

## Minutes

### COUNCIL

7 November 2013

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



Councillor Allan Kauffman (Mayor)  
Councillor Catherine Dann (Deputy Mayor)

	<p><b>MEMBERS PRESENT:</b></p> <p>Councillors: David Allam                      Neil Fyfe    Michael Markham                     Lynne Allen                                      Janet Gardner                                      Carol Melvin                     Bruce Baker                                      Sid Garg    Douglas Mills                     Tim Barker                                        Roshan Ghei                                        Richard Mills                     Richard Barnes                                    Dominic Gilham                                    John Morgan                     David Benson                                      Raymond Graham                                   June Nelson                     Jonathan Bianco                                   Paul Harmsworth                                   Susan O'Brien                     Lindsay Bliss                                      Shirley Harper-O'Neill                            Mary O'Connor                     Sukhpal Brar                                        John Hensley                                        David Payne                     Wayne Bridges                                    Henry Higgins                                       Ray Puddifoot                     Mike Bull    Patricia Jackson                                    Andrew Retter                     Keith Burrows                                      Phoday Jarjussey                                   John Riley                     Paul Buttivant                                       Sandra Jenkins                                      David Routledge                     George Cooper                                      Judy Kelly    Avtar Sandhu                     Judith Cooper                                       Peter Kemp     Robin Sansarpuri                     Philip Corthorne                                    Mo Khursheed                                       Scott Seaman-Digby                     Brian Crowe                                        Kuldeep Lakhmana                                   David Simmonds                     Peter Curling                                       Eddie Lavery                                        Brian Stead                     Jazz Dhillon                                        Richard Lewis                                       Michael White                     Janet Duncan                                       Anita MacDonald                                    David Yarrow                     Beulah East                                        John Major</p>
	<p><b>OFFICERS PRESENT:</b> Fran Beasley, Jean Palmer, Raj Alagh, Lloyd White, Mark Braddock, Morgan Eionon, Trevor Langworth, Paul Whaymand, Steven Maiden, Merlin Joseph and Tony Zaman</p>
28.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Barrett.</p>
29.	<p><b>MINUTES</b> (<i>Agenda Item 2</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 12 September 2013 be agreed as a correct record.</p>
30.	<p><b>MAYOR'S ANNOUNCEMENTS</b> (<i>Agenda Item 4</i>)</p> <p>The Mayor announced that the Mayor's Charity Appeal 2013/14 had so far raised £23,000 and that the recent quiz night had raised over £4,000.</p>

	<p>The Mayor invited the Leader of the Council to make an announcement. The Leader congratulated the Rt. Hon. John Randall MP for Uxbridge and South Ruislip for being conferred a Knighthood. The Leader commented that John Randall's commitment as an MP was greatly appreciated at both the local and national levels.</p>
31.	<p><b>PUBLIC QUESTION TIME</b> (<i>Agenda Item 5</i>)</p> <p><b>5.1 QUESTION FROM MR TONY ELLIS OF KEWFERRY ROAD, NORTHWOOD, ON BEHALF OF THE NORTHWOOD RESIDENTS' ASSOCIATION, TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION &amp; RECYCLING – COUNCILLOR BURROWS</b></p> <p>“In view of the Government's exhortations to local councils to support High Streets, is it Council policy to permit the construction of large supermarkets in small town centres such as Northwood?”</p> <p>The Cabinet Member for Planning, Transportation &amp; Recycling responded that the Council was committed to supporting the Borough's town centres and, in 2011, had initiated a 3 year rolling programme with a particular focus on supporting smaller district centres such as Ruislip Manor, Northwood Hills and Hayes where the Council had undertaken a range of works and had also provided business support including apprenticeship schemes and training.</p> <p>Councillor Burrows advised that there was no Council policy to support the development of large supermarkets in small town centres and that any such applications had to be assessed against local and national planning policies. These policies generally determined it to be more appropriate for new retail developments to be built within existing town centres so that they supported rather than drew away from local businesses.</p> <p>Councillor Burrows stressed that proposals for retail development underwent a detailed technical assessment which considered the scale and likely impacts on existing town centres. Each site was considered on its individual merits which meant that local factors such as access, parking and design would be taken into account.</p> <p>Councillor Burrows advised that no applications had been received for supermarkets in Northwood and that they would be considered by the Council's Planning Committees if submitted. Residents could speak against the application at these meetings through the submission of a petition.</p>
32.	<p><b>REPORT OF THE HEAD OF DEMOCRATIC SERVICES</b> (<i>Agenda Item 6</i>)</p> <p>Councillor Puddifoot moved the recommendations as set out on the Order of Business. This was seconded by Councillor Simmonds.</p> <p>In addition to the information set out in the Report, Council was asked to note that, at the meeting of the Health &amp; Wellbeing Board on 31 October 2013, it was agreed that Mr Rob Larkman be appointed as the Co-opted (Non-Voting) Officer member of the Board for the Hillingdon Clinical Commissioning Group and that Ms Ceri Jacob be appointed as his substitute. The Board also agreed that Dr Tom Davies be appointed as the Co-opted (Non-Voting) Clinician member of the Board for the Hillingdon Clinical Commissioning Group and that Dr Kuldhir Johal be appointed as his substitute.</p>

