



HILLINGDON  
LONDON



# Corporate Services and Partnerships Policy Overview Committee

## Councillors on the Committee

Richard Lewis (Chairman)  
Michael White (Vice-Chairman)  
Beulah East, Labour Lead  
Neil Fyfe  
Raymond Graham  
Shirley Harper-O'Neill  
Richard Mills  
Robin Sansarpuri

**Date:** TUESDAY, 20 MARCH 2012

**Time:** 7.30 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

**This agenda and associated  
reports can be made available  
in other languages, in Braille,  
large print or on audio tape on  
request. Please contact us for  
further information.**

**Published:** 12 March 2012

**Contact:** Khalid Ahmed  
Tel: 01895 250833  
Fax: 01895 277373  
Email: [kahmed@hillington.gov.uk](mailto:kahmed@hillington.gov.uk)

This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=243&MId=1104&Ver=4>

Lloyd White  
Head of Democratic Services  
London Borough of Hillingdon,  
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)



INVESTOR IN PEOPLE

# Useful information

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room. An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

Please switch off any mobile telephones and BlackBerries™ before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

If there is a FIRE in the building the alarm will sound continuously. If there is a BOMB ALERT the alarm sounds intermittently. Please make your way to the nearest FIRE EXIT.



## **About this Committee**

This Policy Overview Committee (POC) will undertake reviews in the areas covered by the Deputy Chief Executive's Office and Finance and Resources Directorate and can establish a working party (with another POC if desired) to undertake reviews if, for example, a topic is cross-cutting.

This Policy Overview Committee will consider performance reports and comment on budget and service plan proposals for the Deputy Chief Executive's Office and Finance and Resources Directorate.

The Cabinet Forward Plan is a standing item on the Committee's agenda.

The Committee will not consider call-ins of Executive decisions or investigate individual complaints about the Council's services.

## **Terms of Reference**

The Constitution defines the terms of reference for Policy Overview Committees as:

1. To conduct reviews of policy, services or aspects of service which have either been referred by Cabinet, relate to the Cabinet Forward Plan, or have been chosen by the Committee according to the agreed criteria for selecting such reviews;
2. To monitor the performance of the Council services within their remit (including the management of finances and risk);
3. To comment on the proposed annual service and budget plans for the Council services within their remit before final approval by Cabinet and Council;
4. To consider the Forward Plan and comment as appropriate to the decision-maker on key decisions which relate to services within their remit (before they are taken by the Cabinet);

Policy Overview Committees will not investigate individual complaints.

This Committee performs the Policy Overview role in relation to the following services:

1. human resources and personnel service;
2. e-Government and ICT;
3. democratic services;
4. legal services;
5. the Council's property portfolio, including property and asset acquisition and disposal, and capital programme;
6. corporate finance, including:
  - a. development of a medium term budget strategy;
  - b. scrutiny of the Council's management of its resources;
  - c. reviewing the operation of the Council's financial rules making proposals to the Cabinet and/or Council for their development
7. the Council's overall performance and corporate improvement work particularly in relation to the Comprehensive Performance Assessment and Corporate Assessment;
8. economic development and single regeneration budget;
9. the Local Strategic Partnership and Community Strategy;
10. Local Area Agreement;

11. community partnerships and the Council's voluntary sector strategy;
12. corporate aspects of diversity & equalities policy;
13. Best Value;
14. any other cross-cutting portfolios that might be created and any functions not included within the remit of the other Policy Overview Committees.

# Agenda

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes of Meeting held on 6 February 2012 (**Pages 1-6**)
- 4 Exclusion of Press and Public  
To confirm the items of business marked Part I will be considered in public and that the items marked Part II will be considered in private.
- 5 Major Review - Operation and Function of the Hillingdon First Card - Second Witness Session (**Pages 7-14**)
- 6 Briefing Paper - Planning Enforcement Team (**Pages 15-24**)
- 7 Work Programme 2011/12 (**Pages 25-28**)
- 8 Cabinet Forward Plan (**Pages 29-32**)

## Minutes

**Corporate Services and Partnerships  
Policy Overview Committee  
Monday 6 February 2012  
Meeting held at Committee Room 6 - Civic  
Centre, High Street, Uxbridge UB8 1UW**



