist schools capital) will be consolidated into the main urgent building condition works budget.

15. There remains a risk that an element of Schools Kitchen Grant funding may become repayable to the DfE during 2011/12 if suitable projects are not identified, however given the requirement for such facilities within the Primary School Capital Programme officers are investigating options for application of this grant.

School Expansions: £3,855k variance (rephasing of £3,705k requested)

16. Significant rephasing of Primary School Expansions expenditure into 2011/12 is not expected to prevent completion of six permanent expansions in Phase 1 by August 2012 and provision of temporary accommodation for September 2011 in Phase 1A. Contractors have now been appointed to deliver both phases and are expected to be on sites by summer 2011.

17. Contractors have been appointed to proceed with construction of a sixth form at Ruislip High School following completion of feasibility and design works. These works are to be completed by October 2011, with classroom provision in place by September to accommodate September's pupils.

Surestart Projects: £727k variance (rephasing of £681k requested)

18. Children's Centre projects are approaching final completion with 2010/11 Surestart grant funding drawn down in full. Charville, Yeading and Pinkwell Centres were completed in 2010/11, with final works at Coteford, Whitehall and Deanesfield due to be completed by June 2011. It is expected that remaining costs will be contained within £681k to be rephased into 2011/12.

19. Surestart grant funded works at Merrifields was completed during 2010/11, with £2k underspend applied to fund additional fit-out costs included within Surestart AHDC budget.

Youth Projects: £538k variance (rephasing of £394k requested)

20. The second of three Young People's Centre opened at Northwood in June 2010, with the third centre at South Ruislip opening in February 2011. Remaining budget of £54k is to be rephased into 2011/12 to fund final contract settlement and retentions.

Central Services & Partners

1. 2010/11 outturn on Central Services capital and payments to partners is set out below:

Capital Project	Revised Budget	Forecast Outturn Month 11	Actual Capital Expenditure 2010/11	Variance (Month 11 Forecast - Actual Capital Expenditure)	Variance (Revised Budget - Actual Capital Expenditure)	Rephasing into 2011/12
Leader's Initiative	300	300	186	-114	-114	0
LAA Reward Grant Payments to Partners	749	749	0	-749	-749	749
Central Services	1,049	1,049	186	-863	-863	749

2. The underspend on Leader's Initiatives is due to timing of Burglar Alarm purchases, should additional budget be required in 2011/12 this underspend will be rephased into 2011/12.

3. LAA Reward Grant payments to partners are to be reprofiled into 2011/12.

APPENDIX B - Annual Treasury Report 2010 /11

1. Summary

This report explains the Council's treasury management activities during 2010/11 and presents details of capital financing, borrowing, debt management, investment transactions and the outturn position.

During the period no new long term borrowing was taken and £6m of debt naturally matured, which was not refinanced. A further £5m of debt was prematurely redeemed at a discount leaving a year end loan balance of £161.6m with an average rate of 3.60%, one of the lowest average rates in London. The overall strategy of using internal resources in lieu of borrowing proved successful and provided savings of £0.6m with interest costs totalling £5.97m against an original budget of £6.57m.

As a result of poor economic growth the Bank of England maintained base rates at 0.5% which resulted in short term money market rates remaining low. This impacted investment income with returns for the year yielding 0.83%; however by incorporating a mix of short and longer term deposits outturn totalled £387k against a budget of £135k.

At the start of the financial year there were unpaid investments with Icelandic banks; Heritable (£9.7m) and Landsbanki (£5.0m). The administrators of Heritable issued dividends during the year totalling £2.3m leaving a balance of £7.4m. Total dividends received for Heritable now equate to 56% of the claim value. No dividends have been received from Landsbanki.

As a result of a prudent approach there were no breaches of Prudential Indicators during the period. The Council also complied with a balanced budget requirement.

2. The Borrowing Requirement and Debt Management

	Balance on 31/3/2010 £m	New Borrowing £m	Debt Maturing £m	Debt Prematurely Repaid £m	Balance on 31/3/11 £m	Avg Rate %
CFR	213.75				217.67	
PWLB Fixed Rate Maturity	94.60	-	3.00	5.00	86.60	3.86
PWLB Fixed Rate EIP	15.00	-	1.50		13.50	2.89
Market Fixed Rate	48.00	-	-	-	48.00	4.11
PWLB Variable Rate EIP	15.00	-	1.50	-	13.50	0.71
Temporary Borrowing	10.00	14.36	24.36	-	0.00	0.00
Total	182.60	14.36	30.36	5.00	161.60	3.60
Other Long Term Liabilities	3.95				3.30	
Total External Debt	186.55				164.90	

The Council's underlying need to borrow as measured by the Capital Financing Requirement (CFR) as at 31/3/2011 was £217.67m. The Council's borrowing requirement, the difference between the CFR and the total borrowing figure was £56.07m.

Given the significant cuts to local government funding putting pressure on Council finances, the strategy was to minimise debt interest payments without compromising the longer-term stability of the portfolio. The differential between the cost of new longer-term debt and the return generated on the Council's temporary investment returns was significant at over 4%. As such the use of internal resources in lieu of borrowing was judged to be the most cost effective means of funding capital expenditure. This has lowered overall treasury risk by reducing both external debt and temporary investments.

The Council has £48m of market loans, which are LOBO loans (Lender's Options Borrower's Option) of which £10m of loans were in their option state in 2010/11. During the year the lenders of these loans did not exercise any call options and therefore the loans remain outstanding on the same terms.

Cash balances reduced towards the end of the year and market temporary borrowing was utilised to alleviate short term cash flow pressures.

By using internal resources in lieu of borrowing and redeeming debt prematurely, loan interest costs for the year totalled £5.97m against a budget of £6.57m, achieving an overall saving of £0.6m.

Premature Debt Repayment: The Council took advantage of an opportunity to prematurely repay a £5m PWLB loan at 3.95% with 43 years left until maturity. The repayment of this loan resulted in a discount of £56.8k and reduced interest costs for the year of £87.7k. This change in the debt portfolio also achieved a reduction in the overall debt cost whilst decreasing the average life from 29.3 years to 28.8 years.

Debt Rescheduling: Following the Comprehensive Spending Review at the end of October 2010, on instruction from HM Treasury, the PWLB increased the margin for new borrowing to an average 1% above the yield on the corresponding UK Government Gilt. New fixed rate borrowing increased by approximately 0.87% across all maturities and new variable rate borrowing by 0.90%. Premature repayment rates did not benefit from the increase in the margin which potentially makes future rescheduling of PWLB loans more challenging and resulted in no debt rescheduling taking place during 2010/11.

3. Investment Activity

Investments	Balance on 31/3/2010 £m	Average Rate % Received	Balance on 31/03/2011 £m	Average Rate % Received
Call Accounts	12.80		7.70	
Money Market Funds	0.00		15.30	
Short Term Investments	45.00		10.80	
Long Term Investments	0.00		0.00	
Investment Default	14.80		12.60	
Total Investments	72.60	1.74%	46.4	0.83%

Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2010/11. Investments during the year included deposits with the Debt Management Office, investments in AAA-rated Stable Net Asset Value Money Market Funds and deposits, both instant access and fixed term with Banks and Building Societies systemically important to the UK banking system

Credit Risk: Counterparty credit quality was assessed and monitored with reference to credit ratings (Council's minimum long-term counterparty rating of A+ across all three rating agencies, Fitch, Standard & Poors and Moody's); credit default swaps and share price.