Furthermore, Council was asked to agree the appointment of Dr Kuldhir Johal as the substitute for the Hillingdon Clinical Commissioning Group Statutory (Voting) Member.

The motion was then put to the vote and it was:

**RESOLVED: That:**

- a) the Urgency decisions detailed in the report be noted;
- b) the Terms of Reference for the Licensing Committee be amended to include responsibility of discharging the Council's functions under the Scrap Metal Dealers Act 2013, as set out in Annex A;
- c) Members of the Licensing Committee authorise the Head of Democratic Services to make the necessary changes to the Terms of References of the Licensing Sub-Committees, as set out in Annex A;
- d) Officer Delegations to the Deputy Chief Executive and Corporate Director of Residents Services be amended, as set out in Annex B;
- e) Cabinet be requested to approve the necessary related guidance and fees for the Scrap Metal Dealers Act 2013;
- f) Authority be given to the Head of Democratic Services, in consultation with the Leader of the Council and the Licensing Committee where applicable, to make any further necessary changes to the Constitution, including officer delegations and Terms of Reference that may be required in respect of the full and proper implementation of the Scrap Metal Dealers Act 2013 and associated regulations; and
- g) the amendments to the statutory membership of the Health and Wellbeing Board be approved and the amendments to the co-opted membership be noted.

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

**7.2 QUESTION SUBMITTED BY COUNCILLOR BRIDGES TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING – COUNCILLOR CORTHORNE**

“Now that the benefit cap has been implemented across the country, could the Cabinet Member for Social Services, Health & Housing advise Council how many Hillingdon residents have been affected against the original DWP estimates?”

The Cabinet Member for Social Services Health & Housing advised that the benefit cap had been implemented in Hillingdon by 30 September 2013 and had been applied to 283 of the 601 cases identified by the original Department of Work and Pensions scan. The cap would continue to be applied to new cases and removed from existing claimants as their circumstances changed.

Councillor Corthorne advised that 745 residents would be impacted by the cap to Discretionary Housing Payments. Of these, 183 were now in employment and a further 358 were in training.

There was no supplementary question.

**7.1 QUESTION SUBMITTED BY COUNCILLOR GARDNER TO THE LEADER OF THE COUNCIL – COUNCILLOR PUDDIFOOT**

“Considering this Council has paid on average £20,000 per month to Hazelmere

Consultancy over the last year or so, can you please let us know when this contract was put out to tender?"

The Leader of the Council advised that the Business Improvement Delivery (BID) programme had contributed significantly to the improvement of the Council's services and its financial balances since 2010. He noted that BID was a continuous transformation programme that required sustained work to provide the quality and equality of transformation sought. This meant that there needed to be a Transformation Manager in place to manage the day-to-day operations of the programme. This was a temporary post that could be terminated immediately by either the Council or Hazelmere Consultancy. These arrangements had been reviewed in 2013.

Councillor Puddifoot noted that, from 2010/11, the Bid Programme had cost £545,000 compared to savings of over £76,000,000 in the same period.

By way of supplementary question, Councillor Gardner asked how many jobs had been lost as a result of the BID programme?

The Leader of the Council noted that the current administration was concerned with putting residents first, over and above providing employment.

### **7.3 QUESTION SUBMITTED BY COUNCILLOR FYFE TO THE CABINET MEMBER FOR COMMUNITY, COMMERCE AND REGENERATION – COUNCILLOR D.MILLS**

"What is the significance to the proposed development plans for the Old Vinyl Factory in Hayes, as a result of the announcement that the Mayor of London, Boris Johnson wishes to support the creation of a new Central Research Laboratory with a £7.7M loan?"

The Cabinet Member for Community, Commerce and Regeneration noted that the proposed development of the Old Vinyl Factory in Hayes was very significant. The Central Research Laboratory would be the first of its kind in the United Kingdom and would help to send the message to other companies that Hayes was open for business and was a good commercial opportunity. He advised that there was a growing commercial interest in Hayes and that there were already a number of developers making enquires about available sites.

