



HILLINGDON  
LONDON



# Council

To all Members of the Council

**Date:** THURSDAY, 5 NOVEMBER  
2009

**Time:** 7.30 PM

**Venue:** CIVIC CENTRE, HIGH  
STREET, UXBRIDGE

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

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# Agenda

## Prayers

- 1 Apologies for Absence
- 2 Minutes 1 - 18  
To receive the minutes of the meeting held on 3 September 2009
- 3 Declarations of Interest  
To note any declarations of interest in any matter before the Council
- 4 Mayor's Announcements
- 5 Public Question Time 19 - 20  
To take questions submitted by members of the public in accordance with Council Procedure Rule 10.
- 6 Local Government and Public Involvement in Health Act 2007 21 - 36  
To consider the governance options available to the Council under the above act.
- 7 Members' Questions 37 - 40  
To take questions submitted by Members in accordance with Council Procedure Rule 11
- 8 Motions 41 - 42  
To consider Motions submitted by Members in accordance with Council Procedure Rule 12

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# Agenda Item 2

## Minutes

### COUNCIL

3 September 2009

Meeting held at the Civic Centre, Uxbridge

Come into effect on: Immediately



HILLINGDON  
LONDON

Councillor Shirley Harper-O'Neill (Mayor)  
Councillor David Yarrow (Deputy Mayor)

	<p><b>MEMBERS PRESENT:</b></p> <p>Councillors:    Dave Allam                      Santokh Dhillon                      Michael Markham                          Lynne Allen                              Janet Duncan                              Carol Melvin                          Bruce Baker                              Tony Eginton                              Douglas Mills                          Mo Bamber                              Janet Gardner                              Mary O'Connor                          Ann Banks                              Sid Garg                              John Oswell                          Tim Barker                              Paul Harmsworth                              David Payne                          Richard Barnes                              John Hensley                              Ray Puddifoot                          Josephine Barrett                              Henry Higgins                              Andrew Retter                          Jonathan Bianco                              Graham Horn                              Jill Rhodes                          David Bishop                              Pat Jackson                              John Riley                          Lindsay Bliss                              Phoday Jarjussey                              David Routledge                          Mike Bull                              Sandra Jenkins                              Avtar Sandhu                          Keith Burrows                              Allan Kauffman                              Robin Sansarpuri                          George Cooper                              Judy Kelly                              Scott Seaman-Digby                          Judith Cooper                              Liz Kemp                              David Simmonds                          Philip Corthorne                              Peter Kemp                              Brian Stead                          Geoff Courtenay                              Mo Khursheed                              Anthony Way                          Brian Crowe                              Eddie Lavery                              Michael White                          Peter Curling                              Anita MacDonald                              Kay Willmott-Denbeigh                          Catherine Dann                              John Major</p>
	<p><b>OFFICERS PRESENT:</b> Hugh Dunnachie, Fran Beasley, Christopher Neale, Chris Spencer, Jean Palmer, Jeff Maslen, Philomena Bach, Glen Egan, Simon Jones, Lloyd White, Mark Braddock, Morgan Einon and Nikki Stubbs.</p>
8	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillors Buttivant, Cox and Lewis.</p>
9	<p><b>MINUTES</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Bishop advised that his supplementary question in relation to question 8.1 on page 10 of the minutes should have made reference to Northwood Hills, and not Northwood as mentioned in the minute. This amendment was agreed.</p>

	<b>RESOLVED: That the minutes of the meeting of 2 July 2009, as amended, be agreed as a correct record.</b>
10	<p><b>PRAYERS</b></p> <p>Prayers were said by Pastor Derek Page.</p>
11	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Councillor Anthony Way declared a personal interest in Agenda Item 7.10 as he was a Council appointed representative on the Hillingdon Homes Board and remained in the room during the consideration thereof.</p>
12	<p><b>MAYOR'S ANNOUNCEMENTS</b> (<i>Agenda Item 4</i>)</p> <p>The Mayor thanked those who had supported the event held at the Pavilion shopping centre in Uxbridge on 14 July 2009 to launch the Mayor's Charities. She also thanked Barclays for doubling the money raised from the tombola at that event.</p> <p>The Homecoming Parade to welcome home 160 RAF servicemen and women had been held in Uxbridge on 5 August 2009. More than 20,000 people were thought to have attended.</p> <p>The Mayor announced that a Help The Heroes event would be held at Ruislip Lido on Sunday 6 September 2009.</p>
13	<p><b>PUBLIC QUESTION TIME</b> (<i>Agenda Item 5</i>)</p> <p><b>Question 5.1 from Ray Smith to the Cabinet Member for Social Services, Health and Housing - Councillor Corthorne (Councillor Mills answered)</b></p> <p>"What steps are the Council taking to address the 225% increase in residential burglaries [and an increase in motor vehicle theft] that is in the main attributed to the unsupported placement of serious prolific offenders into properties in Barnhill Ward by a neighbouring local authority?"</p> <p>Councillor Mills acknowledged that there had been an unusually large number of burglaries in Barnhill ward between April and July 2009 (78) in comparison to the same period in 2008 (26). He recognised the distress this crime created for victims and nearby residents. It was noted that the number of vehicle crimes had also increased in Barnhill this summer.</p> <p>It had been discovered earlier in the year that two young men had been placed by a neighbouring borough in accommodation in Barnhill ward. Both were young offenders who had just been released from custody. Together with another occupant, and two other males from another borough, it became apparent that this group was responsible for a substantial amount of residential burglary in the area.</p> <p>Following a police operation, all five were arrested and charged with residential burglaries in Hayes and remained in custody. It was understood that at least three of</p>

them had admitted to several offences. Burglary levels in Barnhill rose significantly when these individuals moved into the area, and had returned to more expected levels since their arrest.

Whilst, in some cases, there was little that the Council could do to prevent tenants being placed in Hillingdon from other boroughs, it was thought that there should be a clear support plan in place and effective liaison with agencies in this borough at the point of placement. The Council also had plans in place for offenders who were placed in Hillingdon by other boroughs to be moved back to those boroughs.

**Question 5.2 from Trevor Begg to the Cabinet Member for Social Services, Health and Housing - Councillor Corthorne**

“The current Southern Cross healthcare residential care block contract expires next year. The council's policy as per national government guidelines is to move to a spot purchase system under the self directed support agenda, this would ordinarily involve an increase in the cost per bed compared to current arrangement, the thinking is to offset this by involving up to seven other boroughs in a new joint commissioning arrangement. The potential complexities of this process cause many concerns. Please can the council confirm that the safety, dignity and level of care for existing residents under the current contract will be maintained and future customers of the new service, by comparison, will not be disadvantaged in any way due to cost implications or a change in expected service levels?”

Councillor Corthorne advised that a number of the Council's block contracts for residential, nursing and domiciliary care, including those with Southern Cross, expired next year. The Council would look to new arrangements which would give older and vulnerable residents the maximum choice as to where they wished to live and who should provide care to them, in line with the Transforming Social Care Agenda.

The direction of adult social care services was to seek to ensure that people with community care needs were able to remain in their own homes as long as possible. Where this was not possible, or where Hillingdon residents sought to use their individual budget to go into a residential or nursing home, then the Council had a responsibility to maximise the choice that was available.

The Council was therefore examining, with its colleagues across West London, the potential benefits of jointly commissioning similar services to achieve value for money and ensure the best quality of provision for residents. Councillor Corthorne was pleased that Hillingdon was taking a leading role in this initiative. For existing residents, the Council would be negotiating with providers to ensure stability of placement and maintenance of standards.

As the Council's experiences with Southern Cross over the last year had demonstrated, the block contract arrangements were clearly no guarantee of the quality of services provided.

Statutory responsibility for the regulation and inspection of care provision rested with the Care Quality Commission (CQC). However, Councillor Corthorne emphasised

that the safety, dignity and quality of care homes were matters of fundamental importance to the Council and the PCT (for continuing healthcare funded placements) and that both would do everything in their power to ensure that these were preserved.

**Question 5.3 from Peter Silverman to the Cabinet Member for Environment - Councillor Jenkins**

“Could the Lead Member please tell me if the new campaign is to be primarily an advertising / publicity event - in other words a rerun of 2004, or will it have real teeth, in which case what additional manpower will be allocated to levying on the spot litter fines and what number of fines are you targeting or estimating per annum?”

Mr Silverman’s question was accompanied by supporting information that was read out to the meeting.

Councillor Jenkins replied that Hillingdon had shown a steady improvement over the last four years in scores for environmental quality, as measured by Exams for Capital Standards. In 2008/09, the Council was in the top five London Boroughs for litter within four of the land use categories, achieved a maximum score for fly-tipping and fly-posting and a notable improvement for graffiti. Overall, the Council achieved an equal level of good assessments, an improvement of 12% in satisfactory grades and a notable reduction in unsatisfactory grades.

Hillingdon fell below national benchmarks in some areas but this was mainly due to the rural nature of the Borough and related to high levels of detritus and the lack of fixed kerbs which made the cleaning of rural roads more difficult.

Between April 2008 and March 2009, the Council carried out over 4,700 positive interventions to deal with environmental issues. This included 225 Statutory Notices, 48 fixed penalty notices for litter and 23 prosecutions. An increase in actions had been sustained in the first quarter of this year.