Liquidity: In keeping with the CLG's Guidance on Investments, the Council maintained a sufficient level of liquidity through the use of Money Market Funds, overnight deposits and the use of call accounts.

Yield: The Council sought to optimise returns commensurate with its objectives of security and liquidity. The UK Bank Rate was maintained at 0.5% through the year. Short term money market rates remained at very low levels. Most short-term money was placed in instant access accounts as these were achieving higher rates of interest than those offered on short fixed term deposits of up to three months. A small proportion of longer dated deposits were placed to enhance income in a low interest rate environment. The two approaches resulted in an average return of Investments of 0.83%

The Council's budgeted investment income for the year had been £135k, however by placing longer term investments actual investment income earned was £387K.

All investments made during the year complied with the Council's agreed Treasury Management Strategy, Prudential Indicators, Treasury Management Practices and prescribed limits. Maturing investments were repaid to the Council in full and in a timely manner.

Update on Investments with Icelandic banks

At the beginning of 2010/11 the Council had unpaid investments of £9.8m with Heritable Bank and £5m with Landsbanki Islands. During the year three dividends were received from the administrators of Heritable; 6.27% in July, 4.14% in October and 4.72% in January, totalling £2.28m. Total dividends received for Heritable now equate to 56% of the claim value and predictions of an 85% recovery rate remain the best estimate.

In terms of Landsbanki, the Icelandic courts have awarded priority status to Local Authorities, however this decision is being appealed by other creditors and will be heard later this year. If priority status is maintained the expected recovery rate is 94.85%. If non priority status is awarded, recovery is expected to be 38%. To date no repayments have been received.

4. Compliance with Prudential Indicators

The Council can confirm that it has complied with its Prudential Indicators for 2010/11, which were set in February 2010 as part of the Council's Treasury Management Strategy Statement.

The levels of debt were measured on an ongoing basis during the year for compliance with the Authorised Limit of £302m and the Operational Boundary of £272m. The Council maintained its total external borrowing and other long-term liabilities within both limits; at its peak this figure was £186.55m.

Upper Limits for Interest Rate Exposure:

	Estimated %	Actual %
Upper Limit for Fixed Rate exposure	100	100
Upper Limit for Variable Rate exposure	50	(243.7)

The negative variable rate exposure shown above is the net result of a greater variable rate investment balance compared to the variable rate loan balance.

Maturity Structure of Fixed Rate borrowing:

	Upper limit %	Lower limit %	Actual Borrowing as at 31/3/2011 (£m)	Percentage of total as at 31/3/2011
under 12 months	25	0	1.89	1.22%
12 months and within 24 months	25	0	5.28	3.40%
24 months and within 5 years	50	0	9.55	6.16%
5 years and within 10 years	75	0	46.39	29.91%
10 years and within 20 years	75	0	15.39	9.92%
20 years and within 30 years	75	0	0	0.00%
30 years and within 40 years	75	0	0	0.00%
40 years and within 50 years	75	0	28.60	18.44%
50 years and above	75	0	48.00	30.95%

Total principal sums invested for periods longer than 364 days:

For 2010-11 this limit was set at £47m, however at no time during the year did deposits exceed this period.

Non-treasury related Prudential Indicators are included in the Appendix.

5. Balanced Budget

The Council complied with the Balanced Budget requirement.

6. Training

As part of the Council's continuous performance and development programmes officers received treasury management training by attended workshops and seminars provided by CIPFA and the Council's treasury advisers Arlingclose.

Members of the Audit Committee received specific training in relation to the scrutiny of Treasury Management Strategy Statements and Annual Investment Strategies.

Compliance with Non Treasury Prudential Indicators 2010/11

1 Estimated and Actual Capital Expenditure

Prudential Indicator	2010/11	2010/11
Capital Expenditure	Estimated £m	Outturn £m
Non-HRA	77.1	41.7
HRA	22.6	17.3
Total	99.7	59.00

2 Estimated and Actual Ratio of Financing Costs to Net Revenue Stream

Prudential Indicator	2010/11	2010/11
Ratio of Financing Costs to Net Revenue Stream	Estimated %	Outturn %
Non-HRA	5.11	3.33
HRA	4.40	3.05
Total	4.95	3.26

3 Capital Financing Requirement

Prudential Indicator	Estimated (£m)	Outturn (£m)
CFR	31/3/11	31/3/11
Non-HRA	181.2	153.6
HRA	68.3	64.1
Total	249.5	217.7

The Council had no difficulty meeting its CFR in 2010/11. On both General Fund & Housing Revenue Account there has been significant rephasing of projects to be funded from borrowing into 2011/12, accounting for the reduction in capital expenditure & CFR for 2010/11.

4 Actual External Debt

Actual External Debt as at 31/03/2011	£m
Borrowing	161.60
Other Long-term Liabilities	3.30
Total	164.90

5 Incremental Impact of Capital Investment Decisions

Incremental Impact of Capital Investment Decisions	2010/11 (£)
Increase in Band D Council tax	9.71
Increase in average weekly housing rents	0.21

Capital investment decisions do not impact on the weekly housing rents as the Council sets its housing rents in line with the policy laid down by CLG. Savings have been identified within the HRA to off-set any increase in borrowing costs.

There was no increase in Hillingdon's Council Tax for 2010/11, with any additional borrowing costs being supported through savings and efficiencies.

COUNCIL BUDGET - MONTH 2 2011/12 REVENUE AND CAPITAL MONITORING

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property and Business Services
Report Author	Paul Whaymand, Central Services
Papers with report	None

HEADLINE INFORMATION

Purpose of report	The report sets out the Council's overall 2011/12 revenue & capital position, as forecast at the end of Month 2 (May). The in-year revenue position is forecast as an underspend of £1,088k. Total capital expenditure for 2011 -15 is forecast to be £5,951k lower than revised budget, with a forecast underspend in 2011/12 of £17,807k.
Contribution to our plans and strategies	Achieving value for money is an important element of the Council's medium term financial plan.
Financial Cost	N/A
Relevant Policy Overview Committee	Corporate Services and Partnerships
Ward(s) affected	All

RECOMMENDATIONS

That Cabinet:

1. Note the forecast budget position for revenue and capital as at Month 2
2. Note the treasury update at Appendix B
3. Approves the virement of £150k of Council resources from Ruislip High School Expansion to Primary School Expansions
4. Approves the retaining of agency staff as detailed in Appendix C
5. Approves the changes to fees & charges for filming as detailed in Appendix D

INFORMATION

Reasons for Recommendations

1. The reason for the monitoring recommendation is to ensure the Council achieves its budgetary objectives. The report informs Cabinet of the latest forecast revenue and capital position for the current year 2011/12.
2. Recommendation 3 is included to realign budgets with current service requirements.