Councillor D. Mills noted that there would be 4,000 new jobs in Hayes which would be a catalyst for regeneration in the area. Furthermore, the developments were helping Hayes and Hillingdon to gain a reputation for being the hub of a manufacturing renaissance.

By way of supplementary question, Councillor Fyfe asked if the Cabinet Member felt that these developments proved that the Mayor of London was a friend of Hillingdon.

Councillor D. Mills advised that the Mayor of London was a friend of the Borough as he supported development in the West of London unlike the previous Mayor of London.

**7.4 SUBMITTED BY COUNCILLOR DHILLON TO THE CABINET MEMBER FOR EDUCATION & CHILDREN’S SERVICES – COUNCILLOR SIMMONDS**

“In June 2013 applications were made by Hillside Infants School and West Drayton School for the Council to pay redundancy costs as both schools had suffered a real reduction in funding. The reports from officers described applications as reasonable in both cases. Can you explain why you decided to refuse these applications which is likely to result in further redundancies and adversely affect childrens’ education?”

The Cabinet Member for Education & Children’s Services advised that every service area in the Borough needed to ensure that good husbandry of money took place. In January 2011 the Council’s former Corporate Director of Education & Children’s Services had reminded head teachers and governors that the Local Authority would only fund redundancies where the Council was “satisfied that the school has clear documentation outlining the rationale for the proposal, that all alternative solutions to redundancies have been explored, and the appropriate consultation has been undertaken”.

Councillor Simmonds noted that the Council responded rigorously to schools’ bids to pay for redundancy costs. This had led to some redundancies being funded and others not. In both these cases – Hillside Infants School and West Drayton School – it was deemed that the schools themselves should pay for redundancy costs as they would be benefiting from the savings delivered. He advised that any bids for redundancy costs would be reconsidered if they were resubmitted with additional information.

By way of supplementary question, Councillor Dhillon asked whether Councillor Simmonds should have outlined these points when visiting the schools and whether refusing to pay these costs really exhibited a desire to put residents first?

Councillor Simmonds noted that, with the expected bulge in pupil numbers in the Borough, making teachers redundant did not seem logical. He advised that this decision rested with the schools themselves.

**7.5 QUESTION SUBMITTED BY COUNCILLOR O’CONNOR TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING – COUNCILLOR CORTHORNE**

“Would the Cabinet Member for Social Services, Health and Housing please inform me of the progress that has been made in reducing the number of void properties and what action is being taken to ensure we sustain this and minimise the number of void properties as we move forward?”

The Cabinet Member for Social Services, Health & Housing advised that there were currently only 27 void properties outstanding and that this was largely due to the work done to improve the management of such properties. He thanked the officer team for their hard work in improving this service and for their work to reduce the period a property was likely to be void by increasing turnaround.

There was no supplementary question.

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

The Leader of the Labour Group announced that his Members were of the opinion

that the motions as submitted were not valid and that, therefore, his Group would not take part in debate. The Members of the Labour group then withdrew from the meeting.

The Head of Democratic Services had confirmed that the motions were in accordance with the requirements of the Constitution and therefore Council were able to debate them as submitted.

### **8.3 MOTION FROM COUNCILLOR CORTHORNE**

Councillor Corthorne moved the motion as set out on the Order of Business. The motion was seconded by Councillor Puddifoot. Following debate (Councillors Lewis, Lavery and White), and on being put to the vote, the motion was carried.

**RESOLVED: That, Council notes that its agreed target for housing in the Local Development Plan for the year to 31<sup>st</sup> March 2013 amounted to 425 housing units of which 149 were to be affordable housing.**

**Council further notes that both the total housing and affordable housing targets were exceeded with 615 new units built in total of which 188 were affordable housing units.**

**Council reaffirms that its approach to housing land usage as set out in the Local Development Plan and the specific sites consultation just published, remains appropriate for this Borough and confirms that it will not contemplate a return to the policy of the last Labour administration of proposing to build houses, and other inappropriate developments on green space across the borough.**

### **8.2 MOTION FROM COUNCILLOR D.MILLS**

Councillor D. Mills moved the motion as set out on the Order of Business. The motion was seconded by Councillor Puddifoot. Following debate (Councillors Crowe, Bridges, Higgins, R. Mills, Barnes, and O'Connor), and on being put to the vote, the motion was carried.

