



HILLINGDON
LONDON



Council

To all Members of the Council

Date: THURSDAY, 11
SEPTEMBER 2014

Time: 7.30 PM

Venue: COUNCIL CHAMBER -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

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

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2014

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Putting our residents first

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Agenda

Prayers

To be said by the Reverend Chris Rankin

- 1 Apologies for Absence
- 2 Declarations of Interest 1 - 2
To note any declarations of interest in any matter before the Council
- 3 Minutes 3 - 10
To receive the minutes of the meeting held on 10 July 2014 (*attached*)
- 4 Mayor's Announcements
- 5 Report of the Head of Democratic Services 11 - 18
- 6 Members' Questions 19 - 20
To take questions submitted by Members in accordance with Council Procedure Rule 11
- 7 Motions 21 - 22
To consider Motions submitted by Members in accordance with Council Procedure Rule 12

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DECLARATIONS OF INTEREST

Reporting Officers: Head of Democratic Services and Borough Solicitor

SUMMARY

When The Mayor asks at item 2 if any Member has any interest to declare you must consider the items on the agenda and declare if you feel you have either:

a) a Pecuniary interest (that you have not already declared to the Monitoring Officer and is therefore included in the General Register of Members' Interests) or

b) a Non-Pecuniary interest.

Pecuniary and Non-Pecuniary interests are covered by Part 2 of the Code of Conduct.

What is a Pecuniary interest and what should I do if one arises?

A Member's pecuniary interests are their business interests (or those of their spouse or civil partner, or person with whom they are living as if spouse or civil partner). This would include their employment, trade, profession, contracts, or any company with which they are associated - and wider financial interests they might have (for example trust funds, investments, and assets including land and property).

If you consider that you have a Pecuniary interest in any item on the agenda and that interest has not already been entered onto the authority's General Register of Members' Interests, then you must disclose the interest under item 2 (or as it becomes apparent) as long as the matter is not a 'sensitive interest'. A 'Sensitive Interest' is one where disclosure of the details of the interest could lead to the Member or a person connected with the Member, being subject to violence or intimidation.

Unless dispensation has been granted, you must leave the Chamber when any item is being considered in which you have declared a Pecuniary Interest (whether already on the General Register or declared at the meeting) and may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest.

What should I do if a Non-Pecuniary interest arises?

Any other type of interest is defined as Non-Pecuniary and must, similarly be disclosed under item 2 (or as it becomes apparent).

In declaring a Non-Pecuniary interest a Member must consider if the extent of that interest will be such that it would reasonably be considered by a member of the public, in possession of the full facts, to be so significant as to prejudice the Member's judgement of the public interest in the matter under consideration.

If you consider the Non-Pecuniary interest to be prejudicial, in that it would affect your impartial judgement on the matter under consideration, then you must leave the Chamber and may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have such an interest.

If you do not consider the Non-Pecuniary interest you have declared to be prejudicial, then you may remain in the Chamber, participate in any discussion of and vote on the item in question.

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Agenda Item 3



HILLINGDON
LONDON

Minutes

COUNCIL

10 July 2014

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

Councillor Catherine Dann (Mayor)