Improving environmental quality in the Borough required a campaign consisting of three main elements: Education, Engagement and Enforcement. Hillingdon’s latest campaign would therefore include some educational publicity which was seen as the key to raising awareness of the issues and engaging residents in reporting anti-social activities. Although enforcement was seen as a major element, the Council believed that setting targets for enforcement actions would be impractical. The Council’s enforcement teams would therefore be targeting areas of the Borough where littering, etc, was at high levels and would work in partnership with local police and other regulatory services to serve fixed penalty notices.

CCTV cameras would also be used to provide evidence of littering offences in the street and from vehicles. Additional support for the campaign would be provided by working with Junior Environmental teams in schools to instil environmental values from an early age.

**Question 5.4 from John Morgan to the Cabinet Member for Education and Children's Services – Councillor Simmonds**

“It has been claimed in a recent newsletter circulated in Northwood Hills that our schools have been 'robbed' of funds. Therefore can the Cabinet Member of for Education clarify what investment the Council has made in Education directly on the schools in Northwood Hills?”

Councillor Simmonds replied that, as well as establishing a new Early Years facility at Holy Trinity school, a total spend had been made in the region of £900k between 2004/05 and 2007/08 to set up security improvements as well as complete improvement work to the heating system and upgrade the electricity substation and the food technology room.

Other work that had been undertaken included the expansion project at Frithwood in 2005/06 which amounted to £300k and a spend of £151k at Hillside Children's Centre to set up new boilers and a water system renewal between 2004/05 and 2007/08. It was noted that an extra £2m of revenue funding had been spent across the Borough in 2005/06. All work had been undertaken in consultation with the relevant head teachers, amongst others.

Councillor Simmonds stated that the improvements that had been made at the schools had been reflected in the improved results achieved in 2008/09.

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

**6.1 Membership Changes And Appointments To Outside Bodies**

Councillor George Cooper moved the changes to appointment to Committees and Outside Bodies as set out on the Order of Business. This was seconded by Councillor Markham.

**RESOLVED – That Councillor Allam and Councillor Oswell replace each other on the Central & South and North Planning Committees and to be the Labour Group Leads on those Committees.**

**6.2 Urgent Implementation Of Decisions**

Councillor Puddifoot moved that the urgency decisions be noted as set out on the Order of Business. This was seconded by Councillor Simmonds.

**RESOLVED - That the Urgency decisions be noted.**

**6.3 Amendment To The Constitution**

Councillor George Cooper moved the amendments to the Constitution as set out on the Order of Business. This was seconded by Councillor Markham.

**RESOLVED - That the following amendments to the Constitution be approved:**

	<p>a) The following be added to Part 4, B, paragraph 13 – ‘Speaking Rights and Petitions’:</p> <p>10) In order for a petition to be valid, the printed name, signature and address of each petitioner shall be clearly shown. In the case of electronic petitions, details must be provided that clearly indicate a petitioner is a Borough resident. There shall be a presumption that the details provided by each petitioner will be made public. 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.</p> <p>b) The three sections relating to submission of Questions from the public, Questions from Members and Motions from Members in Part 4 – ‘Rules of Procedure - Council Rules’ stipulate that the deadline for submission is no later than midday, 7 working days before the meeting and that “in the case of a bank holiday falling in this period, that day shall count as a ‘working day’”.</p>
15	<p><b>QUESTIONS FROM MEMBERS</b> (<i>Agenda Item 7</i>)</p> <p><b>7.2 Question from Councillor Judith Cooper to the Cabinet Member for Education and Children's Services – Councillor Simmonds</b></p> <p>“Can the Cabinet Member for Education and Children's Services tell me what progress has been made with appointing an Independent Chairman for the Local Safeguarding Children's Board?”</p> <p>Councillor Simmonds responded that the appointment of an Independent Chairman for the Local Safeguarding Children’s Board (LSCB) had been a recommendation that had resulted from the Baby P enquiry. He advised that an Independent Chairman had now been appointed and had started work. The written protocol formalising the Chairman’s role and general governance would be discussed by the LSCB at its next meeting.</p> <p>There was no supplementary question.</p> <p><b>7.5 Question from Councillor Gardner to the Leader of the Council - Councillor Puddifoot</b></p> <p>“Does the Leader of the Council share my concern about the threat of the English Defence League and Casuals United to mount an anti-Islamic protest in the nearby Borough of Harrow and will he be taking steps with the Police and others to monitor closely whether they are planning similar activities in our Borough?”</p> <p>Councillor Puddifoot responded that this Administration was committed to defeat the voices of hatred. The Council was naturally concerned about any activity that threatened community harmony, but concern was not enough. The way to defeat the far right, or any other extremist position, was to deny it the oxygen of publicity</p>

and to deal openly with the electorate on the true facts that such groups often distorted. It was therefore regrettable that the planned protest in Harrow by groups that many were not even aware existed had been put into the public domain in Hillingdon through the agenda of the Council.

That said, part of the Council's close partnership working with Hillingdon Police ensured that officers held regular meetings to monitor and deal with any community tension. Through this regular contact, officers had become aware of the planned protest in Harrow.

In the past, the Council had funded, and would continue to fund, extra police officers to increase police presence in the Borough when many of the local officers had been deployed elsewhere, e.g., over the last Bank Holiday period when many officers were deployed to the Notting Hill Carnival. However, the Council currently had no intelligence to suggest that any protests were due to take place in Hillingdon, and police colleagues were continuing to liaise closely with Harrow.

Councillor Puddifoot advised that the Council must never allow sensitive political issues to be hi-jacked or distorted by the 'far right' elements of society to further spread their message of hate on our streets. This was a point that he continued to raise with Phil Woolas MP, the Minister of State for Borders and Immigration, in the Council's continued battle with the Government to secure fair funding for some of the asylum services it provided which had put such pressure on the Council's financial position.

Councillor Puddifoot reminded all Councillors, officers and members of the public that any concerns or intelligence they might have on any community tensions could be submitted via the Council's website or directly by e-mail to: [communitytensions@hillington.gov.uk](mailto:communitytensions@hillington.gov.uk).

There was no supplementary question.

#### **7.1 Question from Councillor Bishop to the Leader of the Council - Councillor Puddifoot**

"Does the Leader of the Council intend to attend the next Older Persons Assembly on September 28th?"

Councillor Puddifoot advised that he had the date of the next Older Person's Assembly in his schedule and intended to attend.

Councillor Bishop then asked why the Leader had not attended the last three Older People's Assembly meetings and, when he had attended meetings, why he had not stayed for longer than 10 minutes?

Councillor Puddifoot replied that this was a ridiculous supplementary question and that he would not be answering it.

#### **7.4 Question from Councillor Barker to the Cabinet Member for Planning and Transportation - Councillor Burrows**

“Following a series of accidents and near misses at the junction of Lees Road and Uxbridge Road in Hillingdon and after consultation with ward councillors, residents and the highways department can the Cabinet Member for Planning and Transportation update me on the current position concerning traffic safety measures at this junction?”

Councillor Burrows responded that one of the key problems at this junction appeared to be either confusion or deliberate action by a minority of motorists travelling along the eastbound slip road from Parkfield Avenue. These motorists either failed to understand (or wilfully ignored) the traffic signs which prevented them turning right into Lees Road or, in some instances, attempting to turn right across the road into the westbound Uxbridge Road carriageway. This could lead to collisions with other vehicles. Officers had reviewed CCTV footage with Ward Councillors and local residents and were developing a draft scheme of works which would be reviewed through an independent Road Safety Audit. Officers planned to make a bid to Transport for London (TfL) as soon as the details were agreed in principle. If approved, the proposed Local Safety Scheme would be installed in 2010/2011. Ward Members were advised to direct any further comments about this junction to Councillor Burrows or the relevant officers.

In the meantime, the local Safer Neighbourhoods Team had also been contacted regarding enforcement action against vehicles disobeying the 'left turn' out of the service road.

There was no supplementary question.

#### **7.7 Question from Councillor Bliss to the Cabinet Member for Planning and Transportation - Councillor Burrows**

“The residents of Chatsworth Road have been promised road re-surfacing on a number of occasions, but as yet there is no sign of this starting. Has the starting date for the works been scheduled yet?”

Councillor Burrows responded that the priorities for highways resurfacing for this year were currently being considered and, as soon as the programme had been finalised, he would update Councillor Bliss.

There was no supplementary question.

#### **7.8 Question from Councillor Jarjussey to the Cabinet Member for Environment - Councillor Jenkins**

“Will the Cabinet member for the Environment please provide an update for the Council and residents in the south of the Borough about the likely re-opening date for the Rigby Lane rubbish disposal site?”

Councillor Jenkins responded that the site at Rigby Lane was owned by Sita and

the Civic Amenity (CA) area was managed by them on behalf of the Council. Closure of the site in November was due to pressure from the Environment Agency regarding concerns about defective drainage on the site. Refurbishment works were due to be completed at the end of March but, as more extensive works had to be carried out, the site had remained closed. Sita had recently indicated that works to its main site were likely to be completed by the end of October.

An initial proposal had been received from Sita for the reopening and management of the CA site but this was at a substantially increased cost which was not considered to be value for money. An alternative proposal had been requested by the Council but, to date, this had not been received. Officers would continue to press for a resolution of the issues as soon as possible.