	<p><b>Members Present:</b> Councillors Richard Lewis (Chairman), Beulah East, Neil Fyfe, Roshan Ghei, Raymond Graham, Shirley Harper-O'Neill, Richard Mills and Michael White.</p> <p><b>Apologies:</b> Councillor Robin Sansarpuri (Councillor Roshan Ghei substituting).</p> <p><b>Officers:</b> Ozan Hassan (Customer Focus Project Officer), Darryl Wallace (ICT Strategist – ICT, Highways and Business Services) and Khalid Ahmed (Democratic Services Manager).</p> <p><b>Witnesses:</b> Emma Hallett (Marketing Consultant – Drek Associates) and David Holdstock (Head of Corporate Communications).</p>		
55.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>None.</p>		
56.	<p><b>MINUTES OF THE MEETING HELD ON 18 JANUARY 2012</b></p> <p>Agreed as an accurate record.</p>		
57.	<p><b>EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>It was agreed that all items of business would be considered in public.</p>		
58.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 5px;"> <p><b>BUDGET PROPOSALS 2012/13 – COMMENTS FROM POLICY OVERVIEW COMMITTEES</b></p> <p>Members were reminded that as part of the Council's Constitution, Policy Overview Committees had a role to review the Cabinet's budget proposals which had been agreed at Cabinet on 15 December 2011. Each Policy Overview Committee had given consideration to budget proposals relating to the service areas within their remit and their comments were submitted to this Committee for comment and to be referred to Cabinet.</p> <p>The comments made were as follows:</p> <p><b>Residents' &amp; Environmental Services POC – 17 January 2012</b></p> </td> <td style="width: 20%; padding: 5px; vertical-align: top;"> <p><b>Action by:</b></p> </td> </tr> </table>	<p><b>BUDGET PROPOSALS 2012/13 – COMMENTS FROM POLICY OVERVIEW COMMITTEES</b></p> <p>Members were reminded that as part of the Council's Constitution, Policy Overview Committees had a role to review the Cabinet's budget proposals which had been agreed at Cabinet on 15 December 2011. Each Policy Overview Committee had given consideration to budget proposals relating to the service areas within their remit and their comments were submitted to this Committee for comment and to be referred to Cabinet.</p> <p>The comments made were as follows:</p> <p><b>Residents' &amp; Environmental Services POC – 17 January 2012</b></p>	<p><b>Action by:</b></p>
<p><b>BUDGET PROPOSALS 2012/13 – COMMENTS FROM POLICY OVERVIEW COMMITTEES</b></p> <p>Members were reminded that as part of the Council's Constitution, Policy Overview Committees had a role to review the Cabinet's budget proposals which had been agreed at Cabinet on 15 December 2011. Each Policy Overview Committee had given consideration to budget proposals relating to the service areas within their remit and their comments were submitted to this Committee for comment and to be referred to Cabinet.</p> <p>The comments made were as follows:</p> <p><b>Residents' &amp; Environmental Services POC – 17 January 2012</b></p>	<p><b>Action by:</b></p>		

	<p>In noting the 2012/13 budget proposals for Planning, Environment and Community related services, Members of the Committee congratulated the Directorate for achieving the £4.3m budget savings that had been seen without adverse effects to Hillingdon residents. It noted in particular, that so many fees and charges had been held at constant prices and most prices preserved were below inflation, and that the Capital Programme had remained constant.</p> <p>The Committee noted the budget projections contained in the report, and on the combined budget proposals put forward by the Directorate, within the context of the corporate budgetary position.</p> <p>There were no specific comments.</p> <p><b>Corporate Services &amp; Partnerships POC – 18 January 2012</b></p> <p>Members praised officers for the work which had been carried out in the preparation of the budget and the work which had been carried out in relation to efficiency savings, which had had a minimal impact on front line services.</p> <p>The budget projections and the combined budget proposals put forward by the Central Services Directorate were noted and officers were congratulated for the work they had carried out in preparation of the budget.</p> <p>There were no specific comments.</p> <p><b>Education &amp; Children’s Services POC –19 January 2012</b></p> <p>The Committee welcomed the budget proposals and noted with pleasure the overall stability of available expenditure. In challenging economic times it was noteworthy that the Education and Children's Services related budgets were clearly healthy and well managed – and budgets that the Committee would continue to monitor.</p> <p>There were no specific comments.</p> <p><b>Social Services, Health &amp; Housing POC – 25 January 2012</b></p> <p>In noting the proposals, Members of the Committee thanked officers for the comprehensive report setting out the budget proposals for Adult Social Care, Health and Housing related services within the context of the corporate budgetary position. The Committee noted the ongoing challenge for Adult Social Care and Housing in managing budgets in the current economic climate.</p>	<p><b>Action By:</b></p>
--	---	--------------------------





	<ul style="list-style-type: none"> <li>• Some residents were unsure as to which shops and businesses provided discounts or incentives as part of the scheme</li> <li>• Attendance at the consultation which took place for local businesses had been poor</li> <li>• Marketing material had been sent to all signed up businesses but there had been varied levels of usage of this material</li> <li>• Reference was made to the Hillingdon First Card's webpage on the Council's internet site which provided residents with details of how to apply for a card, managing the card, how to use the card and also details on the Hillingdon First Directory</li> </ul> <p>Emma Hallett explained that the brief of Drek Associates with the Hillingdon First Card was to recruit business members to the scheme.</p> <p>Issues raised during her presentation were:</p> <ul style="list-style-type: none"> <li>• In challenging economic times as at present, people look for some benefit in owning the Hillingdon First Card</li> <li>• There has been a favourable introduction of the card with the predictable major usage being discounted car parking charges.</li> <li>• Of the current uses of the card, the use of the card by residents in local businesses was the least used. This did not constitute a failure as the business element of the card was not the primary use</li> <li>• In relation to businesses that were part of the scheme; they were generally appreciative of the initiative and many would like to support it. However some businesses held back from either committing to a fixed term incentive or giving a too good an incentive, as this may only be giving a benefit to existing customers. This would not attract additional business or footfall to compensate for the loss profit from discounts given. In the present economic climate, this was even more of an issue</li> <li>• Members were informed that over 1,000 Hillingdon businesses were spoken to and over 300 businesses in the High Street, trading areas and small shopping parades had signed up to the scheme</li> <li>• The Committee noted and praised the work of Drek Associates for exceeding their target in relation to business involvement</li> <li>• Reference was made to Drek Associates widening their recruitment of businesses on industrial estates and self employed businesses</li> <li>• Business owners overall made positive statements about the scheme but there were some negative</li> </ul>	<p><b>Action By:</b></p>
--	--	--------------------------

