

**Minutes****COUNCIL**

9 May 2013


**HILLINGDON**  
 LONDON

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

	<b>MEMBERS PRESENT:</b> Councillors: David Allam Lynne Allen Bruce Baker Tim Barker Richard Barnes Josephine Barrett Jonathan Bianco Lindsay Bliss Sukhpal Brar Wayne Bridges Mike Bull Keith Burrows Paul Buttivant George Cooper Judith Cooper Philip Corthorne Brian Crowe Peter Curling Catherine Dann Jazz Dhillon Janet Duncan	Beulah East Neil Fyfe Janet Gardner Sid Garg Roshan Ghei Dominic Gilham Raymond Graham Paul Harmsworth Shirley Harper- O'Neill John Hensley Henry Higgins Patricia Jackson Phoday Jarjussey Sandra Jenkins Judy Kelly Peter Kemp Mo Khursheed Kuldeep Lakhmana Eddie Lavery Richard Lewis	John Major Carol Melvin Douglas Mills Richard Mills John Morgan June Nelson Susan O'Brien Mary O'Connor David Payne Ray Puddifoot Andrew Retter John Riley David Routledge Avtar Sandhu Robin Sansarpuri Scott Seaman- Digby David Simmonds Brian Stead Michael White David Yarrow
	<b>OFFICERS PRESENT:</b> Fran Beasley, Jean Palmer, Linda Sanders, Paul Whaymand, Raj Alagh, Lloyd White, Mark Braddock, Morgan Einon, Trevor Langworth, Steven Maiden		
1.	<b>APOLOGIES FOR ABSENCE</b> ( <i>Agenda Item 1</i> )  Apologies for absence were received from Councillor Benson.		
2.	<b>ELECTION OF MAYOR 2013/2014</b> ( <i>Agenda Item 3</i> )  The Mayor thanked the Mayoress, his fellow Councillors, officers and the Borough's residents for the support that they had offered him throughout his year as Mayor. He provided Council with some brief highlights of his mayoral year in which he particularly commended carers and volunteers for their work that bound the Borough together.  Nominations were invited for a Mayor to hold office for the 2013/2014 municipal year. Councillor Kauffman was nominated by Councillor Harper-O'Neill and seconded by Councillor Kelly. Councillors Burrows and Higgins spoke in support. There were no further nominations.		

	<b>RESOLVED: That Councillor Kauffman be elected as Mayor for the municipal year 2013/2014.</b>												
	<b>ADJOURNMENT FOR THE ROBING OF THE NEW MAYOR</b>  <i>The Council adjourned for the robing of the new Mayor at 7.50pm and reconvened at 8.04pm.</i>												
3.	<b>ACCEPTANCE OF OFFICE BY THE MAYOR</b> (Agenda Item 4)  The newly elected Mayor signed the declaration of acceptance of office.												
4.	<b>APPOINTMENT OF DEPUTY MAYOR</b> (Agenda Item 5)  The Mayor informed the Council that he had appointed Councillor Dann as Deputy Mayoress.  <b>RESOLVED: That the Deputy Mayoress for the year be noted.</b>												
5.	<b>NEW MAYOR'S ANNOUNCEMENTS</b> (Agenda Item 6)  The Mayor thanked those who had come to support him in his appointment, the retired Mayor (Councillor Markham) and Mayoress (Mrs Rosemary Markham) and the Mayoral Support Team. He advised that he would be raising money for seven charities during his time as Mayor.												
6.	<b>VOTE OF THANKS TO OUTGOING MAYOR</b> (Agenda Item 7)  Councillor Puddifoot moved a vote of thanks to the retired Mayor, Councillor Michael Markham, and his wife Mrs Rosemary Markham. This was seconded by Councillor Curling. Councillors Burrows, Gilham, Major and Harmsworth spoke in support.  The Mayor (Councillor Kauffman) presented the Past Mayor's badge to Councillor Markham and Past Mayoress's badge to Mrs Markham.  <b>RESOLVED: That the vote of thanks to the outgoing Mayor, Councillor Markham, be agreed.</b>												
7.	<b>LEADER'S APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL AND CABINET</b> (Agenda Item 8)  Councillor Puddifoot advised Members that the Deputy Leader and Cabinet positions would be filled as follows:  <table border="1" data-bbox="220 1787 1163 2128"> <thead> <tr> <th>Position/Portfolio</th> <th>Councillor</th> </tr> </thead> <tbody> <tr> <td>Deputy Leader and Education and Children's Services</td> <td>David Simmonds</td> </tr> <tr> <td>Central Services</td> <td>Scott Seaman-Digby</td> </tr> <tr> <td>Finance, Property and Business Services</td> <td>Jonathan Bianco</td> </tr> <tr> <td>Community, Commerce and Regeneration</td> <td>Douglas Mills</td> </tr> <tr> <td>Planning, Transportation and</td> <td>Keith Burrows</td> </tr> </tbody> </table>	Position/Portfolio	Councillor	Deputy Leader and Education and Children's Services	David Simmonds	Central Services	Scott Seaman-Digby	Finance, Property and Business Services	Jonathan Bianco	Community, Commerce and Regeneration	Douglas Mills	Planning, Transportation and	Keith Burrows
Position/Portfolio	Councillor												
Deputy Leader and Education and Children's Services	David Simmonds												
Central Services	Scott Seaman-Digby												
Finance, Property and Business Services	Jonathan Bianco												
Community, Commerce and Regeneration	Douglas Mills												
Planning, Transportation and	Keith Burrows												

Recycling	
Social Services, Health and Housing	Philip Corthorne
Cabinet Assistant to the Leader of the Council	Michael Markham

8. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 9*)

Councillor Puddifoot moved the recommendations as set out on the Order of Business. The motion was seconded by Councillor Simmonds.

Councillor Allam moved, and Councillor Duncan seconded, an amendment to approve the recommendation subject to the deletion, as shown below, of the following words in paragraph 5, on page 2, item 9 iii) of the report:

*“As the potential number of applications will be less than those being considered by the existing Committees, it is suggested that the Committee meet as and when required, ~~on the same evening as one of the scheduled meetings of the other two Planning Committees.~~”*

Following debate (Councillors Allam and Puddifoot), the amendment was put to the vote and lost.

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

**RESOLVED: That the changes to the Constitution, as set out below, be agreed:**

1. That the Audit Committee Terms of Reference as set out in Annex B of these minutes, be approved.
2. That the Terms of Reference for the Policy Overview and Scrutiny Committees as set out in Annex C of these minutes, be approved.
3. That:
  - a) the establishment of a ‘Major Applications Planning Committee’ and the Terms of Reference as set out in Annex D of these minutes, be approved;
  - b) the Head of Democratic Services, in consultation with the Leader of the Council be authorised to make any amendments to the Scheme of Delegations required as a result of a) above.
4. That:
  - a) the establishment of a Health and Wellbeing Board and its Terms of Reference as set out in Annex E of these minutes, be approved;
  - b) authority be given to the Head of Democratic Services, in consultation with the Leader of the Council, to agree the names of the representatives and substitutes for the Statutory Members on the Board from Healthwatch Hillingdon and the Clinical Commissioning Group.
  - c) authority be given to the Head of Democratic Services, in

consultation with the Leader of the Council, to make any further necessary changes to the Constitution and in particular, officer delegations, that may be required in respect of the implementation of the Health and Social Care Act 2012 and associated regulations.

d) That the following dates for meetings of the Board for 2013/14 be approved and added to the Programme of Meetings:

- 30 May
- 1 August
- 31 October
- 5 December
- 6 February 2014

5. That the revised Petition Scheme as set out in Annex F of these minutes, be approved.

6. That paragraph 4.1(b) of the Procurement and Contract Standing Orders be amended to include the Leader of the Council.

