



HILLINGDON
LONDON



Annual Council

To all Members of the Council

Date: THURSDAY, 11 MAY 2017

Time: 7.30 PM

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

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

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=117&Year=0>

Putting our residents first

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Agenda

Prayers

To be said by the Reverend Felicity Davies

1 Apologies for Absence

2 Declarations of Interest

To note any declarations of interest in any matter before the Council

3 Election of Mayor 2017/2018

To elect a Mayor of the London Borough of Hillingdon to hold office from 11 May 2017 until his or her successor becomes entitled to act as Mayor.

- i) The retiring Mayor, Councillor John Hensley, to provide a summary of his year in office.
- ii) Nominations for Mayor invited by the retiring Mayor - election (if necessary).
- iii) Retiring Mayor declares the result.

Adjournment for the robing of the new Mayor

4 Acceptance of Office by the Mayor

- i) The newly elected Mayor to make and sign the Declaration of Acceptance of Office.
- ii) The Head of Democratic Services to declare the election of the new Mayor to be complete.

5 Appointment of the Deputy Mayor

To receive the Mayor's appointment in writing of a Councillor of the Borough to be the Deputy Mayor for the coming year.

6 New Mayor's Announcements

To receive announcements from the new Mayor.

7 Vote of thanks to the outgoing Mayor

- i) Vote of thanks to the outgoing Mayor to be moved and seconded.
- ii) Presentation of Past Mayor's and Past Mayoress' badges.

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|-----------|---|---------|
| 8 | Report of the Head of Democratic Services | 1 - 30 |
| 9 | Committee Allocations and Membership 2017 / 2018
To determine the number and size of Council committees and allocate Members to serve on those committees based on the political balance of the Council, where required. | 31 - 36 |
| 10 | Policy Overview and Scrutiny Committees Annual Report
To receive the annual report. | 37 - 56 |
| 11 | Statement by the Leader of the Council
In accordance with the provisions of the Constitution, to receive, without comment, a statement by the Leader of the Council. | |

On the rising of the Annual Meeting of the Council, The Head of Democratic Services will convene special meetings of Committees for the purpose of appointing Chairmen, Vice Chairmen and Sub-Committees, where appropriate.

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

8.1 REVIEW OF COUNCIL CONSTITUTION

i) Pensions Committee Terms of Reference

RECOMMENDATION: That the Terms of Reference of the Pensions Committee be amended as set out in Appendix A.

Information

The Pensions Committee at its meeting on 22 March considered some minor changes to the Committee's Terms of Reference to:

- include the Committee's responsibility to agree the strategic asset allocation. This responsibility is not separately identified within the current Terms of Reference but, as central government has made it clear that with the advent of pooling this remains the responsibility of the Administering Authority, it makes sense to emphasise this duty.
- amend the wording from Statement of Investment principles to Investment Strategy Statement to reflect new legislation effective from 1 April 2017.
- identify new responsibilities in relation to investment with the London Collective Investment vehicle.
- delete no.10 as legislation makes this a requirement where current members are transferred under TUPE legislation and the contractor does not provide a pension arrangement broadly comparable to the LGPS.

The Committee are recommending the changes as shown in Appendix A in italics or struck through.

Background Papers: None

ii) Audit Committee Terms of Reference

RECOMMENDATION: That the Terms of Reference of the Audit Committee be amended as set out in Appendix B.

Information

In accordance with the recommendations contained in an Internal Audit review of the effectiveness of the Audit Committee, the Committee, at its meeting on 16 March, considered a review of the Terms of Reference to ensure they are up to date and relevant.

Council is asked to consider the changes as shown in Appendix B in italics or struck through.

Background Papers: None

iii) Procurement & Contract Standing Orders

RECOMMENDATIONS: That:

- a) the updated Procurement and Contract Standing Orders, as set out in Appendix C, be approved for inclusion within the Council's Constitution and;
- b) the changes to the tender value thresholds for Individual Cabinet Member and Cabinet decisions come into effect from 19 May 2017, after the May Cabinet meeting.

Information

The Procurement and Contract Standing Orders were last reviewed in 2010. A more recent review has been undertaken, in conjunction with the Leader of the Council.

Following an analysis of tender decisions, a better strategic fit and uplift is proposed of the value of tenders accepted by Individual Cabinet Members and the Cabinet, whilst maintaining the same overall parameters for Member approval as at present. The proposed changes also make permanent delegations previously approved by the Cabinet, incorporate the approved contract rules for schools and other key matters as set out below.

- Decision-making (SO 6.2 & 6.3) - a review of tenders showed that the average service based (non-construction related) tender considered by Members was valued at just over £500k. To provide a more strategic fit, relevant to the body making the decision, it is proposed to uplift the maximum threshold for Individual Cabinet Member acceptance of tenders to £499,999 (from £249,999) and any value over that would be determined by the Cabinet. This uplift is also translated into approvals of contract extensions and variations. The proposed changes will also bring the Standing Orders in line with the Leader of the Council's existing delegations, including those where the Leader and relevant Cabinet Member(s) would take urgent decisions that would ordinarily be reserved to the Cabinet. These changes streamline procurement approval processes, whilst also maintaining transparent and accountable decision-making. It is proposed that this comes into effect after the May Cabinet meeting to provide a transition period for tenders currently in the system.
- School Contracts (SO 10.3) - this has been updated to cross-reference the Financing Scheme for Schools (which includes school contract procedures) and the Council's own Standing Orders. Schools are allowed a certain independence to enter into their own contracts without formal Council approval. Where the Council is required to sign these off, the Standing Orders now make it clear who does that.
- Exemptions from applying the Contract and Property Standing Orders (SO 11.2 and SO 12.7) – these have been expanded to add in the existing Emergency Contract Delegation to the Chief Executive/Leader of the Council and the existing Weather/Incident related delegation to the Leader of the Council. This reduces red-tape and can provide for a more effective response by the Council in an emergency.
- Auctions - SO 12.4 (3). Previously it has been difficult to secure the necessary authority to enable officers to bid at auction at short notice. The

proposed changes provide for informal agreement of the price limit for officers to bid at an auction for land, property and artefacts, with the final sale being ratified later through existing approval mechanisms.

- Making permanent previous Cabinet delegations on property matters (SO 12.6) - Cabinet has previously delegated decisions in relation to the Housing Buy-Back Scheme, Purchase of Private Properties and Private Sector Leasing Schemes to the Leader of the Council / Deputy Chief Executive and Corporate Director of Residents Services. The changes shown simply make these delegations permanent in the Council's constitution. The effect is no change to existing procedures.

Detailed changes are set out in Appendix C which also include minor changes to tighten up or clarify existing procedures.

Background Papers: None

iv) HS2 Applications / Delegations

RECOMMENDATIONS: That:

- a) the Terms of Reference of the Major Applications Committee be amended as set out in Appendix D**
- b) a Major Applications Sub-Committee be established consisting of seven Members of the Council (5 Con' & 2 Lab') to consider any matters listed in Appendix D which are referred to it by the Chairman of the Major Applications Committee. All Members of the existing Planning Committees to be eligible for membership (and substitutes) of the Sub-Committee.**
- c) the Deputy Chief Executive and Corporate Director of Residents Services, in consultation with the Cabinet Member for Planning, Transportation and Recycling be authorised to agree minor changes to planning approvals already given to HS2 Ltd.**
- d) the delegations to the Deputy Chief Executive and Corporate Director of Residents Services and to the Leader of the Council be amended as set out in Appendix E.**

Information

The High Speed Rail [London - West Midlands] Act 2017 received Royal Assent on 23 February 2017. HS2 Ltd will be responsible for delivering Phase One of the high speed railway scheme, on behalf of the Secretary of State for Transport, and there will be a number of instances where it will require the Council's consent or approval to take certain steps as part of the implementation stage.

These predominantly relate to the Council's role as a local planning authority and local highways authority but there are also a number of miscellaneous matters where the Council's consent will be required under the terms of the Act. These fall under the respective headings of heritage, waterways, land drainage, flood defence, water discharge and control of noise on construction sites. As

this is new legislation, the Council's current scheme of delegations does not cover the new consenting regime required under the Act.

The Act has granted deemed planning permission for Phase One of the HS2 scheme but certain planning details still have to be approved by local planning authorities. The Council has elected to become a qualifying authority which means that it has the right to exercise a wide range of planning controls. The planning consents required under the Act will range from non-material changes to approvals already made to the approval of detailed design for major infrastructure such as the Colne Valley Viaduct and it is, therefore, proposed that they should fall within the remit of a Sub-Committee of the Major Applications Committee save for the ability to agree minor changes to planning approvals already given to HS2 Ltd which will be delegated to the Deputy Chief Executive and Corporate Director of Residents Services in consultation with the Cabinet Member for Planning, Transportation and Recycling. It is envisaged that officers will deal with any pre-applications submitted by HS2 Ltd in the usual way.

The highways and miscellaneous matters under the Act are the responsibility of the Executive and it is therefore proposed that any consents and approvals and other steps which are required in relation to them are delegated to the Deputy Chief Executive and Corporate Director of Residents Services, in consultation with the Cabinet Member for Planning, Transportation and Recycling. However, it is also proposed that the Leader of the Council, in his capacity as Chairman of Cabinet, be authorised to refer any of these delegations to full Cabinet for decision if he considers it appropriate to do so. It should be noted that the Leader of the Council already has the delegated authority to be responsible for and make all necessary decisions, in pursuit of the Council's policy on HS2.