	<p>MEMBERS PRESENT:</p> <table><tr><td>Councillors: Lynne Allen</td><td>Tony Eginton</td><td>Carol Melvin</td></tr><tr><td>Teji Barnes</td><td>Duncan Flynn</td><td>Douglas Mills</td></tr><tr><td>Mohinder Birah</td><td>Neil Fyfe</td><td>Peter Money</td></tr><tr><td>Wayne Bridges</td><td>Janet Gardner</td><td>John Morse</td></tr><tr><td>Tony Burles</td><td>Narinder Garg</td><td>June Nelson</td></tr><tr><td>Keith Burrows</td><td>Dominic Gilham</td><td>Susan O'Brien</td></tr><tr><td>Roy Chamdal</td><td>Raymond Graham</td><td>Jane Palmer</td></tr><tr><td>Alan Chapman</td><td>Becky Haggart</td><td>Ray Puddifoot</td></tr><tr><td>Philip Corthorne</td><td>John Hensley</td><td>John Riley</td></tr><tr><td>Brian Crowe</td><td>David Horne</td><td>Robin Sansarpuri</td></tr><tr><td>Peter Curling</td><td>Patricia Jackson</td><td>Scott Seaman-Digby</td></tr><tr><td>Peter Davis</td><td>Phoday Jarjussey</td><td>David Simmonds</td></tr><tr><td>Nick Denys</td><td>Allan Kauffman</td><td>Jagjit Singh</td></tr><tr><td>Kanwal Dheer</td><td>Judy Kelly</td><td>Brian Stead</td></tr><tr><td>Jazz Dhillon</td><td>Manjit Khatra</td><td>Jan Sweeting</td></tr><tr><td>Jas Dhot</td><td>Mo Khursheed</td><td>Shehryar Wallana</td></tr><tr><td>Jem Duducu</td><td>Kuldeep Lakhmana</td><td>Michael White</td></tr><tr><td>Janet Duncan</td><td>Eddie Lavery</td><td>David Yarrow</td></tr><tr><td>Beulah East</td><td>Richard Lewis</td><td></td></tr><tr><td>Ian Edwards</td><td>Michael Markham</td><td></td></tr></table>	Councillors: Lynne Allen	Tony Eginton	Carol Melvin	Teji Barnes	Duncan Flynn	Douglas Mills	Mohinder Birah	Neil Fyfe	Peter Money	Wayne Bridges	Janet Gardner	John Morse	Tony Burles	Narinder Garg	June Nelson	Keith Burrows	Dominic Gilham	Susan O'Brien	Roy Chamdal	Raymond Graham	Jane Palmer	Alan Chapman	Becky Haggart	Ray Puddifoot	Philip Corthorne	John Hensley	John Riley	Brian Crowe	David Horne	Robin Sansarpuri	Peter Curling	Patricia Jackson	Scott Seaman-Digby	Peter Davis	Phoday Jarjussey	David Simmonds	Nick Denys	Allan Kauffman	Jagjit Singh	Kanwal Dheer	Judy Kelly	Brian Stead	Jazz Dhillon	Manjit Khatra	Jan Sweeting	Jas Dhot	Mo Khursheed	Shehryar Wallana	Jem Duducu	Kuldeep Lakhmana	Michael White	Janet Duncan	Eddie Lavery	David Yarrow	Beulah East	Richard Lewis		Ian Edwards	Michael Markham	
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	<p>OFFICERS PRESENT: Fran Beasley, Jean Palmer, Paul Whaymand, Tony Zaman, Raj Alagh, Lloyd White, Mark Braddock, Morgan Einon and Steven Maiden</p>																																																												
13.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from the Deputy Mayor (Councillor G. Cooper), Councillors Bianco, J. Cooper, Higgins, R. Mills and Morgan.</p>																																																												
14.	<p>MINUTES (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meetings held on 20 February, 3 April and 5 June 2014 be agreed as correct records.</p>																																																												
15.	<p>MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 4</i>)</p> <p>The Mayor announced that she would be launching her Charity Appeal for the year on 6 August which would be raising funds for the Michael Sobell Hospice at Mount Vernon Hospital which provided care, comfort and support for local people facing life-limiting illnesses.</p>																																																												

	<p>She was also delighted to have received Her Majesty Queen Elizabeth II at the opening of Heathrow Airport's new Terminal 2 building.</p>
<p>16.</p>	<p>REPORT OF THE HEAD OF DEMOCRATIC SERVICES (<i>Agenda Item 5</i>)</p> <p>Councillor Puddifoot moved, and Councillor Simmonds seconded, the recommendations as set out in the Order of Business. The motion was then put to the vote and, following debate (Councillor Eginton), it was:</p> <p>RESOLVED: That</p> <ul style="list-style-type: none"> a) the Urgency decisions detailed in the report be noted. b) authority be delegated to the Leader of the Council to appoint co-opted members to Policy Overview and Scrutiny Committees, determining the suitability and term of office of such appointments and reviewing the appointments on expiry of that term. c) the Procurement and Contract Standing Orders and other relevant parts of the Constitution be amended to enable the effective implementation of a new Private Sector Leasing Scheme upon the recommendation of the Leader of the Council and Cabinet's decision to implement such a Scheme on 19 June 2014. d) the required wording changes to the Constitution be delegated to the Head of Democratic Services in consultation with the Leader of the Council. e) the decision taken by the Deputy Chief Executive and Corporate Director of Residents Services on 24 April 2014 to provisionally authorise the transfer of powers to London Councils' Transport and Environment Committee to undertake the legal processes to introduce the required Traffic Regulation Orders to bring into effect the London Safer Lorry Scheme be ratified; f) authority be delegated to the Chief Executive and Deputy Chief Executive and Corporate Director of Residents Services to authorise the transfer of non-executive powers under delegated authority granted by Council to another body in the best interests of the London Borough of Hillingdon and subject to the endorsement of the Leader of the Council and relevant Cabinet Member.
<p>17.</p>	<p>THE HILLINGDON LOCAL PLAN (<i>Agenda Item 6</i>)</p> <p>Members considered the adoption of the Council's Community Infrastructure Levy Charging Schedule and Replacement Planning Obligations Supplementary Planning Guidance.</p> <p>Councillor Burrows moved, and Councillor Corthorne seconded, the recommendations as set out in the Order of Business and it was:</p> <p>RESOLVED: That:</p> <ul style="list-style-type: none"> a) the Community Infrastructure Levy Charging Schedule and the Planning Obligations Supplementary Planning Document be adopted as Council policy; b) the proposed instalments policy for CIL payments be approved; and c) the current Planning Obligations Supplementary Planning Document be withdrawn following the adoption of the revised Planning Obligations Supplementary Planning Document.