	<p>comments. These included:</p> <ul style="list-style-type: none"> <li>• There was a need for the continual promotion of the scheme</li> <li>• The internet was important but many recognised that customers responded best to visual promotions in shops</li> <li>• In many businesses total flexibility of offer was needed to reflect changing economic times and seasonal footfall</li> <li>• Some businesses on the Borough's boundaries had expressed concern that their existing customers from adjoining local authorities were aggrieved at not receiving discounts and they may decide to shop elsewhere</li> <li>• Within the existing budget and resources there could be further opportunities to raise awareness and appreciation both for the businesses and residents</li> <li>• National businesses such as Insurance companies, motor vehicle breakdown services etc were generally not receptive to joining the scheme because the card would result in regional differentials in terms of price</li> </ul> <p>The Committee discussed some of the issues raised and these were summarised as follows:</p> <ul style="list-style-type: none"> <li>• The Council was in the process of redesigning the public website and this could be an opportunity to revisit the Hillingdon First Card web pages and look at its design</li> <li>• The organisation of promotion awareness days to jog residents' awareness of the benefits and uses of the card</li> <li>• The use of Council notice boards within sports centres and libraries to display information about the card and businesses which were part of the scheme. Possibly leaflets being produced</li> <li>• The linking of the promotion of the Hillingdon First Card with events such as Hillingdon Pride which could showcase local businesses which were in the scheme. This could increase the footfall for local businesses</li> <li>• A focus on district promotions</li> <li>• Continuation of the use of Hillingdon People to publicise the card</li> <li>• The investigation of the use of application software (Apps) and the introduction of QR codes on marketing material to increase the profile of Hillingdon First Card. Would have to be within existing resources</li> <li>• The featuring of businesses that Hillingdon First Card has brought increased business to which would be a good incentive for other businesses to join</li> <li>• Making it easier for businesses to update offers in the scheme</li> </ul>	<p><b>Action By:</b></p>
--	--	--------------------------



## **MAJOR REVIEW – OPERATION AND FUNCTION OF THE HILLINGDON FIRST CARD – SECOND WITNESS SESSION**

**Contact Officer: Khalid Ahmed**  
**Telephone: 01895 250833**

### **REASON FOR ITEM**

This is the second witness session of the Committee's review into the operation and function of the Hillingdon First Card

### **OPTIONS OPEN TO THE COMMITTEE**

1. Question the witnesses.
2. Highlight issues for further investigation
3. To make a note of possible recommendations for the review

### **INFORMATION**

1. The Committee started its review into the operation and function of the Hillingdon First Card at its meeting held on 18 January 2012. Consideration was given to a draft scoping report and Members were given a presentation by the ICT Strategist who was the project Manager for the introduction of the card.
2. The review held its second witness session at its meeting on 6 February 2012 and heard evidence from a representative of Drek Associates, the organisation who recruited businesses to the business element of the card, together with this Council's Head of Corporate Communications. Details of their evidence are included in the Minutes which are attached to this meeting's agenda.

### **Witness**

3. For this meeting Mike Langan, Chairman of Hillingdon Chambers of Commerce has been invited to attend the meeting to provide the review with his organisation's views on the Hillingdon First Card scheme and find out how the Council and local businesses could work together to increase the number of businesses who were part of the scheme.

## **Possible lines of enquiry**

- Is the Chamber of Commerce aware that through the Hillingdon First Card, the Council is trying to support local businesses and encourage residents to be aware of and support local businesses?
  - Is the Chamber of Commerce generally supportive of the Hillingdon First Card and if they are not, how could the Council get their support?
  - Would Hillingdon Chamber of Commerce be interested in, supportive of and co-operative in promotions of Hillingdon First participants in their area?
  - What can be done at a local level to encourage more businesses to support the Directory?
  - Is there a way that the Council could identify those businesses that do not occupy business premises in commercial locations e.g. Self Employed, businesses operating in side streets mainly occupied by residential properties?
  - Would the Chamber of Commerce be willing to identify potential locations in their area suitable for Hillingdon First Card promotions (e.g. billboards, banners, posters, notices etc)?
  - Have the Chamber of Commerce received any negative feedback from businesses regarding the Hillingdon First Card scheme?
4. Throughout the review reference has been made to various telecommunications and technological measures which could be introduced to increase the profile and promote further the Hillingdon First Card. At the last meeting reference was made to the use of application software (Apps) and the introduction of QR codes on marketing material which could be used to increase further the profile of the Hillingdon First Card. The feasibility of this would be covered in a short presentation which would be given by the ICT Strategist at this meeting.

## **PAPERS WITH THE REPORT**

Scoping Report (Appendix A)



# HILLINGDON

LONDON

## Corporate Services & Partnerships Policy Overview Committee Review Scoping Report 2011/12

### **OBJECTIVE**

#### **OPERATION AND FUNCTION OF THE HILLINGDON FIRST CARD**

##### **Aim of review**

To review the operation and function of the Hillingdon First Card and to look at other possible enhancements / additions to the successful card.

##### **Terms of Reference**

- To examine the operation of the Hillingdon First Card since it was launched in June 2009.
- To review the services which the card is used for and to analyse data on usage of the card.
- To examine the possible expansion of the card into other areas, particularly in relation to businesses
- To investigate the uses of other multi-application local authority smart cards and whether there were any uses which Hillingdon could consider
- To explore with the Borough's Chambers of Commerce, local businesses, residents' groups, national companies and public utilities how the Hillingdon First Card could be used to help local businesses and residents during these difficult economic times
- To review the publicity for the Hillingdon First Card, particularly in relation to local businesses who provide discounts
- To explore with the business sector the concept of a business to business card which could provide discounts for businesses
- To look at further ways of modernising and improving access to Council services through further utilisation of the Hillingdon First Card
- To make recommendations to Cabinet based on the outcome of this review with the proviso that any proposals maintain the simple card administration and avoid any additional capital expenditure

Corporate Services & Partnerships POC 20 March 2012  
PART 1 – MEMBERS, PUBLIC & PRESS

## **APPENDIX A**

### **Reasons for the review**

The Hillingdon First residents' card was launched in June 2009 and the card gives residents of the Borough preferential rates for Council parking and leisure facilities, access to libraries and the Council's Civic Amenity sites and offers discounts in local participating businesses.