Alternative options considered

3. There are no other options proposed for consideration.

SUMMARY

A) Revenue

4. The in year revenue monitoring position as at Month 2 (May) shows that forecast net expenditure for the year 2011/12 is £1,088k less than the budget. However, there are a number of significant pressures being forecast in services, many of which were known at budget setting and are provided for in contingency. The remaining overspend is offset by the projected underspend in capital financing costs of £2,000k due to budgets set aside in advance for schools capital financing and other priority projects, which are not forecast to be needed in this financial year.
5. The balances brought forward at 31st March 2011 were £17,022k. £1,793k of this sum was applied in support of the 2011/12 budget as part of the budget strategy agreed at Council Tax setting. The forecast balances as at 31st March 2012 are £16,317k as a result of the budgeted drawdown from balances (-£1,793k) and the forecast in-year underspend (£1,088k).

B) Capital

6. Forecast General Fund capital expenditure for 2011/12 is £76,210k, compared to a revised budget of £94,017k. £13,702k of this variance relates to rephasing of projects into 2012/13.
7. The Council Resourced programme for 2011-15 is currently reporting a net pressure of £367k, consisting of £3,111k pressures and £2,744k of underspends.
8. Latest forecasts on the HRA capital programme indicate a 2011/12 outturn of £14,776k from a revised budget of £15,122k. The reported variance of £346k relates to a rephasing of expenditure into 2012/13.

A) REVENUE

9. Table 1 indicates the overall impact of the expenditure forecasts now reported on the approved budget and the resulting balances position.

Table 1

2011/12 Original Budget	Budget Change s		2011/12 (As at Month 2)		% Var of budget	Variations (+ adv/- fav)
			Current Budget	Forecast		Variance (As at Month 2)
£'000	£'000		£'000	£'000		£'000
250,289	-2,664	Directorates Budgets on normal activities	247,625	248,538	0%	+912
-53,751	2,664	Corporate Budgets on normal activities	-51,087	-53,087	4%	-2,000
196,539	0	Total net expenditure	196,539	195,451	-1%	-1,088
-194,746	0	Budget Requirement	-194,746	-194,746		0
1,793	0	Net total	1,793	705		-1,088
-17,022		Balances b/f 1/4/011	-17,022	-17,022		0
		Transfer from earmarked reserves				0
-15,229	0	Balances c/f 31/3/10	-15,229	-16,317		-1,088

Directorates' Forecast Expenditure Month 2

10. Table 2 shows further details on the budget, forecast and variance at Directorate level. Further detail on each directorate is shown in Appendix A. The group forecasts exclude sums provided for in contingency which are set out in table 3.

Table 2

2011/12 Original Budget	Budget changes	2011/12 Current Budget (as at Month 2)	Directorate		2011/12 Forecast (as at Month 2)	% Var of budget	Variations (+ adv/- fav)
							Variance (As at Month 2)
£'000	£'000	£'000			£'000		£'000
326,915	-7,893	319,021	SCHH	<i>Exp</i>	320,642	1%	+1,621
-199,190	448	-198,742		<i>Inc</i>	-199,169	0%	-427
127,724	-7,445	120,279		Total	121,473	1%	+1,194
396,479	-7,689	388,791	PEECS	<i>Exp</i>	388,425	0%	-366
-301,269	4,575	-296,694		<i>Inc</i>	-296,004	0%	+690
95,210	-3,114	92,096		Total	92,420	0%	+324
21,018	7,991	29,008	CS	<i>Exp</i>	29,007	0%	-1
-7,249	-96	-7,345		<i>Inc</i>	-7,350	0%	-5
13,769	7,895	21,663		Total	21,658	0%	-6
11,786	0	11,786	Contingency		11,186	-5%	-600
1,800	0	1,800	Priority Growth		1,800	0%	0
250,289	-2,664	247,625	Sub-Total				
			Normal Activities		248,538	0%	+912

11. **Social Care, Health & Housing (SCH&H)** are projecting a **pressure of £1,194k** as at Month 2 due to a variety of demographic issues including cost transfers from the PCT in relation to Learning Disability (£362k) and high demand for homecare services in both Older People (£351k) and Physical Disabilities (£281k). This pressure for homecare services will be reduced once the TeleCareLine service matures and the reablement service is in place.

12. **Planning, Environment, Education & Community Services (PEECS)** are forecasting a **pressure of £324k** as at Month 2 primarily in relation to pressures in the Corporate Landlord services (£657k) around savings delivery, pressure on maintenance budgets and buy back of service from schools. These pressures are partially offset by a favourable variance in Education Services (£213k).

13. **Central Services (CS)** is forecasting a **£6k favourable variance** as at month 2 largely arising from a staffing underspend as the restructure of services are implemented.

Progress on the delivery of 2011/12 Savings

14. Tracking the delivery of the £26.2m savings contained within the 2011/12 budget started in March as these savings will be the most significant potential issue in monitoring this year. As at the end of June 2011 (Month 3) analysis of progress on the implementation plans for the savings proposals included in the 2011/12 budget, continues to indicate that, although there are significant challenges in delivering such a large savings target, the Council is largely on track at this stage to deliver the majority of the savings. The following table summarises the RAG status for the MTFF projects.

RAG Status	Central Services	PEECS	SCH&H	Cross Cutting	Total Month 2	Total Month 1
Blue (banked)	1,877	3,509	5,329	954	11,669	7,389
Green (on-track)	731	4,001	3,125	300	8,157	13,350
Amber (some Slippage or risky Project at an Early stage)	26	2,958	2,577	0	5,561	4,648
Red (serious Delivery problems)	0	851	0	0	851	851
Total	2,634	11,319	11,031	1,254	26,238	26,238

15. The month 2 monitoring position for each group, as detailed above, takes account of the current shortfall in the delivery of these savings. The projected shortfall on those savings classed as red is currently estimated at £851k (3.2% of total savings). Alternative savings are being identified in the Groups concerned to cover this expected shortfall. A breakdown of these projects is shown in the following table:

Group	Proposal	£000s
PEECS	Corporate Landlord	164
	Youth Services review	687
Total		851

Development & Risk Contingency: £600k underspend

16. £11,786k of potential calls on the Development & Risk Contingency were identified as part of the budget setting process for 2011/12 held in the base budget. Table 3 shows the amounts that have been allocated or earmarked as at Month 2.

Table 3

Development and Risk Contingency	2011/12 Budget	Forecast as needed	Variance (+adv / - fav)	Group
<i>2011/12 allocations:</i>	£'000	£'000	£'000	
Commitments:				
General Contingency	1,000	1,000	0	All
Employers' Pension Contributions	850	850	0	All
Pump priming for BID savings	400	400	0	ALL
Uninsured claims	420	420	0	CS
Carbon Reduction Commitment Energy Efficiency Scheme	460	460	0	PEECS
Development Control Income	350	578	+228	PEECS
Cost Pressures on Recycling Service	150	150	0	PEECS
Local Development Framework legal & consultancy fees	100	75	-25	PEECS
HS2 Challenge contingency	100	100	0	PEECS
Assisted searches	75	0	-75	PEECS
Potential new responsibilities in relation to Flood defense	50	50	0	PEECS
Building Control Income	50	0	-50	PEECS
Social Care Pressures (Adults)	4,089	4,089	0	SCHH
Increase in Transitional Children due to Demographic Changes	1,254	1,254	0	SCHH
Asylum Funding Shortfall	880	1,180	+300	SCHH
Social Care Pressures (Children's)	500	500	0	SCHH
Contingency against delivery of grants savings	1,058	0	-1,058	ALL
Fuel	0	80	+80	PEECS
Total net contingency	11,786	11,186	-600	

17. At this stage, a large proportion of the total contingency is expected to be required in full. However a net underspend on a few items and the assumption that the £1,058k contingency against delivery of grants savings will not be drawn down have resulted in an overall underspend of £600k. Details of these variances are discussed below.