18.	<p>CONFIRMATION OF AN ARTICLE 4 DIRECTION (<i>Agenda Item 7</i>)</p> <p>Members considered the adoption of the Article 4 Direction to protect Hillingdon's residents from the impact of legislative changes which would enable extensions of up to 6m and 8m depth (dependent on house type) to be built without the need for planning permission.</p> <p>Councillor Burrows moved, and Councillor D. Mills seconded, the recommendations as set out in the Order of Business and it was:</p> <p>RESOLVED: That:</p> <ul style="list-style-type: none"> a) The response to the consultation be noted and the intention to impose the Article 4(1) Direction (which subject to the Secretary of State not intervening, would come into force on 22 September 2014) be confirmed, withdrawing permitted development rights for single storey rear extensions over 4m depth. b) Officers be authorised to undertake the necessary advertising and prepare and circulate the relevant documentation required in order to implement the Article 4 Direction.
19.	<p>MEMBERS' QUESTIONS (<i>Agenda Item 8</i>)</p> <p>8.1 QUESTION SUBMITTED BY COUNCILLOR DUDUCU TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING – COUNCILLOR CORTHORNE</p> <p>"Would the Cabinet Member please provide an update on the development and progress of the new day centre on Queens Walk?"</p> <p>The Cabinet Member for Social Services, Health & Housing advised that work was currently underway on the centre and that completion was expected at the end of July.</p> <p>By way of a supplementary question, Councillor Duducu asked how parent carers had been engaged in the development.</p> <p>The Cabinet Member for Social Services, Health & Housing responded that the Council had worked very closely with parent carers in the development process. He placed on record his thanks for their contribution and for the hard work of the officer team in delivering this project.</p> <p>8.6 QUESTION SUBMITTED BY COUNCILLOR DHEER TO THE LEADER OF THE COUNCIL – COUNCILLOR PUDDIFOOT</p> <p>"What is the Council doing to support its Public Sector, low paid workers who have taken strike action today due to the increase in workload and salaries not keeping pace with inflation?"</p> <p>The Leader of the Council advised that only 5.3% of the national workforce had voted for strike action and that there had been very little support from employees at the London Borough of Hillingdon. He noted that striking disrupted the delivery of services to residents but that only 87 employees had taken part and that the disruption had been minimal. He also noted that pay levels for employees were not determined locally by the Council as all pay and conditions of service negotiations were</p>

conducted nationally.

The Leader highlighted the following points from a speech he had delivered to Council employees in November 2013:

- § £17.1 million of savings was required during 2013/14 and a further £13 million of savings would be required in 2014/15.
- § £76.8 million of savings had been made since 2010.
- § The Council had already been subject to effective cuts of 31% which could rise to 48% in the future.
- § During this period of cuts, the Council had continued to invest in libraries, green spaces and new schools.
- § Hillingdon had made comparatively very few people redundant when compared to other Councils. Where redundancies had been made, they included officers at the most senior levels. The Business Improvement Delivery (BID) Programme had been a major part of this difference and would continue to play a part in the future.
- § There had been no rise in Council Tax for 5 years.

By way of a supplementary question, Councillor Dheer asked whether the Leader sympathised with those in Government making cuts despite the bonuses being given to bankers.

The Leader responded that both the cuts made by Government and the bonuses given to bankers were not within the Council's responsibility. Furthermore, he stated that there was little that the Council could do to influence the national pay agreement.

