

Minutes

COUNCIL

5 July 2012

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



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

	<p>MEMBERS PRESENT:</p> <p>Councillors: David Allam Catherine Dann Richard Lewis Lynne Allen Jazz Dhillon Anita MacDonald Bruce Baker Janet Duncan John Major Tim Barker Neil Fyfe Carol Melvin Richard Barnes Janet Gardner Douglas Mills Josephine Barrett Roshan Ghei Richard Mills David Benson Dominic Gilham John Morgan Jonathan Bianco Raymond Graham June Nelson Lindsay Bliss Paul Harmsworth Susan O'Brien Sukhpal Brar Shirley Harper-O'Neill Andrew Retter Wayne Bridges John Hensley John Riley Mike Bull Henry Higgins David Routledge Keith Burrows Patricia Jackson Avtar Sandhu Paul Buttivant Phoday Jarjussey Robin Sansarpuri George Cooper Sandra Jenkins Scott Seaman-Digby Judith Cooper Judy Kelly David Simmonds Philip Corthorne Peter Kemp David Yarrow Brian Crowe Mo Khursheed Peter Curling Kuldeep Lakhmana</p>
	<p>OFFICERS PRESENT: Hugh Dunnachie, Fran Beasley, Nigel Dicker, Neil Stubbings, Paul Whaymand, Raj Alagh, Lloyd White, Mark Braddock, Morgan Einon, Trevor Langworth and Nikki O'Halloran.</p>
12.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillors East, Garg, Lavery, O'Connor, Payne, Puddifoot, Stead and White.</p>
13.	<p>MINUTES (<i>Agenda Item 2</i>)</p> <p>RESOLVED: That the minutes of the meetings held on 23 February 2012 and 10 May 2012 be agreed as correct records.</p>
14.	<p>MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 4</i>)</p> <p>The Mayor advised that his new website had been well received and that the Mayor's Parlour was currently being revamped so that it could also be equally informative and educational.</p>

Over the Queen's Jubilee weekend, the Mayor, Mayoress, Deputy Mayor and past Mayors had attended hundreds of events across the whole of the Borough. Thousands of residents had taken part in these events. Councillors were advised that an illuminated address had been sent to the Queen.

15. **PUBLIC QUESTION TIME** (*Agenda Item 5*)

5.1 QUESTION FROM MRS ANILA HASHIM OF HILLSIDE ROAD, NORTHWOOD HILLS TO THE CABINET MEMBER FOR FINANCE, PROPERTY AND BUSINESS SERVICES - COUNCILLOR BIANCO

"What are the Council's plans for the empty properties in the Borough of Hillingdon, whether private or council owned?"

In the absence of the questioner, the Mayor put the question on her behalf and Councillor Bianco advised that a written response would be provided as follows:

Response:

Councillor Bianco advised that Hillingdon planned to continue its current proactive work in dealing with all empty properties in the Borough. Hillingdon Council recognised the contribution bringing empty properties back into use could make to providing homes for Borough residents and reducing the cost of housing homeless families to the General Fund. It was also recognised that empty homes often caused problems to neighbours and the surrounding area, often became eyesores, gardens became overgrown and they could be a source of fly tipping.

- With a population of around 266,000, comprising approximately 105,000 households, Hillingdon had around 700 empty properties at any given time which accounted for less than 1% of the total housing stock – a small but still significant number of properties.*
- Properties could become empty for a variety of reasons such as financial hardship, renovation works, re-possession, probate, inheritance, etc. The Council worked with owners through both formal and informal action to help and encourage them to bring these properties back into use*
- In 2011-12, 140 properties were brought back into use.*
- 28 Grants were used to assist owners in renovating their properties and in return the Council secured nomination rights for housing vulnerable homeless families for a minimum period of 5 years. These grants assisted in bringing a number of derelict houses back into use which had been vacant for over 15 years and were a blight on the local neighbourhood.*

As for commercial properties, it was recognised that viable town centres should sit at the heart of local communities, but that there were many challenges in achieving this. Clearly, renewal and rejuvenation of the fabric of the high streets and the business frontages could help – and, where appropriate, the Council was doing both these things. With the continued support of Boris Johnson, the Mayor of London and a long time supporter of Hillingdon, the Council had secured funding which specifically included an initiative to bring some of these empty properties back to life.