9. **COMMITTEE ALLOCATIONS AND MEMBERSHIP 2013/2014** (*Agenda Item 10*)

Councillor O'Brien moved the proposals on memberships, as set out on the sheets provided, subject to Councillor Bliss replacing Councillor Allen on the Corporate Services and Partnerships Policy Overview Committee and Councillor Barrett replacing Councillor Harper-O'Neill on Licensing Committee and Licensing Sub-Committee (South). This was seconded by Councillor G. Cooper.

**RESOLVED:** That the Members be appointed to the Committees as set out in Annex A of the minutes.

10. **ADOPTION OF POLICY FRAMEWORK DOCUMENTS** (*Agenda Item 11*)

Councillor Corthorne moved the recommendations as set out on the Order of Business. The motion was seconded by Councillor Burrows.

Councillor Major moved, and Councillor Curling seconded, an amendment to the recommendation to delete the words "Borough's Housing Strategy 2012/15" and thereafter to add an additional recommendation to read:

*"That the Borough's Housing Strategy 2012/15 be referred back to Cabinet for further examination into the supply, security and length of tenure of affordable housing."*

Following debate (Councillors Corthorne, Curling and Major), the amendment was put to the vote and lost.

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

**RESOLVED:** That the Borough's Housing Strategy 2012/15, Accessible Hillingdon Supplementary Planning Document and Interim Planning Policy on Houses in Multiple Occupation be adopted as part of the Council's policy framework.

11.	<p><b>POLICY OVERVIEW AND SCRUTINY COMMITTEES ANNUAL REPORT</b> <i>(Agenda Item 12)</i></p> <p>The Council received a report of the work covered by the Policy Overview and Scrutiny Committees in 2012/13. It was commended by Councillor Lewis and seconded by Councillor J. Cooper.</p> <p><b>RESOLVED: That the Policy Overview and Scrutiny Committees' Annual Report 2012/2013 be endorsed.</b></p>
12.	<p><b>STATEMENT BY THE LEADER OF THE COUNCIL</b> <i>(Agenda Item 13)</i></p> <p>The Leader noted that the Borough of Hillingdon had probably never been in a stronger financial position than it was at the end of the 2012/13 Municipal year. With the economic climate worsening and predictions that there would be further financial restrictions to come, the Council could face the future with a greater degree of confidence than many other authorities.</p> <p>He advised that the Council could be proud of what had been achieved to date with:</p> <ul style="list-style-type: none"> <li>• the completion of the £50 million investment in leisure facilities;</li> <li>• the continued delivery of the £150 million schools building programme;</li> <li>• the only total library rebuilding and refurbishment programme in the country;</li> <li>• more land under green flag status than any other London borough;</li> <li>• A strong level of financial balances and reserves which enabled the freezing of Council Tax for Hillingdon residents.</li> </ul> <p>The Leader advised that, at a time of hugely demanding financial pressure on local government, the Council would continue its policy of sound financial management and continuous review of its operating structures and operational procedures.</p> <p>He outlined proposed changes to the Directorate structure that had been agreed with the Chief Executive. He advised that, with effect from the 1st May, he had transferred responsibility for Health, including Public Health to the Deputy Chief Executive responsible for Residents Services who would put this service through the BID process.</p> <p>He advised that the current administration was passionate about putting residents first and noted that this was a driving force for every member of Council regardless of political allegiance. He thanked all Members of Council - those from his own party and those from the opposition for the service they gave as individuals to the Borough and its residents.</p> <p>He also thanked the Chief Executive, who had served the Borough admirably through her first year in office and asked her to thank the staff of Hillingdon Council who were staff that any Council Leader would be proud to have in their authority.</p> <p>The Leader wished both the newly elected Mayor and Mayoress a wonderful and enjoyable year ahead.</p>

	<b>ANNEX A - COMMITTEE MEMBERSHIP</b>
	<b>ANNEX B - AUDIT COMMITTEE TERMS OF REFERENCE</b>
	<b>ANNEX C - TERMS OF REFERENCE FOR POLICY OVERVIEW COMMITTEES</b>
	<b>ANNEX D - MAJOR APPLICATIONS PLANNING COMMITTEE TOR</b>
	<b>ANNEX E - HEALTH &amp; WELLBEING BOARD TOR</b>
	<b>ANNEX F - PETITION SCHEME</b>

**ORDINARY COMMITTEES****EXECUTIVE SCRUTINY COMMITTEE 6(4-2)**

<b>CONSERVATIVE</b>	<b>LABOUR</b>
Higgins (Chairman)	Curling (Lead)
Riley (Vice-Chairman)	Harmsworth
Bridges	
Crowe	

Other Voting Members on Education issues only

Parent Governor (3)	Vacant
Church of England Diocesan Representative	Vacant
Roman Catholic Diocesan representative	Anthony Little

**EXTERNAL SERVICES SCRUTINY COMMITTEE 8(6-2)**

<b>CONSERVATIVE</b>	<b>LABOUR</b>
O'Connor (Chairman)	Jarjussey (Lead)
Gilham (Vice-Chairman)	Major
Barrett	
Harper-O'Neill	
Kemp	
Morgan	

**CHILDREN, YOUNG PEOPLE AND LEARNING POLICY OVERVIEW COMMITTEE 8(6-2)**

<b>CONSERVATIVE</b>	<b>LABOUR</b>
Riley (Chairman)	Dhillon (Lead)
J. Cooper (Vice-Chairman)	Bliss
Benson	
Crowe	
Gilham	
Hensley	

Other Voting Members

Parent Governor (3)	Vacant
Church of England Diocesan Representative	Vacant
Roman Catholic Diocesan representative	Anthony Little

**RESIDENTS' AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE 8 (6-2)**

<b>CONSERVATIVE</b>	<b>LABOUR</b>
White (Chairman)	Lakhmana (Lead)
Yarrow (Vice-Chairman)	Allen
Harper-O'Neill	
Jackson	
Melvin	
Payne	

## COMMITTEE MEMBERSHIP 2013/2014

### CORPORATE SERVICES AND PARTNERSHIPS POLICY OVERVIEW COMMITTEE 8(6-2)

CONSERVATIVE	LABOUR
Lewis (Chairman)	East (Lead)
R.Mills (Vice-Chairman)	Bliss
Bridges	
Buttivant	
Graham	
Melvin	

### SOCIAL SERVICES, HOUSING AND PUBLIC HEALTH POLICY OVERVIEW COMMITTEE 8 (6-2)

CONSERVATIVE	LABOUR
J. Cooper (Chairman)	Major (Lead)
Kemp (Vice-Chairman)	Gardner
Benson	
Brar	
Dann	
O'Connor	

*SUBSTITUTES FOR SCRUTINY AND POLICY OVERVIEW COMMITTEES ARE ALL COUNCILLORS EXCEPT THOSE IN THE CABINET, GROUP LEADERS AND CHIEF WHIPS.*

### CENTRAL & SOUTH PLANNING COMMITTEE 8 (6-2)

CONSERVATIVE	LABOUR
Hensley (Chairman)	Khursheed (Lead)
J. Cooper (Vice-Chairman)	Duncan
Bridges	
Fyfe	
Gilham	
Stead	

### NORTH PLANNING COMMITTEE 8 (6-2)

CONSERVATIVE	LABOUR
Lavery (Chairman)	Allam (Lead)
Morgan (Vice-Chairman)	Sansarpuri
Graham	
Markham	
Melvin	
Yarrow	

### MAJOR APPLICATIONS PLANNING COMMITTEE 8 (6-2)

CONSERVATIVE	LABOUR
Lavery (Chairman)	Duncan (Lead)
Hensley (Vice-Chairman)	Allam
Gilham	
Markham	
Morgan	
Stead	



## COMMITTEE MEMBERSHIP 2013/2014

**SUBSTITUTE MEMBERS OF PLANNING COMMITTEES (ALL PLANNING COMMITTEE MEMBERS TO BE SUBSTITUTES FOR EACH OTHER'S COMMITTEE PLUS:)**

CONSERVATIVE		LABOUR	
Barker	Higgins	Allen	Lakhmana
Barrett	Jackson	Bliss	Major
Benson	R. Mills	Dhillon	Nelson
Brar	Payne	East	
Buttivant	Routledge	Ghei	
G. Cooper	White	Harmsworth	