Councillor Jarjussey went on to state that residents had complained about the lack of information circulated regarding the closure of Rigby Lane rubbish disposal site. He asked if there had been an increase in the levels of fly-tipping since the closure of the site.

Councillor Jenkins advised that fly tipping in the South of the Borough had not generally appeared to have increased, except on Rigby Lane adjacent to the site. This rubbish was being removed on a daily basis by the street cleansing teams.

### **7.3 Question from Councillor Elizabeth Kemp to the Cabinet Member for Environment - Councillor Jenkins**

“I understand that more of our green spaces have recently been judged for green flag status. Can I ask for an update on the results please?”

Councillor Jenkins responded that she was pleased to be able to announce that the Council’s programme of improving the Borough’s green spaces had led to a further four sites receiving the Green Flag award. The new awards had been given to:

- Little Britain Lake
- Minet Country Park
- Cowley Recreation Ground
- Warrender Park

The ten sites that had gained the award in previous years were again awarded Flags this year, bringing the total to fourteen Green Flag award sites for people to enjoy throughout Hillingdon. This was more than any other London Borough, apart from Westminster which had 18. However, Hillingdon green flag sites covered a larger area than all of Westminster’s Green Flag sites. Councillor Jenkins stated that the Council should be rightly very proud that so many of its green spaces had been recognised this way and it was a testament to the drive and ambition of this administration and to the outstanding commitment of the Council’s officers.

There was no supplementary question.

#### **7.6 Question from Councillor MacDonald to the Leader of the Council - Councillor Puddifoot**

“Is the Leader of the Council aware of the newspaper adverts placed by the British Airports Authority for a total of 13 posts to take forward its proposal for a third runway at Heathrow at a cost of three quarter of a million pounds a year?”

Also will he join with me in making a public statement to potential applicants on behalf of the affected local communities that we will continue to oppose the building of this runway until it is defeated?”

Councillor Puddifoot responded that he was aware of the adverts mentioned. He stated that successful applicants for these jobs would unfortunately be making the wrong career move. The Council’s resolve was strong and it would continue to oppose and fight the decision to build a third runway at Heathrow. Councillor Puddifoot stated that he expected that they would be back job hunting after the forthcoming General Election, hopefully joined by a devalued Prime Minister and a devalued Government. He noted that this was a Government that pushed through the flawed decision to wipe out Hillingdon’s villages and communities in the name of economic expansion, without a thought for proper consultation.

Councillor Puddifoot stated that this might be the start of a new dawn and it was quite possible that some fresh blood at BAA might make them finally see sense. Key competencies sought by BAA of those wishing to apply for the new jobs included:

- The ability to promote long-term trust with stakeholders.
- The need to be politically astute with good judgement.

Councillor Puddifoot felt that any trust and political astuteness would be too late and short-lived. He stated that Hillingdon’s residents had exhausted all trust and surely by now any political pundit would know that the next time the voters hit the ballot box, the third runway was doomed under a Conservative Government.

Councillor MacDonald then asked if the Leader would stand against the growing number of Conservative Party pro-third runway supporters.

Councillor Puddifoot advised that he would continue to defend the local and wider communities and asked Councillor MacDonald for a list of those Conservative Party members who supported the third runway.

#### **7.9 Question from Councillor Curling to the Cabinet Member for Education and Children’s Services - Councillor Simmonds**

“In view of the increase in the number of applications for betting shops in the Borough in recent years, can the Cabinet Member for Education and Children’s Services tell the Council what action is being taken by his service to alert children and young people to the dangers of gambling?”

Councillor Simmonds responded that the increase in the number of licences was speculative and that the number of licences granted since 2007 had dropped from 55 to 53. It was noted that the number of requests for a change of use of premises

for gambling had also reduced, possibly as a result of an increase in Internet gambling.

Councillor Simmonds advised that, at Key Stage 3 (Years 7, 8 and 9) and Key Stage 4 (Years 10 and 11), the Personal, Social and Health Education (PSHE) curriculum covered gambling under risk taking and citizenship lessons. Gambling education materials were available to teachers and the "You Bet!" programme was principally aimed at 11-16 year olds in more formal education settings, such as secondary schools and Pupil referral units.

He advised that Healthy Hillingdon was actively enabling local agencies in specific areas to plan for well being. This might reduce the desire for gambling in communities by improving people's perception of opportunities for an active social life.

Three counselling services were also available at Fountains Mill for young persons:

- **LINK** was able to support those who felt their life might be affected by gambling;
- **KISS** was a drop in service for young people and offered support and advice around relationships which might be affected by gambling habits; and
- **Sorted** was a young person's drug and alcohol counselling service and could provide support to those who felt their gambling behaviour was related to drug use.

The Council had been in negotiation with an organisation called the Personal Finance Education Group to produce schemes of work dealing with personal finance. Some of these incorporated illustrations on the effects of gambling to help young people make better informed decisions regarding their personal finance situation, including credit cards. Through the School Improvement Service, some work was already underway in some primary schools and plans were in place to widen the use in all the primary schools and to introduce similar schemes into the secondary curriculum.

The Youth and Connexions Team was investigating the introduction of a Gambling Awareness element into the Information, Advice and Guidance programme that was being brought into its centres.

Councillor Curling then asked the Cabinet Member to clarify the details of the number of premises referred to at the start of his response as there appeared to have been a large increase in the number of betting shops in Hayes over the last few months.

Councillor Simmonds responded that he would ask officers to look into the number of betting shops in and around Hayes and pass this information on to Councillor Curling.

#### **7.10 Question from Councillor Major to the Cabinet Member for Social Services, Health and Housing - Councillor Corthorne**

"In view of the recent tragic fire in Camberwell, can the Cabinet Member for Social

Services, Health and Housing assure the Council that the fire safety measures for all blocks of flats under his responsibility are inspected on at least an annual basis and that they contain smoke detection systems, adequate fire doors and emergency lighting on all evacuation routes?”

Councillor Corthorne responded that it should be remembered that Lakanal House in Camberwell was a large high-rise block of maisonettes built in 1959 and there were no flats of this construction type in Hillingdon. Official reports on the incident had not yet been released, although guidance on emerging issues had been published. Once the final findings were available, officers would review any learning and apply it to Hillingdon’s housing stock.

Planned review dates for the fires risk assessments were set at an interval that matched the risks and block complexity as follows

- Tower blocks, sheltered housing, flat conversions, and the larger blocks such as Colley House, Lady Craig Court and Peter Fagan House - annually
- Blocks with enclosed common areas - every two years
- Blocks with open common areas - every three years

All of the high rise flats (six storeys and above) and all of the sheltered housing schemes had been subject to routine fire risk assessments since 2001 and had benefited from works to comply with the fire safety regulations - such as the replacement of flat entrance doors to meet current requirements for fire and smoke resistance. These premises had traditionally been perceived to be the high life risk properties.

The only blocks that required an automatic fire detection and alarm system were the category 2 sheltered housing schemes and the flat conversions. The tower blocks had smoke detectors on each floor that operated the automatic smoke ventilation windows. All tenants’ homes had been fitted with a smoke alarm.

Emergency lighting was only fitted in the tower blocks, sheltered housing schemes and blocks such as Colley House, Lady Craig Court and Peter Fagan House. Where blocks were simple in layout, they generally had the advantage of borrowed light from the adjacent street lighting and, because of the risk profile (sleeping and familiar), specific emergency lighting systems were not generally required.

The Council housing stock included over 400 blocks of flats over varying layouts and construction. There was not therefore a single simple answer to the question asked.

Councillor Major noted that Hillingdon Homes had taken this matter quite seriously, but queried whether there were any plans to systematically advise new tenants of the evacuation procedures. He indicated that he would be happy to receive a written answer.

Councillor Corthorne advised that he would respond to Councillor Major outside of the meeting.

**7.11 Question from Councillor Eginton to the Cabinet Member for Social Services, Health and Housing - Councillor Corthorne**

“In view of the recent tragic death of a 50-year old woman in a faulty lift of a East London Council block (Redbridge), can the Cabinet Member for Social Services, Health and Housing assure the Council that all lifts under his responsibility will be routinely inspected and complaints investigated urgently in order to avoid another tragedy?”

Councillor Corthorne responded that, since April 2009, Hillingdon Homes had employed a specialist contractor (Independent Lift Services (ILS)) to carry out the monthly maintenance services and inspections, as well as to attend to breakdown repairs (complaints). In the event of lift breakdown, the contractor was required to respond within two hours (four hours if outside normal working hours). The service procedures for the monthly routine maintenance of lifts included a series of checks and adjustments encompassing the lift motor room, the lift shaft and pit, and the lift car.

For the purposes of the requirement in the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), all lifts were thoroughly examined by a competent person at regular intervals. This role was carried out by Zurich Insurance Company engineers who undertook a *Report of Periodic Thorough Examination of Hoist or Lift* and ancillary equipment every six months. The examination covered:

- Landing and car doors and their interlocks
- Worm and other gearing
- Main drive system components
- Governors
- Suspension ropes or chains
- Overload detection devices
- Electrical devices (including earthing, earth bonding, safety devices, etc)
- Braking systems and hydraulics

There was no supplementary question.