From December 2009 to February 2010 a survey of residents was carried out which looked at how residents used the card and what they liked and did not like about the scheme. The findings of the survey were that overall residents liked the Hillingdon First Card, with the Council being praised for listening and looking after residents. However there were comments that there were not enough businesses involved in the scheme.

In addition during a previous review carried out by this Committee in 2010 on New Business Start Ups and Business Support on Industrial Estates a suggestion was made about Hillingdon Businesses offering discounts to each other which may help the business community during the present difficult economic times. This review could investigate the feasibility of this.

A review could use the data received from this survey of residents as a starting point to look at the operation of the Hillingdon First card and look at other potential uses of the card, particularly in relation to the business sector.

With the present economic climate it would also be beneficial to explore any possible measures which could be introduced with the Hillingdon First Card which could provide further help to both residents and to local businesses.

In carrying out the review, it is advised that any recommendations to Cabinet for any enhancements / additions to the card, should be at no extra cost to the Council and involve no additional costs to the administration of the card itself. In addition, any possible enhancements / additions should not involve any cash handling due to security issues.

### **Supporting the Cabinet & Council's policies and objectives**

The purpose of the card is 'First for residents, first for business, first for Hillingdon' which is central to this Council's mission statement of "putting our residents first".

## **INFORMATION AND ANALYSIS**

### **Key Issues**

- To examine how the Hillingdon First card works and to look at its present functions.
- To examine the data on the usage of the cards for the various services it is used for.

Corporate Services & Partnerships POC 20 March 2012  
PART 1 – MEMBERS, PUBLIC & PRESS



## **APPENDIX A**

- To look at other possible uses of the card which would benefit both residents and local businesses which would be at no extra cost to the Council
- To seek the views of the Business sector through the Chambers of Commerce and Hillingdon businesses on how the card could be further promoted to businesses to provide rewards and discounts to residents.
- To look at other ways the Council could engage with businesses to promote the take-up of the card discount scheme
- To investigate whether national companies and public utilities would be willing to participate in the Hillingdon First card in relation to providing discounts.
- To review the publicity and promotion of the Hillingdon First card and to consider other possible areas for publicising the card.
- To examine other similar schemes which are operated by other local authorities and whether there were other uses of the card which could be explored.
- To explore the concept of business to business discounts and whether this could be an option for the card

### **Remit - who / what is this review covering?**

The review will be looking at the operation of the Hillingdon First Card and look at other potential uses of the card, particularly in relation to the business sector. The review will look at usage figures since 2009 and with evidence from a variety of sources, will explore other areas / services which the card could offer to residents and businesses.

The review will cover the operation of the Card, the promotion and publicity for the Card, the views of the Chambers of Commerce, of local businesses in the Borough, national companies within the Borough and look at the operation of other similar local authority smart card.

The review falls within the remit of the Cabinet Member for Improvement, Partnerships and Community Safety portfolio.

### **Connected work** (recently completed, planned or ongoing)

Hillingdon First Survey – February 2010

### **Key information required**

Statistics on the usage figures of the Card for each service offered

Details of Businesses who are registered to provide discount and data on the success of this

Surveys of other local authorities who operate similar smart cards to Hillingdon's scheme

Information on the promotion of the Card

The feasibility of a "business to business" discount card

## APPENDIX A

### EVIDENCE & ENQUIRY

#### Witnesses

Hillingdon First Project Manager – LBH  
Representative from Corporate Communications – LBH  
Representative from Drek Associates  
Representatives from Chambers of Commerce, local businesses, national companies and public utilities  
SEGRO representative  
Representative from Economic Development Team  
Representatives from Residents' Groups

#### Intelligence

A survey took place on the Hillingdon First Card in February 2010 and the results of the survey were provided for the review.

#### Consultation and Communications

Survey / questionnaire to local businesses

#### Lines of enquiry

1. TBC

### PROPOSALS

*Are there any early ideas or recommendations emerging from the Committee to meet the objective of this review? This section will, of course, be fleshed out in more detail towards the end of the review. TBC*

### LOGISTICS

#### Proposed timeframe & milestones

Meeting Date *	Action	Purpose / Outcome
18 January 2012	Agree Scoping Report and presentation on the Operation and Function of the HillingdonFirst Card	Information and analysis
6 February 2012	Witness Session 1	Evidence & enquiry
20 March	Witness session 2	Evidence & enquiry

Corporate Services & Partnerships POC 20 March 2012  
PART 1 – MEMBERS, PUBLIC & PRESS

## APPENDIX A

2012		
18 April 2012	Draft Final Report	Evidence & Enquiry and consideration of initial recommendations

*\* Specific meetings can be shortened or extended to suit the review topic and needs of the Committee*

### **Risk assessment**

There are no high risk factors that have been identified which might hinder the success of the review.

### **Equality Implications**

The Council has a public duty to eliminate discrimination, advance equality of opportunity and foster good relations across protected characteristics according to the Equality Act 2010. Our aim is to improve and enrich the quality of life of those living and working within this diverse borough. Where it is relevant, an impact assessment will be carried out as part of this review to ensure we consider all of our residents' needs.

This page is intentionally left blank

## **Briefing paper – Planning Enforcement Team**

**Contact Officer:** Helen Taylor  
Linda Wharton  
**Telephone:** 01895 556132  
01895 556269

### **REASON FOR ITEM**

At the November meeting members of the Committee asked that officers provide a briefing paper on the Planning Enforcement Team.