### PENSIONS COMMITTEE 6 (4-2)

CONSERVATIVE	LABOUR
Corthorne (Chairman)	Harmsworth (Lead)
Markham (Vice-Chairman)	Duncan
Graham	
Simmonds	
Substitutes	Substitutes
Barrett	East
G. Cooper	
Fyfe	
Kemp	

*Advisory Members*

UNISON	tbc
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### APPOINTMENTS COMMITTEE 6 (4-2)

CONSERVATIVE	LABOUR
Puddifoot (Chairman)	Curling (Lead)
Simmonds (Vice-Chairman)	Harmsworth
Burrows	
D. Mills	
Substitutes	Substitutes
Bianco	Allam
J. Cooper	Dhillon
Corthorne	Duncan
Lavery	East
Lewis	Jarjussey
Riley	Lakhmana
Seaman-Digby	Major

## COMMITTEE MEMBERSHIP 2013/2014

### REGISTRATION & APPEALS COMMITTEE 6 (4-2)

CONSERVATIVE		LABOUR	
G. Cooper (Chairman)		Allen (Lead)	
Hensley (Vice-Chairman)		Curling	
Lewis			
R. Mills			
Substitutes		Substitutes	
Barrett	Kemp	Allam	Harmsworth
Bianco	Lavery	Bliss	Jarjussey
Bridges	D. Mills	Dhillon	Lakhmana
Burrows	Payne	Duncan	Major
Corthorne	Puddifoot	East	Nelson
Dann	Seaman-Digby	Gardner	Sandhu
Higgins	Simmonds	Ghei	Sansarpuri
Jenkins	Stead		

*SUBSTITUTES ON THIS COMMITTEE MAY COMPRISE CABINET MEMBERS FOR THE PURPOSES OF BEING MEMBERS OR SUBSTITUTE MEMBERS OF THE THREE SUB-COMMITTEES, BUT NO CABINET MEMBERS SHOULD SIT AS MEMBERS OF THE MAIN REGISTRATION AND APPEALS COMMITTEE*

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## COMMITTEE MEMBERSHIP 2013/2014

OTHER COMMITTEES / PANELS (Outside the overall calculation but allocated on the basis of overall political control)

### STANDARDS COMMITTEE 5 (4-1)

CONSERVATIVE	LABOUR
Riley (Chairman)	Harmsworth
Lewis (Vice-Chairman)	
Corthorne	
Hensley	
Substitutes	Substitutes
Barrett	East
Dann	

Non voting Independent Person

Mr Allan Edwards <i>(until 4 July 2013 – position to then be re-appointed by Council)</i>
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### AUDIT COMMITTEE 4(3-1)

CONSERVATIVE	LABOUR
G. Cooper (Lead and Vice-Chairman)	Harmsworth (Lead)
Graham	
Lewis	
Substitutes	Substitutes
Crowe	Jarjussey
Hensley	East
R. Mills	

Independent Member (1)

Mr John Morley (Chairman)
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### LICENSING COMMITTEE 10 (8-2)

CONSERVATIVE	LABOUR
Gilham (Chairman)	Allen (Lead)
Yarrow (Vice-Chairman)	Gardner
Barrett	
Kelly	
Kemp	
Melvin	
Payne	
Stead	

*N.B. NO SUBSTITUTES ALLOWED FOR LICENSING COMMITTEE*

### HILLINGDON DOMESTIC VIOLENCE ACTION FORUM 3 (2-1)

CONSERVATIVE	LABOUR
O'Connor (Chairman).	Gardner (Vice-Chairman)
Jackson	
Substitutes	Substitutes
Brar	Curling

## COMMITTEE MEMBERSHIP 2013/2014

### SUB-COMMITTEE MEMBERSHIPS TO BE AGREED BY THE PARENT COMMITTEE IMMEDIATELY FOLLOWING THE END OF THE ANNUAL GENERAL MEETING

#### APPOINTMENTS SUB COMMITTEE 4 (3-1)

<b>CONSERVATIVE</b>	<b>LABOUR</b>
D. Mills	Curling (Lead)
Puddifoot	
Simmonds	
<b>Substitutes</b>	<b>Substitutes</b>
Bianco	Allam
Burrows	Dhillon
Corthorne	Duncan
Seaman-Digby	East
	Harmsworth
	Jarjussey
	Lakhmana
	Major

#### INVESTIGATING AND DISCIPLINARY SUB-COMMITTEE (SENIOR OFFICER) 4 (3-1)

<b>CONSERVATIVE</b>	<b>LABOUR</b>
D. Mills	Curling (Lead)
Puddifoot	
Simmonds	
<b>Substitutes</b>	<b>Substitutes</b>
Bianco	Allen
Burrows	Duncan
Corthorne	Harmsworth
Seaman-Digby	Major

#### APPEALS SUB-COMMITTEE (SENIOR OFFICER) 4 (3-1)

<b>CONSERVATIVE</b>	<b>LABOUR</b>
To be appointed as required.	Curling (Lead)

#### GRIEVANCE SUB-COMMITTEE (SENIOR OFFICER) 4 (3-1)

<b>CONSERVATIVE</b>	<b>LABOUR</b>
To be appointed as required.	Curling (Lead)

#### PENSIONS COMMITTEE INVESTMENT STRATEGY SUB-COMMITTEE 3 (2-1)

<b>CONSERVATIVE</b>	<b>LABOUR</b>
Corthorne (Chairman).	Harmsworth (Lead)
Markham	

#### LICENSING SUB-COMMITTEE (NORTH) 5 (4-1)

<b>CONSERVATIVE</b>	<b>LABOUR</b>
Gilham (Chairman)	Allen (Lead)
Payne	
Kelly	
Melvin	

## COMMITTEE MEMBERSHIP 2013/2014

### LICENSING SUB-COMMITTEE (SOUTH) 5 (4-1)

CONSERVATIVE	LABOUR
Yarrow (Chairman)	Gardner (Lead)
Barrett	
Kemp	
Stead	

ALL MEMBERS OF LICENSING SUB-COMMITTEES MUST ALSO BE MEMBERS OF THE LICENSING COMMITTEE. SUBSTITUTES FOR LICENSING SUB-COMMITTEES - ANY MEMBER OF THE LICENSING COMMITTEE

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**HEALTH AND WELLBEING BOARD** - outside of the overall calculation and subject to the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

VOTING STATUTORY MEMBERS	Substitute
Councillor Puddifoot (Chairman)	Any Elected Member
Councillor Corthorne (Vice-Chairman)	Any Elected Member
Councillor Simmonds	Any Elected Member
Councillor Mills	Any Elected Member
Councillor Bianco	Any Elected Member
Councillor Burrows	Any Elected Member
Councillor Seaman-Digby	Any Elected Member
Healthwatch Hillingdon	Tbc
Clinical Commissioning Group	Tbc
NON - VOTING STATUTORY MEMBERS*	Substitute
Statutory Director of Adult Social Services	
Statutory Director of Children's Services	
Director of Public Health	
CO-OPTED MEMBERS**	Substitute
NHS Hillingdon	N/A
Hillingdon Hospitals NHS Foundation Trust	N/A
Central and North West London NHS Foundation Trust	N/A

\* These Members are non-voting, subject to consultation with the Board.

\*\* These Members are non-voting, subject to consultation with the Board. In addition, these Members are not allowed substitutes and their appointment is subject to approval by the Board, not full Council

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### Article 8 - Audit Committee Terms of Reference

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#### (a) Introduction

The Audit Committee's role will be to:

- ~~• Provide independent assurance of the adequacy of the Council's audit, governance and risk management framework and the associated control environment;~~
- ~~• Provide independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment and;~~
- ~~• Oversee the financial reporting process.~~
- Review and monitor the Council's audit, governance, risk management framework and the associated control environment, as an independent assurance mechanism;
- Review and monitor the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and/or weakens the control environment;
- Oversee the financial reporting process of the Statement of Accounts.