The Council was working with an expert consultant who was well versed in the art of

identifying and working with landlords, selling the message to them that, with some lateral thinking and the carrot of a modest financial incentive, they could achieve far better use of their properties initially in the short term, but hopefully to also bring them fully back into use. This could involve temporary use of the shops, for example, encouraging entrepreneurial businesses to try running a shop for a trial period in a low-risk rent-free environment. In particular, it could involved enticing the kinds of business missing from that high street to try running a shop there more or less free of competition and to the obvious benefit of the business community and the Borough as a whole.

In other cases, an option would be to allow the premises to be used for short term uses that would be of interest and benefit to the community. The Council was at the beginning of this process, but Councillor Bianco was confident that it would prove to be an important aspect of the Council's approach to its town centres. The key in all these cases was to get the property back into use - to get the shutters opened, locks unlocked and the piles of old mail removed from the door mat.

16. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 6*)

Councillor G Cooper moved the recommendations as set out on the Order of Business. This was seconded by Councillor O'Brien and:

RESOLVED: That:

- i) the Urgency decisions detailed in the report be noted; and**
- ii) the changes to the membership of Committees as shown below be approved:**
 - a) External Services Scrutiny Committee – Councillor Kelly to replace Councillor Morgan and Councillor Hensley to replace Councillor Fyfe.**
 - b) Residents' and Environment Services Policy Overview Committee – Councillor Allen to replace Councillor Nelson;**
 - c) Corporate Services and Partnerships Policy Overview Committee – Councillor Bliss to replace Councillor Allen;**
 - d) Social Services, Health and Housing Policy Overview Committee – Councillor Nelson to replace Councillor Lakhmana;**
 - e) Central & South Planning Committee – Councillor Duncan to replace Councillor Sansarpuri and Councillor Khursheed to be appointed and shown as the Labour Group Lead; and**
 - f) Registration & Appeals Committee – Councillor Sansarpuri to replace Councillor Curling.**

17. **THE LOCALISM ACT 2011 - A NEW ETHICAL FRAMEWORK** (*Agenda Item 7*)

Councillor G Cooper moved the recommendations as set out on the Order of Business. This was seconded by Councillor O'Brien and:

RESOLVED: That:

- a) w.e.f 1 July 2012, a new Code of Conduct for Hillingdon Members and co-opted members in the form set out at Appendix 1 of the report, including the Whips' Protocol at Appendix 2 of the report, be approved.**

- b) the abolition of the existing Standards Committee and sub-committees and the appointment of a new Standards Committee with Terms of Reference and Procedure Rules as set out in Appendices 4 and 5 of the report, be approved.
- c) the following be appointed as Members of the Committee for the remainder of the Municipal Year:

 - Conservative: Councillors Riley (proposed Chairman), Corthorne, Hensley and Lewis
 - Substitutes: Councillors Barrett and Dann

 - Labour: Councillor Harmsworth (Labour)
 - Substitute: Councillor East.
- d) a SRA of £3,000p.a be paid to the Chairman of the Standards Committee to be incorporated into the Scheme of Members' Allowances 2012/13.
- e) the amendments to the associated documents set out at Appendices 3, 7 & 8 of the report be approved.
- f) the expressions of interest received for the role of Independent Person be noted and Mr Allan Edwards be appointed to that role until 30 June 2013 in recognition of the experience he has gained as former Chairman of the Standards Committee and that he be paid a SRA of £1,500 in recognition of the significance of the role – the payment to be incorporated into the Scheme of Members' Allowances 2012/13.
- g) the effectiveness of the new ethical framework be reviewed in 12 months time.