### **OPTIONS AVAILABLE TO THE COMMITTEE**

1. The committee is asked to note the report and to raise any questions it has with the officers present, the Head of Audit and Enforcement and Planning Enforcement Manager.
2. The committee is asked to consider any further information or areas it may wish to raise with the officers.

### **INFORMATION**

#### **1. Background**

1.1. The committee asked for a paper on the Planning Enforcement Team, however this team within Central Services is only one aspect of the Council's planning enforcement service and relevant details have been provided to give a rounded view and a context in which to place the Planning Enforcement Team.

1.2. Until October 2010 planning enforcement in Hillingdon was dealt with by a single team reporting to the Head of Planning and Community Services, within the Planning Directorate. The team comprised a Manager, a Deputy Manager, 5 Enforcement Officers and a Technical Support Officer, equating to 8 FTE posts.

1.3. Following a BID review, the team was divided into two to enable focus on two separate functions of the service. The current system has been in force since October 2010. The initial investigation of reports of alleged breaches of planning control is now undertaken by the Anti Social Behaviour Investigation Team (ASBI Team) within Planning, Environment, Education and Community Services (PEECS).

1.4. Where breaches of planning control are confirmed and remain unresolved, they are passed to the Planning Enforcement Team in Central Services. Decisions to take enforcement action are made by Members of the relevant Area Planning Committee based on the recommendations in the Planning Enforcement Team reports.

1.5. There are three full time Investigating Officers within the PEECS ASBI Team trained in planning enforcement investigations.

1.6. The Planning Enforcement Team within Central Services comprises a Manager (part time), and 2 Enforcement Officers. The Managers post was vacant for about a year prior to being filled in January 2012. The current complement of officers undertaking planning enforcement work across the Council is therefore 5.6 FTE posts.

1.7. This briefing paper concentrates on the work of the Planning Enforcement Team within Central Services. It explains the tools available to the team to deal with alleged breaches of planning control and the procedures they follow.

## **2. Breaches of planning control**

2.1. Unauthorised building and engineering work, and changes in the use of land and buildings, can be a cause for considerable public concern.

2.2. Possible breaches of planning control include:

- Building work, engineering operations and changes of use of land or buildings without proper planning permission,;
- Development that has planning permission but not carried out as approved
- Failure to comply with the conditions of a planning permission
- Demolition of a wall or building within a conservation area without conservation area consent
- Works carried out to a Listed building without proper consent
- Removal or pruning of protected trees and hedgerows without consent
- Advertisements which require express consent under the Advertisement Regulations, but which are displayed without consent
- Fly posting
- Failure to comply with the requirements of existing planning legal notices, such as enforcement notices and breach of condition notices

2.3. The Council has been asked by the public to investigate the following number of alleged breaches of planning control over the past five calendar years:

- 2007 – 1055
- 2008 – 820
- 2009 – 820
- 2010 – 600
- 2011 – 665
- 2012 – 115 to date (end February 2012)

2.4. Planning enforcement action can only be pursued where works have taken place without the benefit of, or being consistent with, planning permission. Enforcement action is not possible in the following cases:

Corporate Services & Partnerships POC      20 March 2012  
PART 1 – MEMBERS, PUBLIC & PRESS

- If the work does not need permission. This could include extensions built under a householder's right to undertake some home improvements without Council permission (also called 'permitted development'), or the use of part of a house for the owner's hobby or in connection with their business, as long as the property is still mainly used as a home. It also includes many garden out buildings, provided they are not regularly lived in.
- If the work has become legal because time has passed and no enforcement action has been taken, even if it did not have permission in the first place. The timescale for this is four years for building work, and changing the use of a building to a home; and 10 years for other changes of use or for breaches of planning conditions. If the owner can prove the dates when the change took place, we cannot take enforcement action.

2.5 Accordingly, many of the alleged complaints that the council is asked to investigate each year do not require any further action other than letting the complainant know the outcome of the investigation.

2.6 Whilst a LPA has a duty to investigate allegations of planning breaches, enforcement powers are discretionary. Government guidance clearly states that LPAs must not take action simply to regularise a breach. Consequently some complainants will be disappointed with outcomes. The planning system is designed to achieve a balance between competing demands in the public interest, and so enforcement of planning control reflects this, focussing on proportionate resolution rather than punishing those who have acted in breach, sometimes unknowingly.

### **3. Work of the Anti Social Behaviour Team (ASBI Team)**

3.1. Officers in the ASBI Team within PEECS undertake the initial investigation of complaints.

3.2. The identity of complainants is confidential, and is not revealed to those being investigated. Complainants may be invited to provide a witness statement to help the Council. However, this is entirely voluntary.

3.3. Complaints are given a unique identity number. At the time of writing, the ASBI Team have around 725 cases under investigation.

3.4 Following the initial investigation by the ASBI Team, which will normally include research into any background to the case and a site visit, a decision will be made as to what further action (if any) needs to be taken.

3.5 By deciding what priority should be given to the matter, officers in the ASBI Team help ensure we use taxpayers' money efficiently.

Urgent matters will include:

Corporate Services & Partnerships POC 20 March 2012

PART 1 – MEMBERS, PUBLIC & PRESS

- Work to a Listed Building or protected tree
- Those having a lasting and harmful effect on neighbours or the environment
- Non compliance with existing enforcement notices
- Time limited enforcement action
- Alleged breaches giving rise to widespread local concern

3.6 If the work does not need permission under the Planning Acts; already has permission; or the breach is deemed minor with no significant effects, no further action will be taken other than to let the complainant know the outcome of the investigation.