Background Papers: None

8.2 APPOINTMENT OF CABINET

Members are asked to note the appointment by the Leader of the Council of the Deputy Leader and Cabinet for 2017/2018 onwards as follows:

Position/Portfolio	Councillor
Deputy Leader and Education & Children's Services	Councillor Simmonds
Central Services, Culture and Heritage	Councillor Lewis
Finance, Property and Business Services	Councillor Bianco
Community, Commerce and Regeneration	Councillor D. Mills
Planning, Transportation and Recycling	Councillor Burrows
Social Services, Housing, Health and Wellbeing	Councillor Corthorne

Pensions Committee Proposed Terms of Reference

1. To review and approve all aspects of investment policy relating to the Pensions Fund, including *agreeing the strategic asset allocation and* authorisation or prohibition of particular investment activities.
2. To review the *Investment Strategy Statement* and amend it when necessary.
3. To agree benchmarks and performance targets for the investment of the Fund's assets and review periodically.
4. *To agree to transfer funds into mandates managed by the London Collective Investment Vehicle (CIV) as soon as appropriate opportunities become available.*
5. *To receive regular reports from the London CIV and to agree and resultant actions from a review of the investments held with the London CIV.*
6. To keep the performance of the investment managers under regular review and extend or terminate their contracts as required. To appoint new managers when necessary.
7. To agree policy guidelines for the exercise of voting rights attached to the Fund's shares.
8. To review the appointment of specialist advisors and service providers and make new appointments as necessary.
9. To consider the overall implications of the Council's policies for employment and benefits issues and their impact on the Pension Fund and agree any strategic changes.
10. ~~To authorise the admission of other bodies to the Fund.~~
11. To approve the appointment of persons to hear appeals under the Internal Dispute Resolution Procedure.
12. To consider issues concerning the administration of the Fund, including approving responses to consultation papers.
13. To consider and decide whether to approve proposals for discretionary enhanced early retirement packages for officers.
14. The Corporate Director of Finance be authorised to take urgent decisions in relation to the pensions fund and investment strategy on behalf of the Committee, reporting back to the Pensions Committee any exercise of these powers for ratification.

Audit Committee Proposed Terms of Reference

Introduction

The Audit Committee's role will be to:

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

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

Internal Audit

1. *Review and approve (but not direct) the Internal Audit Strategy to ensure that it meets the Council's overall strategic direction.*
2. Review, *approve* and monitor (but not direct) Internal Audit's ~~work~~ *planned programmes of work, paying particular attention to whether there is sufficient and appropriate coverage.*
3. *Through quarterly Internal Audit summary reports of work done, monitor progress against the Internal Audit Plan and assess whether adequate skills and resources are available to provide an effective Internal Audit function. Monitor the main Internal Audit summaries of Internal Audit reports, their main recommendations and consider whether management responses to the recommendations raised are appropriate such recommendations have been implemented within a reasonable timescale, ensuring that work is planned* with due regard to risk, materiality and coverage.
4. Make recommendations to the Leader of the Council and Cabinet Member for Finance, Property and Business Services on any changes to the Council's Internal Audit Strategy and plans.
5. Review the Annual Report and Opinion *Statement* and ~~Summary of Internal Audit Activity (actual and proposed) and~~ the level of assurance this *provides* ~~can give~~ over the Council's corporate governance arrangements, *risk management framework and system of internal controls.*
6. Consider reports dealing with the *activity*, management and performance of internal audit services.
7. Following a request to the Corporate Director of Finance and, subject to the approval of the Leader of the Council or Cabinet Member for Finance,

Property and Business Services, to ~~request commission~~ work from Internal Audit.

External Audit

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

Governance Framework

15. Maintain an overview of the Council's Constitution in respect of contract procedure rules and financial regulations and, where necessary, bring proposals to the Leader of the Council or the Cabinet for their development.
16. Review any issue referred to it by the Chief Executive, Deputy Chief Executive, Corporate Director, ~~or~~ any Council body ~~or external assurance providers including inspection agencies.~~
17. Monitor and review (but not direct) the authority's risk management arrangements, including regularly reviewing the corporate risk register and seeking assurances that ~~appropriate~~ action is being taken on ~~managing~~ risk. ~~related issues.~~
18. Review and monitor Council ~~strategy and~~ policies on ~~anti-fraud and anti-corruption including the 'Raising Concerns at Work' policy and anti-fraud and anti-corruption strategy and the Council's complaints process,~~ making any recommendations on changes to the Leader of the Council and relevant Corporate Director. ~~and the Deputy Chief Executive and Corporate Director of Residents Services.~~

19. Oversee the production of the authority's *Annual Governance Statement of Internal Control* and recommend its adoption.
20. Review the Council's arrangements for corporate governance and make recommendations to the Corporate Director of Finance on *suggested necessary* actions to *improve alignment ensure compliance* with best practice.
21. Where requested by the Leader of the Council, Cabinet Member for Finance, Property and Business Services or Corporate Director of Finance, provide recommendations on the Council's compliance with its own and other published standards and controls.

Accounts

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

Review and reporting

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

Proposed Procurement & Contract Standing Orders

Standing Order 1

Compliance

1.1 Every contract awarded by or on behalf of the Council in respect of:-

- a) Goods;
- b) Works; or
- c) Services

Of any category or commodity, shall be procured and awarded, in accordance with:

- a) These Standing Orders
- b) The Public Contracts Regulations 2006 (amended 2009)
- c) EU directives and regulations or other applicable statutory regulation being in force in the United Kingdom
- d) The Council's Financial Regulations and Standing Orders,
- e) Corporate Procurement Strategy and any Procurement Standard Operating Procedures issued under paragraph 1.2.

1.2 The Chief Executive, in consultation with the Leader of the Council, the Cabinet Member for Central Services, **Culture & Heritage** and the Chief Finance Officer, may issue, from time to time, Procurement Standard Operating Procedures setting out, in further detail, procedures to be followed when awarding contracts under these Contract Standing Orders, together with guidance on relevant best practice for procurement.

1.3 Compliance with the procedures set out in the Procurement Standard Operating Procedures is mandatory under these Standing Orders, together with the application of best practice. Application of the Procurement Standard Operating Procedures is to be consistent across all Council Departments, including all areas where the procurement function is delegated. It is the responsibility of the Approved Officer to ensure compliance with the procedures is maintained where procurement is delegated to an external supplier or organization.

1.4 These Standing Orders shall be read together with the Procurement Standard Operating Procedures. The Procedures and Standing Orders carry equal weight, and therefore a breach of the Procedures will have the same effect as a breach of these Standing Orders.

1.5 Corporate Directors, Deputy Directors and Heads of Service shall ensure that all officers who procure goods, works or services comply with these Standing Orders and the Procurement Standard Operating Procedures. Only officers who are deemed to be qualified and competent by the Head of Procurement, in conjunction with the appropriate Corporate Director, may procure goods, works or services. These officers are to be identified within each Department's individual Scheme of Delegations, and known as "Approved Officers". The Head of Procurement and each Corporate Director shall maintain a register of Approved Officers.

- 1.6 An Approved Officer shall be designated for all contracts, irrespective of value, and be competent in managing the supply of goods, works or services as appropriate. For the avoidance of doubt, this does not mean sourcing and placement of contracts.
- 1.7 The Head of Procurement shall be responsible for maintaining a register of all contracts where the total contract value is £50,000 or greater.
- 1.8 No contract shall be procured unless written approval is obtained in accordance with the Scheme of Delegations. Such written approval will confirm there is adequate provision within the appropriate capital or revenue budgets or other financial provision, i.e. grant funding.
- 1.9 Pursuant to paragraph 1.8, before obtaining written approval, Approved Officers shall consult the Register of Contracts to ascertain if the Council has a contract for the goods, works or services required. If such a contract is in existence, the Approved Officer shall use the appropriate contract in force, and not procure another.
- 1.10 It shall be the duty of every Officer of the Council placing contracts or committing expenditure to obtain and demonstrate value for money, and that the goods, works and services are fit for the intended purpose.

Standing Order 2

Ethics & Probity

- 2.1 Officers shall preserve the highest standards of honesty, integrity, impartiality and objectivity. This includes compliance with the Employees' Code of Conduct.
- 2.2 Pursuant to paragraph 2.1, breaches of compliance will be referred to the Chief Finance Officer and the Head of Procurement in the first instance, who in conjunction with the Head of Audit and Enforcement, will authorise any investigation. The outcome of any investigation may be referred to the Head of Human Resources to determine if disciplinary action should be taken, in accordance with the Employee's Code of Conduct.
- 2.3 In accordance with Section 117 of the Local Government Act 1972, The Borough Solicitor shall maintain a record of any officer who has a pecuniary interest in a contract with the Council, and notify in writing their Head of Service where, in the course of their work, have a personal financial or non-financial interest.
- 2.4 Any officer procuring goods, works or services must declare gifts and hospitality received or offered, in accordance with the Employees' Code of Conduct.

Standing Order 3

Member authority, Planning Ahead and the Decision-Making Process

3.1 Member authority

Hillingdon's decision-making process requires for the majority of contract decisions to be determined by the Cabinet or a Cabinet Member(s) to provide for important Member oversight and accountability when using public monies. It is the prerogative of the Cabinet or Cabinet Member to decide to accept or not accept any tender recommended by Officers.

Council sets the financial thresholds by which tenders shall be accepted by Members as set out in Standing Order 6.

3.2 Planning ahead

Before any invitation to tender, Corporate Directors and their officers shall plan ahead and build into their project timetable the necessary informal approvals, notifications (via the Forward Plan) and the period of the formal decision-making process. Sufficient time should be planned to consider all service provision issues, including alternative decisions by the Cabinet or Cabinet Member.

Corporate Directors should first seek the informal approval of their Cabinet Member to invite tenders. For tenders that have a corporate impact, the **Leader of the Council** ~~and Cabinet Member for Central Services~~ should also be consulted beforehand. Cabinet Members will expect officers to have considered all alternative options before presenting them with a proposal to tender a contract.

The Corporate Directors shall then ensure that the Forward Plan is updated with regard to forthcoming tender decisions which require formal approval by the full Cabinet or a Cabinet Member. Advance notice of at least 3-4 months should be given on the Forward Plan.

3.3 Decision-making process and timings **& transparency**

Any tender decision identified on the Forward Plan shall require a formal tender summary report to be prepared providing full tender evaluation information, using the sign-off procedures and templates approved by Democratic Services. For tender decisions to a particular meeting of the full Cabinet, officers should adhere to the report deadlines set out by Democratic Services. For tender decisions to a Cabinet Member(s), officers should ensure they are taken within the month notified.

From the time the report is ready, the formal decision-making process can take approximately 1 month before a decision is made. This time period is mainly for legal reasons, but also to ensure that Members have time to read the report. In addition, after any decision is made by the Cabinet or Cabinet Member, 5 days must expire for the 'scrutiny call-in' period before any decision can formally take effect and any contract can be signed, executed or sealed.

In exceptional circumstances to speed-up the democratic decision-making process, Special Urgency or Urgency procedures may be invoked to the relevant body

authorised to make the decision (Leader of the Council/Cabinet Member or the Cabinet) but only with the prior agreement of the Leader of the Council via the relevant Corporate Director. Such procedures are set out in Part 4 D - Access to Information Procedure Rules. For transparency, ordinarily all Cabinet and Cabinet Member decisions to accept (or not accept) a particular tender are made public immediately following the decision, including the name of the successful tenderer / organisation and the value of the contract.