18. **MEMBERS' QUESTIONS** (*Agenda Item 8*)

8.1 QUESTION SUBMITTED BY COUNCILLOR BENSON TO THE LEADER OF THE COUNCIL – TO BE ANSWERED BY COUNCILLOR SIMMONDS ON BEHALF OF COUNCILLOR PUDDIFOOT

“Given the massive lobbying effort of BAA aimed at persuading the government to go back to the previous Labour government's disastrous policy of a third runway at Heathrow, will the Leader of the Council outline the proactive measures the Council continues to take to counter them?”

Councillor Simmonds responded that the third runway proposal continued to be one of the most important issues facing the Borough. The Council continued to maintain its position opposing further expansion at Heathrow and would be responding robustly in the forthcoming consultation on the national aviation framework.

The Council had joined with its 2M local authority partners recently which had resulted in an Evening Standard article stating the third runway proposal was all about greed. Councillor Simmonds maintained that, whatever the reasoning, there was no justification for the misery that this development would cause those residents that would be displaced by the third runway or those living under the flight path.

In addition, politicians and officers had been liaising with peers across the country through working groups in relation to aviation policy, aircraft noise and local air quality to promote the message that Hillingdon was against further expansion at Heathrow. Councillor Simmonds suggested that a more creative solution was required and that, as an alternative, consideration should be given to building an additional runway at one of the airports that was keen to become involved elsewhere in the country.

It was noted that the Council had taken its case to Europe when this issue last came up on the agenda, to protest about expansion in an area already suffering from unacceptable levels of air quality, noise and congestion. The Council would not hesitate to do so again.

Councillor Benson, by way of a supplementary question, asked what further measures were being taken to reassure residents in Heathrow Villages and the surrounding Wards that the Council would continue to oppose the third runway proposals.

Councillor Simmonds stated that the Council would continue to lobby against the development of a third runway at Heathrow. He went on to advise that the Council's message remained the same and should be promoted amongst residents, particularly those in the affected Wards. Furthermore, officers would continue to develop technical answers to the major issues.

8.3 QUESTION SUBMITTED BY COUNCILLOR DHILLON TO THE CABINET MEMBER FOR EDUCATION AND CHILDREN'S SERVICES – COUNCILLOR SIMMONDS

"Would the Cabinet Member please give the most up to date progress on the primary school expansion programme including how delays or health and safety issues are being dealt with?"

Councillor Simmonds responded that, although there had been an additional 3,500 in-year admission applications this year, the impact of any potential delays were being addressed through the use of the schools' existing accommodation or by the use of temporary classrooms. Where applicable, financial penalties had been applied to the contractors if the delays to the construction were preventable.

With regard to health and safety, Councillor Simmonds stated that, in addition to the contractors' statutory role as Principal Contractor under the Construction Design and Management (CDM) Regulations, a Construction, Design and Management Coordinator (CDM-C) represented the Local Authority on all schemes. Furthermore, all contractors working on site were Criminal Records Bureau checked and there was a zero tolerance for unsafe practices or behaviour on the construction sites. The CDM-C also undertook unannounced site visits from time to time to check compliance. Officers would continue to meet weekly to ensure that delays were minimised.

Councillor Dhillon, by way of a supplementary question, asked if there had yet been any contractors held to account for breaches in health and safety.

Councillor Simmonds advised that, to date, he had not been advised of any health and safety breaches by the contractors. He went on to state that officers continued to monitor and enforce the contracts and he was confident that, if there had been any breaches, these had been minor and had been dealt with by officers.

8.2 QUESTION SUBMITTED BY COUNCILLOR O'CONNOR TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING – COUNCILLOR CORTHORNE

“Will the Cabinet Member confirm that this Council does not, as alleged by (one ill informed commentator), have large unspent sums of S106 funding for housing in Hillingdon?”