18. The forecast asylum spend is indicating a pressure of £300k above the budgeted contingency allocation. Although there are signs of falling demand, the nature of the grant mechanism results in less income as a result which doesn't fully cover the resultant fixed costs associated with this service. Management are taking action to mitigate this impact by relocating and merging the intake teams into a single team and will continue to review this pressure.

19. The forecast for Development Control income is a gross pressure of £578k and the net position after the application of the contingency is an adverse variance of £228k. Major Applications are showing a significant decrease in their forecast level of income, the worst in 5 years. For the smaller Development Control income streams, numbers of applications are fairly flat and are close to the 2010/11 level. This performance is mirroring the increased activity that occurred in the first quarter of 2010/11, which then fell back after the first quarter and may well do so again. Although not reported against this contingency, the pre-application

income from developers is also showing a pressure of £20k, reflecting continuing uncertainty in the housing market.

20. The fuel budget in PEECS was increased by £108k for 2011/12 as part of the MTFF process. However prices have continued to rise in 2011 and current analysis shows that fuel budget is already under pressure at the current price of around £1.10 per litre. A range of projections have been modelled, the worse case scenario showing a pressure of £153k and best case scenario of £42k; this is over and above the increased budget. A mid point pressure of £80k is therefore considered to be the most likely pressure at this point, given the current economic situation, and likelihood of further increases.

21. The assumption at this stage of the year is that the other contingency requirements are likely to be required in full.

Priority Growth: Nil variance

22. £1,000k was included in the 2011/12 budget for priority growth and £800k for HIP Initiatives. Table 4 summarises the position with regards to each element of priority growth.

Table 4

Priority Growth	2011/12 Budget	Agreed draw downs	Commitments	Unallocated
<i>2011/12 Unallocated Priority Growth at start of the year</i>	£'000	£'000	£'000	£'000
HIP Initiatives New budget:	800			
Agreed:				
Environmental projects		7		
Heritage projects		42		
HIP Initiatives unallocated balance	800	49	0	751
Unallocated non specific growth	1,000			
Balance of unallocated growth	1,000	0	0	1,000
Total	1,800	49	0	1,751

23. HIP Steering group have approved £49k of allocations so far this year. There is an estimated £751k remaining from the HIP initiatives budget and £1m of unallocated non-specific priority growth budget. The month 2 forecast assumes that remaining budgets will be spent in full.

Corporate Budgets' Forecasts: £2,000k underspend

24. Table 5 shows budget, forecast and variance now reported on corporate budgets as at Month 2.

Table 5

2011/12 Original Budget	Budget Changes	2011/12 Current Budget (as at Month 2)	Corporate Budgets	2011/12 Forecast Outturn (as at Month 2)	Variations (+ adv/- fav)
					Variance (As at Month 2) £'000
£'000	£'000	£'000		£'000	£'000
-400	400	0	Unallocated savings	0	0
10,697	-524	10,172	Financing Costs	8,172	-2,000
			FRS 17 Pension		
-3,322	0	-3,322	Adjustment	-3,322	0
-35,169	2,875	-32,294	Asset Management A/c	-32,294	0
-25,556	-87	-25,643	Corporate Govt Grants	-25,643	0
-53,751	2,664	-51,087	Corporate Budgets	-53,087	-2,000

25. Financing costs show a forecast underspend of £2,000k at Month 2. This is due to £2,000k being set aside for capital financing for schools or other priority projects which is not likely to be needed in 2011/12.

26. Debt financing and investment income are at this early stage of the year forecast to be in line with the budget. A summary of treasury management activity is attached at Appendix B.

B) CAPITAL

General Fund Capital Programme

Programme Monitoring

27. Table 6 sets out the latest forecast outturn on current General Fund capital projects. Forecasts for future years include programmes of works as included in the draft programmes for 2012/13 to 2014/15 reported to Cabinet and Council in February 2011.

Table 6:

General Fund Capital Programme	2011/12	2012/13	2013/14	2014/15	Total
Original Budget	78,907	34,364	29,420	28,305	170,996
Revised Budget	94,017	34,364	29,420	28,305	186,106
Forecast Outturn	76,210	48,083	28,557	27,305	180,155
Council Resourced Variance – see table 7	(15,489)	13,719	(863)	(1,000)	(3,633)
External Grants Variance	(2,331)	-	-	-	(2,331)
Other Resources Variance	13	-	-	-	13
Programme Variance	(17,807)	13,719	(863)	(1,000)	(5,951)

28. The revised budget for 2011/12 above includes rephasing of £14,323k from 2010/11 budgets recommended in the outturn report and increases in externally funded programmes of £787k, primarily funded from TfL grants and S106 contributions.

29. Year to date capital expenditure is £1,658k (2.18%) of forecast outturn at 31 May 2011. While it is expected that the profile of expenditure will be weighted towards the second half of

2011/12, it is unlikely that current projections will be achieved on a number of major projects and subject to further review in the coming months.

30. Table 7 sets out variances against the approved Council Resourced programme, which are expanded upon below:

Table 7:

Council Resourced Variance	2011/12	2012/13	2013/14	2014/15	Total
Pressures:					
Primary School Expansions - Phase 1	-	817	137	-	954
Botwell Green Leisure Centre	1,187	-	-	-	1,187
Farm Barns	26	-	-	-	26
Highgrove Pool Phase II	300	200	-	-	500
Hillingdon Sports & Leisure Centre	274	-	-	-	274
Libraries Refurbishment	170	-	-	-	170
Total Council Resourced Pressures:	1,957	1,017	137	-	3,111
Underspends:					
Primary School Expansions - Phase 1A Temporary	(53)	-	-	-	(53)
Primary School Expansions - Rosedale Temporary	(431)	-	-	-	(431)
Arundel Road Development HIP	(2,013)	-	-	-	(2,013)
Laurel Lane (Longmead) Primary School Expansion	(247)	-	-	-	(247)
Total Council Resourced Underspends:	(2,744)	-	-	-	(2,744)
Projected Rephasing:	(13,702)	13,702	-	-	-
Main Programme Variance:	(14,489)	14,719	137	-	367
General Contingency:	(1,000)	(1,000)	(1,000)	(1,000)	(4,000)
Council Resourced Variance:	(15,489)	13,719	(863)	(1,000)	(3,633)

31. Latest outturn forecasts indicate that £13,702k of expenditure planned for 2011/12 will be rephased into 2012/13; this includes Primary School Expansions (£2,359k), South Ruislip Development (£4,869k) and Yiewsley Health Centre (£4,304k). This rephasing of South Ruislip and Yiewsley Health Centre projects will delay capital receipts previously expected in 2012/13.

32. A net pressure of £470k is reported against Primary School Expansion projects as a result of design changes to facilitate works at existing schools. This will represent an additional call on Council resources in the longer term with a corresponding impact on revenue financing costs.

33. Negotiations regarding final contract settlement on the Botwell Green and Hillingdon Sports & Leisure Centres are anticipated to conclude during 2011/12. These are expected to result in a further call on borrowing to support pressures of £1,187k and £274k.