Decisions in respect of strategy, policy and service delivery are reserved to the Cabinet or delegated to Officers.

#### (b) Membership

Membership will be four elected Councillors and an independent Chairman with relevant financial expertise and that the Vice-Chairman comes from the majority group. No Cabinet Member or Member of the Executive Scrutiny Committee shall serve concurrently on the Audit Committee.

#### (c) Terms of Reference

The Audit Committee will:

##### Internal Audit

1. **Review and monitor, Approve,** but not direct, Internal Audit's ~~strategies and plans, work programmes, summaries of Internal Audit reports, their main recommendations and whether such recommendations have been implemented within a reasonable timescale, ensuring that work is planned with due regard to risk, materiality and coverage. This will not prevent the Cabinet directing internal audit to review a particular matter.~~
2. **Make recommendations to the Leader of the Council and Cabinet Member for Finance, Property and Business Services on any changes to the Council's Internal Audit Strategy and plans.**

2. Review the ~~Head of Internal Audit's~~ Annual Report and Opinion and Summary of Internal Audit Activity (actual and proposed) and the level of assurance this can give over the Council's corporate governance arrangements.
3. ~~Review summaries of Internal Audit reports and the main recommendations arising.~~
4. ~~Review a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale.~~
5. Consider reports dealing with the management and performance of ~~the providers of~~ internal audit services.
6. **Following a request to the Corporate Director of Finance, and subject to the approval of the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to commission work from Internal Audit.**

### External Audit

7. Receive and consider the External Auditor's annual letter, relevant reports and the report to those charged with governance.
8. Monitor management action in response to issues raised by External Audit.
8. Receive and consider specific reports as agreed with the External Auditor.
9. Comment on the scope and depth of External Audit work and ensure that it gives value for money, **making any recommendations to the Corporate Director of Finance**
10. **Be consulted by the Corporate Director of Finance over the appointment of the Council's External Auditor - ~~Liaise with the Audit Commission over the appointment of the Council's External Auditor.~~**
11. **Following a request to the Corporate Director of Finance, and subject to the approval of the Leader of the Council / Cabinet Member for Finance, Property and Business Services, to commission work from External Audit. ~~Commission work from Internal and External Audit, following a formal request by the Committee to and a joint decision from the Leader of the Council and Cabinet Member for Finance & Business Services.~~**
12. **Monitor effective arrangements for ensuring liaison between Internal and External audit, in consultation with the Corporate Director of Finance. ~~Ensure that there are effective arrangements for ensuring liaison between Internal and External audit.~~**

### Governance Regulatory Framework

~~The Audit Committee will:~~



1. Maintain an overview of the Council's Constitution in respect of contract procedure rules **and** financial regulations ~~and codes of conduct and behaviour~~. And, where necessary, bring proposals **to the Leader of the Council or the Cabinet and/or Council** for their development.
2. Review any issue referred to it by the Chief Executive, a Deputy Chief Executive, Corporate Director, or any Council body.
3. **Monitor and review, but not direct, Approve and regularly review** the authority's risk management arrangements, including regularly reviewing the corporate risk register and seeking assurances that action is being taken on risk related issues.
4. Review and monitor Council policies on 'Raising Concerns at Work' and anti-fraud and anti-corruption strategy and the Council's complaints process, **making any recommendations on changes to the Leader of the Council and the Deputy Chief Executive and Corporate Director of Residents Services.**
5. Oversee the production of the authority's Statement of Internal Control and recommend its adoption.
6. Review the Council's arrangements for corporate governance and ~~agree necessary actions to ensure compliance with best practice,~~ **make recommendations to the Corporate Director of Finance on necessary actions to ensure compliance with best practice.**
7. **Where requested by the Leader of the Council, Cabinet Member for Finance, Property and Business Services or Corporate Director of Finance, provide recommendations on Consider** the Council's compliance with its own and other published standards and controls.

#### Accounts

~~The Audit Committee will:~~

1. Review and approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from financial statements or from the auditor that need to be brought to the attention of the Council.
2. Consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.

#### Review and reporting

- **Undertake an annual independent review of the Committee's effectiveness and submit an annual report to Council on the activity of the Audit Committee.**

# Schedule B - Committee Terms of Reference

## 7. ATTENDANCE AT COMMITTEES

~~(5) That Cabinet Members and Officers be required to attend the Audit Committee to answer questions—DELETE~~

## Audit Committee Terms of Reference (as amended)

### (a) Introduction

The Audit Committee's role will be to:

- Review and monitor the Council's audit, governance, risk management framework and the associated control environment, as an independent assurance mechanism;
- Review and monitor the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and/or weakens the control environment;
- Oversee the financial reporting process of the Statement of Accounts.

Decisions in respect of strategy, policy and service delivery or improvement are reserved to the Cabinet or delegated to Officers.

### (b) Membership

Membership will be four elected Councillors and an independent Chairman with relevant financial expertise and that the Vice-Chairman comes from the majority group. No Cabinet Member or Member of the Executive Scrutiny Committee shall serve concurrently on the Audit Committee.

### (c) Terms of Reference

The Audit Committee will:

#### Internal Audit

1. Review and monitor, but not direct, Internal Audit's work programmes, summaries of Internal Audit reports, their main recommendations and whether such recommendations have been implemented within a reasonable timescale, ensuring that work is planned with due regard to risk, materiality and coverage.
2. Make recommendations to the Leader of the Council and Cabinet Member for Finance, Property and Business Services on any changes to the Council's Internal Audit Strategy and plans.
3. Review the Annual Report and Opinion and Summary of Internal Audit Activity (actual and proposed) and the level of assurance this can give over the Council's corporate governance arrangements.

4. Consider reports dealing with the management and performance of internal audit services.
5. Following a request to the Corporate Director of Finance, and subject to the approval of the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to commission work from Internal Audit.

#### External Audit

6. Receive and consider the External Auditor's annual letter, relevant reports and the report to those charged with governance.
7. Monitor management action in response to issues raised by External Audit.
8. Receive and consider specific reports as agreed with the External Auditor.
9. Comment on the scope and depth of External Audit work and ensure that it gives value for money, making any recommendations to the Corporate Director of Finance.
10. Be consulted by the Corporate Director of Finance over the appointment of the Council's External Auditor.
11. Following a request to the Corporate Director of Finance, and subject to the approval of the Leader of the Council / Cabinet Member for Finance, Property and Business Services, to commission work from External Audit.
12. Monitor effective arrangements for ensuring liaison between Internal and External audit, in consultation with the Corporate Director of Finance.

#### Governance Framework

13. Maintain an overview of the Council's Constitution in respect of contract procedure rules and financial regulations. And, where necessary, bring proposals to the Leader of the Council or the Cabinet for their development.
14. Review any issue referred to it by the Chief Executive, a Deputy Chief Executive, Corporate Director, or any Council body.
15. Monitor and review, but not direct, the authority's risk management arrangements, including regularly reviewing the corporate risk register and seeking assurances that action is being taken on risk related issues.
16. Review and monitor Council policies on 'Raising Concerns at Work' and anti-fraud and anti-corruption strategy and the Council's complaints process, making any recommendations on changes to the Leader of the Council and the Deputy Chief Executive and Corporate Director of Residents Services.
17. Oversee the production of the authority's Statement of Internal Control and recommend its adoption.

18. Review the Council's arrangements for corporate governance and make recommendations to the Corporate Director of Finance on necessary actions to ensure compliance with best practice.
19. Where requested by the Leader of the Council, Cabinet Member for Finance, Property and Business Services or Corporate Director of Finance, provide recommendations on the Council's compliance with its own and other published standards and controls.

#### Accounts

20. Review and approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from financial statements or from the auditor that need to be brought to the attention of the Council.
21. Consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.

#### Review and reporting

22. Undertake an annual independent review of the Committee's effectiveness and submit an annual report to Council on the activity of the Audit Committee.