Standing Order 4

Invitations to Tender

- 4.1 a) Tenders or quotations shall be invited for all proposed contracts with an estimated total contract value, equal to or exceeding the minimum thresholds as set out in the Procurement Standard Operating Procedures. These thresholds are as follows: -

Total Value	Minimum number of quotations or tenders	Award criteria
£0 – 10,000	3 Quotations	Lowest price to apply
£10,000 – 50,000	5 Quotations	Most economically advantageous quotation
£50,000 & above	5 Tenders	Most economically advantageous tender

Pursuant to paragraph 1.1, every invitation to tender shall comply with all regulations and directives in force at that time.

- b) Where the award criteria is based on most economically advantageous tender, unless agreed in writing by the ~~Cabinet Member for Central Services, and/or~~ the Leader of the Council, in conjunction with the Head of Procurement, tender evaluations shall be based on a minimum of 80% weighting in favour of price.
- 4.2 EU directives and regulations shall apply to the procurement of contracts with an estimated aggregate value equal to or exceeding the EU thresholds listed below that are in force at the time of tender, as set out in the Procurement Standard Operating Procedures and pursuant to paragraph 4.3:-

Goods and services	£173,934 £164,176 or greater	Minimum 5 Tenders to be sought	Most economically advantageous tender or lowest price
Works	£4,348,350 £4,104,394 or greater	Minimum 5 Tenders to be sought	Most economically advantageous tender or lowest price

** The Head of Democratic Services may update the above OJEU figures in the Standing Orders, as and when prescribed from time to time.*

- 4.3 Unless it is in the best interests of the Council, or forms part of a provision of duty of care, no requirement for goods, works or services may be sub-divided into smaller contracts with the intention of circumventing the requirements of paragraph 4.1, or for the purpose of avoidance of EU statutory requirements, as stated in Regulation 8 of the Public Contracts Regulations 2006 (amended 2009).
- 4.4 Pursuant to paragraph 4.1 and the requirement for obtaining best value and adequate competition, competitive tenders or quotations shall not be required if the Approved Officer is satisfied, and has obtained written agreement from the Head of Procurement and the ~~Cabinet Member for Central Services~~, or the Leader of the Council, that:
- (i) it is not reasonably practicable or prudent in meeting the Council's objectives to obtain competitive tenders or quotations; or
 - (ii) there would be no effective or genuine competition; or
 - (iii) it is necessary to safeguard life or property; or
 - (iv) the works, services or goods will be obtained through an approved buying consortium, or from their nominated suppliers; or
 - (v) the works, services or goods will be obtained through a corporately tendered and managed contract that has been established for all officers of the Council to use, and
 - (vi) all such decisions are authorised by the Head of Procurement in writing.
- 4.5 Before proceeding in accordance with paragraph 4.1 in relation to any expenditure, the Approved Officer shall consult the Procurement Standard Operating Procedures, to confirm and determine how the goods, works or services should be tendered. Appropriate guidance shall also be sought from the Procurement Team.
- 4.6 Tenders for all proposed contracts with an estimated total contract value greater than £50,000 shall be conducted by the Procurement Team, unless otherwise instructed by the Head of Procurement. All such tenders shall be published on the appropriate eTendering portal as advised by the Procurement Team.

Standing Order 5

Custody, Receipt & Opening of Tenders by Democratic Services

- 5.1 The Approved Officer shall ensure that custody, opening and acceptance of tenders is in accordance with the Procurement Standard Operating Procedures.
- 5.2. Receipt and custody of tenders
- (a) Tenders shall be returned by the tenderer to the Civic Centre. Electronic tenders shall be returned to the email address specified in the tender instructions, or uploaded to the appropriate e-tendering portal as specified.
 - (b) On receipt by the Council, tenders shall be date-and time-stamped on their envelope or outer wrapper. Each electronic tender received shall be electronically date stamped.
 - (c) The Mail Room Supervisor, or equivalent officer responsible for receiving mail or online documents, shall:
 - (i) provide a receipt for tenders received, on request;
 - (ii) keep a record of the number of tenders received:

- (iii) after the time and date specified for their return, hand all tenders received to the officer responsible for them, and obtain a receipt / signature.
- (d) Tenders shall be kept in secure custody until they are opened. Electronic tenders shall be stored in a secure folder.

5.3. Register of tenders

A register of tenders received shall be maintained by each Corporate Director and updated by each Approved Officer as necessary. The register should contain details of each tender, the signatures of the officer opening the tenders and the witness and the signature of the officer to whom the tenders were passed for custody after opening. Where tenders are received electronically this register shall be maintained within the appropriate eTendering portal as advised by the Procurement team.

5.4. Tender opening

- (a) Tenders shall be opened at one time and only in the presence of such officer or officers as the Head of Democratic Services and/or Approved Officer or the Corporate Procurement Unit may determine.
- (b) An officer from the Corporate Procurement Unit or Democratic Services should be present when tenders are opened.
- (c) The tenders shall be opened one at a time and the opening sequence recorded, together with any appropriate comments or notes.
- (d) As each tender is opened the name of each tenderer and the amount of the tender must be recorded in the tender register.

5.5 Late Tenders

- (a) A tender received after the last date and time when tenders should be received must be recorded as a late tender in the tender register.
- (b) Such a late tender shall only be opened and considered for acceptance on the authorisation of the Head of Procurement and the Head of Democratic Services.
- (c) The Head of Procurement and the Head of Democratic Services may consider that a tender received late should be considered for acceptance under the following circumstances:
 - (i) there is a bona fide reason, recorded in writing, for the tender being late; and
 - (ii) other tenders that have arrived on time have not been opened.
- (d) Where a tender received late is for a contract greater than £50,000, the Head of Procurement and Head of Democratic Services shall in addition seek approval from the Cabinet Member for Central Services, **Culture and Heritage** prior to considering it for acceptance.
- (e) Where a tender received late is for a contract value of greater than £250,000, the Head of Procurement and Head of Democratic Services shall in addition seek approval from the Leader of the Council prior to considering it for acceptance.
- (f) In circumstances where the Head of Procurement and the Head of Democratic Services are uncertain whether a late tender should be opened and considered for acceptance, the matter should be referred to the Borough Solicitor for legal advice.

Standing Order 6

Acceptance of tenders and financial thresholds for authority

6.1 General Rules

Where tenders or quotations have been received in accordance with the Procurement Standard Operating Procedures, they can only be accepted if the Approved Officer has satisfied themselves that: -

- a) All approvals required by Cabinet, Cabinet Member or Delegated Officers set out in these Standing Orders, the Council's Constitution and Financial Regulations have been obtained first;
- b) the tender is compliant;
- c) the tender offers best value in accordance with the Procurement Standard Operating Procedures.
- d) all appropriate risks have been assessed and mitigated, as required by Procurement Standard Operating Procedures.

6.2 Acceptance of tenders or quotations

A tender or quotation summary report recommending final contractor selection will be required prior to acceptance. This document will form the basis for decisions required as set out below.

- (a) In the case of a tender or quotation which does not exceed £9,999 for which budgetary provision exists, the Approved Officer shall be authorised to accept the most satisfactory tender.
- (b) In the case of a tender or quotation which is between £10,000 but is below £50,000 for which budgetary provision exists, the Approved Officer, with informal written acceptance provided by the relevant Cabinet Member portfolio holder and ~~Cabinet Member for Central Services~~ Leader of the Council shall be authorised to accept the most satisfactory tender.
- (c) In the case of a tender which exceeds £50,000 but is below ~~£250,000~~ £500,000 for which budgetary provision exists, the relevant Cabinet Member portfolio holder and the ~~Cabinet Member for Central Services or the~~ Leader of the Council shall be authorised to accept the most satisfactory tender.
- (d) In the case of a tender which exceeds £500,000 for which budgetary provision exists, the Cabinet shall be authorised to accept the most satisfactory tender.
- (e) ~~Additional authority may be provided for (or required) as set out in section 6.3 in order to accept tenders outside the ordinary thresholds above or for those significant in nature.~~
- (e) A re-assessment of the Contractors financial stability shall be carried out where the tender value exceeds £100,000. This would normally be undertaken during the pre-qualification and/or at the tender submission stage of the process. This information should be presented in any report to the Cabinet or Cabinet Member.
- (f) Tenders or quotations can only be accepted in accordance with the agreed award criteria i.e. most economically advantageous or lowest price.

In the case of decisions required by the Cabinet or Cabinet Member then the procedures in Standing Order 3.3 shall be followed.

6.3 Authority levels for tender or quotation acceptance

- (a) Council has agreed the following financial thresholds for authority to accept a tender or quotation:

£0 – £9,999	Approved Officer *
£10,000 - £49,999	Approved Officer with <u>informal</u> written acceptance from relevant Cabinet Member and Leader of the Council *
£50,000 – £499,999	Formal democratic decision by the relevant Cabinet Member and the Leader of the Council *
£500,000 or greater	Formal democratic decision by the Cabinet */**

- (b) ** Any tender, at any value, if deemed a 'key decision', must be indicated on the Forward Plan in advance and determined formally*

If any such decision on any tender is to have a significant impact upon communities, people or services within 2 or more wards and/or significantly outside the approved budget (by meeting the criteria for key decisions) then it must be taken by Leader & relevant Cabinet Member or the Cabinet, dependent on value as a formal democratic decision and prior details included within the Council's Forward Plan, except if taken under urgency rules. The Council's definition of a key decision is set out in Article 7.

- (c) *** Tenders above £500,000 in the absence of a regular Cabinet meeting and if decision deemed urgent by the Leader of the Council*

Cabinet is the primary body where tenders over £500k in value are considered in the ordinary course of events. In the absence of a Cabinet meeting where a decision is required that if not taken may prejudice service or project delivery or if a decision is deemed urgent by the Leader of the Council, then the Leader of the Council and relevant Cabinet Member may take a formal democratic decision on the matter, with it being reported to a subsequent Cabinet for ratification via a formal report.

- (d) These thresholds and authority requirements shall also apply to single tender actions, contract extensions and variations.
- (e) In the case of a formal democratic decision required by the Leader of the Council / Cabinet Member or the Cabinet then the procedures in Standing Order 3.3 shall be followed.