34. A revised scope of works at Highgrove Pool is expected to increase project cost by £500k to approximately £4,600k, it is expected that revenue costs arising from this additional borrowing will be supported from savings arising from the outsourcing of leisure operations. A recommendation for Cabinet to increase this budget will be added to the tender acceptance report in the coming months.

35. It is no longer feasible to continue with the Arundel Road project following an adverse assessment of the area's suitability by the Environment Agency. This will result in an underspend of £2,013k during 2011/12.

36. The grant funded underspend of £2,331k included in table 6 is reported on the Schools' Kitchens programme, officers are assessing the applicability of this grant to on-going Primary School Expansion projects and will recommend a course of action to fully utilise this grant.

Capital Financing

Table 8:

Capital Receipts	2011/12	2012/13	2013/14	2014/15	Total
Budget approved February 2011	21,319	21,646	10,851	388	54,204
Forecast Disposals	10,147	8,644	23,436	388	42,615
Variance	11,172	13,002	(12,585)	-	11,589

37. The 2011/12 GF asset disposal programme is currently expected to generate receipts of £10,147k, a reduction of £11,172k on original budget. The impact of this will be mitigated in the short term by rephasing of planned expenditure from 2011/12.

38. As noted above, the rephasing of expenditure on South Ruislip Development and Yiewsley Health Centre will result in capital receipts from enabling residential developments being deferred into 2013/14.

39. As at Month 2 only £182k of GF capital receipts have been achieved, as the majority of receipts are scheduled for late 2011/12 there remains a significant risk that the forecast £10,147k will not be achieved.

40. Table 9 summarises forecast prudential borrowing requirement and future revenue impact of the GF capital programme. Revenue impacts are calculated on MRP and estimated interest costs; these are tentative forecasts which will be subject to application of MRP policies, the Council's cash flow management and actual interest payable on outstanding debt.

Table 9:

Prudential Borrowing Forecast	2011/12	2012/13	2013/14	2014/15	Total
Revised Budget	36,117	(9,679)	(2,523)	6,825	30,740
Council Resourced Variance	(15,489)	13,719	(863)	(1,000)	(3,633)
Capital Receipts Variance	11,172	13,002	(12,585)	-	11,589
Forecast Borrowing	31,800	17,042	(15,971)	5,825	38,696
Variance	(4,317)	26,721	(13,448)	(1,000)	7,956
Future Revenue Impact	(302)	1,870	(941)	(70)	557

41. Although a number of pressures are currently reported within the capital programme, these are partially mitigated by favourable variances and unallocated contingency balances. The main cause of the adverse variances shown above is changes in the asset disposals programme since budgets were approved in February 2011.

Housing Revenue Account Capital Programme

42. HRA capital projects are currently forecasting outturn to match budget, with minor rephasing of Pipeline projects to reflect retentions payable in 2012/13.

Table 10:

Housing Revenue Account Capital Programme	2011/12	2012/13	2013/14	2014/15	Total
Original Budget	14,850	2,326	2,150	2,235	21,561
Revised Budget	15,122	2,326	2,150	2,235	21,833
Forecast Outturn	14,776	2,672	2,150	2,235	21,833
HRA Resourced Variance	(346)	346	-	-	-
External Grants Variance	-	-	-	-	-
Other Resources Variance	-	-	-	-	-
Programme Variance	(346)	346	-	-	-

43. Expenditure to 31 May was £1,579k (10.69%) of latest outturn and projects remain on track to deliver the full forecast outturn of £14,776k.
44. New build HRA Pipeline projects form the majority of the 2011/12 capital programme, with £10,753k funding from HRA resources to be applied. This is to be met from a combination of prudential borrowing, capital receipts and revenue balances, the precise split between these funding sources is to be confirmed.
45. HRA capital receipts for 2011/12 are expected to amount to £2,350k, of which £2,055k have been achieved by Month 2.

VAT Partial Exemption

46. The Council has a concession under VAT regulations that enables it to reclaim its VAT on expenditure on VAT exempt activities, providing this does not exceed 5% of the total VAT reclaimed in a financial year. In the event of a breach the Council would be unable to reclaim VAT in excess of £1.5m, which would be borne as a cost by council tax and rents payers.
47. The following table sets out the latest partial exemption position and the scope for additional capital expenditure on exempt projects before a breach would occur.

Table 11:

	2010/11	2011/12	2012/13	2013/14	2014/15
VAT Partial Exemption %	2.33%	2.66%	3.60%	2.17%	2.15%
Capital Expenditure Headroom (£'000)	5,008	5,076	2,473	4,428	4,425

48. The only current project with significant partial exemption implications for Hillingdon is the Yiewsley Health Centre Development, where lease income from NHS tenants will be VAT exempt. Expenditure on this project is expected to take place during 2011/13 and not cause a breach of the 5% limit.

CORPORATE CONSULTATIONS CARRIED OUT

Financial Implications

6. The financial implications are contained in the body of the report.

CORPORATE IMPLICATIONS

Corporate Finance

7. This is a Corporate Finance report.

Legal

8. There are no legal implications arising from this report.

BACKGROUND PAPERS

9. Monitoring report submissions from Groups.

APPENDIX A – Detailed Group Forecasts

Social Care, Health & Housing

Revenue: **£1,194k Pressure**

1. This is the first revenue monitoring report for 2011/12 and has been compiled following analysis of the 2010/11 outturn, relevant activity trends and implementation of the MTF £11.4m savings programme.
2. In summary the department is reporting an adverse position of £1,194k on a £333m gross budget as set out in the table below.

Services		2011/12 (As at Month 2)		% Var of budget	Variances (+ adv/- fav)
		Current Budget	Forecast		Variance (As at Month 2)
		£'000	£'000		£'000
Children & Families Services	<i>Exp</i>	31,222	31,422	1%	+200
	<i>Inc</i>	-4,328	-4,328	0%	0
	Total	26,894	27,094	1%	+200
Asylum Services	<i>Exp</i>	11,930	11,930	0%	0
	<i>Inc</i>	-10,886	-10,886	0%	0
	Total	1,044	1,044	0%	0
Older People's Services	<i>Exp</i>	42,728	43,214	1%	+486
	<i>Inc</i>	-13,669	-13,804	1%	-135
	Total	29,059	29,410	1%	+351
Physical & Sensory Disability Services	<i>Exp</i>	10,452	11,010	5%	+558
	<i>Inc</i>	-2,281	-2,558	12%	-277
	Total	8,171	8,452	3%	+281
Learning Disability Services	<i>Exp</i>	33,320	33,697	1%	+377
	<i>Inc</i>	-6,972	-6,987	0%	-15
	Total	26,348	26,710	1%	+362
Mental Health Services	<i>Exp</i>	7,396	7,396	0%	0
	<i>Inc</i>	-342	-342	0%	0
	Total	7,054	7,054	0%	0
Housing Benefits	<i>Exp</i>	162,022	162,022	0%	0
	<i>Inc</i>	-158,115	-158,115	0%	0
	Total	3,907	3,907	0%	0
Housing Needs Services	<i>Exp</i>	12,739	12,739	0%	0
	<i>Inc</i>	-10,021	-10,021	0%	0
	Total	2,718	2,718	0%	0
SCH&H Other Services	<i>Exp</i>	21,169	21,169	0%	0
	<i>Inc</i>	-7,158	-7,158	0%	0
	Total	14,011	14,011	0%	0
Total Expenditure		332,978	334,599	8%	+1,621
Total Income		-213,772	-214,199	13%	-427
SCH&H Total		119,206	120,400	1%	+1,194

MTFF Savings

3. The Group is delivering a savings programme totalling £11.4m and to date has banked £5.3m (46%). A forecast shortfall of £300k has been identified in Adult Social Care (excluding Mental Health) and is included in the forecasts set out below; the management team are exploring options to resolve this potential shortfall. The remainder of the programme is on target to deliver the balance albeit recognising that these represent major changes in service delivery for the group.