## Appendix 2

### Schedule E - Policy Overview & Scrutiny Terms of Reference

#### **CORPORATE SERVICES & PARTNERSHIPS**

To perform the policy overview role outlined above in relation to the following matters:

1. Democratic Services
2. Localism
3. Central Services, incl. Human Resources, ICT, Communications & Legal Services
4. Capital programme, property, construction & facilities management
5. Financial Planning & Financial Services
6. Enforcement and anti-fraud activities
7. Procurement
8. Performance Improvement
9. Economic development & town centres and regeneration
10. Local commerce, employment, skills and job creation
11. Local Strategic Partnership and Sustainable Community Strategy;
12. Community engagement, partnerships and the voluntary sector
13. Equalities and Community Cohesion
14. Community Safety
15. Public Safety & Civil Protection
16. Energy use and carbon reduction
17. Health & Safety
18. Any functions not included within the remit of the other Policy Overview Committees
19. Cross-cutting reviews that cover the remit of other Committees

#### **CHILDREN, YOUNG PEOPLE & LEARNING**

To perform the policy overview role outlined above in relation to the following matters:

1. Education Services and statutory education authority functions
2. School performance and attainment
3. School Transport
4. Relationships with Local Academies / Free Schools
5. Pre-School & Early Years Services
6. Youth Services & Careers Services
7. Juvenile justice & probation services
8. Adult Learning
9. Education and learning partnerships

10. Music & The Arts
11. Social care services for children, young persons and children with special needs
12. Adoption and Fostering
13. Family Services

## **RESIDENTS' & ENVIRONMENTAL SERVICES**

To perform the policy overview role outlined above in relation to the following matters:

1. Highways, traffic, parking & street environment
2. Local transport, including rail, cycling & London Underground
3. Footpaths and Bridleways
4. Road safety and education
5. Planning & Building Control
6. Libraries
7. The Borough's heritage and history
8. Sport & Leisure services
9. Waste management & recycling
10. Green spaces, allotments, woodlands, conservation and sustainable development
11. Consumer Protection, Trading Standards & Licensing
12. Registrars & Bereavement Services
13. Local watercourses, drainage and flooding
14. Environmental Health, Air & Noise Quality
15. Local impacts of Heathrow expansion
16. Local impacts of High Speed Rail

## **SOCIAL SERVICES, HOUSING & PUBLIC HEALTH**

To perform the policy overview role outlined above in relation to the following matters:

1. Adult Social Care
2. Older People's Services
3. Care and support for people with physical disabilities, mental health problems and learning difficulties
4. Asylum Seekers
5. Local Authority Public Health services
6. Encouraging a fit and healthy lifestyle
7. Health Control Unit, Heathrow
8. Encouraging home ownership
9. Social and supported housing provision for local residents
10. Homelessness and housing needs
11. Home energy conservation
12. National Welfare and Benefits changes

## **EXECUTIVE SCRUTINY COMMITTEE**

(additional text added shown in **bold**)

### Terms of Reference

To exercise the right set out in the Policy Overview and Scrutiny Procedure Rules to call-in and recommend for reconsideration any **key** decisions made but not yet implemented by the Cabinet, a Cabinet Member, a Council Cabinet Sub-Committee or an officer. **This would include any key decision that needs further information from the decision-maker to explain why it was taken.**

## **EXTERNAL SERVICES SCRUTINY COMMITTEE**

### Terms of Reference

1. To undertake the powers of health scrutiny conferred by the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
2. To work closely with the Health & Wellbeing Board & Local HealthWatch in respect of reviewing and scrutinising local health priorities and inequalities.
3. To respond to any relevant NHS consultations.
4. To scrutinise and review the work of local public bodies and utility companies whose actions affect residents of the Borough.
5. To identify areas of concern to the community within their remit and instigate an appropriate review process.
6. To act as a Crime and Disorder Committee as defined in the Crime and Disorder (Overview and Scrutiny) Regulations 2009 and carry out the bi-annual scrutiny of decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions.

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## Appendix 3

### ARTICLE 8 - COUNCIL COMMITTEES AND BODIES

#### 8.02 Planning Committees

##### (a) Introduction

The Council has two area based Planning Committees. The Central and South Committee which covers the Hayes and Harlington, Heathrow and Uxbridge area and the North Committee which covers the Ruislip and Northwood area.

In addition the Council has a Major Applications Committee which determines major planning applications – those that involve:

- the creation of 10 or more residential units.
- residential development on a site of 0.5 hectares or more
- non-residential development on a site of at least 1 hectare
- non-residential development that creates more than 1000 square metres of new gross floorspace
- the creation of a change of use of 1000 square metres or more of gross floor space (not including housing)
- Council owned development sites / applications where the Council is the applicant.

Additionally The Head of Planning, in consultation with the appropriate Cabinet Member, may refer applications which by virtue of the level of public interest or by virtue of the economic / regeneration benefits of the proposals are felt to warrant consideration at the Major Applications Committee.

##### (b) Membership

Each of the Planning Committees has 8 Members and they will be politically balanced.

##### (c) Terms of Reference

Each of the Planning Committees exercise the following functions:

1. To determine any applications made under the provisions of the Town and Country Planning Legislation and Orders.
2. To approve the Council's response to development proposals not requiring planning applications for example, from Government departments or adjoining local authorities.
3. To adopt supplementary planning guidance specific to the area.

4. To approve directions restricting permitted development rights.
5. To confirm and modify Tree Preservation Orders where objections have been received.
6. To approve highway schemes where required as part of a planning application.
7. To authorise any legal agreements required in respect of any planning applications.
8. To authorise the service of stop notices under Planning legislation.
9. To authorise the making, issue and service of any notices, orders and other documents under the town and country planning and listed buildings legislation.
10. To authorise the institution of any legal proceedings in respect of any notices orders and other documents made, issued and served under the town and country planning and listed buildings legislation.
11. To authorise the institution of legal proceedings to seek injunctive relief under the town and country planning and listed building legislation.

## HEALTH & WELLBEING BOARD

### Proposed New Committee & Terms of Reference

#### 8.09 Health and Wellbeing Board

##### (a) Introduction

In accordance with the Health and Social Care Act 2012 and any subsequent related legislation, the Health and Wellbeing Board will seek to improve the quality of life of the local population and provide high-level collaboration between the Council, NHS and other agencies to develop and oversee the strategy and commissioning of local health services.

The Board will operate as a Committee of the Council in accordance with the Committee Standing Orders and Access to Information Procedure Rules set out in this Constitution.

The core functions of the Board are not executive functions and are not therefore subject to any scrutiny call-in procedure.

The Board will seek to comply with its duties under the Equality Act 2013, Freedom of Information Act 2000 and the Data Protection Act 1998.

##### (b) Membership

###### Statutory Members

The Chairman of the Board shall be the Leader of the Council. The Vice-Chairman of the Board shall be the Cabinet Member for Social Services, Health & Housing.

Other Statutory Members that may attend meetings are:

- 1) Cabinet Members from the London Borough of Hillingdon
- 2) A representative from the Clinical Commissioning Group covering Hillingdon
- 3) A representative from Healthwatch Hillingdon
- 4) Statutory Director of Adult Social Services
- 5) Statutory Director of Children's Services
- 6) Director of Public Health

###### Political Balance

There is no requirement to have all political groups within the Council represented on the Board.

###### Substitutes for Statutory Members

Cabinet Members may nominate any other Elected Member of the Council as a substitute. Other Statutory Members of the Board must nominate a single

individual who will substitute for them and have the authority to make decisions in the event that they are unable to attend a meeting.

### Co-opted Members

From time to time and upon the agreement of the Board other individuals or representatives may attend Board meetings as Co-opted Members. Co-opted Members may not send substitutes, e.g. representatives of local NHS Hospitals or Trusts.

### Voting rights

Voting rights will apply to the following Statutory Members:

- All Elected Members of the Council on the Board;
- The representative from the Clinical Commissioning Group covering Hillingdon;
- The representative from Healthwatch Hillingdon.