3.7 If the breach is exempt from enforcement action due to the passage of time, officers in the ASBI Team may advise the occupier to apply for a lawful development certificate.

3.8 If the work needs planning permission but appears to meet the objectives of our development plan policies, interested parties will be invited to make a planning application to retain the development so the matter can be considered formally, and neighbours can be asked what they think. This is called a 'Retrospective' planning application.

3.9 If permission is unlikely to be granted, the ASBI Team will informally ask for the unauthorised development to be removed or the use to cease. A suitable period of time is allowed depending on what needs to be done. For example, a business operation may need to find a new site or premises.

3.10 In this way, the vast majority of breaches in planning control are resolved informally.

3.11 In the few cases where the ASBI Team negotiations have been unsuccessful, the matter is passed to the Planning Enforcement Team in Central Services.

#### **4. Work of the Planning Enforcement Team**

4.1. Officers in the Planning Enforcement Team are responsible for taking forward the unresolved cases.

4.2. Cases are prioritised using similar criteria to those listed in 3.5 above. At the time of writing, the Planning Enforcement Team has 106 live cases requiring resolution.

4.3 The Planning Enforcement case officer may visit the site to familiarise himself with it. Enquiries may be made with Land Registry, those with an interest in the land, other Council departments and external agencies. Legal advice may also be sought. The aim is to gather sufficient information to



enable the case officer to draft a report with recommendations for the consideration of Members of the relevant Area Planning Committee.

4.4 The tools available to the Planning Enforcement Team include the following:

- **Enforcement Notice** –It imposes a legal duty on those with an interest in the land to take the remedial measures specified in the notice within a set time. The minimum is 28 days. Recipients may appeal to the Planning Inspectorate, effectively suspending the enforcement notice until the appeal is heard. Enforcement notices are entered on the Land Charges Register (LCR) and so attach to the land. Notices remaining effective even once complied with. Non-compliance constitutes a prosecutable criminal offence.
- **Listed Building Enforcement Notice** – this is the equivalent notice for listed buildings, with the advantage that action is not subject to the four-year or any rule.
- **Breach of Condition Notice** – available in the event of non-compliance with a condition imposed on a planning permission. There is no right of appeal. The penalty for non-compliance is a fine of up to £500, and it is not entered on the LCR.
- **Stop Notice** – requires cessation within as little as three days of specified activities causing serious harm to local amenity. In these cases the LPA considers the activities should not be allowed to continue even in the compliance period or where an appeal is pending. By attaching a statement of special reasons, the notice may come into effect within 3 days. Further, the duty to comply is universal and not limited to recipients. Its disadvantage is that it can only be served with an enforcement notice. Also, it cannot prohibit the use of a building as a dwelling nor a change of use that started more than 4 years before service. The principal difficulty is that the LPA risks a compensation claim from the recipient.
- **Temporary Stop Notice** – this recently-introduced measure has a number of advantages; it is effective immediately and does not require the prior service of an enforcement notice. However, it can subsist only for a maximum of 28 days (and cannot be renewed).
- **Court Injunction** – may be sought in the most serious of cases to restrain anticipated (uniquely) as well as actual breaches. Non-compliance, as contempt of court, may result (again uniquely) in imprisonment. However this remedy is both costly and (again uniquely) depends upon the discretion of the judge.
- **Untidy Land (s.215) Notice** – encompasses buildings as well as land. The LPA is required to show that the amenity of an area is adversely affected by the state of the land or premises. Appeals are to the

Magistrates' Court and not to the Secretary of State. Non-compliance constitutes a criminal offence for which recipients may be prosecuted.

- **Advertisements -**

- (1) **Obliteration/Removal Notice** – an immediate remedy for 'fly-posting' is the s10/11 notice under the London Local Authorities Act 1995 whereby the Council can require the obliteration and removal of unauthorised fly posting/advertising.
- (2) **Prosecution** – It is possible for a LPA to consider an immediate prosecution for the display of an advertisement without deemed or express consent. Prosecution will be used in those cases which result in the most serious harm to amenity or where danger is caused to members of the public.
- (3) **Enforcement Notice** – It is also possible to use a Planning Enforcement Notice as a tool to remedy breaches of advertisement control. Use of an Enforcement Notice can be an effective way of engaging with the contravener. Failure to comply with the enforcement notice constitutes a criminal offence for which recipients may be prosecuted.
- (4) **Discontinuance Notice** – where an advertisement benefits from "deemed consent" the LPA can take action to remedy a 'substantial injury' to amenity or where danger is caused to members of the public. . An example of the type of situation where they could be used would be for where an existing sign in a newly designated Conservation Area is considered to cause 'substantial injury' to amenity. These powers are rarely used as the recipient is entitled to compensation for loss of income from the advertisement.

- **Prosecution** – is an immediate deterrent option in the cases of unauthorised works to Listed Buildings and trees subject to Tree Preservation Orders (TPO) and unauthorised advertisements. Additionally, offenders may be prosecuted on non-compliance with a temporary stop notice, stop notice, enforcement notice and breach of condition notice. Defendants may thus be deterred from continued non-compliance, as well as punished for proven breaches.

- **Direct Action (with costs recovery)** – These powers arise in the event of non-compliance with enforcement and untidy land notices but not breach of condition notices; They allow the LPA to remedy the breach and allow for costs to be recovered from offenders. Dale Farm is an example of Direct Action. The power has not been used in Hillingdon.

- **Information/gathering** – in order to confirm the existence and nature of a breach, the LPA may serve notices to get information from owners and occupiers of land such as names and addresses of

those with an interest. Failure to respond within time or at all, or replying with false or misleading information, constitutes a criminal offence.