Children Services: £200k adverse

4. This service is experiencing pressure on two fronts, firstly due to pressure on the children with disabilities budget; and secondly from increase costs associated with court cases. Management is reviewing the causes of this pressure and the solutions necessary to manage this adverse position.

Asylum: £300k adverse

5. Although there are signs of falling demand the nature of the grant mechanism results in less income as a result, which doesn't fully cover the resultant fixed costs associated with this service. Management have taken actions to mitigate this impact by relocating and merging the intake teams as a single team and will continue to review this pressure.

Older People's Services: £351k adverse

6. Although this service has seen a significant reduction in residential and nursing placements since the beginning of this calendar year, there are pressures in the service. These are being experienced primarily in demand for Homecare services which are currently running ahead of budget. It is expected that as the TeleCareLine service matures and the full benefit of the new reablement service is in place then this demand will reduce.

Physical Disabilities: £281k adverse

7. This service has seen a slowing down and slight fall in residential and nursing placements since the beginning of this calendar year but pressures remain within the service. These are being experienced primarily in demand for Homecare services which are currently running ahead of budget. Similarly with Older People's Services this will also benefit from TeleCareLine and reablement.

Learning Disability: £362k adverse

8. The adverse position is as a result of 4 clients no longer receiving PCT funding and 3 clients who are now designated as being s117; a full year cost 'transfer' of £700k. This service is managed via a pooled budget between PCT and Hillingdon.

Mental Health: Nil variance

9. Throughout last year monitoring reports referred to a potential transfer of financial responsibility for a number of clients currently funded by Health. Whilst Senior Officers from both organisations have been fully engaged in resolving this issue and good progress has been made to date, the complexity of the cases has mitigated against achieving early agreement

Housing HRA

10. The HRA has a gross budget of £59.3m and as at month 2 is forecasting a break even position.

Division of Service	2011/12 Current Budget (as at Month 2) £000	2011/12 Forecast (as at Month 2) £000	% Var of budget	Variance (as at Month 2) £000
General and Special Services	+17,282	+17,282	0%	0
Repairs Services	+20,915	+20,915	0%	0
Subsidy Payment to Government	+15,492	+15,492	0%	0
Capital Funded from Revenue (RCCO)	+2,384	+2,384	0%	0
Other Expenditure	+3,198	+3,198	0%	0
Income	-56,796	-56,796	0%	0
In Year (Surplus) / Deficit	+2,475	+2,475	0%	0

Planning, Environment, Education & Community Services

Revenue: **£324k pressure**

1. The Group has an outturn position of £324k variance which excludes all pressures that have identified contingent provisions.

Services		2011/12 (As at Month 2)		% Var of budget	Variances (+ adv/ - fav)
		Current Budget £'000	Forecast £'000		Variance (As at Month 2) £'000
Corporate Landlord	<i>Exp</i>	4,880	5,001	2%	+121
	<i>Inc</i>	-4,635	-4,099	-12%	+536
	Total	245	902	268%	+657
Public Safety	<i>Exp</i>	43,822	43,652	0%	-170
	<i>Inc</i>	-15,784	-15,684	-1%	+100
	Total	28,038	27,968	0%	-70
Planning, Trading Standards, Consumer Protection, Sport & Green Spaces	<i>Exp</i>	12,158	12,158	0%	0
	<i>Inc</i>	-3,934	-3,934	0%	0
	Total	8,224	8,224	0%	0
Highways, Transportation & Planning Policy	<i>Exp</i>	16,324	16,274	0%	-50
	<i>Inc</i>	-6,129	-6,129	0%	0
	Total	10,195	10,145	0%	-50
Business Services & ICT	<i>Exp</i>	18,994	18,994	0%	0
	<i>Inc</i>	-12,340	-12,340	0%	0
	Total	6,654	6,654	0%	0
Education	<i>Exp</i>	288,832	288,565	0%	-267
	<i>Inc</i>	-251,423	-251,369	0%	+54
	Total	37,409	37,196	-1%	-213
Total Expenditure		385,010	384,644	0%	-366
Total Income		-294,245	-293,555	0%	+690
PEECS Total		90,765	91,089	0%	+324

Corporate Landlord: **£657k pressure**

1. The key pressures for Corporate Facilities and Property are outlined below and total £493k.
2. There is a forecast pressure of £230k across maintenance and Borough Wide Maintenance budgets. The larger proportion of this is due to a pressure against the income target to sell services to the schools, where schools have opted out and have purchased FM services directly. There are also pressures on maintenance budgets for day to day repairs.
3. The Middlesex Suite is forecasting a pressure of £65k due to a general slow down in demand set against a challenging income target. The marketing of this service has been reviewed and updated, however the impact of this is yet to be reflected in the performance.
4. The forecast pressure for Harlington Road depot is £163k which chiefly relates to a reduction in the intensity of usage. This is due to the movement of some Council services to the Civic Centre, together with the loss of Hillingdon Homes contributions for space occupation at the depot and use of the Stores facility. A number of space rationalisation measures have been implemented,

such as Block A being decommissioned last November, resulting in some minor savings on rates and utilities.

5. Property Disposal and empty buildings are forecasting a pressure of £35k which relates to the cost of maintaining vacant assets within the Estate.
6. In addition, there is a £164k pressure which relates to the underachievement on the 2011-12 MTFF savings target relating to the corporate landlord staffing review. This restructure is still in progress and once complete may give potential to improve this position.

Public Safety & Environment: £70k favourable

Waste Services: £70k favourable

7. Waste Disposal is forecasting an £70k underspend as the tonnages for the first two months of the year are below the levels anticipated in the variable element of the levy.
8. Overall, the rest of the waste services are reporting a nil variance with pressures in kerbside recycling assuming to be met from the contingency sum of £150k. The Trade Waste has increased its fees and has a associated MTFF savings target, the impact of which in the current economic climate will need to be judged going forward.

Planning Trading Standards Consumer Protection, Sport & Green Spaces: Nil Variance

Sport & Greenspaces: Nil Variance

9. Although Leisure services are currently forecasting a nil variance there are a number of risks associated with the economic downturn and the consequential financial stress that the contracted leisure providers are experiencing. This has resulted in 2 providers requesting rent reductions over the last year and although these have been turned down, there is a risk of non-payment. One provider is now behind on payments, and this contract is contributing £280k per annum to the Council.

Highways Transportation and Planning Policy: £50k favourable

10. The service is reporting a £50k favourable position, due to the anticipated net savings resulting from a restructure in the Road Safety service. However there are some risk areas for the service group, in particular the uncertainty around the energy tariffs and their potential increase which may be greater than budgeted inflation.