8.2 QUESTION SUBMITTED BY COUNCILLOR EDWARDS TO THE CABINET MEMBER FOR COMMUNITY, COMMERCE AND REGENERATION - COUNCILLOR D.MILLS

"With the UK economy improving each month what impact are we seeing in Hillingdon on the number of people seeking the Job Seekers allowance and the number of new job opportunities?"

The Cabinet Member for Community, Commerce & Regeneration advised that between May 2013 and May 2014 there had been a decrease of 1,318 of the Borough's residents claiming Jobseeker's Allowance. The latest figures showed that, of the Borough's working age population, less than 2% were claiming the Jobseeker's Allowance. The drop in claimants had been supported by a steady increase in local employment opportunities with over 1,700 opportunities available in Hillingdon and a further 1,700 jobs at Heathrow as of June 2014.

By way of a supplementary question, Councillor Edwards asked what steps had been taken by the Council to improve investment in the Borough and what further steps would be taken in the future.

The Cabinet Member for Community, Commerce & Regeneration responded that the Council was doing a great deal to encourage investment in the Borough. There were a significant number of sites currently being developed including the Old Vinyl Factory and St Andrew's Park. However, he noted that that more needed to be done to encourage further investment and that, to achieve this, a booklet was available that set out the Council's approach to increasing commercial interest in the Borough.

8.5 QUESTION SUBMITTED BY COUNCILLOR MORSE TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION AND RECYCLING – COUNCILLOR BURROWS

"Since 2009 the residents of Hillingdon have seen two recycling stations closed. West Waste who ran Victoria Road recycling station have publicised that they have no further plans to change the use of the site and can reopen the recycling process. When does the Council expect to complete negotiations that lead to the reopening of the site?"

The Cabinet Member for Planning, Transportation & Recycling advised that the finances of the Victoria Road recycling station had been appalling. The Council had made it clear that it did not wish for the site to close but it was also unwilling to foot a 166% rise in costs. The Council had offered to meet with the Chairman of the West London Waste Authority and provide an extra month of funding to allow negotiations to take place. This offer had been rejected and, with the support of Labour councillors from other authorities, the site had been closed at the end of May 2014. There was a possibility that the site could be used by the West London Waste Authority's waste disposal contractor, SITA, to use the site going forward.

By way of supplementary question, Councillor Morse asked what financial valuation did the Council place on the offer from SITA to divert commercial waste into the HRRC operation to provide income and reduce Hillingdon's operating costs for the Victoria Road recycling centre?

The Cabinet Member for Planning, Transportation & Recycling responded that the site had been closed by West London Waste and that the Council had been willing to negotiate but it had not been possible to find a satisfactory resolution. He emphasised that the closure had been backed by Labour councillors from neighbouring Boroughs.

8.3 QUESTION SUBMITTED BY COUNCILLOR PALMER TO THE CABINET MEMBER FOR CENTRAL SERVICES – COUNCILLOR SEAMAN-DIGBY

"Please describe the procurement transformation and initiatives that the Council has introduced, and the problem or challenges it sought to resolve, also what aspects have been particularly imaginative or unique, and how have you demonstrated real benefits to the Council."

The Cabinet Member for Central Services advised that procurement was a key Council service that impacted upon every area of the Council's operations. The procurement function had been significantly transformed over the past 4 years including its structure, role and capability for delivering savings. The service had been reviewed from top to bottom and had been significantly strengthened with the expertise of staff from the private sector and the incorporation of the Procurement and Commissioning structure into a single, central team.

The Cabinet Member highlighted the following statistics:

- § From 31 March 2013 to present, cashable savings had been £6.2 million in contracts let.
- § From 31 March 2013 to present, cost avoidance / capital savings had been £12.4 million in contracts let.

There was no supplementary question.

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

"Can the Cabinet Member provide details of proposed changes to the Scheme for Financing Schools so as to provide certainty for schools regarding the costs of redundancy?"

The Cabinet Member for Education & Children's Services advised that a revised proposal for the Scheme for Financing Schools was currently being developed and would be considered by the Schools Forum. The aim of the proposal was to provide clarity on the process and ensure that all steps had been taken to minimise the costs of redundancy. Ultimately, the Schools Forum would make decisions on these matters.

By way of a supplementary question, Councillor Eginton asked whether the Cabinet Member would accept an invitation to the Schools Forum to discuss these issues further.

The Cabinet Member for Education & Children's Services responded that he would welcome an invitation from the Chairman of the Schools Forum. He would consider whether attendance was appropriate only upon receipt of such an invitation.