**7.12 Question from Councillor Duncan to the Cabinet Member for Environment - Councillor Jenkins (Answered by Councillor Burrows)**

“In the light of concerns about overfilling of golf courses could we be told the current situation regarding the overfilling of Stockley Golf Course?”

Councillor Burrows responded that he had been fully briefed by officers on the situation and the options available to the Council were currently being considered. He stated that it would not be appropriate to go into further detail at this stage as there might be a future planning application made or action taken by the Council. The Borough Solicitor had been consulted and confirmed that providing detail at this meeting might prejudice future options. Councillor Burrows offered to speak to Councillor Duncan separately on this matter.

Councillor Duncan then asked if a criminal investigation would be considered.

	<p>Councillor Burrows reiterated that, for the reasons given above, he was unable to comment further.</p>
16	<p><b>MOTIONS (Agenda Item 8)</b></p> <p><b>8.1 MOTION FROM COUNCILLOR RETTER</b></p> <p>Councillor Retter moved the following motion:</p> <p>“That this Council:</p> <ul style="list-style-type: none"> <li>a) Commends the work undertaken to date in discharging its licensing functions following the introduction of the Licensing Act 2003 in pursuit of its statutory objectives to prevent crime and disorder, nuisance and children from harm and to maintain public safety;</li> <li>b) Notes that in the current economic climate, there is growing evidence that more and more premises in local shopping parades are applying for licences for the sale of alcohol;</li> <li>c) Expresses its concern that this could negatively effect the character and environment of such areas and increase the potential for the sales of alcohol to underage persons;</li> <li>d) Notes that under current legislation, when making decisions to grant local licenses, Licensing sub-committees cannot address the issue of local ‘market or commercial need’ and thereby have little control over the number of off licence type premises in a specific area;</li> <li>e) Welcomes the Licensing Committee’s desire to ensure that both local and central Government planning policies are better integrated with licensing legislation to ensure a more comprehensive approach is taken to develop healthy and vibrant local shopping parades;</li> <li>f) Notes that such concerns have also been raised by the Licensing Committee and requests that the Chief Executive writes to the Secretary of State for Culture, Media and Sport; informing him of this Council’s position.”</li> </ul> <p>The motion was seconded by Councillor Baker.</p> <p>Following debate (Councillors Allen, Barrett and Corthorne) the motion was put to the vote and agreed.</p> <p><b>RESOLVED – That this Council:</b></p> <ul style="list-style-type: none"> <li>a) <b>Commends the work undertaken to date in discharging its licensing functions following the introduction of the Licensing Act 2003 in pursuit of its statutory objectives to prevent crime and disorder, nuisance and children from harm and to maintain public safety;</b></li> <li>b) <b>Notes that in the current economic climate, there is growing evidence that more and more premises in local shopping parades are applying for licences for the sale of alcohol;</b></li> <li>c) <b>Expresses its concern that this could negatively effect the character and environment of such areas and increase the potential for the sales of alcohol to underage persons;</b></li> <li>d) <b>Notes that under current legislation, when making decisions to grant local licenses, Licensing sub-committees cannot address the issue of local</b></li> </ul>

- 'market or commercial need' and thereby have little control over the number of off licence type premises in a specific area;**
- e) Welcomes the Licensing Committee's desire to ensure that both local and central Government planning policies are better integrated with licensing legislation to ensure a more comprehensive approach is taken to develop healthy and vibrant local shopping parades;**
  - f) Notes that such concerns have also been raised by the Licensing Committee and requests that the Chief Executive writes to the Secretary of State for Culture, Media and Sport; informing him of this Council's position.**

## **8.2 MOTION FROM COUNCILLOR MACDONALD**

Councillor MacDonald moved the following motion:

"This Council is aware of the global market of trafficked women, mainly in the sex industry. This Council recognises the need to oppose all oppression and trafficking in this area.

In order to ensure that this Council continues to perpetuate good moral and humanitarian standards, it requests that all steps within its powers be taken to ensure local newspapers and editorials are aware of their responsibilities to stop adverts which exploit women, and that Council members and officers receive appropriate training in referral and rescue services available."

The motion was seconded by Councillor Harmsworth.

Following debate (Councillor Simmonds) the motion was put to the vote and lost.

## **8.3 MOTION FROM COUNCILLOR KHURSHEED**

Councillor Khursheed moved the following motion:

"This Council notes with deep concern the economic crisis that is gripping the world and adversely impacting on local people in Hillingdon as a result of the wanton greed and irresponsibility of the bankers and their associates.

It deplores that the fact that faced with the near meltdown of the banking system the Government was left with no alternative but to bail out the very organisations and people who had caused the crisis and that the bankers are now trying to return as rapidly as possible to their old ways including the payment of inflated bonuses.

The Council regrets the steep rise in local unemployment that has already occurred and views with trepidation the effects on young people in particular. It fears that a minority in the country and the Borough will be forced to join a demoralised and lost generation whose lives will be blighted by depression, drugs, crime and violence.

It recalls that when the economic downturn began the Council set up a system to monitor the issues that would arise but it requests the Cabinet to review these arrangements and to look especially at the adequacy of support for local young

people in the difficulties they are expected to face.”

The motion was seconded by Councillor Eginton.

An amendment was moved by Councillor Puddifoot as follows:

**Paragraph 1:** delete the word “the” in the last line and insert “some”. After the word “associates” add “and the pitiful failure of the Labour Government to take early and appropriate action to deal with this problem”. After the word “crisis”, add “with vast sums of public money that it woefully failed to protect”. Paragraph then continues.

**New Paragraph 3:** “It further deplores that whilst the economies of other countries such as Germany, France and Japan have pulled out of recession, the UK Government continues to print money and deny that a problem exists and that there are difficult times ahead for the whole country”.

**Add to end of original Paragraph 3:** after the word “violence”, add the following new sentence: “A damning indictment on a government that has lost its way, lost control of the economy and the well being of the people”.

**Paragraph 4:** after the word “recalls”, add “and commends the fact”. Delete all after “arise” and add “and notes a number of initiatives have been introduced by the Cabinet to help local people during the recession and that it will continue to monitor the situation and work with the incoming Conservative Government who will be left with the financial mess to deal with”.

The amended motion was seconded by Councillor Mills.

Following debate (Councillors Harmsworth, Seaman-Digby and Simmonds), the amended motion was put to the vote and agreed.

The substantive motion was then put to the vote and agreed.

**RESOLVED – That this Council notes with deep concern the economic crisis that is gripping the world and adversely impacting on local people in Hillingdon as a result of the wanton greed and irresponsibility of some bankers and their associates and the pitiful failure of the Labour Government to take early and appropriate action to deal with this problem.**

**It deplores that the fact that faced with the near meltdown of the banking system the Labour Government was left with no alternative but to bail out the very organisations and people who had caused the crisis with vast sums of public money that it woefully failed to protect and that the bankers are now trying to return as rapidly as possible to their old ways including the payment of inflated bonuses.**

**It further deplores that whilst the economies of other countries such as Germany, France and Japan have pulled out of recession, the UK Government continues to print money and deny that a problem exists and that there are difficult times ahead for the whole country.**

	<p><b>The Council regrets the steep rise in local unemployment that has already occurred and views with trepidation the effects on young people in particular. It fears that a minority in the country and the Borough will be forced to join a demoralised and lost generation whose lives will be blighted by depression, drugs, crime and violence. A damning indictment on a government that has lost its way, lost control of the economy and the well being of the people.</b></p> <p><b>It recalls and commends the fact that when the economic downturn began the Council set up a system to monitor the issues that would arise and notes a number of initiatives have been introduced by the Cabinet to help local people during the recession and that it will continue to monitor the situation and work with the incoming Conservative Government who will be left with the financial mess to deal with.</b></p>
	<p>The meeting, which commenced at 7.30pm, closed at: 9.12pm</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nikki Stubbs on 01895 250472. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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## QUESTIONS FROM MEMBERS OF THE PUBLIC

### **5.1 QUESTION FROM GAY BROWN OF THE YIEWSLEY COMMUNITY INVOLVEMENT GROUP TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS**

Following influence from the Chamber of Commerce the Government required rates to be paid on empty buildings. We feel this has backfired since many companies now choose to bank the sites and demolish the buildings leaving us with rubble filled sites looking like World War II bomb sites. This has become a form of intimidation. The company thinks we will approve of a development which is inappropriate or wrong use of the site just to get rid of the eyesore! Will the Council join the move to include a policy in their Sustainable Communities Strategy to require that alternative planning permission is granted before buildings can be demolished regardless of whether they are residential or commercial?

### **5.2 QUESTION FROM KENNETH CLUCAS OF YORK ROAD, NORTHWOOD TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS**

Given the inducement to vote for this administration, by offering to freeze the Council Tax, can I draw the Cabinet Member's attention to the deplorable state of the Borough's roads and pavements caused by lack of investment in regular planned proper maintenance. Colchester Road and Hilliard Road are prime examples of shabby maintenance caused by simply botching the filling of pot holes with a quick fix pile of tarmac creating conditions comparable to traffic calming which only last a couple of months. The resultant patchwork quilt of tarmac filled holes damages cars and creates driving hazards. When are these two roads in particular and others in Northwood Hills going to be resurfaced properly?