6.4 Agency / Temporary Workers and Consultants

Council has agreed different financial thresholds for authority for appointing individual temporary workers and accepting tenders for appointment of consultants as follows:

Acceptance of tender for appointment of consultants	Less than £5000	Corporate Director	In writing
	£5000 - £50,000	Formal approval by the Cabinet Member	Report
	£50,000 or greater	Formal approval by the Cabinet	Report
Approval of individual temporary workers	Less than £5000	Corporate Director	In writing
	£5000 and £50,000	Cabinet Member (informal approval via HR and Director)	Report
	Over £50,000	Formal approval by the Cabinet	Report

In the case of decisions required by the Cabinet or Cabinet Member then the procedures in Standing Order 3.3 shall be followed.

- 6.5 Where individual orders for goods, works or services are placed with a single contractor independently of each other and the cumulative value over the period of a financial year moves between the authorisation levels in Standing Orders 6.3, officers should seek the necessary approval in accordance with the total cumulative value.

Standing Order 7

Execution of Contracts

- 7.1 Every contract that is entered into by the Council shall be in writing and executed in accordance with the following:-

£10,000 – £49,999	Signed by, the Head of Procurement in writing. As set out in 9.2 for purchases below £1,000 where no formal contract is in place, purchase orders shall be considered as a form of contract.
£50,000 - £99,999	Signed by the Chief Finance Officer in writing
£100,000 or greater	Sealed with the Common Seal of the Council and attested by a Member of the Council and the Borough Solicitor or any other officer authorised by the Borough Solicitor and the Leader of the Council Cabinet Member for Central Services in writing.

- 7.2 Pursuant to Standing Order 1, a record of each contract executed in accordance with paragraph 7.1, shall be entered on a Register of Contracts maintained for that purpose by the Head of Procurement.
- 7.3 No Council officer may call off a contract for goods, works or services unless that contract is in writing and executed in accordance with paragraph 7.1.

- 7.4 Legal Services shall be responsible for ensuring that all contract executions are managed correctly, in accordance with paragraph 7.1. Sufficient copies of each contract shall be signed, and an electronic version will be passed to the Procurement Team, whereupon this will be stored in the Contracts Library.

Standing Order 8

Contract Extension and Variation

- 8.1 Before approval is granted to extend or vary contracts, Corporate Directors and their officers shall give due consideration to all potential options that may exist to repackage goods, works and services. An appraisal of such options shall be produced and provided to the appropriate Cabinet Member for review in accordance with the provisions of Standing Order 3. Only where the Cabinet Member approves the option that a contract shall be extended or varied shall such approval be sought.
- 8.2 Contracts may only be extended where the express provision in the agreement exists to do so and the appropriate approval to extend has been provided. This approval shall be sought in accordance with the levels of tender acceptance contained in Standing Order 6.3.
- 8.3 Contracts may only be varied where the express provision in the agreement exists to do so and the appropriate approval to vary the contract has been provided. This approval shall be based upon the approval required to execute the contract as contained in Standing Order 7.1.
- 8.4 Where any single proposed contract variation or cumulative value of agreed contract variations is likely to exceed the value originally approved then Officers should, at the earliest opportunity, seek approval to exceed the value from the relevant Cabinet Member and the **Leader of the Council or Cabinet Member for Central Services**. If this exceeds 15% or more of the total contract value originally approved, a summary report shall be made to the Head of Procurement. Approval of the proposed contract variation shall be in accordance with Standing Order 8.2 and therefore may require either approved officer approval with informal written acceptance by the Cabinet Member, a formal Cabinet Member or Cabinet decision.

Standing Order 9

Purchase Orders & Government Procurement Cards

- 9.1 Where formal contractual arrangements are in place, purchase orders shall be considered as the method of commitment with a supplier and shall be required for all goods, works and services, irrespective of value, and raised in accordance with Procurement Standard Operating Procedures, pursuant to paragraph 1.1. No goods, works or services shall be procured without the prior establishment of a legitimate purchase order, duly approved in accordance with the Council's Financial Regulations and the Scheme of Delegations.

Exemptions to this shall be approved in writing by the Chief Finance Officer and Head of Procurement as appropriate.

- 9.2 For purchases below £1000 where no formal contract is in place, purchase orders shall be considered as a form of contract and shall be required for all goods, works and services, and raised in accordance with Procurement Standard Operating Procedures, pursuant to paragraph 1.1. No goods, works or services shall be procured without the prior establishment of a legitimate purchase order, duly approved in accordance with the Council's Financial regulations and the Scheme of Delegations.

Exemptions to this shall be approved in writing by the Chief Finance Officer and Head of Procurement as appropriate.

- 9.3 The Council recognises the need to ensure efficient processes are used to procure lower value goods, works and services. Therefore Government Procurement Cards may be used to procure goods, works and services as follows:-
- a) Purchases less than £500
 - b) Single purchases where the supplier will not be used again
 - c) Urgent or emergency purchases where it is not possible to raise a purchase order, pursuant to paragraph 9.2

Exemptions to this shall be approved in writing by the Chief Finance Officer and Head of Procurement as appropriate.

Standing Order 10

Delegated Authority / Local Authority Maintained School Procurement

- 10.1 Delegated Authority to procure goods, works or services may be awarded only with the written approval of the Chief Executive, Chief Finance Officer and the Head of Procurement, and only when the application for Delegated Authority is supported by a detailed business case prepared in accordance with the Procurement Standard Operating Procedures.
- 10.2 Departments, Service Areas or Officers who have been awarded Delegated Authority shall comply with these standing orders and the Procurement Standard Operating Procedures at all times. Breaches of compliance will result in the removal of Delegated Authority, as required by the Head of Procurement, and possible disciplinary action may also be initiated.
- ~~10.3 The governing body of any school which is subject to the Scheme of Delegation approved by the Secretary of State for Children, Schools and Families pursuant to statutory authority, shall be considered as part of the Council, and will comply with these standing orders and Procurement Standard Operating Procedures.~~
- 10.3 Local authority maintained schools are required to abide by the Council's Standing Orders with respect to purchasing, tendering and contracting. Governing Bodies are also empowered under paragraph 3 of schedule 1 to the Education Act 2002 to enter into contracts, and in most cases they do so on behalf of the Local Authority as maintainer of the school. The Council has therefore set the following delegated authority and criteria for the acceptance, consistent with the Financing Scheme for Schools approved by Cabinet:

Value Range	Process to follow	Description	Approval
Up to £3,000	Best Value	Officers to demonstrate best value has been achieved	Headteacher
£3,001 - £10,000	Quotes	Three written quotes required	Headteacher
£10,001 – £50,000	Quotes	Minimum of 5 written quotes	Governing Body
£50,001 - £100,000	Tenders	Minimum of 5 tenders	Governing Body
£100,000 and above	Tender	Minimum of 5 tenders	Governing Body and Local Authority
£164,176 and above *	OJEU notice	European tender (goods/services)	Governing Body and Local Authority

Governing Bodies are required to obtain a counter-signature on contracts with the Local Authority where the value of the contract exceeds £100,000. The only exceptions to this are:

- a) contracts of employment entered into by aided or foundation schools;
- b) contracts for the works or fees associated with building projects at aided schools where the project is the governors' liability;
- c) contracts for the works or fees associated with building projects at foundation schools where the funding (including DfE funding) provided via the Local Authority is less than £100,000 (i.e. in practice this exemption is likely to occur only where a foundation school has generated the funding for the project itself through land disposal, sponsorship or other fund-raising).

The Local Authority counter-signatory for the London Borough of Hillingdon will be the Corporate Director of Finance or as sub-delegated by the Director in the Directorate's Scheme of Delegations.

** The Head of Democratic Services may update the above OJEU figures in the Standing Orders, as and when prescribed from time to time.*

Standing Order 11

Exemptions from Standing Orders

- 11.1 In any circumstances not provided for by the preceding Standing Orders, an Approved Officer will consult with the Chief Finance Officer and the Head of Procurement, in the first instance, where an exemption is required.
- 11.2 These Standing Orders shall not apply to the following services **or actions** that are managed by separate policies and guidelines:
 1. Contracts for the acquisition or lease of land and/or real estate.
 2. Contracts for permanent or fixed term employment.

3. Direct Payments to citizens following care assessment, for example, payments provided under Self Directed Support or individual budgets.
4. When the Chief Executive's Emergency Contract Delegation Protocol is invoked, with the agreement of the Leader of the Council (see Annex A for protocol). Such decisions will be reported to Cabinet for ratification.
5. When the Leader of the Council deems a decision urgent under his delegation in relation to extreme weather and incidents. Such decisions will be reported to Cabinet for ratification.

11.3 Where these Standing Orders may conflict with any separate rules or guidance, and the Procurement Standard Operating Procedures, the Head of Procurement, the Cabinet Member for Central Services, **Culture and Heritage** and the Borough Solicitor will determine which takes precedence.

Standing Order 12

Property Standing Orders

12.1 Application

1. This procedure rule applies where there is a Property (including land and/or buildings) transaction.
2. "Property transaction" means the acquisition or disposal of a freehold interest in property (including land and/or buildings) or a lease of greater than 7 years or other dealing with land, whether or not buildings, plant and equipment, fixtures and fittings, or other assets are included in that transaction. A transaction concerning only plant and equipment, fixtures and fittings, or other assets is not a Property transaction. The grant of a temporary licence to occupy is not a Property transaction.
3. "major disposal" means a Property transaction which consists of either a disposal of the freehold where the consideration exceeds £100,000, or the grant of a lease of greater than 7 years where the rent exceeds £30,000 per annum or where the premium exceeds £100,000.
4. "the property procedures" means the procedures adopted by Corporate Property and Construction from time to time for the management, use, acquisition and disposal of property, in consultation with the Deputy Chief Executive and Corporate Director of Residents Services and the Borough Solicitor.
5. "best consideration" means the legal obligation upon the Council to achieve a consideration, which is the best that can reasonably be obtained.
6. Principles to be applied are that policy decisions on property, (e.g. property policies and decisions on what property to purchase or sell), should be made by the Cabinet or by the Cabinet Member for Finance, Property and Business Services. Professional decisions, (e.g. how to market, negotiations etc) should be delegated to officers.