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

9.1 MOTION FROM COUNCILLOR SIMMONDS

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

Following debate (Councillors Seaman-Digby and Flynn), Councillor Dhillon moved an amendment to the motion revising the first paragraph to read:

"Council notes the commitments in Hillingdon Conservatives' election manifesto which continue to put residents *in the north of the Borough* first."

The amendment was seconded by Councillor Eginton. Following debate (Councillors Puddifoot and Simmonds), the amendment was put to the vote and lost.

After further debate (Councillors Corthorne, Davis, Burrows, Sweeting, East, Duducu, Gilham and Yarrow), the original motion was put to the vote and it was:

RESOLVED: That Council notes the commitments in Hillingdon Conservatives' election manifesto which continue to put residents first.

Council resolves to deliver the programme of continued investment in facilities and services that residents value including further new youth centres, improved pavements and roads, more green flag parks, the Hillingdon First card, a range of housing opportunities for long term local residents, more school places, and a borough museum and theatre. In addition, the sound finances of the council allow us to support residents against HS2 and further airport expansion and attract inward investment to support a vibrant local economy.

Council further resolves to support the administration in continuing measures

making Hillingdon Council an even more businesslike organisation, to ensure the financial efficiency needed to deliver this programme.

9.2 MOTION FROM COUNCILLOR CURLING

Councillor Curling moved, and Councillor Sansapuri seconded, the motion as set out on the Order of Business. Following debate (Councillor Puddifoot), the motion was put to the vote and it was:

RESOLVED: That Council notes the tremendous work of Freeman Natasha Baker and local resident Conrad Tokarczyk in highlighting the problem of disabled access to the borough's stations through their campaign to make all Hillingdon stations step free within 5 years.

Council further notes that the campaign to set up a public fund to which companies, councils and individuals can contribute, and which would then be spent on installing step free access at stations across London, has recently gained the support of all three of the borough's MPs.

Council therefore requests that the Cabinet look into how the London Borough of Hillingdon can support this campaign.

The meeting, which commenced at 7.30 pm, closed at 9.12 pm.

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

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REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5 day call-in provided there is agreement from the Chief Executive and the Chairman of the Executive Scrutiny Committee to waive this. All such decisions are to be reported for information only to the next full Council meeting.
2. Recently the following decisions have been made using the urgency procedures:

Date of Decision	Nature of Decision	Decision-Maker
8 July 2014	Eastcote House Buildings and Gardens Heritage Lottery Fund Project: Appointment of Contractor	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
9 July 2014	Schools Condition Programme - Delegated Award of Building Contract (7 Schools)	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
17 July 2014	Capital Release: 2014/15 Schools Condition Programme - Various Projects	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
24 July 2014	Capital Release: Highways Programme 2014/2015 (Release No 4)	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
26 July 2014	Purchase of Carbon Allowances	Cabinet (Urgency)
26 July 2014	Care and support services contract at Glenister Gardens	Cabinet (Urgency)
28 July 2014	Capital Release: Free School Meals Projects: Equipment for the Universal Infant School Meals Programme	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
1 August 2014	New Allocation of S106 Contributions 2014/15 - new MUGA and refurbishment of Tennis Courts at Warrender Park & provision of outdoor gym at Kings College Playing Fields	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)

Date of Decision	Nature of Decision	Decision-Maker
1 August 2014	Capital Release: HRA Works to Stock Programme 2014/15 Capital Release 2 Adaptations to Council Dwellings for Disabled Tenants	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
7 August 2014	Hillingdon Tuition Centre - Urgent Health & Safety Works	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
7 August 2014	Primary Schools Capital Programme Phase 3 - Laurel Lane Primary School delegated award of Building contracts, extension of consultancy and Capital Release	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
15 August 2014	Award of Contract - Children's Social Care Managed Services	Leader of the Council (Special Urgency & Cabinet level decision taken under delegated authority from Cabinet)
20 August 2014	Capital Release for ICT - Adult Education ICT Equipment	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency & includes a Cabinet level decision taken under delegated authority from Cabinet)
27 August 2014	Secondary School Capital Programme - Northwood Secondary School Replacement - delegated award of professional services contract and Capital Release	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
2 September 2014	Appropriation of highways land to educational use, Laurel Lane, West Drayton	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency & Cabinet level decision taken under delegated authority from Cabinet)

Background Papers: none

(ii) AMENDMENT TO THE COUNCIL CONSTITUTION – PROCUREMENT & CONTRACT STANDING ORDERS

RECOMMENDATION: To amend the Procurement and Contract Standing Orders as set out below:

a) In relation to property licences and leases:

Property Licenses and Leases (ADD: including any surrenders, alterations or variations)†	Under 7 years and under £10K	DCE & Corporate Director of Residents Services	In writing
	Under 7 years and £10k - £100k	Cabinet Member for Finance, Property & Business Services	Report
	Under 7 years and above £100k	Cabinet	Report
	7-25 years and any value up to £250k	Cabinet Member for Finance, Property & Business Services	Report
	Over 25 years and any value	Cabinet	Report

Information

The surrender, alteration or variation of an already approved lease (e.g. by Cabinet) is currently a decision delegated to Officers to make. To provide greater public accountability and which could assist the Council in implementing the new Openness of Local Government Bodies Regulations 2014 around the recording of license decisions, it is proposed that decision-making for these be undertaken within the same authority levels for all existing property license and lease decisions. This will provide uniformity of decision-making and ensure that, what can sometimes be important changes to long leases, can receive the necessary Member sign-off.

As such it is proposed to amend the Standing Orders to include the additional wording as shown in the first column of the table above. A requisite change will also be required within Residents Services Departmental Scheme of Delegations.

(iii) AMENDMENT TO THE COUNCIL CONSTITUTION - THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014.

RECOMMENDATION: That

a) authority be delegated to the Head of Democratic Services, in consultation with the Leader of the Council, to implement the Openness of Local Government Bodies Regulations 2014 in respect of non-executive decision making;

b) in respect of the filming, recording and reporting of meetings, Paragraph 22 of Part 4D of the Constitution be amended to read as follows:

22. FILMING, RECORDING & REPORTING OF MEETINGS

- 22.01** Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law. Reporting means:-
- filming, photographing or making an audio recording of the proceedings of the meeting;
 - using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
 - reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.
- 22.02** Anyone present at a meeting as it takes place, is not permitted to carry out an oral commentary or report and must remain seated throughout the meeting. This is to prevent the business of the meeting being disrupted.
- 22.03** Anyone attending a meeting is asked to advise the Head of Democratic Services that they wish to report on the meeting and how they wish to do so. This is to enable Democratic Services staff to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.
- 22.04** Any person present to film the proceedings of a meeting must respect the wishes of members of the public who do not wish to have their image recorded.
- 22.05** For meetings held at the Civic Centre, members of the public are welcome to use the Council's public Wi-Fi facilities. Occasionally, meetings take place in venues not run by the Council and in such circumstances members of the public are advised to check with the venue whether Wi-Fi is available.

Background Information

a) Non-Executive Decisions

1. The Openness of Local Government Bodies Regulations 2014 that came into force on 6 August 2014 make provision for the recording, publication and inspection of decisions that are non-executive in nature. (*Note: the Council already has a robust process of recording and publishing executive decisions, i.e. Cabinet, Cabinet Members and delegated Cabinet decisions taken by officers. This was supplemented when The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) came into force.*)
2. In respect of non-executive decisions, in Hillingdon these new regulations would apply to those decisions be those taken by a committee, sub-committee or an officer (on their own authority or delegated to them by a committee or sub-committee) where the effect of their decision is under one of the following categories:
 1. To grant a permission or license;
 2. To affect the rights of an individual;

3. To award a contract or incur expenditure which in either case, materially affects relevant Local Government Bodies financial position (*note - this would be taken and recorded as an executive decision in Hillingdon*)
3. A large proportion of such decisions would already fall within the scope of committees and sub-committees, mainly those taking quasi-judicial decisions, e.g. a street trading license, planning application or enforcement action. Hence the vast majority would already be properly recorded, published and available for inspection in the manner required by the new regulations, i.e. the minutes.
4. However, there may be some decisions that fall under these categories that are taken by officers. The regulations state that this should not apply to the recording of normal operational and administrative matters, e.g. business rate relief or benefits claims. Council is therefore, requested to delegate authority to the Head of Democratic Services, in consultation with the Leader of the Council, to determine the extent to which such officer decisions should be recorded and the process of thereby.
5. Associated to this, any background papers in relation to non-executive decisions are also to be made available to the public as soon as reasonably practicable after the decision is made, at all reasonable hours at the offices, on the website and by such other means the Council considers appropriate. The Regulations also contain obligations to provide copies subject to the payment, postage, copying or other necessary charges for transmission. If a request is appropriately made, a copy of the written record and any background papers must be provided.
6. Written records must be retained and available for inspection for six years with background papers being retained for four years. The Council keeps all agendas, reports and minutes beyond this time-frame.
7. The provisions relating to the provision of information and decisions does not any confidential or exempt information that Members may consider.
8. It is important to note, that anyone officer who has custody of a document which is required to be produced under these regulations and without reasonable excuse, intentionally obstructs or refuses access, commits an offence.