Subject to consultation with the Board, the Council may then direct whether or not voting rights apply to any other Statutory Member or Co-opted Member.

### Code of Conduct

All voting Members of the Health and Wellbeing Board will be bound by the Council's Code of Conduct for Members, as adopted.

### **(c) Sub-Committees**

The Board may establish and appoint to sub-committees. The Board may delegate any of its functions to sub-committees or request them to undertake task and finish reviews or project work in the pursuit of the Board's goals.

Members of a sub-committee may be a Statutory or Co-opted Member of the Board or any Elected Member of the London Borough of Hillingdon.

Sub-committees will cease to exist upon a decision by the Board.

### **(d) Terms of Reference**

1. To fulfil statutory requirements to improve the health and wellbeing of the local population, specifically to:
  - (a) Lead on the duty to assess and publish information about the needs of the local population (joint strategic needs assessment (JSNA));
  - (b) Deliver the duty to prepare and publish a Joint Health and Wellbeing strategy based on the JSNA, to consider Health and Social Care Act flexibilities in developing the strategy and involve local residents and others as appropriate;

- (c) Promote integrated and partnership working across areas, including through the promotion of joined up commissioning plans across the NHS, social care and public health; and
- (d) Support, be involved in and provide opinion on joint commissioning plans and the review of how well the Health and Wellbeing strategy is meeting needs. This includes providing an opinion on how well the Clinical Commissioning Group (CCG) contributes to the delivery of the joint Health and Wellbeing strategy.

2. To be responsible for:

- (a) Providing leadership in developing a strategic approach for health and wellbeing in Hillingdon;
- (b) Developing the statutory Health and Wellbeing Strategy;
- (c) Ensuring that the Health and Wellbeing Strategy is informed and underpinned by the JSNA and is focused upon:
  - Improving the health and wellbeing of the residents of Hillingdon;
  - The continuous improvement of health and social care services;
  - The reduction of health inequalities;
  - The involvement of service users and patients in service design and monitoring and;
  - Integrated working across health and social care where this would improve quality.
- (d) Reviewing performance on delivering the Health and Wellbeing Strategy and other key strategic targets;
- (e) Holding partner agencies to account for performance on agreed priorities in conjunction with the External Services Scrutiny Committee;
- (f) Influencing and approving the Clinical Commissioning Group (CCG) commissioning plan and annual update;
- (g) Collaborative working to develop social care and health related commissioning plans to improve the health and wellbeing of residents of the Borough and monitor implementation and performance;
- (h) Monitoring the performance of Public Health and reviewing services in conjunction with the External Services Scrutiny Committee and;
- (i) Reviewing the Terms of Reference and operation of the Board regularly, making recommendations to Council as required.

## **PART 4 - COMMITTEE STANDING ORDERS – SCHEDULE B**

### **Amendments to Standing Orders – new section**

#### **19. HEALTH AND WELLBEING BOARD**

These Committee Standing Orders apply to the Health and Wellbeing Board set out in Article 8 of the Constitution, with the following exceptions to these rules taking precedence at any time:

1. Any speaking rights for Elected Members who are not Members of the Board do not apply to meetings of the Board or any of its sub-committees.
2. A Quorum of the Board shall be 50% of its statutory membership. This will also apply to any sub-committees of the Board.
3. Any meeting of the Board may establish and appoint to its sub-committees.
4. Upon any recommendations from the Board, Statutory Membership will be approved by full Council.
5. Upon request from an organisation, approval of any appointments to the Board as a non-statutory Co-opted Member will be agreed by the Board, in consultation with the Chairman and the Head of Democratic Services.
6. Decisions shall be made on the basis of a vote and show of hands of a majority of members present. Subject to the vote being tied, the Chairman will have a second or casting vote.
7. The Board and any sub-committees shall meet as required, with the agreement of the Chairman and/or in the circumstances where the Chairman receives a request in writing by more than 50% of the Statutory Members of the Board.

## APPENDIX 5

### HILLINDGON COUNCIL PETITION SCHEME

#### Our Promise

Hillingdon Council's petition process enjoys high resident participation and satisfaction and, as a part of that process we promise to:

- **Value all petitions** – residents' views are important to us
  - **Give friendly advice** – how to best pursue the issue that residents have
  - **Make it easy** – lots of ways to submit a petition to us
  - **Keep you informed** – update the petition organiser about a petition's progress
  - **Let you have your say** – enable residents to speak to and directly influence Council decision-makers
- 

#### Petitions Overview

~~In accordance with the *Local Democracy, Economic Development and Construction Act 2009*, the~~ **The** petition process allows members of the public to have direct influence on the decision making process and to raise concerns that are important to them. All petitions sent or presented to the Council will receive a written acknowledgement within 5 working days of receipt. This acknowledgement will set out what the Council plans to do with the petition and when the petition organiser can expect to hear from us again. We will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition. More than one petition can be received on a particular issue, whether for or against that issue.

There shall be a presumption that petitions are publicly viewable documents. With regard to paper petitions, the signature of each signatory will be deleted from the public copy but the name **and address** of each person who signed a petition will be viewable on request at the Civic Centre (except in exceptional circumstances, as decided by the Head of Democratic Services). If a petitioner wishes for their name and address to be withheld, then they must include such a request in writing with the petition for consideration by the Head of Democratic Services.

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#### What is a petition?

Petitions can be either paper or electronic. For the purposes of this scheme, the Council will treat as a petition anything which identifies itself as a petition, or which a reasonable person would regard as a petition, and which is signed by the appropriate qualifying persons. For practical purposes, the Council has set a requirement for at least 20 valid signatories before it is treated as a valid petition. In the case of paper petitions, a valid signature will be classed as the

name, address and signature of an individual that lives, works or studies in the Borough (duplicate signatories will not be counted). For electronic petitions, a valid signature will be classed as the name, address and email address of an individual that lives, works or studies in the Borough.

Where a communication contains less than 20 signatures, it will be treated as a corporate complaint or service request, whichever is appropriate, and will be passed to the appropriate department for a response. The appropriate Ward Councillors will also be notified of these petitions. If deemed appropriate by the Head of Democratic Services, a paper petition and an electronic petition that are on the same subject from the same petition organiser may be combined and the lead petitioner will be advised accordingly.

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### **Who can submit a petition?**

Anyone who lives, works or studies in the Borough, including under 18s, can sign or organise an electronic or paper petition, except for petitions requiring a full Council debate where only signatures of those over 18 years of age will be accepted.

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### **Who should you send a paper petition to?**

The Democratic Services section is responsible for receiving, managing and reporting all petitions sent to the authority. Paper petitions can be sent to:

Head of Democratic Services  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge  
Middlesex UB8 1UW

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### **How will the Council respond to petitions?**

The Council's response to a petition will depend on what the petition asks for and how many people have signed it, but may include one or more of the following:

- Taking the action requested in the petition
- Considering the petition at **an appropriate Council / Committee** meeting
- Holding an inquiry into the matter
- Undertaking research into the matter
- Considering the petition at a Petition Hearing with the relevant Cabinet Member
- Carrying out a consultation
- Holding an informal meeting with the petition organiser
- Referring the petition for consideration by one of the Council's overview and scrutiny committees



- Writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the Council will consider all the specific actions it can potentially take with regard to the issues highlighted in a petition.

If a petition is about something over which the Council has no direct control (for example the local railway or hospital), we may make representations on behalf of the community to the relevant body where appropriate. The Council works with a large number of local partners and, where possible, we will work with these partners to respond to a petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will write to the petition organiser setting out the reasons. More information is available on the services for which the Council is responsible on our website at <http://www.hillingdon.gov.uk/>.

If a petition is about something that a different Council is responsible for, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event, the Council will always notify the petition organiser of the action we have taken.

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### **What are the guidelines for submitting a petition?**

Before submitting a petition, petitioners are advised to first check with their Ward Councillors or with the Council to see if the Council is already acting on the concerns and whether the Council is the most appropriate body to receive the petition (sometimes it may be more appropriate to send the petition to another public body).