### **5.3 QUESTION FROM TONY ELLIS OF KEWFERRY ROAD, NORTHWOOD TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS**

The Planning Committee process is undemocratic as an applicant has no right of reply to contest errors made by Planning officials. How do applicants and residents address mistakes in Planning officials' reports presented to Committee if they do not have the right to challenge the Planning officer in Committee?

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## **LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

*Reporting Officers: Head of Democratic Services and Borough Solicitor*

### **SUMMARY**

Members will recall that at the meeting held on 6 November 2008, Council was asked to consider a new form of Executive for Hillingdon which had, by law, to be adopted by 31 December 2009, for implementation three days after the local elections are held in 2010.

Council resolved to adopt the new style Leader and Cabinet Executive form of governance and also approved a number of consequential amendments to the Constitution. Before Hillingdon is able to finally make such a resolution, it has to undertake a public consultation exercise and full Council also has to approve a formal set of proposals for a change in governance arrangements.

This report sets out the outcome of the consultation and it also asks full Council to approve the proposals referred to above.

### **RECOMMENDATIONS: That:**

1. **the outcome of the public consultation exercise, as set out in Appendix 1 and referred to in the body of the report, be noted.**
2. **the formal proposals for a change in governance arrangements, as set out in Appendix 2, be approved.**
3. **the Head of Democratic Services be authorised to take the following steps in accordance with the specific requirements of the Local Government and Public Involvement in Health Act 2007:**
  - a) **to arrange to make copies of a document setting out the proposals and make them available at the Civic Centre for inspection by members of the public at all reasonable times, and**
  - b) **to arrange to publish a Notice setting out the main features of the proposals in a local newspaper circulating in the borough.**
  - c) **to arrange a special meeting of the Council to be held on Thursday 10 December 2009, commencing at 7.30pm, to confirm the change in governance arrangements.**

### **INFORMATION**

#### **Background**

1. The Local Government Act 2000 radically changed the decision making structures of local government in England by discarding large parts of the traditional Committee structure and requiring local authorities instead to adopt one of three new structures.

Briefly, these were [1] Leader and Cabinet; [2] directly elected Mayor and Cabinet; [3] directly elected Mayor and Council Manager.

2. The Local Government and Public Involvement in Health Act 2007 [LGPIHA] received the Royal Assent in October 2007. It built on the 2005 White Paper "Strong and Prosperous Communities" setting out the Government's case for further reforms to local government leadership arrangements.
3. The LGPIHA amends the 2000 Act so that only two models of executive are now permissible namely, [1] Leader and Cabinet or [2] directly elected Mayor and Cabinet.

### **The two new forms of executive models**

4. **Leader and Cabinet Executive** - a Councillor elected as Leader and two or more Councillors appointed by the Leader (not elected by the Council AGM as at present) to serve as the Executive of an authority (up to a maximum of ten Members as at present). The Leader of the Council will be elected at the AGM immediately following the 2010 local elections and serve for a period of four years, subject to the fact that he/she could be removed by a resolution of full Council prior to that date.
5. **Directly elected Mayor and Cabinet** - the Mayor would not be a serving Councillor but would be elected in a separate ballot run at the same time as the local elections. The Mayor would then appoint two or more Councillors to the Executive (up to a maximum of ten Members as at present). The Mayor would also serve for a period of four years which would commence from the date of the 2010 Council AGM.
6. The relevant provisions in the LGPIHA came into effect on 31 December 2007 but it contains transitional provisions and therefore the Council is not prevented from continuing to operate its current 'old style' Leader and Cabinet model which expires three days after the 2010 local elections are held. However, all London Boroughs are required to pass a resolution to adopt one or other of the above models at a meeting of the full Council "which is specifically convened for the purpose of deciding the resolution with notice of the object" by no later than 31 December 2009. The new model will come into effect at exactly the same time that the old model expires i.e. three days after the 2010 elections.

### **The November 2008 decision**

7. It is acknowledged that full Council resolved in November 2008 to adopt the new-style Leader and Cabinet Executive model but the LGPIHA requires local authorities to undertake public consultation exercises and to draw up formal proposals for a change in governance arrangements before such a resolution can be made. Therefore, the November 2008 resolution can only properly be regarded in practice as a decision by the Council to decide on its preferred model, which it is required by law to do, and then to use it as a basis for consultation.

## The consultation exercise

8. The LGPIHA requires local authorities to take reasonable steps to consult local government electors for, and other interested persons, in the authorities' area before drawing up its formal proposals for a change in governance arrangements.
9. It is important to note that it is for a particular authority to decide what reasonable steps need to be taken and in deciding this, it can legitimately take into account how radical the proposals are, and the extent to which an authority has received any representations, lobbying for change. It is also for an authority to determine what constitutes a reasonable period for the consultation process to take place.
10. At the beginning of September 2009, a summary of the two leadership models was publicised for consultation and residents were asked to submit their views by an initial date of 1 October 2009, which was subsequently extended by two weeks to 15 October 2009. The details were set out on the Council's website, advertised in local newspapers and included in the 'Hillingdon People' magazine which is delivered free of charge to every household in the borough. Information about the consultation also featured as an article in the Gazette newspaper. A comparison with several other London Boroughs who have expressed a preference for the Leader and Cabinet Executive model indicates that the form and extent of the consultation process which they have undertaken is very similar to the one which Hillingdon followed.
11. A summary of the responses to the Council's consultation process are attached at Appendix 1. A total of 123 responses were received which represents approximately 0.06% of the Borough's total electorate. Of those returned, 50 have expressed an actual preference (12 for the Leader and Cabinet Executive and 38 for the Elected Mayor and Cabinet). A number of respondents have not expressed a preference for either Model but instead have commented on the Council's consultation methods and timescale. It should also be noted that a number of the responses received have called for a referendum to be held.
12. Members will be aware that officers also received the results of a survey commissioned by an individual resident. This is referred to in Appendix 1. If Members were minded to include the results of the survey into the overall responses received then the total figures would be 59 for the Leader and Cabinet model and 196 for the Elected Mayor and Cabinet. The total responses would be 623 which represents approximately 0.32% of the Borough's total electorate.
13. The leading case on consultation by public authorities states that the product of consultation must be conscientiously taken into account when a decision is made by such authorities. However, it does not say that authorities are bound to follow the outcome of a consultation exercise.
14. The Borough Solicitor has two specific comments to make in relation to the consultation process which the Council has undertaken. Firstly, that it complies with the requirements of the LGPIHA although it is ultimately for Members to satisfy themselves as to whether the consultation has been reasonable and proportionate. Secondly, that Members can legitimately take into account other relevant

considerations when proposing a change in governance arrangements in Hillingdon. A summary of such considerations are set out in the following paragraph.

15. The Leader and Cabinet Model has been in operation at Hillingdon since May 2002. It has been the preferred model for the majority of the over 450 local authorities across the UK and there are only 12 authorities who currently have an elected Mayor. The Leader and Cabinet arrangement is firmly embedded at Hillingdon and if Members decide to opt for an elected Mayor, this would represent an untried and untested form of governance in the borough. Therefore, if Members prefer minimal change, the new-style Leader and Cabinet Executive Model would allow the Council to continue to operate in a very similar way to that which it currently does and only a number of minor changes will have to be made to its Constitution. Essentially, the Leader and Cabinet will fulfil the same role and functions that they currently have.

### **The Council's proposals for a change in governance arrangements**

16. The LGPHIA provides that a local authority must draw up formal proposals for a change in governance arrangements. It specifically prescribes those matters which must be included within a proposals document. These can be summarised as follows:
  - a timetable with respect to the implementation of the proposals;
  - details of any transitional arrangements which are necessary for the implementation of the proposals;
  - consideration of the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which the local authority's functions are exercised, having regard to a combination of economy, efficiency and effectiveness;
  - set out the extent to which the functions specified in regulations under section 13[3] [b] of the Local Government Act 2000 [Local Choice functions] are to be the responsibility of the executive which will be operated if the proposals are implemented.
17. A copy of the Council's proposals are attached at Appendix 2 and full Council is asked to approve them.
18. Once they have been approved, copies of the document in which the proposals are set out must be made available at the Civic Centre for inspection by members of the public at all reasonable times and a Notice will also need to be published in a local newspaper circulating in the borough, outlining the main features of the proposals.
19. The proposals may provide for the change in governance arrangements to be subject to approval in a referendum.

### **Referendum**

20. As referred to in paragraph 11 above, a number of the responses to the consultation process have called for a referendum to be held. There is no statutory obligation on the part of the Council to do this.

21. The ability for local communities to require the Council to hold a referendum for a directly elected Mayor was given statutory force by the Local Government Act 2000. Regulations made in 2001 set out the detailed rules governing a referendum and it is a legal requirement that a petition containing verified signatures of at least 5% of the total electorate in the borough is needed before the Council can consider holding a referendum. For the year 1 December 2008 to 30 November 2009 the number of local government electors shown in the Register of Electors that is equal to 5% is 9,648. No such petition has to date been submitted to the Council.
22. The estimated cost of holding a referendum would be in the region of £250,000. The low level of responses asking for a referendum to be held suggests that the Council would not be justified in spending a considerable amount of time and public money in holding it. A further consideration is that if the Council is proposing to adopt a new-style Leader and Cabinet Executive model, which represents only a minor change from the current arrangements, this would amount to a further justification for not holding a referendum.