As Councillor O'Connor was unable to attend the meeting, the Mayor posed the question on her behalf. Councillor Corthorne responded that he was surprised that the MP for Hayes & Harlington had made this allegation when the *Planning Obligations – Quarterly Financial Monitoring Report* considered by Cabinet at its meeting on 21 June 2012 had clearly stated that all S106 monies had been committed.

There was no supplementary question.

8.4 QUESTION SUBMITTED BY COUNCILLOR MACDONALD TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION & RECYCLING – TO BE ANSWERED BY COUNCILLOR BIANCO ON BEHALF OF COUNCILLOR BURROWS

“Would the Cabinet Member for Planning, Transportation & Recycling please update the Council on the poor state of West Drayton Cemetery and what action is being taken to improve it for bereaved families in the area?”

Councillor Bianco stated that there had been a number of issues that had arisen over the last few months in relation to grounds maintenance at parks and cemeteries across the Borough as a result of the rain, which had made the ground too wet, and then the warm weather, which had encouraged the grass to grow.

It was noted that the Council's Residents' and Environmental Services Policy Overview Committee would be starting a general review into the Council's cemeteries at the end of July. It was likely that this review would look at the Council's Cemetery Regulations, which had originally been drafted in 1994 and required revision. Since the Regulations had been drafted, there had been some significant changes in attitudes towards burial and the nature of memorials and there was a need to bring the Council's regulations in line with modern requirements.

Councillor Bianco stated that the possible scope for the review included:

- rules on mementos, furniture and memorials (including size, types, materials, permissions etc);
- rules on purchase of grave spaces;
- the use of authorised installers for memorials and maintenance of safe condition of memorials;
- revision of the Council's bylaws;
- maintenance and upkeep of the Council's cemeteries; and
- enforcement approaches where breaches occurred

The resultant final report and recommendations would be considered by Cabinet in due course.

Councillor MacDonald, by way of a supplementary question, asked for reassurance that sufficient staff would be employed to ensure that West Drayton cemetery would

be well maintained in the future.

Councillor Bianco stated that he was unable to commit to giving such assurances at this time.

8.5 QUESTION SUBMITTED BY COUNCILLOR HARMSWORTH TO THE LEADER OF THE COUNCIL – TO BE ANSWERED BY COUNCILLOR BIANCO ON BEHALF OF COUNCILLOR PUDDIFOOT

“Would the Leader of the Council please give an update on the Yiewsley Pool site?”

Councillor Bianco responded that the Council was continuing its discussions with the Primary Care Trust (PCT) over the feasibility of a health care building on the Yiewsley Pool site. He stated that the Council was committed to putting all of its residents first and at the heart of everything it did across the whole of the Borough. It was noted that both sides were trying to find a solution that was mutually acceptable and that would ultimately be to the benefit of the local residents.

Councillor Harmsworth, by way of a supplementary question, asked whether the Cabinet Member was hopeful that the project would get off the ground.

Councillor Bianco stated that, at present, he was hopeful that the project would get underway. However, he was mindful that the abolition of the PCT could provide additional complications (the Hillingdon Clinical Commissioning Group (CCG) would subsequently be taking over the PCTs responsibilities). Although taking longer than expected, Councillor Bianco was confident that, as the CCG would be taking over from the PCT, there was a good chance that the project would be completed by the end of the Autumn.

19. **MOTIONS** (*Agenda Item 9*)

9.1 MOTION FROM COUNCILLOR MAJOR

At the invitation of the Mayor, the Borough Solicitor gave a short statement reminding Members that the Cabinet decision in question was still subject to potential Judicial Review proceedings.

Councillor Major moved the following motion:

“That this Council calls upon the Cabinet to reconsider the decision to close the three Day Centres – Parkview, Woodside and Phoenix.

This has been done under the guise of giving people more choice. The removal of any service clearly gives people less choice. These closures are taking away a much valued service, that is a certainty. Whilst not explaining what the replacement will be, that is clearly an uncertainty.