Petitions submitted to the Council must include a clear and concise statement covering the subject of the petition and should also state what action the petitioners wish the Council to take. At least 20 of the signatories to a petition will be validated by comparing the signatures, addresses or email addresses with records held by the Council.

**Please note that the 20 validated signatories must be able to demonstrate a clear interest in the subject matter of the petition. The Head of Democratic Services will retain the right to discount any signatories whom it is determined cannot demonstrate such an interest.**

Petitions should be accompanied by contact details for the petition organiser (including an address and, where possible, a contact telephone number and/or email address). This is the person that we will contact to explain how the petition will be responded to. The contact details of the petition organiser will not be placed on the website. If a paper petition does not identify a petition organiser, we will normally only contact the first person on the petition.

If the petition is electronic, it ~~must~~ **may** be made using the Council's electronic petitioning facility available on the Council's website ([www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)) and must include each petitioner's name, address and email address.

**Where a printed version of an electronic petition is submitted to the Council this will be counted and combined as a single petition.**

### Electronic Petitions

Electronic petitions must follow the same guidelines as paper petitions and **may** be submitted through the Council's website ([www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)), **although it is recognised that other electronic petition facilities are available. Where an electronic petition is submitted using an alternate on line facility it will be accepted as long as it contains 20 or more valid signatories.**

When an electronic petition is created **using the Council facility**, it may take up to 10 working days before it is published on the Council's website. This is because we will need to check the content of the petition before it is made **public and available for people to sign.** ~~signature.~~ If we feel that we cannot publish a petition, we will contact the petition organiser within this period to explain why. The petition organiser will then be given the opportunity to change and resubmit the petition. If this is not done within 15 working days of our contact, details of the petition and the reasons why it was not accepted will be published on the Council's website with other rejected petitions. The petition organiser will need to decide how long they want their petition to be open for signatories. Most petitions will run for a few weeks but the petition organiser can choose a shorter or longer timeframe, up to a maximum of 3 months.

When a petitioner signs an electronic petition **using the Council facility**, they will be asked to provide their name, address and a valid email address. Once this information has been validated, the petitioner's signature will be added to the petition. People visiting the electronic petition on the Council's website may be able to see the petitioners' names on the list of signatories but not their contact details.

### Election Period

Due to restrictions imposed in the period immediately before any election or referendum, the Council may need to deal with petitions differently. If this is the case, we will contact the petition organiser to explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will contact to the petition organiser to explain the reasons.

## Petitions which will not be reported

In the following circumstances, petitions will not be accepted:

- Petitions will not normally be considered if they are received within six months of another petition having already been considered by the authority on the same matter.
- Petitions will not be accepted if, in the opinion of the Head of Democratic Services, they are vexatious, frivolous, abusive or otherwise inappropriate or do not relate to a matter which is the responsibility of the authority, or over which the authority has some influence.
- Statutory petitions or petitions where there is already an existing right of appeal or a separate complaints procedure, e.g., staffing, disciplinary or grievance matters.
- Petitions will not be accepted if they require the disclosure of exempt or confidential information.

If a petition is deemed unacceptable, the petition organiser will be contacted with an explanation.

## Multiple Petitions

For issues of practicality, where the Council receives more than one petition in relation to the same issue (e.g., a planning or licensing application), the Cabinet Member / Chairman of the relevant Committee will have discretion to amend the speaking rights, the number of speakers and speaking timings. Please note that it is not an automatic right that each petition organiser will get 5 minutes to speak if there is more than one petition.

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## **What will the Council do when it receives my petition?**

Whether paper or electronic, a written acknowledgement will be sent to the petition organiser within 5 working days of receiving the petition. This acknowledgement will let the petition organiser know what we plan to do with the petition and when they can expect to hear from us again. Details of those petitions received will be available on the Council's website, except in cases where this would be inappropriate.

In addition, when an electronic petition, **using the Council facility**, has closed for signature, a petition acknowledgement and response will be emailed to everyone who has signed the petition and has elected to receive this information. This information will also be available on the Council's website.

If we can do what a petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition organiser will be asked if they are satisfied with the outcome and whether they would like to withdraw their petition. ~~If the petition has enough signatures to trigger a Council debate (see below), or a senior officer giving evidence, then the acknowledgment will confirm this and tell the petition organiser when and where the meeting will~~

take place. If the petition needs more investigation, we will tell the petition organiser what steps we plan to take.

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## What types of petition are there?

~~There are three types of petition:~~

~~Ordinary Petitions – these must contain~~ Valid petitions – those containing the names, addresses and signatures of 20 or more petitioners - ~~Valid ordinary petitions fall into three~~ four categories:

- a. Cabinet Member Petitions
  - b. Planning Petitions
  - c. Licensing Petitions
  - d. Petitions to be considered at another Council committee.
- ~~2. Petitions requiring Council debate – petitions containing the names, addresses and signatures of 2,500 people will be debated by the full Council.~~
- ~~2. Petitions to hold Council employees to account – petitions which call for evidence from a senior Council employee must have 1,250 valid signatures to trigger that action.~~

### 1. Ordinary Petitions

Valid petitions must contain at least 20 signatories and will trigger a course of action to be taken. Please note that petitions which raise issues of alleged Member misconduct will be taken as complaints arising under the Local Government Act 2000 and the Localism Act 2011 and, where appropriate, will be reported to the Council's Standards Committee.

#### 1a. Cabinet Member Petitions

In the vast majority of cases, valid petitions will be considered by the relevant Cabinet Member at a Petition Hearing where s/he will decide what action (if any) will be taken.

A valid petition will entitle the petitioners to have their petition considered by the relevant Cabinet Member at a Petition Hearing to argue their case or promote a particular issue. Such petitions will be accompanied by an officers' report indicating the issue to be raised, the Council's powers and responsibilities for the issue raised and the options for action.

The petitioner organiser of each petition, or their representative, may address the Petition Hearing for up to 5 minutes\* and may answer questions from Cabinet Member for a further 3 minutes. Ward Councillors will also be permitted to speak for up to 3 minutes on each petition relating to their Ward. Extending these time limits is at the discretion of the Cabinet Member.

Where a petition has already been heard by the Cabinet Member and a decision has been made, repeat petitions advocating the same, or similar, action will not be allowed for a period of 6 months, except in exceptional

circumstances as determined by the relevant Cabinet Member. Petitions may only be heard by the Cabinet Member on matters under the control of the Council as determined by the Head of Democratic Services on receipt. Where the Head of Democratic Services does not accept a petition, advice will be given to the petitioner on the best way to deal with their petition.

Where a petition has fewer than 20 signatures, a relevant Ward Councillor can request that the relevant Cabinet Member consider the petition at a Petition Hearing. The decision as to whether or not a petition with less than 20 signatures is considered at a Petition Hearing will rest with the relevant Cabinet Member.

Where a petition organiser meets a Cabinet Member at a Petition Hearing, either by right or where the Cabinet Member has agreed to meet them, the following procedures shall apply:

- A written report from officers must be published at least 5 clear working days before the meeting;
- The meeting shall normally take place at the Civic Centre, unless the Cabinet Member decides otherwise;
- The meeting shall be open to the public and press (subject to the Access to Information Act rules);
- The meeting shall be attended by officers from the appropriate Service Group and by a representative of Democratic Services;
- The appropriate Ward Councillors shall be informed of the date and time of the meeting and may attend and have the right to speak at the meeting for up to 3 minutes;
- The petition organiser or their nominee, where they have been either invited to attend by the Cabinet Member or where they have the right to attend, shall have the right to speak about the matter raised in the petition for a maximum of 5 minutes\* and the Cabinet Member may ask them questions about the petition. Where it is a single petition, the time limit may be extended with the consent of the Cabinet Member;
- The Cabinet Member shall either announce their decision once they have heard the petitioner (and this decision shall be recorded and published), or they may decide that they wish to consider the matter and make a decision at a later date. Where the Cabinet Member decides to make a decision at a later date, the Member shall inform the Head of Democratic Services as soon as they have made a decision and this shall be recorded and published. There shall be no further right for a petition organiser to meet with the Cabinet Member; and
- The petition organiser will be informed of the decision in writing and where the decision is to refer this to the Cabinet or to a Cabinet Committee or to an Overview and Scrutiny Committee, the petition organiser will be kept informed of progress in considering the matter.