## **FINANCIAL IMPLICATIONS**

No financial implications will arise in the event that full Council decides that it does not wish to hold a referendum.

## **LEGAL IMPLICATIONS**

All relevant legal implications are contained in the body of the report.

## **BACKGROUND PAPERS**

- DCLG Consultation Paper: "Changing Council Governance Arrangements - Mayors and Indirectly Elected Leaders".
- The Council's Constitution
- Responses to Consultation 'Have your Say - new governance arrangements for the Council'.

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## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
<b>OPTION 1 – LEADER AND CABINET</b>	I would like to confirm that my preference for the way the Council is managed is as follows: Leader and Cabinet, i.e. where the Leader is elected by full Council for a term of four years. The Leader would also decide on the size of the Cabinet and would appoint cabinet members.
<b>12 RESPONSES</b>	If there has to be a change at all, I support option 1. I do not agree with the system of elected mayors and view as worse still the possibility of an elected mayor, with no knowledge of the council, trying to choose a cabinet.
	I vote for option 1. Leader being chosen by elected Councillors. I cannot get excited by the thought of voting for a Mayor in a borough that is as large and disparate as Hillingdon.
	prefer the current arrangements (option 1). However well intentioned the Mayor may be, they would not necessarily have the level of experience that the Leader does. Think that the Council does a good job at the moment and that the Government should stop trying to keep making changes.
	I support option 1, which is an evolutionary change from the current arrangement. This, in my perception, has been working well. Option 2 is a major structural change, which is not warranted in Hillingdon's current circumstances. The only reservation I have is that, in the event of a Hung Council, option 2 would work, but option 1 wouldn't.
	The Labour Group wish to opt for the Leader and Cabinet system rather than the directly elected Mayor option.
	I would prefer to maintain the Leader/cabinet structure rather than an elected mayor.
	I am on the electoral roll for LB Hillingdon. I am writing with my views to assist the Council to draw up its proposals as requested in the article on page 8 of the September People Magazine. I would prefer the Leader & Cabinet model. I see a mayoral election as expensive and pointless; with the Mayor replacing the Council Leader, a new position would be needed to replace the Mayor with regard to all the civic duties that he/she carries out throughout the year. Currently, at the time of local elections, it is usually clear who will become leader, according to each party should they win, and therefore democracy is maintained. I would like the proposals the Council draws-up to specify that they will be subject to a referendum if that is the will of the majority who respond to this opportunity to have their say.
	We do NOT wish to see an elected Mayor in Hillingdon, and would prefer to keep the present system of leader and cabinet.

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
	<p>I am on the electoral roll for LB Hillingdon. I am writing with my views to assist the Council to draw up its proposals as requested in the article on page 8 of the September People Magazine. I would prefer the Leader &amp; Cabinet model. I would like the proposals the Council draws up, to specify that they will be subject to a referendum.</p> <p><i>(2 identical responses)</i></p>
<p><b>OPTION 2 – DIRECTLY ELECTED MAYOR AND CABINET</b></p> <p><b>38 RESPONSES</b></p>	<p>The most democratic choice would seem to be option 2. The first option suggests that the cabinet could be the Leader's best mate and no one else. A Mayor with no particular party allegiance would hopefully reignite the local democratic process and give an election race that might drag the reluctant voter into the polling station. It would certainly allow local people to engage with the decision making process as anyone in the mayoral race would have to sell themselves and their personal agenda rather than hide behind the party line.</p> <p>I just wanted to record my preference for the second option proposed, i.e. A directly elected Mayor and Cabinet. Whilst this proposal in itself has its short-comings - one being that the elected Mayor chooses the Cabinet, not the electorate - it is far preferable in my view to the first option. This option would give far too much power to the Leader - e.g. giving them the power not only to decide which Councillors sit on the Cabinet but also the number. Plus the additional difference that the elected Leader has the position for a four year term &amp; elects their own Deputy for this period. Option 1 would not, in my opinion, be in the interests of a healthy, responsive and representative local democracy.</p> <p>I strongly support Option 2. Directly Elected Mayor and Cabinet because I believe that Option 1 allows a Party with a continuing large overall Majority to ride roughshod over all aspects of opposition views which defeats the objective for which the New Constitution sought to achieve.</p> <p>Definitely need a Mayoral system-current system puts too much power into one person chosen by the most powerful party and is anti-democratic and unrepresentative.</p> <p>I'm in favour of changing our governance structure and introducing a directly elected major. I like the idea of being able to vote for the person to lead the borough and would expect such a system to have a positive impact on legislative accountability and community engagement.</p>

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
	Quite simply we would prefer option B which more closely follows the way that Greater London is governed by a directly elected Mayor, and this we assume would run alongside the election of members to the whole borough council?
	Our preference option 2: Directly elected Mayor and Cabinet – where a Mayor would be directly elected by the residents of the borough to serve a term of four years. An elected Mayor would not be a councillor, but would choose a Cabinet of no more than ten councillors.
	I would prefer option 2. The current structure effectively disenfranchises any resident who does not have a ward Councillor in the Cabinet - at least option 2 would give residents a say in who chooses the Cabinet members.
	Our current views are that we feel that an elected mayor would be the best option, which we believe is contrary to the current position of the council. However, there has been little time to consider this matter fully and hear arguments for and against, as put forward by others.
	I would prefer the Mayor to be directly answerable to the electorate and therefore be elected by ballot as in option 2.
	I would like to opt for option 2 of having a directly elected mayor who would then choose the cabinet members. I am assuming that any member of the public could stand for the post of mayor. I am also assuming that the mayor could choose any councillors to join the cabinet and that these would not necessarily have to be chosen from the majority party.
	I am on the electoral roll for LB Hillingdon. I am writing with my views to assist the Council to draw up its proposals as requested in the article on page 8 of the September People Magazine. I would prefer the Elected Mayor model. I would like the proposals the Council draws up, to specify that they will be subject to a referendum.  <i>(12 identical responses)</i>
	<b>The remaining responses state only that the preferred option would be for a directly elected Mayor.</b>

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
<p><b>REQUEST FOR A REFERENDUM</b></p> <p><b>53 SUBMISSIONS identical or closely similar to:</b></p>	<p>I am on the electoral roll for LB Hillingdon. I am writing with my views to assist the Council to draw up its proposals as requested in the article on page 8 of the September People Magazine. Under Section 64 (33E 5) of the Act it says: "Proposals by Local Authority: The proposals may provide for the change in governance arrangements to be subject to approval in a referendum" I have yet to decide which option I prefer. However, I would like the proposals the Council draws up to specify that they will be subject to a referendum. If this is constrained by the 31st Dec' 2009 deadline to finalise the arrangements I understand that you can apply to the Secretary of State for an extension.</p>
<p><b>OTHER COMMENTS ON PROCESS OR REQUESTS FOR A REFERENDUM (not included above)</b></p> <p><b>20 SUBMISSIONS</b></p>	<p>I have only recently become aware of the request for comments on proposals for changes to the democratic governance of the borough. I am anxious that such a fundamental issue should be thoroughly considered before final decisions are taken. The note in the issue of Hillingdon People for September is inevitably fairly sketchy. I understand that the Act under which these changes are to be made provides both for the possibility of a referendum and for the possibility of an extension of the application date for new procedures beyond December 2009. I am disturbed that a Council decision was taken in principle in November 2008 and that I have only just become aware of it through this recent request for comment. I have yet to make up my mind on the options and would urge that every avenue (including that of a referendum) which could assist serious wider consultation be adopted.</p> <p>Given that the Council agreed in principle in November 2008 to change the arrangements to option 1, we are very surprised and disappointed that it has taken the council a further 9 months to consult the residents to request our views and that we have been given so little time and information to help us come to an informed decision. Under Section 64 (33E 5) of the Act it says: "Proposals by Local Authority: The proposals may provide for the change in governance arrangements to be subject to approval in a referendum" Given the lack of time and information, we have yet to decide which option we prefer. However, we would like the proposals the Council draws up to specify THAT THEY WILL BE SUBJECT TO A REFERENDUM. This will give residents an opportunity for a proper consultation and a full say in the final option adopted. This will be the most democratic approach to determining the new executive arrangements for the council. If this is constrained by the 31st Dec 2009 deadline to finalise the arrangements we understand that you can apply to the Secretary of State for an extension.</p> <p>Dates quoted seem very tight and do not give sufficient time for full consultation and decision making.</p> <p>We are very concerned at the lack of proper consultation time for this major change in how our Borough is run. We</p>