12.2 Approval of Major Disposals

1. The principle and method of each major disposal must be approved by Corporate Property and Construction making recommendations to the Cabinet Member for Finance, Property and Business Services or the Cabinet. When determining such matters they shall consider a report:

- a) specifying the property (land and buildings) to be disposed of;
 - b) confirming that the property has been declared surplus to the Services'/Council's requirements;
 - c) advising upon the proposed method of disposal, and providing the reasons for selecting that method;
 - d) in matters where the Council must achieve best consideration, confirming that the proposed method of disposal which has been selected, is most likely to achieve this;
 - e) in matters where it is proposed that the disposal should be for less than best consideration, giving reasons for and against seeking best consideration and, following consultation with the Borough Solicitor, specifying the relevant legal powers of the Council to accept less than best consideration.
2. The principal terms of major disposals (except where the approved method of disposal is by auction) must be approved by Corporate Property and Construction making recommendations to the Cabinet Member for Finance, Property and Business Services or the Cabinet as appropriate. When determining such matters, they shall consider a report confirming either that the consideration agreed represents 'best consideration', or, following consultation with the Borough Solicitor, specifying the relevant legal powers of the Council to accept less than best consideration.
 3. In major disposals where the approved method of disposal is the inviting of tenders or offers, the disposal must be advertised in at least one local, national, international or specialist newspapers or publications, as determined by Corporate Property and Construction.

12.3 Dealing with tenders and offers

1. The receipt and opening of tenders and offers will be conducted in accordance with Standing Order 5 and the Council's Procurement Standard Operating Procedures
2. In cases where the duty to achieve 'best consideration' (the best price that can reasonably be obtainable) applies, when a tender or offer representing 'best consideration' is received late, or is otherwise invalid as described in Standing Order 5, Corporate Property and Construction will consult with the Borough Solicitor and the Cabinet Member for Finance, Property and Business Services. If they agree that the tender or offer should be considered for acceptance and it is possible that other tenderers/offers will otherwise be prejudiced, all tenders/offers shall, at the Council's discretion, be given the opportunity to resubmit their tenders/offers within a given timescale.
3. In cases where the duty to achieve 'best consideration' does not apply, when a tender is late or contains errors, the provisions in the Council's Procurement Standard Operating Procedures will apply.

12.4 Disposals and Acquisitions by Auction

1. In disposals where the approved method of disposal is by auction, up to three auctioneers approved by Corporate Property and Construction must be invited to provide a written quotation as to service offered, commission and additional costs. The most advantageous quote, taking into account pricing and service level offered, must be selected.
2. A “reserve price”, when recommended by the auctioneer, will be set by Corporate Property and Construction in consultation with the Borough Solicitor and the Cabinet Member for Finance, Property and Business Services. The reserve price must be disclosed only to the auctioneer and the Council’s legal and property officers attending the auction. The legal officer shall, upon a sale being 'knocked down' be authorised to sign contracts or relevant papers on the day of the sale.
3. In the case of any acquisition of land, property ~~and artefacts by officers~~ at auction, the price bands and/or limits for bidding ~~and the authority for a particular officer to acquire on behalf of the Council, will be determined by the Deputy Chief Executive and Corporate Director of Residents Services, with the agreement of the Leader of the Council and (if land/property) Cabinet Member for Finance, Property & Business Services.~~ Following the auction, any successful acquisition will need to be formally ratified by the relevant body within existing delegations and thresholds in the Constitution and if property/land related, those given to Officers, the Cabinet Member for Finance, Property and Business Services or the Cabinet as set out in section 12.6 below. ~~Cabinet or the Cabinet Member for Finance, Property and Business Services will therefore need to authorise beforehand any offer to acquire at an auction.~~

12.5 Approval of Property Transactions (including Land and Buildings) other than major disposals

1. The principal terms of property transactions (other than acquisitions which are dealt with below), for the disposal of a freehold or leasehold interest in property (except where the method of disposal is by way of auction) and also other than those defined as major disposals in these Standing Orders, must be approved by Corporate Property and Construction in accordance with the Scheme of Delegations. Corporate Property and Construction must report each approval to the appropriate Cabinet Member in their Portfolio area or the Cabinet.
2. The principle and method of each acquisition, irrespective of value, and whether it relates to the acquisition of a freehold or leasehold interest or a licence, must be approved by Corporate Property and Construction making recommendations to the Cabinet Member for Finance, Property and Business Services or the Cabinet.

12.6 Authority levels for property matters

Council has agreed the following financial thresholds for property matters:

General Acquisition and disposal: Acquisition and disposal of land and property and also grant of easements and wayleaves	Under £10k	DCE & Corporate Director of Residents Services	Informal - in writing
	£10k - £250k	Cabinet Member for Finance, Property & Business Services	Formal Democratic Decision - Report
	£250k or greater	Cabinet	Formal Democratic Decision - Report
Purchase of Private Properties: Acquisition and purchase of private properties in order to supplement affordable housing provision within the Borough	All Values	Leader of the Council and Cabinet Member for Finance, Property and Business Services (with ratification at a subsequent Cabinet meeting) Note: formal democratic capital release approval is also required.	Formal Democratic Decision - Report
Private Sector Leasing Scheme (which includes the Finders Fee and Guaranteed Rental Schemes): authority to take any necessary decision, including those on expenditure, property and/or leases, in order to implement this Scheme.	All Values	Deputy Chief Executive and Corporate Director of Residents Services, following informal sign-off by the Leader of the Council.	Informal - in writing
Right to Buy - Housing Buy Back Scheme: Authority to purchase and acquire properties, agree any necessary purchase prices and/or parameters and any other property transactions or decisions required to effectively implement the Scheme	All Values	Deputy Chief Executive and Corporate Director of Residents Services, following informal sign-off by the Leader of the Council. Note: formal democratic capital release approval is also required.	Informal - in writing

Disposal at Less than Best Value - disposal of any property for less than best consideration, including discounted rent on any property or premises owned by the Council	All Values	Cabinet	Formal Democratic Decision - Report
Property Licenses and Leases: (including any surrenders, alterations or variations)	Under 7 years and under £10K	DCE & Corporate Director of Residents Services	Informal - in writing
	Under 7 years and £10k - £100k	Cabinet Member for Finance, Property & Business Services	Formal Democratic Decision - Report
	Under 7 years and above £100k	Cabinet	Formal Democratic Decision - Report
	7-25 years and any value up to £250k	Cabinet Member for Finance, Property & Business Services	Formal Democratic Decision - Report
	Over 25 years and any value	Cabinet	Formal Democratic Decision - Report

Any proposed property or land decision that will have a significant impact on two or more wards in the Borough and where the well-being of the community or change to the service level provided will affect a significant number of people, then this decision must be reported to Cabinet for determination (or ratification to a subsequent Cabinet meeting following a decision being made by the relevant body).

In the case of a formal democratic decision required by the Leader of the Council, Cabinet Member or Cabinet then the procedures in Standing Order 3.3 shall be followed.

~~* These Standing Order authority levels do not apply in respect of the Private Sector Leasing Scheme (which includes the Finders Fee and Guaranteed Rental Schemes) as approved by Cabinet. In such cases, the Deputy Chief Executive and Corporate Director of Residents Services, following informal sign-off by the Leader of the Council, is authorised to take any necessary decision, including those on expenditure, property and/or leases, in order to implement this Scheme.~~

12.7 Application of the Property Procedures and Standards

All property (including land) transactions must be conducted in accordance with the property procedures and standards, **except:**

- a) When the Chief Executive's Emergency Contract Delegation Protocol is invoked, with the agreement of the Leader of the Council (see Annex A for protocol).
- b) When the Leader of the Council deems a decision urgent under his delegation in relation to extreme weather and incidents. Such decisions will be reported to Cabinet for ratification.

12.8 Formalities

1. All contracts and other documentation entered into pursuant to all land transactions shall be in writing, and shall be signed or sealed with the Common Seal of the Council, as appropriate.
2. The Common Seal of the Council shall be attested by a Member of the Council and the Borough Solicitor or any other officer authorised by the Borough Solicitor in writing.
3. An entry of every sealing of a contract shall be made and consecutively numbered in a book kept for that purpose.

ANNEX A

Chief Executive's Emergency Contract Delegation - Protocol

In respect of a Council capital project or revenue service, where an emergency or exceptionally urgent situation arises in relation to a commercial contract where:

- a) The Leader and Chief Executive agree the urgency;
- b) There is no Cabinet meeting imminent;
- c) Any delay would seriously jeopardise the Council's finances or its ability to deliver services and;
- d) A previous executive decision has been made or proposed in respect of the capital project or service provision concerned,

authority is granted to the Chief Executive, subject to the written agreement of the Leader of the Council, to incur expenditure and make any new and necessary contractual decisions in order to secure the successful delivery of the project or service.

In such instances, the Council's Procurement and Contract Standing Orders can be waived. Any decisions taken must be reported to a subsequent Cabinet meeting for formal ratification.

This delegation is also set out in Part 3 - Officer Scheme of Delegations. The Deputy Chief Executive is authorised to invoke this power in the Chief Executive's absence.

Major Applications Planning Committee Terms of Reference

The following terms of reference are to be added to the Major Applications Committee:

HS2

1. To approve the detail design of works.
2. To control and enforce construction arrangements and works.
3. To determine restoration schemes.
4. To determine and if necessary impose conditions in relation to the bringing into use of any scheduled work or depot.
5. To consider and if necessary determine any matters arising out of context reports submitted by HS2 Ltd.
6. To authorise enforcement action to be taken where it is considered to be expedient to do so.
7. To determine any other matter arising under Schedule 17 of the High Speed Rail [London - West Midlands] Act 2017 where HS2 Ltd require the Council's consent or approval.

APPENDIX E

The following to be added to the delegations to the Deputy Chief Executive and Corporate Director of Residents Services in consultation with the Cabinet Member for Planning, Transportation and Recycling:

Highways

to determine whether approval should be given in relation to the following matters:

- access to highways affecting traffic
- stopping up, diversion and interference with a highway
- details of works affecting highways
- trial holes in a carriageway or footway

to take all necessary steps in relation to the making of a traffic regulation order under Schedule 25 of the High Speed Rail [London - West Midlands] Act 2017.

Heritage

To approve Heritage Method Statements relating to works to listed buildings authorised to be demolished, altered or extended and also for any such works for heritage or monitoring purposes under Schedule 18 of the High Speed Rail [London - West Midlands] Act 2017.

Waterways, land drainage, flood defence, water discharge

To take all necessary steps in relation to any proposals or applications submitted by HS2 Ltd in relation to the construction of any works affecting drainage, flood storage and flood defence, the flow or purity of water and conservation of water resources arising under Schedule 33 of the High Speed Rail [London - West Midlands] Act 2017.