Education: £213k favourable

Director & Youth Services: £687k pressure

11. The Youth service has a pressure of £687k against the MTFF savings target. A reduced contract price has been agreed that has produced a saving for the current year, and continue to deliver the Youth service.

Learning & School Effectiveness Services: £411k favourable

12. Part of this area was previously ringfenced Surestart Grant. This has now been made unringfenced and comes under the Early Intervention Grant (EIG). It should be noted that flexibility still exists within the various cost centres under EIG for budgets to be vired between cost centres. This is beneficial as two of the cost centres within EIG are demand driven and budgets may need to be adjusted to accurately reflect take up.

13. The other part of this area continues to be DSG funded and includes Hillingdon's three Early Year Centres and 3&4 Year Old Nursery grants. The Hillingdon's Early Years Centres are either confirmed Children's Centres or building up to Children's Centre status. The additional funding for this is met from EIG.
14. Children's Centres budgets have been reviewed and are being reduced by 8.4% giving a BID saving of £411k.
15. The Music service is currently anticipating full achievement of the 2011/12 MTF savings and therefore reporting a nil variance.

ECS Central Budget: **£390k favourable**

16. This area consists of the Education Central Support Cost Budget, and corporate charges such as debt interest which will be charged at the year-end in line with the budget. The reported underspend is a result of the following.
17. There is an underspend on the Barnhill PFI projects revenue budget, the original general fund allocation was to cover a range of associated costs amongst which included the FM contract and legal costs, the current assessment is that there will be a saving of approximately £250k for the current year, with residual costs still to be confirmed.
18. The Carbon Reduction Commitment (CRC) allowance costs for the schools emissions are to be charged to DSG, which was a result of advice received from the Department of Education. This will now provide an underspend in the Council's general fund where it had been initially budgeted.
19. The Premature Redundancy Costs (PRC) liabilities are currently estimated as being £113k above budget. Going forward a robust process is now in place to ensure redundancy cost claims from schools are actively reviewed and challenged where appropriate to minimise any future costs to the Council's General Fund.

Access & Inclusion: **£99k favourable**

20. The teams is forecasting an underspend of £99k as at Month 2. This is mainly due to additional income forecasted from the academies although the hospital recoupment budget is historically very volatile and will continue to be closely monitored throughout the year. The Education Psychology team is also currently carrying vacancies that are contributing to this underspend.

Central Services

Revenue: £6k favourable

Services		2011/12 (As at Month 2)		% Var of budget	Variations (+ adv/- fav)
		Current Budget	Forecast		Variance (As at Month 2)
		£'000	£'000		£'000
Chief Executive/Deputy Chief Executive	<i>Exp</i>	512	506	-1%	-6
	<i>Inc</i>	0	0	0%	0
	Total	512	506	-1%	-6
Audit & Enforcement	<i>Exp</i>	1,170	1,138	-3%	-32
	<i>Inc</i>	0	-4	0%	-4
	Total	1,170	1,134	-3%	-36
Corporate Communications	<i>Exp</i>	899	851	-5%	-48
	<i>Inc</i>	-55	-55	0%	0
	Total	844	796	-6%	-48
Democratic Services	<i>Exp</i>	2,950	2,983	1%	+33
	<i>Inc</i>	-453	-453	0%	0
	Total	2,497	2,530	1%	+33
Finance & Procurement Services	<i>Exp</i>	8,752	8,756	0%	+4
	<i>Inc</i>	0	-3	0%	-3
	Total	8,752	8,753	0%	+1
Human Resources	<i>Exp</i>	4,489	4,545	1%	+56
	<i>Inc</i>	-891	-903	1%	-12
	Total	3,598	3,642	1%	+44
Legal Services	<i>Exp</i>	1,885	1,908	1%	+23
	<i>Inc</i>	-567	-544	-4%	+23
	Total	1,318	1,364	3%	+46
Policy & Performance	<i>Exp</i>	2,236	2,203	-1%	-33
	<i>Inc</i>	0	-8	0%	-8
	Total	2,236	2,195	-2%	-41
Total Expenditure		22,893	22,890	0%	-1
Total Income		-1,966	-1,970	0%	-5
CS Total		20,927	20,920	0%	-6

Audit and Enforcement: £36k favourable

1. This underspend relates primarily to vacant posts within the teams, the recruitment to which is intended for later in the year and will bring the team to full establishment to ensure that controls are maintained during this period of restructuring.

Finance and Procurement: Nil variance

2. The Accountancy restructure is currently out to consultation, with an end date of 19th July 2011 and is on track to meet its savings targets. The restructure in the Revenues service is nearing completion and staff have been appointed to posts where possible, recruitment is due to start for any vacant posts. Procurement is also due to start consultation to create a service which is reflective of the revised structure of the Council.

Corporate Communications: £48k favourable

3. This underspend has come as a result of staff vacancies and vacant posts being held open following the restructure and a projected underspend on the printing and distribution costs of Hillingdon People.

Democratic Services: £33k pressure

4. This overspend is due to staffing costs and a full establishment resulting in an inability to cover the MVF through salary budgets within the service itself. The position will continue to be reviewed and officers will seek to identify ways to cover the MVF if no vacancies materialise during the course of the year.

Policy, Performance and Partnerships: £41k favourable

5. There have been 5 vacant posts within the teams which have been held open this year while the restructures of teams within this service are implemented.

Human Resources: £44k pressure

6. This overspend is due to staffing costs and a full establishment resulting in an inability to cover the MVF through salary budgets within the service itself. As the year goes on, it is likely that this can be met through standard turnover of staff and close management of non-salary expenditure budgets.

Legal Services: £46k pressure

7. Salary overspends due to MVF and cover required for maternity leave. Reviews of business processes are continuing within Legal, focusing on court cost recovery and business processes within the support team with the aim of delivering savings going forward.

APPENDIX B - Treasury Management Report

1. This appendix is an update on treasury management activity for the month of May 2011.
2. As at 31 May 2011 the Council's portfolio of deposits and debt were as follows (deposit balances can move substantially from day to day in line with cash flow requirements).

Outstanding Deposits - Average Rate of Return on Deposits: 0.86%

	Actual £m	Actual %	Bench-mark %
Up to 1 Month	54.9	55.29	55.00
1-2 Months	0.0	0.00	0.00
2-3 Months	0.0	0.00	0.00
3-6 Months	12.4	12.49	15.00
6-9 Months	18.3	18.43	15.00
9-12 Months	0.0	0.0	10.00
12-18 Months	2.0	2.01	5.00
Subtotal	38.8	72.39	100
Unpaid Maturities	11.7	11.78	0.00
Total	99.3	100	100

3. With the exception of the unpaid Icelandic investments, deposits are held with UK institutions, which hold at a minimum, a Fitch AA- long-term credit rating. Currently deposits are held with: Deutsche MMF, Fidelity MMF, Goldman Sachs MMF, HSBC MMF, Ignis MMF, Invesco Aim MMF, PSDF MMF, Royal Bank of Scotland, Barclays Bank, Clydesdale Bank, Lloyds TSB Banking Group and Nationwide BS.
4. During May fixed-term deposits continued to mature in line with cash flow requirements. £13.9m was placed in medium to long term deposits to enhance investment income. Other surplus funds were spread between instant access accounts and short-term fixed deposits in order to meet near term cash flow requirements and remain within our counterparty limits.