b) Filming, Recording and Reporting of Meetings

9. The Regulations are also designed to recognise the modern, digital world in which local authorities now operate, where the use of modern communication methods such as filming, tweeting and blogging are embraced as a way of enhancing the openness and transparency of local government bodies.
10. Councils are now required to allow any member of the public to take photographs, film and audio-record the proceedings of and report on all meetings to which the public have access. While no prior permission is required to carry out this activity, it is suggested that that any person wishing to film or audio-record a public meeting let the Head of Democratic Services know so that all necessary arrangements can be made for the meeting. This is important because the rules require local government bodies to provide reasonable facilities for any member of the public to report on meetings.

11. The new rules allow for reporting of meetings via social media of any kind. Therefore bloggers, tweeters, Facebook, YouTube users and individuals with their own website, should be able to report meetings. Councils are required to provide “reasonable facilities” to facilitate reporting. This should include space to view and hear the meeting, seats, and ideally a desk. Councils are asked to use their common sense to determine the range of reasonable facilities they can actively provide to support the free press in all its forms.
12. Councils are also asked to consider adopting a policy on the filming of members of the public, such as allowing those who actively object to being filmed not to be filmed, without undermining the broader transparency of the meeting.
13. Any action or activity which disrupts the conduct of meetings can result in the withdrawal of permission to record or comment on proceedings. Any person can provide written commentary during a meeting, as well as oral commentary outside or after the meeting. The new rules do not permit oral commentary to be provided during a meeting as this would be disruptive to the good order of the meeting. Other examples of disruptive behaviour could include:
 - moving to areas outside the areas designated for the public without the consent of the Chairman,
 - excessive noise in recording or setting up or moving equipment during the debate/discussion,
 - intrusive lighting and use of flash photography; and
 - asking for people to repeat statements for the purposes of recording.
14. Meetings held in private or Part II are not subject to these rules.

(iv) MEMBERSHIP OF COUNCIL COMMITTEES 2013/2014

RECOMMENDATION: That the changes to the membership of Committees as shown below be approved:

- a) **Executive Scrutiny Committee – Councillor Sweeting to replace Councillor Eginton**
- b) **Audit Committee - Councillor Davis to replace Councillor Crowe as a nominated substitute.**
- c) **Health and Wellbeing Board Membership - as set out in Appendix 1.**
 1. The Health and Wellbeing Board's Standing Orders specify that changes to its Statutory Membership must be recommended to, and approved by, full Council.
 2. Following its meeting on 22 July 2014, the Board is recommending a change to the named substitute for the Statutory Director of Adult Social Services as detailed in Appendix 1. For information, there have also been some changes to the Non-Voting Co-opted Membership which are detailed in the Appendix and have already been agreed by the Board.

Background Papers: none

HEALTH AND WELLBEING BOARD MEMBERSHIP

Subject to the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

Organisation	Name of Member	Substitute
STATUTORY MEMBERS (VOTING)		
Chairman	Councillor Puddifoot	Any Elected Member
Vice-Chairman	Councillor Corthorne	Any Elected Member
Cabinet Members	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	Mr Jeff Maslen	Mr Stephen Otter
Clinical Commissioning Group	Dr Ian Goodman	Dr Kuldhir Johal
STATUTORY MEMBERS (NON-VOTING)		
Statutory Director of Adult Social Services	Mr Tony Zaman	<u>Mr John Higgins</u>
Statutory Director of Children's Services		Mr Tom Murphy
Statutory Director of Public Health	Ms Sharon Daye	Ms Shikha Sharma
CO-OPTED MEMBERS (VOTING)		
LBH	Ms Jean Palmer	N/A
CO-OPTED MEMBERS (NON-VOTING)		
The Hillingdon Hospitals NHS Foundation Trust	Mr Shane DeGaris	<u>Mr James Reid</u>
Central and North West London NHS Foundation Trust	Ms Robyn Doran	Ms Maria O'Brien
Royal Brompton and Harefield NHS Foundation Trust	Mr Robert J Bell	Mr Nick Hunt
LBH	Mr Nigel Dicker	N/A
Clinical Commissioning Group (Officer)	Mr Rob Larkman	Ms Ceri Jacob
Clinical Commissioning Group (Clinician)	<u>Dr Reva Gudi</u>	Dr Kuldhir Johal

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QUESTIONS FROM MEMBERS

6.1 QUESTION SUBMITTED BY COUNCILLOR EAST TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING – COUNCILLOR CORTHORNE

How will the Better Care Fund transform integrated care in Hillingdon?