Control of Noise Generated by Construction Works

To determine whether consent should be given under Section 61 of the Control of Pollution Act 1974.

The following to be added to the delegations to the Leader of the Council:

49. To determine if any of the delegations to the Deputy Chief Executive and Corporate Director of Residents Services in consultation with the Cabinet Member for Planning, Transportation and Recycling, as set out above, should be referred to full Cabinet for decision.

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ORDINARY COMMITTEES

EXECUTIVE SCRUTINY COMMITTEE: 8 (5-3)

CONSERVATIVE	LABOUR
Higgins (Proposed Chairman)	Curling (Lead)
Riley (Proposed Vice-Chairman)	Morse
Bridges	Money
Denys	
R Mills	

Other Voting Members on Education issues only:

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

EXTERNAL SERVICES SCRUTINY COMMITTEE: 8 (5-3)

CONSERVATIVE	LABOUR
Riley (Proposed Chairman)	Jarjussey (Lead)
Edwards (Proposed Vice-Chairman)	Birah
Barnes	Burles
Crowe	
White	

CHILDREN, YOUNG PEOPLE AND LEARNING POLICY OVERVIEW COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
Palmer (Proposed Chairman)	Sweeting (Lead)
Denys (Proposed Vice-Chairman)	Dheer
J Cooper	Oswell
Gilham	
Kauffman	
Haggar	

Other Voting Members:

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

RESIDENTS' AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
White (Proposed Chairman)	Lakhmana (Lead)
Markham (Proposed Vice-Chairman)	Burles
Jackson	Dhot
Kauffman	
Kelly	
Stead	

COMMITTEE MEMBERSHIP 2017/2018

CORPORATE SERVICES AND PARTNERSHIPS POLICY OVERVIEW COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
Seaman-Digby (Proposed Chairman)	East (Lead)
R. Mills (Proposed Vice-Chairman)	Dhillon
Bridges	Sansarpuri
Flynn	
Graham	
Higgins	

SOCIAL SERVICES, HOUSING AND PUBLIC HEALTH POLICY OVERVIEW COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
Bridges (Proposed Chairman)	Money (Lead)
Palmer (Proposed Vice-Chairman)	Eginton
Ahmad-Wallana	Nelson
Barnes	
Davis	
Haggar	

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

CENTRAL & SOUTH PLANNING COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
Edwards (Proposed Chairman)	Khursheed (Lead)
Yarrow (Proposed Vice-Chairman)	Money
Ahmad-Wallana	Morse
Chamdal	
Chapman	
Stead	

NORTH PLANNING COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
Lavery (Proposed Chairman)	Oswell (Lead)
Morgan (Proposed Vice-Chairman)	Dhillon
Flynn	Khatra
Graham	
Higgins	
Duducu	

MAJOR APPLICATIONS PLANNING COMMITTEE: 9 (6-3)

CONSERVATIVE	LABOUR
Lavery (Proposed Chairman)	Dhillon (Lead)
Edwards (Proposed Vice-Chairman)	Duncan
Higgins	Oswell
Morgan	
Stead	
Yarrow	

COMMITTEE MEMBERSHIP 2017/2018

MAJOR APPLICATIONS PLANNING SUB-COMMITTEE: 7 (5-2)

CONSERVATIVE	LABOUR
Edwards (Proposed Chairman)	Duncan (Lead)
Lavery (Proposed Vice-Chairman)	Oswell
Chamdal	
Stead	
Yarrow	

(ALL PLANNING COMMITTEE MEMBERS AND ALL THAT HAVE RECEIVED APPROPRIATE PLANNING TRAINING TO BE SUBSTITUTES FOR ALL THREE COMMITTEES)

PENSIONS COMMITTEE: 5 (3-2)

CONSERVATIVE	LABOUR
Corthorne (Proposed Chairman)	Eginton (Lead)
Markham (Proposed Vice-Chairman)	East
Davis	
Substitutes	Substitutes
Fyfe	Jarjussey
O'Brien	

PENSIONS BOARD: 3 (2-1)

CONSERVATIVE	LABOUR
Simmonds (Proposed Chairman)	Morse
Chapman (Proposed Vice-Chairman)	

Scheme Representatives:

Mr Roger Hackett
Mrs Venetia Rogers
Mr Andrew Scott

APPOINTMENTS COMMITTEE: 8 (5-3)

CONSERVATIVE	LABOUR
Puddifoot (Proposed Chairman)	Curling (Lead)
Simmonds (Proposed Vice-Chairman)	Duncan
Burrows	Morse
D. Mills	
Corthorne	
Substitutes	Substitutes
Bianco	East
Lavery	Lakhmana
Lewis	Money
Riley	Sweeting
Seaman-Digby	

COMMITTEE MEMBERSHIP 2017/2018

REGISTRATION & APPEALS COMMITTEE: 8 (5-3)

CONSERVATIVE		LABOUR
O'Brien (Proposed Chairman)		Allen (Lead)
R.Mills (Proposed Vice-Chairman)		Sansarpuri
Bridges		Singh
Flynn		
Seaman-Digby		
Substitutes		Substitutes
Bianco	D. Mills	All Labour Members except Group Leader, Deputy Leader and Chief Whip
Burrows	Puddifoot	
Corthorne	Lewis	
Dann	Simmonds	
Higgins	Stead	
Lavery		

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

OTHER COMMITTEES / PANELS (OUTSIDE THE OVERALL CALCULATION BUT ALLOCATED ON THE BASIS OF OVERALL POLITICAL BALANCE)

STANDARDS COMMITTEE: 4 (3-1)

CONSERVATIVE		LABOUR
Riley (Proposed Chairman)		Duncan (Lead)
Denys (Proposed Vice-Chairman)		
Corthorne		
Substitutes		Substitutes
Bridges		Allen
		Morse

Non voting Independent Person:

Mr David Smith

AUDIT COMMITTEE: 4 (3-1)

CONSERVATIVE		LABOUR
Seaman-Digby (Proposed Vice Chairman)		Eginton (Lead)
G Cooper		
O'Brien		
Substitutes		Substitutes
Graham		Dhillon
Davis		

Independent Member:

To be appointed (Chairman)

NO MEMBER OF CABINET OR EXECUTIVE SCRUTINY COMMITTEE MAY SIT ON AUDIT COMMITTEE.

COMMITTEE MEMBERSHIP 2017/2018

LICENSING COMMITTEE: 10 (6-4)

CONSERVATIVE	LABOUR
Gilham (Chairman)	Allen (Lead)
Yarrow (Vice-Chairman)	Dhillon
Barnes	Gardner
Chamdal	Morse
Jackson	
Kauffman	

N.B. NO SUBSTITUTES ALLOWED FOR LICENSING COMMITTEE

LICENSING SUB-COMMITTEE (2-1)

The sub-committee to comprise three Members of the Licensing Committee (2 Conservative and 1 Labour) selected on a rota basis from the membership of the Licensing Committee. Meetings of the Sub-Committee must be chaired by either the Chairman or Vice-Chairman of the Licensing Committee.

APPOINTMENTS SUB COMMITTEE: 4 (3-1)

CONSERVATIVE	LABOUR
Puddifoot	Curling (Lead)
D.Mills	
Simmonds	
Substitutes	Substitutes
Bianco	Duncan
Burrows	East
Corthorne	Jarjussey
Seaman-Digby	Money
	Morse
	Sweeting

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

CONSERVATIVE	LABOUR
Puddifoot	Curling (Lead)
D.Mills	
Simmonds	
Substitutes	Substitutes
Bianco	Allen
Burrows	Duncan
Corthorne	Morse
Seaman-Digby	Sweeting

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

CONSERVATIVE	LABOUR
To be appointed as required.	Curling (Lead)

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

CONSERVATIVE	LABOUR
To be appointed as required.	Curling (Lead)

COMMITTEE MEMBERSHIP 2017/2018

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

Organisation	Name of Member	Substitute
STATUTORY MEMBERS (VOTING)		
Chairman	Councillor Corthorne	Any Elected Member
Vice-Chairman	Councillor Simmonds	Any Elected Member
Members	Councillor Puddifoot	Any Elected Member
	Councillor Mills	Any Elected Member
	Councillor Bianco	Any Elected Member
	Councillor Burrows	Any Elected Member
	Councillor Lewis	Any Elected Member
Healthwatch Hillingdon	Mr Stephen Otter	Mr Turkey Mahmood
Clinical Commissioning Group	Dr Ian Goodman	Dr Kuldhir Johal
For information Membership also includes:		
STATUTORY MEMBERS (NON-VOTING)		
Statutory Director of Adult Social Services	Mr Tony Zaman	Mr Nick Ellender
Statutory Director of Children's Services	Mr Tony Zaman	Mr Tom Murphy
Statutory Director of Public Health	Dr Steve Hajioff	Ms Sharon Daye
CO-OPTED MEMBERS (NON-VOTING)		
The Hillingdon Hospitals NHS Foundation Trust	Mr Shane DeGaris	Mr Richard Sumray
Central and North West London NHS Foundation Trust	Ms Robyn Doran	Ms Maria O'Brien
Royal Brompton and Harefield NHS Foundation Trust	Mr Robert J Bell	Mr Nick Hunt
LBH	Mr Nigel Dicker	N/A
Clinical Commissioning Group (Officer)	Mr Rob Larkman	Mr Neil Ferrelly
Clinical Commissioning Group (Clinician)	Ms Allison Seidler	Dr Kuldhir Johal

Policy Overview & Scrutiny in Hillingdon



**Putting our residents first
Annual Report 2016/17**



About Overview & Scrutiny

This annual report provides the opportunity to review the work and achievements of Hillingdon's Policy Overview & Scrutiny Committees during the 2016/17 Municipal Year and to highlight key developments.

In Hillingdon, Policy Overview Committees (POCs) are responsible for the monitoring of a specific range of Council services. In addition to these POCs, Hillingdon has an Executive Scrutiny Committee, which is responsible for post executive-decision scrutiny and call-in, and the External Services Scrutiny Committee, which is responsible for scrutinising those services provided by non-Council organisations, including health and crime and disorder related matters.

Each of these Committees undertakes its role through a series of activities which include single meeting reviews and in-depth reviews on specific issues. These reviews provide the opportunity to hear from residents, members of the public and expert witnesses, including officers from other councils and external organisations.