Outstanding Debt - Average Interest Rate on Debt: 3.60%

	Actual £m	Actual %
PWLB	120.6	71.5
Long-Term Market	48.0	28.5
Temporary	0.0	0.0
Total	168.6	100

5. There were no natural loan maturities, early debt repayments or rescheduling activities during May.

Prudential Indicators

6. There were no breaches of the prudential indicators during May.

Ongoing Strategy

7. The current strategy is to place medium to long term deposits, where cashflow allows. These deposits will enhance investment income for 11/12. Short-term balances will be placed in instant

access accounts, as these are paying a higher rate of interest than those offered on fixed term deposits of up to 2 months. However, if necessary short-term fixed deposits will be placed to ensure counterparty limits are not breached.

8. During May outstanding PWLB loans carried premiums and therefore made rescheduling of debit unfeasible. Early redemption opportunities will continue to be monitored, however it is unlikely the market will move to an extent which will make it viable.

APPENDIX C

Retaining of agency staff for Planning, Environment, Education & Consumer Protection

Post 1 Paviour - Highways Responsive Maintenance Team.

To undertake a range of specialist repair duties on the public highway within the Responsive Maintenance Team. The post is fully budgeted for within the Highways Reactive Maintenance staffing budget. A further agency extension is sort as an interim measure whilst the service is being reviewed.

Post 2 Road Worker - Highways Responsive Maintenance Team.

To undertake a range of repair duties on the public highway within the Responsive maintenance Team. The post is fully budgeted for within the Highways Reactive Maintenance staffing budget. A further agency extension is sort as an interim measure whilst the service is being reviewed.

Post 3 – Corporate Landlord

To coordinate the project team and stakeholders on the primary capital schools programme relating to phase 1a temporary buildings to be delivered for September 2011 and Phase 2 permanent expansions and temporary facilities for delivery by September 2013. The cost is to be capitalised to the primary schools capital programme.

PEECS Agency staff	End date	2010/2011 Cost	Projected Cost 2011/2012 & 2012/13	Total Cost
		£'000	£'000	£'000
Paviour – Highways Responsive Maintenance Team	31-Mar-12	28	31	59
Road Worker – Highways Responsive Maintenance Team	31-Mar-12	24	28	52
Corporate Landlord – Delivery Officer – Schools Programme	3-Aug-12	7	110	117
Totals		59	169	228

Retaining of agency staff for Social Care, Health, and Housing Services

Posts 1-3. Although active recruitment is underway it is necessary to continue the temporary arrangements currently in place until permanent recruitment is complete. There is a risk to service provision and safeguarding without continuing agency cover for these roles.

Post 4. Active recruitment is underway and the current postholder is undertaking a strategic and operational role which includes the reshaping of disability services to shift the balance from residential care to supported living. The role is essential to take forward key pieces of work including the MTFF action plans to ensure delivery. Although permanent recruitment is underway these MTFF key deliverables are critical and an extension is requested to cover recruitment which is dependent on the successful candidate's notice period.

Post 5-6. Previous attempts to fill these posts have failed. This part of Hillingdon Housing Service is currently awaiting the outcome of the BID Common Operating Model process which may result in the restructure of technical services. Both posts are HRA funded.

Ref.	SCH&H Agency staff	End date	2010/2011 Cost	Projected Cost 2011/2012	Total Cost
			£'000	£'000	£'000
1	Team Manager, Children Services (Children with Disabilities)	31-Oct-11	25	47	72
2	Social Worker, Children Services (Looked After Children)	31-Aug-11	47	15	62
3	Social Worker, Children Services (Looked After Children)	31-Aug-11	38	27	65
4	Service Manager, Adult Services (Specialist services)	31-Mar-12	0	135	135
5	Electrical Services Officer, Hillingdon Housing Service (Technical Services)	11-Nov-11	22	29	51
6	Electrical Services Officer, Hillingdon Housing Service (Technical Services)	09-Dec-11	25	33	58
	Totals		157	286	443

APPENDIX D

Filming Fees

Legislative Empowerment

Hillingdon Council provides various licenses for filming in the borough when the production involves:

- Filming on the public highway (including town centre, major and minor thoroughfares)
- Temporary traffic holds.
- Road closures by notice or order.
- Filming or photographing of the exterior or interior of a Council property.

Under the Highways Act 1980, the Council may charge a fee for placing equipment on the public highway.

A supervisor for the New Roads and Street Works Act 1991 ("NRSWA") can sanction temporary traffic holds in accordance with Chapter 8 of the Traffic Signs Manual 2009.

Road Closures by both Notice and Order are provided for under Section 16 of the Road Traffic Regulations 1984 and must be implemented in accordance with Chapter 8 the Traffic Signs Manual 2009.

Procedure

Typically, in the first instance, a production company contacts the Business Support Unit of Planning, Environment, Education and Community Services. The film officer then ascertains the location of the filming, whether it is proposed for the highway, Council property or private premises within the borough. The requisite internal departments are then consulted, and if filming is to be approved, the film production company is required to inform all affected residents / businesses. All relevant Ward Councillors and other stakeholders are also advised. Site visits are undertaken, if appropriate, in conjunction with representatives from relevant Council departments. Following the site visits, an agreement will be made between parties, the film licence is produced and signed, and relevant blue light services advised (as appropriate).

New Fee Structure

The fees that are currently charged are based upon historic evaluation. It is now proposed that Hillingdon adopts a fee structure comparable with neighbouring boroughs, namely Ealing and Harrow. This new structure is intended to be robust and transparent, and maximise revenue for the Council whilst maintaining acceptability to the film companies.

All or part of applicable fees may be waived for students who are residents of the borough.

London Borough of Hillingdon Filming Fees

Location Fees

Interior Location Fees – (fees per day)	Exterior Location Fees (fees per day)
<u>Council owned principal location for production</u> Large productions: £3,000, Medium: £2,000, Small: up to £1,000 <u>Council owned secondary location</u> Large productions: £2,000, Medium: £1,000, Small: up to £500 All subject to specific requirements *small means up to 3 crew, camera only.	<u>Council owned principal location for production</u> Large productions: £3,000, Medium: £2,000, Small: up to £1,000, <u>Council owned secondary location</u> Large productions: £2,000, Medium: £1,000, Small: up to £500 All subject to specific requirements *small means up to 3 crew, camera only.

Administration Fees

Administration Fee	Late Application Charges	Cancellation Fees	Services for which administration fee is levied
£100 per hour	No charge	All costs incurred to the point of cancellation	<ul style="list-style-type: none"> • Site visits • Drawing up of contracts • Liaising with other Council departments • Supervising street works on the highway • Monitoring location filming

Road Closure, Traffic and Highway Management

	Temporary Traffic Holds / Use of Highway	Road Closure by Notice	Road Closure by Order
Method of Control	Traffic Management	Complete road closure	Complete road closure
Period of Hold Closure	Up to 3 minutes	Up to 24 hours	Up to 7 days
Application Process	Approval for use of traffic management on the highway	Notice under Section 16 of the RTA	Order under Section 16 of the RTA
Lead in Time	5 working days	2 weeks	8 weeks
Cost	On application – minimum £170	£200	£1000
Operator Qualifications	NRSWA supervisor qualified operators and traffic management in accordance with Chapter 8	If traffic management is used then in accordance with Chapter 8	If traffic management is used then in accordance with Chapter 8

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