4.5 Once authorised by Planning Committee, notices are produced by Legal Services and served on those with an interest in the land. Enforcement officers, check for compliance at the end of the compliance period unless there is an appeal

4.6 Appeals against Planning Enforcement Notices to the Planning Inspectorate are handled by the Appeals Officer within Planning,

4.7 Whilst an enforcement notice is being appealed, the matter is effectively 'frozen' until the outcome of the Planning Inspectors decision. It may uphold or dismiss the appeal, or vary the enforcement notice including the steps that need to be taken to remedy the breach and the time allowed for compliance. The compliance period runs from the date of the Planning Inspector's decision letter, and not the date the enforcement notice was originally served by the Council.

4.8 Where a notice has not been complied with prosecution is considered. Prosecution is unlikely to be expedient where it appears that a contravener is making progress towards compliance, and further negotiations are likely to be effective in fully remedying the breach of planning control.

4.9 Officers in the Planning Enforcement Team are trained in Interviews under Caution and Police and Criminal Evidence Act (PACE) procedures and the taking of Witness Statements.

4.10 Legal Services review the case to decide if there is enough evidence to justify a prosecution. They may ask for additional information to make sure a good legal case is presented to court. Legal Services will then obtain a court date.

4.11. The Planning Enforcement case officer will attend at court as necessary. The contravener will often return a 'not guilty' plea, and opt for trial, resulting in several appearances in court for the Planning Case Officer and Legal Team representative.

4.12. It may be necessary to mount several prosecutions, and possibly consider an injunction in order to finally obtain compliance with an enforcement notice. Tactics and costs in such cases are discussed with Legal Services to ensure effective use of Council Tax payer's money

## **5. Achievements**

5.1. **Enforcement notices** – The following table shows the number of sites receiving one or more notices (All types of Enforcement Notice (Operational Development, Material Change of Use, Breach of Condition and S125 (Untidy Site) Notices), plus the total number of notices served, for the year before and

the year after the planning enforcement service was split into two as part of the BID 'Lift and Shift' process. The final row shows notices served from November 2011 to date.

<b>Period</b>	<b>Number of sites receiving a Notice</b>	<b>Total number of Notices served</b>
November 2009 – October 2010 (prior to 'Lift and Shift')	54	58
November 2010 – October 2011 (after 'Lift and Shift')	64	74
November 2011 to present	10	10

**5.2 Enforcement appeals** – The following table shows the outcome of appeals against planning enforcement notices, for the year before and the year after the planning enforcement service was split into two as part of the BID 'Lift and Shift' process. The final row shows appeal outcomes from November 2011 to date.

<b>Period</b>	<b>Appeals upheld (%)</b>		<b>Notices quashed (%)</b>		<b>Notices varied by the Inspector (%)</b>		<b>Total number of appeals</b>
November 2009 – October 2010 (prior to 'Lift and Shift')	14	(88%)	1	(6%)	1	(6%)	16
November 2010 – October 2011 (after 'Lift and Shift')	23	(68%)	5	(15%)	6	(17%)	34
November 2011 to present	7	(50%)	2	(14%)	5	(36%)	14

## **6. Planned Service Improvements**

6.1 The planning enforcement service adopted a Policy Statement in November 2005 as a protocol for operating the service. The Planning Enforcement Manager is working with the ABSI Team Manager to update the Policy Statement to reflect the new ways of working since the BID 'Lift and Shift' process.

6.2 Following from this, the Customer Guide, a user friendly version of the Policy Statement which informs customers what they can expect from our planning enforcement service, is also in the process of being updated. The revised guide will be published on the Council's web page.

6.3 The appointment of the Planning Enforcement Manager in January 2012 provides further opportunity to investigate and implement changes to streamline processes within the Planning Enforcement Team, and to devise improved reporting systems to monitor performance. She will also have the capacity to take on a small case load appropriate to the part time position to broaden the case work capacity of the Planning Enforcement team.

## **7. Summary**

7.1 Since the BID 'Lift and Shift' exercise in October 2010 the planning enforcement service has bedded down, and has been able to demonstrate improved performance and better value for money with a smaller staff complement.

7.2 The Planning Enforcement Team continues to work towards service improvement. This needs to be underpinned by improvements to the ability to report and monitor performance.

This page is intentionally left blank

# Agenda Item 7

## WORK PROGRAMME 2011/12

**Contact Officer:** Khalid Ahmed  
**Telephone:** 01895 250833

## REASON FOR ITEM

This report is to enable the Committee to review meeting dates and forward plans. This is a standard item at the end of the agenda.

## OPTIONS AVAILABLE TO THE COMMITTEE

1. To confirm dates for meetings
2. To make suggestions for future working practices and/or reviews.

## INFORMATION

***All meetings to start at 7.30pm except where stated***

Members should note that the meeting in February has been brought forward from 21 February to 8 February 2012.

<b>Meetings</b>	<b>Room</b>
<b>9 June 2011</b>	<b>CR 5</b>
<b>21 July 2011 (7.00pm)</b>	<b>CR 5</b>
<b>13 September 2011</b>	<b>CR 5</b>
<b>20 October 2011</b>	<b>CR 4</b>
<b>10 November 2011</b>	<b>CR 5</b>
<b>19 December 2011</b>	<b>CR 2</b>
<b>18 January 2012</b>	<b>CR 5</b>
<b>6 February 2012</b>	<b>CR 6</b>
<b>20 March 2012</b>	<b>CR 6</b>
<b>18 April 2012</b>	<b>CR 5</b>

Corporate Services & Partnerships Policy Overview Committee

**2011/12 Work Programme**

<b>Meeting Date</b>	<b>Item</b>
<b>9 June 2011</b>	Corporate Services & Partnerships Policy Overview Committee Review Topics 2011/12
	Work programme for 2010/11
	Cabinet Forward Plan