Reviews usually make recommendations to the Cabinet on how the Council could further enhance its work. In addition, the Committees are able to request information in response to particular concerns, comment on reports to Cabinet for decision and provide useful input into Cabinet's annual budget proposals before they are approved by Council each year. POCs therefore play an important role in ensuring that the Council continues to provide high quality, value-for-money services, putting our residents first.

Under the Local Government and Public Involvement in Health Act 2007, Policy Overview Committees can consider 'Councillor Calls For Action' submissions. These powers enable all Councillors to ask for discussions at POCs on issues where local problems have arisen and other methods of resolution have been exhausted. No such Calls for Actions have been considered to date.

Corporate Services & Partnerships



Councillor Scott Seaman-Digby (Chairman)

Councillor Richard Mills (Vice-Chairman)

Councillor Wayne Bridges

Councillor Tony Burles

Councillor Duncan Flynn

Councillor Narinder Garg

Councillor Raymond Graham

Councillor Henry Higgins

Councillor Robin Sansarpuri (Opposition Lead)

Officer Lead: Luke Taylor, Democratic Services

Overview

The Committee is responsible for the policy overview role for a broad array of Council services, provided mainly by the Council's Administration and Finance Directorates. These include strategy, policy and internal functions, such as finance, property, partnerships, personnel, democratic services, legal services, ICT and economic development. The Committee has undertaken one review this year.

Recruitment in Hillingdon

The aim of the review was to investigate ways in which Hillingdon Council could modernise and improve its recruitment procedures to attract high-calibre staff and ensure the Council remains an attractive employer.

The review examined how the Council conducted its recruitment process, and looked at ways recruitment was carried out in both the public and private sector to help consider in what areas the Council could improve, with witnesses from both the Council's own Human Resources department and the Managing Director of an external recruitment organisation.

From April to December 2016, Hillingdon Council recruited 317 new staff members, in contrast with 366 for the same period in 2015. With voluntary turnover due to resignation accounting for 320 of 480 employees leaving the Council in 2015/16, recruitment requirements will continue to exceed 300 new starters this year in an organisation of over 2,700 employees, despite the Council transitioning to a smaller workforce. These figures show the importance of recruitment to the organisation, as it relies on the ability to employ high-calibre staff members who can perform well in a range of tasks and roles.

The review allowed the opportunity to have a better look at more recent changes to recruitment, and understand how they could be put into action in Hillingdon, allowing for long-term improvements that will benefit the Council in the future, as well as the present.

Fundamental to the review, it was considered vital that the Council develop an employer brand which it could use to give the organisation a unique and attractive message for prospective employees. In turn, this brand could be used to help promote the Council, particularly in online recruitment.

The Committee noted that online recruitment and social media had changed the way the job market operates, and the review found that it was important for the Council to move with the times and tap into these new methods of recruitment, including LinkedIn and Glassdoor. By combining a new social media policy with an employer brand, the Council can use these new methods of recruitment to reach out to a new market of candidates.

The suggested improvements were not just limited to recruitment either, with attention paid to staff induction and retention to ensure the Council is able to retain the staff that it recruits. The review found that it was important for the Council to encourage a culture of internal advocacy among staff members, which would not only help to recruit prospective candidates, but also encourage staff retention and help to foster a talent pool of existing staff and an alumni network which will help to ensure staff are a good culture-fit for the organisation, as well as having the skills needed to succeed in a role.

By delivering these recommendations using a smart approach within the Council's budgetary requirements, the Committee believed it would allow the Council to approach the future confident in its ability to compete at a high level in this new era of recruitment.

Recommendations made by the review were agreed by Cabinet in April 2017.

Children, Young People & Learning



Councillor Jane Palmer (Chairman)

Councillor Nick Denys (Vice-Chairman)

Councillor Jem Duducu

Councillor Dominic Gilham

Councillor Becky Haggar

Councillor Allan Kauffman

Councillor John Oswell

Councillor Jagjit Singh

Councillor Jan Sweeting (Opposition Lead)

Mr Anthony Little - Roman Catholic Diocesan representative (on education related matters only)

Officer Lead: Anisha Teji, Democratic Services

Overview

The Committee is responsible for the policy overview role in relation to education, schools, the early-years service, the youth service and social care services for children and young people. In addition to its wider remit, the Committee has undertaken a minor review and a major review during 2016/2017.

Supporting Educational Aspiration for Disadvantaged Children

For the minor review, the Committee investigated how educational aspiration could be supported by disadvantaged children in order to improve attainment. This was due to concerns raised by Government data that demonstrated that children from disadvantaged backgrounds were far less likely to achieve good academic results. The Hillingdon School Improvement Plan acknowledged that the gap between key vulnerable groups, including disadvantaged children, and their peers in school was not closing quickly enough and did not compare favourably with the national picture for all children.

To investigate this, the Committee held a witness session on 16 March 2016 where it heard oral evidence and received a written submission from three head teachers that worked in schools within the Borough and a representative from the Key Working Service within the Council's Early Intervention and Prevention Service. The Committee received a further written submission from a head teacher on 13 April 2016 and held the last witness session on 14 June 2016 where it heard from more head teachers within the Borough.

During the course of the review, it was evident to the Committee that a wide variety of work was already undertaken by the Council in relation to school improvement and the support provided for disadvantaged families. There were, however, areas where further support could be looked at and these formed the basis for the recommendations made by the Committee. Areas of improvement included: enhancing partnership and collaborative working to boost attendance of disadvantaged pupils, recruitment and retention of staff, information on pupil premium funding and eligibility, directory of relevant services, a

review of the frequency of some children and families moving temporary accommodation and the availability of health checks.

Recommendations made by the review were approved by Cabinet in December 2016.

Major review of the Local Authority's Current and Future Relationship with Academies and Free Schools

With the changing landscape in education, there are a number of different types of schools within the Borough, which cannot always be easy to distinguish. These schools vary in the way that they are set up, the curriculum, governance, the structure of management, the management of finances and the responsible authorities to whom they are accountable. It is within this context that the Committee decided to undertake a review into the Local Authority's current and future relationship with academies and free schools.

The Committee had three witness sessions and heard from a range of witness from head teachers, LBH officers and representatives from executive committees, along with the Cabinet Member for Education and Children's Services. The Committee also sent surveys to headteachers within the Borough seeking their opinions and perspective on the Local Authority's Current and Future Relationship with Academies and Free Schools. The Committee's findings and recommendations will be considered by Cabinet in 2017.

Residents' & Environmental Services



Councillor Michael White (Chairman)

Councillor Michael Markham (Vice-Chairman)

Councillor Jas Dhot (Opposition Lead)

Councillor Patrica Jackson

Councillor Allan Kauffman

Councillor Judy Kelly

Councillor Kuldeep Lakhmana

Councillor John Morse

Councillor Brian Stead

Officer Lead: Khalid Ahmed, Democratic Services

Overview

The Committee is responsible for the policy overview role for a diverse range of Council services often central to residents' quality of life. This remit extends to highways, transport, footpaths, green spaces, planning, heritage, waste & recycling, sport & leisure, environmental health and beyond. Over the year, the Committee received information reports on Weed Control in the Borough, Safety at Sports Grounds, updates on the Local Plan 2, the Council's policy of the replacement of paving stones and an update on the the Committee's previous review on Regulations and Byelaws relating to Cemeteries and Burial Grounds within Hillingdon.

Disposal of Charity Shop Waste at New Years Green Lane Civic Amenity Site

This review was undertaken on account of the increasing volume of charity shop waste which was being disposed of at the Council's New Years Green Lane Civic Amenity site. Charities were not charged for this service which cost the Council £130 per tonne to dispose of. By comparison, £160 per tonne is the cost which businesses have to pay to dispose of trade waste.

Data was provided for the review which indicated that some of the larger charities were using New Years Green Lane to dispose of unwanted materials which had been collected from house clearances. These materials were mainly items which could not be sold in charity shops for revenue for the charity, so they were taken to New Years Green Lane as mixed waste, and disposed of at no cost to the charity.

Evidence suggested that charities from outside the Borough were also taking waste to New Years Green Lane where they were not being charged because other neighbouring waste authorities operated a charging structure.

The Committee heard from charities which operated in the Borough, who provided the Committee with their waste strategies, and it was apparent that most local charities do not generate general waste greater than 10 tonnes.

The Committee therefore recommended charities based within the Borough be given an annual free waste allowance of 10 tonnes for all non-recyclable waste disposed of at New Years Green Lane Civic Amenity site and over that be charged at the trade waste rate of £160 per tonne. For all charities based outside the Borough it was recommended they be charged the trade waste rate of £160 per tonne for the disposal of any waste.

The review sought to sensitively balance the wonderful work of local charities and the cost to the Council of disposing of charity shop waste.

Shisha Bars, Lounges and Cafes

The purpose of the review was for the Committee to look at the controls the Council and its partners had in relation to Shisha Bars, Lounges and Cafes in the Borough and the health impacts, nuisance, amenity and harm caused by unregulated shisha smoking.

Shisha smoking is a London and nation-wide issue and the review aimed to further develop the Council's relationships with partner agencies, working jointly, sharing learning and moving forward with a unified position on shisha smoking, ensuring communities get the best results from collective efforts.

Shisha smoking is a way of smoking tobacco or herbal smoking product (which can be flavoured) through a waterpipe or hookah. Businesses are not required to have a specific licence for shisha smoking, and at the start of the review, there was no definitive list of premises within the Borough of Hillingdon.

However, the Council is aware of a large number of premises which offer shisha smoking through its licensing, trading standards, planning and enforcement functions and this intelligence could be shared to enable a fuller picture of the number of premises where shisha smoking takes place.

The Committee looked at a range of regulatory tools which could be used to help limit the impact of shisha smoking, involving different services and agencies. Officers from a number of Council services areas; Licensing, Trading Standards, Food Health & Safety, Environmental Protection Unit, Planning Enforcement and Public Health were involved in the review.

A point of reference for the review was a notable report commissioned by Westminster City Council which looked at the the public health implications of Shisha Smoking.

The final report and recommendations of the review will be submitted to Cabinet in 2017.