The relevant Cabinet Member has the power to decide whether they wish the petition to be heard at a Cabinet meeting for decision instead of being considered at a Petition Hearing. Petitions with 20 or more signatures may be presented to the Cabinet for decision where so decided by the Cabinet Member holding the appropriate portfolio relating to the matter raised in the

petition. Such petitions shall be accompanied by an officers' report indicating the issue to be raised, the Council's powers and responsibilities in relation to the issue raised and the options for action. One representative of any petition may address the Cabinet for up to 5 minutes \* and may answer questions from Cabinet Members for a further 3 minutes.

**\* Please note that time limits may vary if there is more than one petition in relation to one issue.**

### 1b. Planning Petitions

If a petition contains 20 or more signatories and is in relation to a planning application, the application will be considered at a Planning Committee meeting and the petitioner organiser (or their representative) will be invited to attend and speak for up to 5 minutes<sup>#</sup> in relation to that matter at the meeting at which the application will be considered. The applicant (or their agent) will also get the opportunity to speak for 5 minutes<sup>#</sup> where a valid petition has been accepted by the Council in relation to their application. Ward Councillors will be permitted to speak for up to three minutes in relation to an application if they have notified their intention to do so in advance to the Committee Chairman. Members of the Committee will also be able to ask questions of the petitioners for up to three minutes. Notification of the intention to speak and the name of the speaker must be supplied to the Head of Democratic Services at least 24 hours before the meeting.

All petitions in relation to Planning Committees should be received by the Head of Democratic Services no later than 48 hours prior to the meeting. Discretion to allow petitions after this deadline can only be approved by the Chairman of the relevant Planning Committee.

If the organiser of a petition would like to address a second or subsequent meeting which is to consider the issue which gives rise to their petition, they will need to organise another valid petition.

**# Please note that time limits may vary if there is more than one petition in relation to one issue.**

### 1c. Licensing Petitions

In the case of a Licensing Committee or Licensing Sub-Committee meeting, petitions may only be submitted to the Licensing Authority in advance of the meeting as relevant representations. At a meeting where a hearing is taking place, time limits will apply which allow all parties<sup>1</sup> an equal maximum period of time in which to exercise speaking rights \*

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<sup>1</sup>An interested party, as defined under the Licensing 2003 Act, is anyone who is directly affected by activity at the licensed premises in question, such as:

- A person living in the vicinity of the premises in question
- A body representing persons living in the vicinity of the premises in question, e.g. a Residents Association.
- A person involved in a business in the vicinity
- A body representing persons involved in such business e.g. Trade Association.

Other parties include the applicant and responsible authorities, e.g. Police.

If the organiser of a petition would like to address a second or subsequent meeting which is to consider the issue which gives rise to their petition, they will need to organise another valid petition.

***\* Please note that time limits may vary if there is more than one petition in relation to one issue.***

#### 1d. Petitions to be considered at another appropriate Council Committee

In the case of petitions concerning subjects which would normally fall to be considered by a Council body other than those above, the Head of Democratic Services, in consultation with the Leader of the Council, will determine which Council decision making body should hear and determine the petition.

The petitioner organiser (or their representative) will be invited to attend and speak for up to 5 minutes<sup>#</sup> in relation to that matter at the meeting at which the application will be considered.

***\* Please note that time limits may vary if there is more than one petition in relation to one issue.***

#### 2. Petitions requiring Council debate

~~If a petition contains more than 2,500 signatures of people aged over 18 years of age, it will be debated by the Council (unless it is a petition asking for a senior Council officer to give evidence at a public meeting). This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. In any event, petitions requiring Council debate must be received at least 10 working days before the date of the meeting.~~

~~The petition organiser (or their representative) will be given 5 minutes to present the petition at the meeting and the petition will then be debated by Members. The petition organiser will not be able to take part in the debate with Members. A maximum of two petitions will be allocated for discussions at any one Council meeting. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the Council's Executive<sup>2</sup> is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition~~

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<sup>2</sup> The Executive is also known as the Cabinet

organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

## 2. Petitions to hold Council employees to account

A petition may ask for a relevant accountable employee to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, a petition may ask a relevant accountable employee to explain progress on an issue, or to explain the advice given to Elected Members to enable them to make a particular decision. These petitions must relate to an employee's role and not their personal circumstances or character. If a petition contains at least 1,250 signatures, the relevant accountable employee will give evidence at the next appropriate public meeting of the relevant Overview and Scrutiny Committee<sup>3</sup>

(<http://modgov.hillingdon.gov.uk/mgListCommittees.aspx?bcr=1>) providing the petition has been received at least 10 working days before this meeting. Senior officers that can be called to give evidence are as follows:

- Chief Executive & Corporate Director of Administration (Head of Paid Service)
- Monitoring Officer (or any officer fulfilling the statutory role)
- Section 151 Officer (or any officer fulfilling the statutory role)
- Deputy Chief Executive & Corporate Director of Residents Services
- Corporate Director of Finance
- Corporate Director of Social Care and Health

It should be noted that the Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance, if the named officer has changed jobs or does not hold a senior position.

The Committee may also decide to call the Member with special responsibilities to attend the meeting. Although Committee Members will ask the questions at this meeting, the petition organiser (or their representative) will be able to ask up to three questions within an allocated 15 minutes. These questions must relate directly to the content of the petition. Questions from the petition organiser or nominated person must be submitted in writing to the Democratic Services section at least ten working days before the meeting. A written acknowledgement from the Council will be sent within 5 working days of receipt. Questions which are considered by the Head of Democratic Services to be vexatious, abusive, inappropriate, or that require the disclosure of exempt or confidential information, will not be considered.

After the meeting, the Committee will submit a report to the Cabinet (for consideration at the next Cabinet meeting) or to the relevant portfolio holder

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<sup>3</sup> At Hillingdon, there are 4 Policy Overview Committees (POCs) and 2 Scrutiny Committees: Corporate Services & Partnerships POC, Education & Children's Services POC; Executive Scrutiny Committee; External Services Scrutiny Committee; Residents' & Environmental Services POC; and Social Services, Health & Housing POC. These Committees comprise Councillors who are responsible for scrutinising the work of the Council – in other words, they have the power to hold the Council's decision makers to account.



(as a Cabinet Member Decision). The petition organiser will be sent a copy of this report.

### Petitions requesting a referendum

For further information on the submission of petitions to the Council requesting a referendum, please contact the Democratic Services Team at [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.gov.uk) or by calling 01895 250470.

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### **What can I do if I feel my petition has not been dealt with properly?**

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the relevant Council Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review, if the petition organiser gives a short written explanation addressed to the Petitions Officer of the reasons why the Council's response is not considered to be adequate. This request must be made within 20 working days of being notified of the authority's decision on the petition.

The relevant Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. If the Committee determines that the petition has not been dealt with properly, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Executive and arranging for the matter to be considered at a meeting of the Council. As well as being forwarded to the petition organiser, the results of the review will be published on the Council's website (unless it is considered inappropriate to do so).

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### **Is there anything else I can do to have my say?**

As a Council, we try to identify and solve problems at an early stage. We are committed to receiving feedback as this helps us to develop and review services. We recognise that petitions are just one way in which people can let us know about their concerns. Other ways that people can have their say include:

- Making a complaint using the Council's Complaints System (<http://www.hillingdon.gov.uk/index.jsp?articleid=5881>)
- Contacting your local Councillor (<http://modgov.hillingdon.gov.uk/mgMemberIndex.aspx>)
- Contacting your local MP (<http://www.hillingdon.gov.uk/index.jsp?articleid=18212>)

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