This was clear to all who attended the individual consultation meetings about the centres. When questioned, those leading the meetings were very vague about what was to be the replacement. Vague references were made to a directory of services that was not yet available. It was not available when the closure decision was taken and carers are still in the dark about what is available.

These carers are amongst those who save the Statutory Authorities in Hillingdon

£442.6 million annually, according to Leeds University research. Surely we must owe them something?

Day Centres are valued by carers as having a dual benefit. On the one hand they are a safe environment that their dependents enjoy and on the other hand they give valuable 'me time' for carers. This enables these beleaguered families to survive. Removing these centres puts that fragile situation in jeopardy.

The decision to close the centres sent a clear message to carers. Day care will be a thing of the past in Hillingdon. This is demonstrated in the Council's 'Frequently asked questions' document, question 9 – what will people be able to buy with a personal budget? Part of the answer states 'people will be able to use personal budgets to buy back a service from the Council, provided the service is not a Day Centre'. What could be clearer?

Less choice for users and carers.

Please rescind this desperate situation and give Carers hope.”

The motion was seconded by Councillor Curling. Following debate (Councillors Corthorne, Simmonds and Harmsworth), the motion was put to a recorded vote.

Those voting for: Councillors Allam, Allen, Bliss, Curling, Dhillon, Duncan, Gardner, Ghei, Harmsworth, Jarjussey, Khursheed, Lakhmana, MacDonald, Major, Nelson, Sandhu and Sansarpuri.

Those voting against: The Mayor (Councillor Markham), the Deputy Mayor (Councillor Kauffman), Councillors Baker, Barker, Barnes, Barrett, Benson, Bianco, Brar, Bridges, Bull, Burrows, Buttivant, G Cooper, J Cooper, Corthorne, Crowe, Dann, Fyfe, Gilham, Graham, Harper-O'Neill, Hensley, Higgins, Jackson, Jenkins, Kelly, Kemp, Lewis, Melvin, D Mills, R Mills, Morgan, O'Brien, Retter, Riley, Routledge, Seaman-Digby, Simmonds and Yarrow.

Those abstaining: None.

The motion was lost.

9.2 MOTION FROM COUNCILLOR ALLEN

Councillor Allen moved the following motion:

“This Council welcomes the recommendation, in the recent independent Mary Portas Review into revitalising our high streets, which called on the government to reclassify betting shops in planning law to give local authorities more control over the number of betting shops in their area.

Council also notes:

1. The results of a recent survey by the Gambling Association which show that problem gambling has increased by 50% since liberalisation in 2005.
2. There are currently 450,000 problem gamblers in the UK and they are hugely expensive to treat.
3. Evidence from the Responsible Gambling Fund shows that there is a clear targeting of betting shops machines in poorer areas with disproportionately

high levels of unemployment and young people.

4. The proliferation of bookies on the high street in our poorest communities can exacerbate debt and problem gambling and create demand for pawnbrokers and payday loan companies who move in and can put more productive businesses off.
5. Betting shops are currently included in the same use class as job centers, restaurants, estate agents and banks under planning law.
6. A betting shop wanting to open in a property formerly occupied by a business such as a bank or post office does not have to seek planning permission.

This Council therefore Resolves:

1. To back the High Streets First campaign, which calls on the government to reclassify betting shops in planning law and give local authorities control over their numbers.
2. To write to the Secretary of State for Communities & Local Government asking him to implement the recommendation contained in the Portas Review to reclassify betting shops.
3. To encourage all Council Members to sign the High Streets First petition.
4. To write to the local MPs and ask them to sign the petition and endorse the campaign.
5. To ask the appropriate Cabinet Member to submit evidence on the prevalence of betting shops and associated problems to the government's upcoming use class review."

The motion was seconded by Councillor Sansarpuri. Following debate (Councillors Barnes, Benson, Burrows, Crowe, Curling, Harmsworth, Hensley, Retter and Seaman-Digby), the motion was put to the vote and lost.

The meeting, which commenced at 7.30 pm, closed at 8.54 pm.

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