<b>21 July 2011</b>	First Major Review in 2010/11 Effectiveness of the Audit Committee and its Terms of Reference - Scoping Report
	The Compact and Third Sector Commissioning
	Procurement
	Budget Planning Report for Central Services
	Recent Power Cut in the Civic Centre
	Work Programme
	Cabinet Forward Plan

<b>13 September 2011</b>	First Major Review in 2011/12 - Effectiveness of the Audit Committee and its Terms of Reference Witness Session 1
	Cabinet Forward Plan
	Work Programme

<b>20 October 2011</b>	First Major Review in 2011/12 – Effectiveness of the Audit Committee and its Terms of Reference Witness Session 2
	Presentation on Procurement
	Report back on the generator testing after the recent power cut in the Civic Centre



	Report back on the implementation of the recommendations of the Personal Safety Review
	Cabinet Forward Plan
	Work Programme
<b>10 November 2011</b>	First Major Review in 2011/12 – Effectiveness of the Audit Committee and its Terms of Reference
	Witness Session 3
	Consideration of topics for 2 <sup>nd</sup> Major Review
	Cabinet Forward Plan
	Work Programme
<b>19 December 2011</b>	First Major Review in 2011/12 – Effectiveness of the Audit Committee and its Terms of Reference
	Draft Final Report
	Cabinet Forward Plan
	Work Programme
<b>18 January 2012</b>	Budget Proposals Report for Central Services
	Voluntary Sector grants
	Second Major Review in 2011/12 – Draft Scoping Report – Operation and Function of Hillingdon First Card
	Corporate Fraud - Briefing
	Cabinet Forward Plan
	Work Programme
<b>6 February 2012</b>	Second Major Review in 2011/12 – Operation and Function of Hillingdon First Card
	Witness Session 1
	Consideration of all POC comments on Budget proposals
	Cabinet Forward Plan
	Work Programme

<b>20 March 2012</b>	Second Major Review in 2011/12 – Witness Session 2
	Enforcement - Presentation
	Cabinet Forward Plan
	Work Programme

<b>18 April 2012</b>	Second Major Review in 2011/12 – Draft Final Report
	Cabinet Forward Plan
	Work Programme

# Agenda Item 8

## **Cabinet Forward Plan**

**Contact Officer:** Khalid Ahmed  
**Telephone:** 01895 250833

### **REASON FOR ITEM**

The Committee is required to consider the Forward Plan and provide Cabinet with any comments it wishes to make before the decision is taken.

### **OPTIONS OPEN TO THE COMMITTEE**

1. Decide to comment on any items coming before Cabinet
2. Decide not to comment on any items coming before Cabinet

### **INFORMATION**

1. The Forward Plan is updated on the 15<sup>th</sup> of each month. An edited version to include only items relevant to the Committee's remit is attached below. The full version can be found on the front page of the 'Members' Desk' under 'Useful Links'.

### **SUGGESTED COMMITTEE ACTIVITY**

1. Members decide whether to examine any of the reports listed on the Forward Plan at a future meeting.

This page is intentionally left blank



Ref	Report Title	Advance information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact	Consultation	Background Documents	NEW ITEM
<b>Cabinet - 29 March 2012</b>									
709	<b>Equality and Diversity Policy</b>	This updated policy will be presented to Cabinet for approval, outlining the Council's responsibilities under the new Equality Act 2010 and setting out the Council's equality objectives as part of meeting our statutory duties.	All		Cllr Douglas Mills	CS - Vicky Trott	Internal Groups	Opportunity for all - Equal Opportunities Policy, Equality in Employment, Equality Act 2010	
742	<b>2012 - 2016 Energy Contracts Renewal</b>	The Council procures gas and electrical energy across the corporate, housing and schools portfolio. Cabinet will be asked to consider the necessary contract renewals so there is continued best value in the Council's energy	All		Cllr Jonathan Bianco / Cllr Scott Seaman-Digby	PEECS - Steve Palmer / David Haygarth	Corporate Procurement	London Energy Project	<b>NEW</b>
739	<b>Irrecoverable Business Rates</b>	Cabinet will be asked to approve the write off of Business Rates, which are deemed irrecoverable. There is no financial cost to the Council as the Government has already allowed for the cost of this in the general provision	Various		Cllr Jonathan Bianco	CS - Rob Smith			<b>NEW</b>
<b>Cabinet - 26 April 2012</b>									
SI	<b>Monthly Council Budget - monitoring report</b>	The Cabinet receives a monthly report setting out in detail the council's revenue and capital position.	All		Cllr Jonathan Bianco	CS - Paul Whaymand			
SI	<b>Reports from Policy Overview Committees</b>	Major Policy Review recommendations for consideration by the Cabinet as and when completed.	TBC		as appropriate	Democratic Services			
<b>Cabinet - 24 May 2012</b>									
SI	<b>Monthly Council Budget - monitoring report</b>	The Cabinet receives a monthly report setting out in detail the council's revenue and capital position.	All		Cllr Jonathan Bianco	CS - Paul Whaymand			
734	<b>Award of SAN backup solution</b>	Following a procurement exercises, this report to cabinet will seek approval for the award of a contract for backing up the Council's Storage Area Network (SAN).	N/A		Cllr Jonathan Bianco / Cllr Scott Seaman-Digby	PEECS - Steve Palmer			
SI	<b>Reports from Policy Overview Committees</b>	Major Policy Review recommendations for consideration by the Cabinet as and when completed.	TBC		as appropriate	Democratic Services			

This page is intentionally left blank