**RESOLVED: That, Council welcomes the fact that despite the reduction in leisure and resident facilities provided by other local authorities, in Hillingdon, due to the delivery of sound financial management we have made exceptional achievements in the provision of high class leisure centres, youth clubs, libraries and parks and open spaces throughout the whole Borough.**

**Council acknowledges the resultant satisfaction and appreciation shown by its residents as evidenced by increased usage and survey data and reconfirms its ongoing commitment to invest in improving and delivering further facilities for the enjoyment, health and wellbeing of our residents.**

### **8.1 MOTION FROM COUNCILLOR SIMMONDS**

Councillor Simmonds moved the motion as set out on the Order of Business. The motion was seconded by Councillor Puddifoot. Following debate (Councillors Gilham,

	<p>Crowe, Yarrow, Burrows and Hensley), and on being put to the vote, the motion was carried.</p> <p><b>RESOLVED: That, Council notes that once again, every Hillingdon child of primary school age was able to have a proper school place at the start of term in September, and congratulates the staff of the Council involved in this achievement, in what is the largest school building programme in London.</b></p> <p><b>Council further notes that the current and continuing challenge to deliver a good educational start in life for children across Hillingdon from North to South remains a fundamental commitment of this Council not just as a statutory duty but as a basic right for local children. As the Labour Group were unable to identify any alternative sites for the new school under construction at Lake Farm, Council reaffirms that it will deliver the agreed schools building programme, putting our younger residents first.</b></p>
	<p><b>ANNEX A: LICENCING COMMITTEE TERMS OF REFERENCE</b></p>
	<p><b>ANNEX B: OFFICER SCHEME OF DELEGATIONS</b></p>
	<p>The meeting, which commenced at 7.30 pm, closed at 8.58 pm.</p>

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.

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## 8.04 LICENSING COMMITTEE (AND SUB-COMMITTEES APPOINTED BY THE COMMITTEE)

### (a) Introduction

The Committee discharges the Council's functions under the Licensing Act 2003, Gambling Act 2005, Sex Establishment Venue Licences under the Local Government (Miscellaneous Provisions) Act 1982, Street Trading determination functions under the London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013**, which are statutory in nature.

### (b) Membership

(no change proposed)

### (c) Terms of Reference

1. To oversee the discharge of all licensing functions of the Council as the licensing authority under the Licensing Act 2003, Gambling Act 2005, Local Government (Miscellaneous Provisions) Act 1982, London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013**, except, in respect of each, the determination of the Council's Statement of Licensing Policy and the publication of that Statement.
2. To establish and appoint sub-committees to determine any applications requiring a hearing under the Licensing Act 2003, Gambling Act 2005, Local Government (Miscellaneous Provisions) Act 1982, London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013** or otherwise the determination of any application not delegated to officers.
3. To arrange for the discharge of the functions governed by the Licensing Act 2003, Gambling Act 2005, Local Government (Miscellaneous Provisions) Act 1982, London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013** by its sub-committees or by officers except where prohibited by the Licensing Act 2003 and Gambling Act 2005
4. To receive and consider reports, where appropriate, on the needs of the local tourist economy, employment and investment in the area and any other matter directly related to the licensing functions in the Borough.

### **Proposed additional Terms of References for the Licensing Sub-Committees**

In relation to the Scrap Metal Dealers Act 2013, the Licensing Sub-Committee should hold a hearing to listen to representations of an applicant or licensee, and make a determination, in the following situations:

- Where an application for the issue of a site or collector's licence is proposed for refusal and the applicant has made relevant representations contesting the proposal.

- Where an application for a variation to a site or collector's licence is proposed for refusal and the applicant has made relevant representations contesting the proposal.
- Where the Licensing Service proposes to revoke a site or collector's licence and the licensee has made relevant representations contesting the proposal.
- Where the Licensing Service proposes to serve a closure notice, on a site that is being used for a scrap metal dealing business without a licence.

# Minute Annex B

It is proposed that the following amendments be made to the delegations given to the Deputy Chief Executive and Corporate Director of Residents Services, who may sub-delegate the day to day responsibility for discharging functions set out below to those officers who report to her. The sub-delegations are to be set out in the Deputy Chief Executive's Internal Scheme of Delegations.

1) Delete the existing delegation to the Food Health & Safety Team and Trading Standards Team to enforce and execute the duties and functions of the Council under the Scrap Metal Dealers Act 1964.

2) Add new delegations, to be discharged by the Licensing Services Manager, to:

To undertake functions under the Scrap Metal Dealers Act 2013 as follows:

- i. To determine uncontested applications for site and collector's licences.
  - ii. To determine uncontested applications for site and collector's licences subject to conditions.
  - iii. To determine uncontested applications for variations to a site or collector's licence.
  - iv. To revoke a site or collectors licence where no relevant representations from the licensee have been received.
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