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
	<p>want more time and ask that to assist the Council to draw up its proposals as requested in the article on page 8 of the September People magazine it should have the opportunity to receive our considered views.</p>
	<p>As invited in the recent People magazine I am writing with my views on the Council's proposals on governance rules. I would like an assurance included that Hillingdon residents will be properly consulted in a referendum over the matter of deciding whether the Council should be a Leader and Cabinet model or Elected Mayor. I am disturbed that the Council has delayed bringing this matter to public attention, thus leaving minimal time for adequate constituent awareness so a request to the Secretary of State for an extension to the December 31st deadline seems in order.</p>
	<p>We are London Borough of Hillingdon residents and voters, and are writing in response to the article in the September People magazine requesting residents' views regarding the above. We are not yet sure which option would be preferable, as we feel that we would need longer, and more information about the two possibilities to make a decision. We understand that Section 64 (33E 5) of the Act says: "Proposals by Local Authority: The proposals may provide for the change in governance arrangements to be subject to approval in a referendum". We feel that this process would allow Hillingdon residents to be more involved and better informed, and we would like the proposals the Council draws up to specify that they will be subject to a referendum. We appreciate that there is some pressure on the Council because a final decision is due by the 31st Dec 2009. However, we believe that there is provision for you to apply to the Secretary of State for an extension, and request that if the time constraints do present an impediment to a referendum, you do so.</p>
	<p>I have yet to decide which option I prefer. However, I would like the proposals the Council draws up to specify that they will be subject to a referendum. If this is constrained by the 31st Dec 2009 deadline to finalise the arrangements I understand that you can apply to the Secretary of State for an extension. It also seems that such changes are being rushed through without, seemingly, any real public notification despite the radical nature of these changes. Are the electorate not worthy of consultation? Should such fundamental alterations to Hillingdon's council structure not be communicated more openly?</p>
	<p>We would like the proposals the Council draws up to specify that they will be subject to a referendum. If this is constrained by the 31st Dec 2009 deadline we understand that you can apply to the Secretary of State for an extension.</p>

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
	<p>I also would like to register my objection that the Council took its own decision on this choice nearly a year ago in November 2008, without consulting the electors. The Council has then waited until the time allowed for decision-making (by the end of 2009) is nearly over before asking for constituents' comments. It has put this request for consultation in a magazine that is distributed in September and has then set the closing date at 30 September 2009. I get a month or less - but the Council has know for ten months. I understand that the relevant Act of Parliament provides for a referendum. I believe that Hillingdon Council should run a referendum, so it can really understand constituents' views on this important matter. There has been much debate about the Government's "commitment" (not) to hold a UK referendum on adopting the Lisbon Treaty for the European Union. I appreciate this is a somewhat lesser issue, but it's the same point - those in power make sure they get the answer they want.</p> <p>I have only just heard today that the council has already decided, Thursday 6 November 2008, that the current form of council structure will remain. That there will be no choice offered to Hillingdon residents as to whether we want a directly elected Mayor + Cabinet. I register my most strongly felt objections to this abuse of power by the current administration. The scenario I would foresee is that should the present structure of political parties remain the same, then David Simmons will become Leader, Raymond Puddifoot will become Deputy and the same rule continues. 4 years later, Douglas Mills will be Leader, Raymond will stay as deputy, and then 4 years later be eligible for taking the Leader post again. To make a decision like this with no public consultation is an abuse of power, democracy and an insult to all who live in Hillingdon. This is an extract that should interest you, as Head of Democratic Services:-</p> <p><b>Referendums for an elected mayor:</b> Provisions in the Local Government Act 2000 required councils in England and Wales to hold binding referendums if, following consultation, local people indicated that they wanted to directly elect a mayor under the new executive arrangements. Councils may choose to hold a referendum, but local residents can also force a referendum with a petition signed by at least five per cent of registered voters in the area. Although the Government has powers to direct a local authority to hold a referendum in certain circumstances, in June 2002 it announced that it would not intervene in cases where it did not agree with the judgement made by a council following consultation.</p> <p>Please be aware that I am going to start organising to obtain a petition.</p> <p><i>Subsequently this respondent sent a second submission expressing a preference for an elected mayor as follows. This preference is included in the overall totals above:</i></p> <p>I am on the electoral roll for LB Hillingdon. I am writing with my views to assist the Council to draw up its proposals as</p>

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
	<p>requested in the article on page 8 of the September People Magazine. I would like the proposals the Council draws up, to specify that they will be subject to a referendum. I would prefer the Elected Mayor model, particularly if the Elected Mayor, unlike the one for London, was subject to veto by the council, should any policy prove to not be in the interests of the people of Hillingdon. I am aware that I have contacted you before, that this is not an attempt to falsely register a declaration, but merely represents a view closer to what I believe now, after more research.</p>
	<p>To whom it may concern, There hardly seems time for the voters in LBH to make a decision on this subject. Surely every household should have details sent to them and time to peruse the pros and cons Are we still living in a democratic society or not?</p>
	<p>It is the NRA Executive Committees' view that the consultation process is too short and totally unsatisfactory. Hillingdon electors should be given the opportunity to take part in the debate with their elected representatives so that they are fully informed about the pros and cons of both types of local governance. The change is extremely important as it affects all residents and it should be subject to the full democratic process and the decision taken following a referendum, as was the case with the introduction of the Mayor for London. From the information on the LBH website, it is obvious that the Council, i.e. the Conservative majority party, has already decided which course of action it wishes to take and that it is only consulting to pay lip service to the legal niceties. No details have been published about how the results of the consultation process will be considered and how these results might change the views of the Council. Coming so soon after the poor consultation process involved with the introduction of the Hillingdon First Card, it would appear that the Council has little respect for democracy and the views of its electors. Rather like our present Government.</p>
	<p>I understand that Hillingdon Council are reviewing the way that the Mayor is selected. I am a resident of Hillingdon and am on the electoral register. I consider that the lack of publicity and the short time span for the opinion of the electorate to be elicited is unsatisfactory. I have been informed that legislation requires changes of this significance to be approved by a referendum. I would want the opportunity to make such a choice and expect you to ensure that all proposals do give the electorate the right to chose.</p>
	<p>Further to my email earlier today I have now seen a copy of Hillingdon People (Sept/Oct) and I am not impressed by the minimal publicity given to this important issue. No mention is made in either the Leader's column or the Index on page 3. Instead it appears in a subdued text on page 8. It really should have been given at least equal prominence to that of several other items in the magazine e.g. see pages 20 &amp; 21. It is as if the Council doesn't really want too many</p>

## NEW GOVERNANCE ARRANGEMENTS – CONSULTATION RESPONSES

Category	Comments:
	people to respond.
	My wife and I have just heard of the proposition to have a Mayor of the Borough. No doubt you are considering a Mayor with teeth rather than the ceremonial role that a Mayor normally has. This may or may not be a good thing, but if it is decided to have one then the Mayor should be elected and not the creature of a small group of people. We require that this matter be properly debated and proper time given to the consultation. This proposal should be the subject of a white paper.
	I'm assuming you're one of the appointed recipients of my views about a mayor of the borough. It's difficult to see what difference it would make. There's no guarantee that a mayor would be any more receptive to the views of the borough's inhabitants than a council leader. Even if he or she were, people in general are so dumb and sheep-like that the wrong choices would probably be made a lot of the time. Sorry to be such a pessimist.
	<p>We, the undersigned, being residents of the London Borough of Hillingdon, do demand a referendum on whether we should have the choice between the 'as is' situation regarding councillors choosing their own leader, or whether we have a directly elected Mayor, as provided for under the Local Government Act 2000, and as specified in the Local Government and Public Involvement in Health Act 2007.</p> <p><i>(Petition containing two signatures)</i></p>

In addition, Council received the results of a survey commissioned by an individual resident. The survey sample is stated as being 500 adult residents on the electoral roll in Hillingdon, although this has not been verified by the Council. The survey asked four questions about the consultation process itself and three questions about the Options. 41% (205) of respondents said they had a view as to which Option they would prefer. Of that 41%, 23% (47) people opted for Option 1 and 77% (158) for Option 2. Of all respondents 63% (315) stated they thought the proposals should be subject to a referendum. No details were given to respondents concerning the costs or implications of a referendum.

**LONDON BOROUGH OF HILLINGDON**

**PROPOSALS FOR CHANGES TO GOVERNANCE ARRANGEMENTS**

1. In accordance with section 33E of the Local Government Act 2000, the London Borough of Hillingdon ["the Council"] has drawn up formal proposals for changes to its governance arrangements, following consultation with residents in the borough. Full Council is therefore asked to approve the following proposals which will take effect three days after the date when the 2010 local elections are held.
2. The executive model which the Council wishes to adopt is the "new-style" Leader and Cabinet Executive [England].
3. The size of the Cabinet is likely to be between eight and ten Members, including the Leader, but the final decision will be taken by the Leader following the date of the local elections to be held in 2010.
4. The extent of individual Cabinet Member delegations will also be determined following the date of the local elections to be held in 2010.
5. Section 33E of the Local Government Act 2000 states that the proposals may provide for a change in governance arrangements to be subject to approval in a referendum. The Council will not hold a referendum for the following reasons. Firstly, the low level of responses arising from the public consultation exercise, asking for a referendum to be held, suggests that the Council would not be justified in spending a considerable amount of time and public money in holding it. Secondly, as the Council is proposing to adopt a "new-style" Leader and Cabinet Executive model, which represents only a minor change from the current arrangements, this would amount to a further justification for not holding a referendum.
6. The Council is required to set up a timetable for the implementation of the proposals and to provide details of any transitional arrangements which are necessary for the implementation. This timetable is outlined as follows:
  - 6 November 2008 - The Council decided its preferred model i.e. the "new-style" Leader and Cabinet Executive [England].
  - Beginning of September 2009 - 15 October 2009 - public consultation exercise.
  - 5 November 2009 - Council approval of these proposals.
  - 17 December 2009 - Council resolution to adopt the "new-style" Leader and Cabinet Executive [England]
  - May 2010 - Implementation of new governance arrangements to take effect three days after the date when the local elections are held.
7. With regard to the transitional arrangements, the Council is not in any way prohibited from continuing to operate its current "old-style" Leader and Cabinet Model which will expire three days after the date when the 2010 local elections are held. It will therefore continue to operate this model until this time when the "new-style" model will replace it.