6.2 QUESTION SUBMITTED BY COUNCILLOR EGINTON TO THE CABINET MEMBER FOR COMMUNITY, COMMERCE AND REGENERATION - COUNCILLOR D.MILLS

In recent years, the Council has claimed to be supporting the idea of apprenticeships as a way of encouraging young people to gain work based skills and experience at the same time as gaining a qualification. In the past two years, only five apprenticeships have been offered by Hillingdon Council; none at all in the last fiscal year and all this year in Green Spaces.

Can the Cabinet Member tell me, as so few apprenticeships have been offered, how the Council has sought to encourage contractors working for the Council and businesses supplying services to the Council to provide apprenticeships?

6.3 QUESTION SUBMITTED BY COUNCILLOR ALLEN TO THE CABINET MEMBER FOR FINANCE, PROPERTY AND BUSINESS SERVICES – COUNCILLOR BIANCO

St. Mary's the Virgin Parish Graveyard was handed over to the Council a number of years ago, trusting that it would receive equal care and attention as other Council owned graveyards. Sadly, anyone passing or visiting the area cannot fail to notice the poor state it is in. The grass, when cut, is done haphazardly, hedges seldom trimmed and the worse sight of all is that of tree saplings growing out of graves.

Could the Cabinet Member please inform Members if he plans to bring this graveyard up to the same standard as others within his remit?

6.4 QUESTION SUBMITTED BY COUNCILLOR SWEETING TO THE LEADER OF THE COUNCIL – COUNCILLOR PUDDIFOOT

Does the Leader of the Council agree with Councillor Yarrow's reference at the last meeting to poor Councillors in the south of the borough having lack of vision and being responsible for poorer facilities, which suggested that only Labour Councillors served these wards and which omitted to mention that 12 Conservative Councillors did indeed represent southern wards for four years in the last administration?

6.5 QUESTION SUBMITTED BY COUNCILLOR NELSON TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION AND RECYCLING - COUNCILLOR BURROWS

According to the statistics below, received from the Council, between 2010 - 2014 the road resurfacing programs carried out within the borough have shown that the Wards in the North of the borough which include Harefield, Ickenham, Northwood, West Ruislip, Northwood Hills, Eastcote & East Ruislip, Cavendish, Manor, South Ruislip, Hillingdon East and Uxbridge North have had a far greater number of roads resurfaced than the South of the borough which include Heathrow Villages, Uxbridge South, Brunel, Pinkwell, West Drayton, Yiewsley, Botwell, Townfield, Barnhill, Yeading and Charville. It is evident that the Council has blatantly ignored the South of the borough. This Council claims that it puts its residents first yet is obvious that there is a division, favouring residents in the North.

Can the Cabinet Member please explain these statistics, why there is an obvious division?

	2010 - 2011	2011 - 2012	2012 - 2013	2013 - 2014	Total over this period
North	56%	68%	73%	56%	66%
South	44%	32%	27%	44%	36%

6.6 QUESTION SUBMITTED BY COUNCILLOR MONEY TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH AND HOUSING - COUNCILLOR CORTHORNE

Under the Homelessness Suitability of Accommodation (England Order 2003), it is illegal to place families with children or pregnant women in B&B accommodation for more than 6 weeks in any circumstances. According to data published by the Department for Communities and Local Government, 51 families in Hillingdon have been in B&B for more than 6 weeks at the end of March this year. Can the Cabinet Member please assure us that this will not occur again in Hillingdon?

MOTIONS

7.1 MOTION FROM COUNCILLOR EGINTON

That Hillingdon Council agrees with the need to comply fully with the Code of Recommended Practice on Local Authority Publicity, issued on 31 March 2011.

This includes the maximum frequency of publications, the need to be even-handed (including presenting the different views where there are matters of political controversy) and the requirement to freely provide publicity to anyone who wishes to receive it.

7.2P MOTION FROM COUNCILLOR DUNCAN

That this Council asks Cabinet to investigate ways and means of erecting a memorial, containing a comprehensive list of the names of West Drayton and Yiewsley men who lost their lives in the First World War, on the West Drayton War Memorial outside West Drayton Cemetery, or some other suitable location as a permanent and public record of their sacrifice.

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