8. The Local Authorities [Functions and Responsibilities] [England] Regulations 2000 set out those functions which may, but do not have to be, the responsibility of an authority's executive. They are more commonly known as the "local choice" functions. These functions, which are currently set out on page 46 of the Council's Constitution, will continue to be discharged by the current Cabinet but this arrangement will be reviewed by the Council's new administration following the local elections in 2010.
9. Finally, the Council is obliged to consider the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The "new style" model will build on the already successful way in which the Council manages its improvement programme and will ensure continued effective decision making. This is demonstrated by the Council currently being recognised as the most efficient in London and the eighth best in the UK. This model will ensure the continued drive on improvement is maintained. It will also positively support and enhance the Council's efficiency programme at a critical time of ever increasing demands on services and the continued need to reduce the level of the overall Council budget.

## QUESTIONS FROM MEMBERS

**7.1 QUESTION FROM COUNCILLOR COX TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY – COUNCILLOR MILLS**

Can the Cabinet Member for partnerships detail what efforts Hillingdon Council made to ensure that proposals under the Sustainable Communities Act 2007 were submitted to the LGA in advance of the deadline of the 31 July 2009?

**7.2 QUESTION SUBMITTED BY COUNCILLOR RHODES TO THE CABINET MEMBER FOR ENVIRONMENT - COUNCILLOR JENKINS**

Can the Cabinet Member responsible for the environment agree that if the Council have decided that an alleyway cannot be gated as it is a highway then will the Council take responsibility for clearing any dumped rubbish?

**7.3 QUESTION FROM COUNCILLOR BISHOP TO THE LEADER OF THE COUNCIL - COUNCILLOR PUDDIFOOT**

How many members of staff cycle to work in the Civic Centre?

**7.4 QUESTION FROM COUNCILLOR JUDITH COOPER TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING - COUNCILLOR CORTHORNE**

Following the recent tragedy at Lakhana House, Camberwell, the Cabinet Member for SS,H&H commissioned an independent review of the fire safety procedures in our housing blocks. Please could the Cabinet Member provide an update on that review?

**7.5 QUESTION FROM COUNCILLOR O'CONNOR TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS**

Can the Cabinet Member provide Members with an update on the Third Runway proposal?

**7.6 QUESTION FROM COUNCILLOR BAKER TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS**

Can the Cabinet Member for Planning and Transportation inform this Council of the agreed policies and procedures to be followed when developers submit planning applications to the Local Planning Authority in respect of property, or of land, they do not own or have legal title to?

**7.7 QUESTION FROM COUNCILLOR MELVIN TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY – COUNCILLOR MILLS**

Has any analysis of usage been carried out since the introduction of the Hillingdon First Card?

**7.8 QUESTION FROM COUNCILLOR HENSLEY TO THE CABINET MEMBER FOR EDUCATION & CHILDRENS' SERVICES – COUNCILLOR SIMMONDS**

Can the Cabinet Member for E&CS update me on recent Ofsted inspections on schools in the Borough?

**7.9 QUESTION FROM COUNCILLOR GARDNER TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY – COUNCILLOR MILLS**

Can the Cabinet Member tell the Council what he and the Safer Communities Partnership are doing in response to the latest figures in the local alcohol profiles for England, which show that in Hillingdon:

- Alcohol-related crimes are significantly worse than the England average
- Alcohol-related violent crimes are significantly worse than the average
- Alcohol-related hospital admissions for both men and women are also above the average?

**7.10 QUESTION FROM COUNCILLOR KHURSHEED TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY – COUNCILLOR MILLS**

Can the Cabinet Member explain what action he proposes to take in response to the fact that, after all the investment in community safety the Home Secretary has identified Hillingdon as one of only 62 Councils in the country needing challenge and support because at least 25% of the local population remain concerned about unsolved anti-social behaviour?

**7.11 QUESTION FROM COUNCILLOR EGINTON TO THE CABINET MEMBER FOR FINANCE AND BUSINESS SERVICES – COUNCILLOR BIANCO**

Will the Cabinet Member please let me know the number of businesses operating in Hillingdon?

**7.12 QUESTION FROM COUNCILLOR BLISS TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING - COUNCILLOR CORTHORNE**

The BBC has received a report from a retired architect, who had worked on the building of Lakanal House, who believes that the use UPVC windows may have contributed to the rapid fire spreading in the tower block's recent fire. How many of the high rise blocks in the London Borough of Hillingdon have UPVC windows fitted and has their safety in a fire been the subject of a fire risk assessment?

**7.13 QUESTION FROM COUNCILLOR MAJOR TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING - COUNCILLOR CORTHORNE**

Can the Cabinet Member inform the Council of the latest position on the action being taken to bring the management of Hillingdon Homes back under Council control?

**7.14 QUESTION SUBMITTED BY COUNCILLOR JARJUSSEY TO THE CABINET MEMBER FOR ENVIRONMENT - COUNCILLOR JENKINS**

Given that the Civic Amenity Site in Rigby Lane, Hayes has now been closed for some months and re-development is to take place, which will take even longer, what arrangements are being made to provide civic amenity site facilities for people in the south of the Borough?

**7.15 QUESTION SUBMITTED BY COUNCILLOR DUNCAN TO THE CABINET MEMBER FOR ENVIRONMENT - COUNCILLOR JENKINS**

Can the Cabinet Member please inform the Council how many fixed penalty notices have been issued for dropping litter since the start of the current campaign and in which areas of the Borough?

**7.16 QUESTION FROM COUNCILLOR ALLEN TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS**

Members will recall that some months ago I raised a question regarding the speed limits that had been put in place on the Townfield Estate: 20 mph in Central Avenue and 30 mph in the surrounding roads. I had requested that all roads on the Estate be 20 mph and Cllr Burrows informed us all that he would be looking into this.

Since then many more residents have raised concerns about this issue and some have told me that they have witnessed near misses due to cars picking up speed in the side roads. In most cases it has only been through the quick reflexes of those concerned that an accident has been avoided.

As the dark nights and mornings are now upon us, the unbalanced unsafe speed limits on the Estate need to be urgently addressed. I would respectfully suggest that the time for looking into this matter should come to an end and could action be taken immediately?

**7.17 QUESTION FROM COUNCILLOR HARMSWORTH TO THE CABINET MEMBER FOR EDUCATION & CHILDRENS' SERVICES – COUNCILLOR SIMMONDS**

Can the Cabinet Member for Education and Children's Services assure the Council that the £1.2m allocated to Hillingdon for the Playbuilder programme will be spent according to the deprivation criteria specified?

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## MOTIONS

### 8.1 MOTION FROM COUNCILLOR MILLS:

This Council notes the Mayor of London's recently published consultation documents on the London Plan, Transport strategy and Economic Development strategy.

This Council welcomes the focus given by the Mayor on a wide range of issues concerning Hillingdon residents, including but not limited to:

- the rejection of a third runway at Heathrow
- the removal of arbitrary targets for affordable housing
- the ability to provide greater protection against inappropriate development of gardens
- the importance of the car in outer London
- the need to support our town centres

The Council further notes the Cabinet's success in winning support from the Outer London Commission on a number of key points which are now incorporated into the future plans. Council asks the Cabinet to continue dialogue with all relevant parties to build upon these themes and in particular the discussions about

- two new Express north to south bus routes
- appropriate funding for both the social infrastructure required to support the expected growth and for the regional theatre to be sited within the revised Uxbridge town centre.

### 8.2 MOTION FROM COUNCILLOR ALLEN

Once again I feel compelled to put another motion on this issue. We all know that there are some buildings going up in many back gardens across the borough, which the owners are calling Games rooms, although in a number of cases they are being rented out as homes.

Time and again when an investigation is requested, the owners of said properties get given time to empty the property before a visit is made by an Enforcement Officer. Within days or weeks after a visit from an Enforcement Officer the building is once again rented out.

These buildings bring hidden costs for the Council as no data is collected/available to assist in the management of need, be it Housing, Health and Educational provision etc. Also as these are separate properties and the tenants are not on the Electoral register no Community charges are collected from them to pay for the services they use.

The anger from surrounding residents is further heightened by what they perceive as a doorstep service being supplied by the Planning Department to those who flout the rules. Residents are aggrieved that someone who ignores planning rules and puts up a building without permission is then assisted by being given advice by an Enforcement Officer on how to make changes to enable them to make a retrospective

planning application. Although the building may, in some cases be permitted development, the use as a separate dwelling requires permission. It appears to residents that all assistance is given to people carrying out unauthorised development while those acting within the law often do not receive this level of personal help.

In view of the above the Council calls upon the Cabinet Member to look at this issue in depth and then take appropriate action.