Social Services, Housing & Public Health



Councillor Wayne Bridges (Chairman)

Councillor Jane Palmer (Vice-Chairman)

Councillor Shehryar Ahmad-Wallana

Councillor Teji Barnes

Councillor Peter Davis

Councillor Beulah East (Opposition Lead)

Councillor Tony Eginton

Councillor Becky Haggar

Councillor Peter Money

Co-Opted Member: Mrs Mary O'Connor (Health, Disabilities and Wellbeing Champion)

Officer Lead: Neil Fraser, Democratic Services

Overview

The Social Services, Housing & Public Health Policy Overview Committee is responsible for undertaking the policy overview role in relation to the Council's Adult Social Care, Housing and Public Health responsibilities. In addition to monitoring performance, considering the Budget and receiving several overview reports on Public Health, the Committee has commissioned two new reviews, and completed one further review from the previous municipal year.

Stroke Prevention in Hillingdon

The Committee continued to review action currently being undertaken to prevent strokes in Hillingdon, and investigate best practice from both other Local Authorities and stroke organisations.

According to GP data in 2014/15 there were 3,336 patients in Hillingdon who had suffered stroke. With the estimated average cost to the NHS of £10,000 per stroke patient, and with survivor costs reaching £100,000 per year for as long as the person lives, there are some significant ramifications.

The Committee, therefore, felt it was important to focus on raising awareness of stroke prevention and learn lessons from external organisations which would contribute to the Council's preventative agenda, given the long term human and financial costs associated with aftermath of stroke.

It is anticipated the review will be considered by Cabinet shortly in 2017.

Hospital Discharges

The Committee's first new review of the year examined the discharge process from hospital and how people are supported into the least restrictive care setting, in order to

maximise their independence and safely meet their needs. The focus of the review was on Hillingdon Hospital where around 80% of people admitted are resident within the Borough. Of those admitted as emergencies, almost 30% are people aged 65 and over and registered with Hillingdon GPs, and for these reasons the Committee agreed that this age profile would be the focus of the review.

During 2015/16 there were 50,696 admissions to The Hillingdon Hospitals NHS Foundation Trust's (THH) beds. Whilst 25,256 admissions were planned for (also known as elective procedures), 25,440 were admitted as emergencies (also known as non-elective admissions) and of these nearly 30% (7,593) were people aged 65 and over registered with a Hillingdon GP.

In 2015/16 there were 4,196 delayed days for Hillingdon residents and/or people registered with a Hillingdon GP aged 18 and over. Research shows that the longer an older person is in hospital not only are they likely to become increasingly confused but there is also an increasing risk of them contracting a hospital acquired infection. In addition, delays in discharging people who are medically fit or medically stable increases pressure on hospital bed provision, which can lead to higher costs due to the necessity of opening escalation wards.

Nationally, everyday, more than 6000 patients who are well enough to leave hospital are unable to do so because of insufficient local care models. With a 23% rise in delays in discharge nationally since June 2015, "joined-up care" remains the single most important feature for ensuring greater patient safety and efficient hospital discharge planning. The National Audit Office (NAO) estimates the cost to the NHS of older patients in hospital beds, no longer in need of acute treatment, totals £820 million every year. Longer stays in hospital also lead to increased social care costs.

The Committee identified that the most effective method for addressing a hospital admission is to prevent it from occurring in the first place. To achieve this, the Committee was provided with details of initiatives such as an anticipatory model of care for older people, the Better Care Fund Plan (BCF), and Discharge Pathway plans.

It is anticipated the review will be considered by Cabinet in the coming months.

Changes to Housing Benefits

The Committee's second review focussed on the changes to housing benefits mandated by Government, and how these impact on residents and the work of the Council.

Local Government is facing a challenging financial situation, with funding from central Government having been cut significantly in recent years. The introduction of welfare reforms has had some effect residents across the Borough, and more reforms are to be implemented. The Welfare Reform Act 2012 saw the start of a significant change to welfare provision in Britain, which continued with the welfare announcements made in the summer budget of July 2015 and the Welfare Reform and Work Bill. From April 2016, further reforms have been implemented, with suggestions for additional changes set out in the Homelessness Reduction Bill 2016/17.

Hillingdon has 23,500 households currently claiming housing benefit and/or Council Tax Reduction. In 2015/16 Hillingdon paid £151 million in housing benefit and £14.8 million

through the council tax reduction scheme. The Benefit service also operates two reception areas, which see an average of 5000 customers a month.

As the policies that govern changes to housing and other benefits are national in nature, it has been recognised that the opportunity to influence what happens at a local level is small. With this in mind, the review has aimed to look at what changes are required, understand how the Council is supporting residents through these changes, and what impact the required implementation of these changes is having on the working practices of the Council.

The review is currently ongoing, and is expected to be considered by Cabinet in Autumn 2017.

Executive Scrutiny



Councillor Henry Higgins (Chairman)

Councillor John Riley (Vice-Chairman)

Councillor Wayne Bridges

Councillor Nick Denys

Councillor Duncan Flynn

Councillor Mo Khursheed (Leader of the Opposition)

Councillor John Oswell

Councillor Jan Sweeting

Mr Anthony Little - Roman Catholic Diocesan representative (on education related matters only)

Officer Lead: Mark Braddock, Democratic Services

Scrutiny of decision-making

A period of 5 working days must elapse before any formal key decision taken by the Cabinet or Cabinet Member can be implemented by officers. The Executive Scrutiny Committee's primary role is therefore to scrutinise such decisions that have been taken but have not yet been implemented.

This is known as the 'call-in' power. If the Executive Scrutiny Committee considers any of these decisions to be deficient, they may refer the decision back to the Cabinet or Cabinet Member(s) for further consideration. The Committee use a set of criteria to guide them in this process. The Committee meets immediately after the conclusion of a meeting of the Cabinet to enable Members to review the decisions taken and, if agreed by a majority, give consideration to the potential for the call-in of a particular matter.

During 2016/17, no call-in of any Cabinet or executive decision was made.

The Chairman of the Executive Scrutiny Committee has the constitutional role of being able to waive the 'call-in' power where a decision is deemed urgent by the Cabinet or Cabinet Member and any delay would prejudice the Council's or the public's interest or could lead to an (increased) risk of damage to people or property. This enables such decisions to be implemented with immediate effect. They are otherwise known as "urgency" or "special urgency" decisions depending on the necessity of the matter.

During 2016/17, out of approximately 500 executive decisions, the Chairman carefully considered and agreed to the waiver of the call-in power for 59 such decisions to assist critical service delivery.

The Chairman also plays a constitutional role in being notified of any future key decisions, primarily to the Cabinet, where it has been impracticable to give sufficient notice of a decision in the Forward Plan.

To assist in their deliberations, the Committee requested clarification on a number of matters within individual Cabinet reports, which were responded to by officers either at or after the meeting.

External Services Scrutiny



Councillor John Riley (Chairman)

Councillor Ian Edwards (Vice Chairman)

Councillor Phoday Jarjussey (Opposition Lead)

Councillor Teji Barnes

Councillor Mohinder Birah

Councillor Tony Burles

Councillor Brian Crowe

Councillor Michael White

Officer Lead: Nikki O'Halloran, Democratic Services

The role of external scrutiny

The External Services Scrutiny Committee has a broad remit to scrutinise all non-Hillingdon Council organisations whose actions affect Hillingdon residents. This Committee also undertakes the health scrutiny role as required by the Health & Social Care Act 2001 and acts as the Crime and Disorder Committee as defined in the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

Over the past year, Members have continued to develop the reputation of this important scrutiny committee so that the highest, most senior and influential members of outside agencies regularly attend. These witnesses will often seek assurances that they will be included in the meetings so that the Committee can hear what they have to say. They have become used to the Committee's in-depth challenging questioning and commentary and welcome a forum where external agencies can meet in a calm but probing atmosphere in order to demonstrate how their service can improve the lives of residents.

As well as undertaking light touch reviews and receiving update reports (in relation to the Like Minded Strategy, Strategic Service Delivery Plan Prevent and the Safer Hillingdon Partnership), the Committee has also monitored the performance of the local NHS Trusts (with a view to later providing evidence to the CQC during its inspections).

Single Meeting Review: Child Sexual Exploitation

The Committee undertook a single meeting review into child sexual exploitation (CSE) and, as the issue was cross-cutting, the Chairmen and Labour Leads from the Social Services, Health and Housing and Children, Young People and Learning Policy Overview Committees were invited to join the Committee. The review looked at the changes that had been made to procedures and practices in the Borough in relation to CSE since Members had last looked at this issue two years previously. A number of areas for possible improvement were highlighted.

Training had previously been identified as an area for improvement. In the last two years, CSE training has been delivered by the Council to approximately 1,200 individuals from organisations such as hospitals, pharmacists, foster carers, housing officers, health education and Stockley Academy. Police detectives in Hillingdon have also received basic CSE awareness training and all uniformed police officers have been trained to use a CSE risk assessment template. Furthermore, Hillingdon Hospital has included CSE in its staff induction training and all staff dealing with children have received CSE training. A peer review undertaken by Havering had deemed Hillingdon's CSE training to be of a high standard.

Members were pleased to note that partner agencies felt that communication between them had improved. However, it has been suggested that the timing of the communication with the Virtual School could be improved when a missing looked after child is found and returned home.

There had been reports of some schools in the Borough using the Pupil Premium for counselling if the need was identified. However, there had also been reports that some children had experienced difficulties in getting this support in schools. To ensure that the message reaches all tiers within a school, the Committee suggested that partners liaise with the Board of Governors as well as the Headteacher as each Board will have a safeguarding lead.

A central unit within the Metropolitan Police Service (MPS) investigates CSE reports across London. Partner agencies were acutely aware that processes were not currently in place to gather all of the information needed. Whilst some of the poor information sharing is as a result of IT systems, it is more often attributable to how different boroughs treat CSE. To this end, the MPS is looking to implement changes to improve information sharing across boundaries. Similarly, Hillingdon Hospital continued to experience some challenges with regard to information sharing as not all neighbouring boroughs used the same IT system (Hillingdon Social Care is using this NHS system).

Other suggested improvements and anticipated changes included: undertaking a resource mapping exercise across the Borough; including awareness of grooming/CSE within PSHE.

Much progress has been made and Members are keen to ensure that Hillingdon continues to focus on CSE whilst also preempting and addressing other emerging issues. The Committee's findings from the review are to be incorporated into a report which will be considered by Cabinet in due course.

Involving residents & partners

Members on Policy Overview and Scrutiny Committees actively seek to involve residents, interest groups, private and public organisations in the policy reviews their respective Committees undertake.

Strong witness testimony has, and continues to provide added value to the Committee's findings presented to the Cabinet for approval. 2016/17 was no exception, with the following external witnesses engaging in this important aspect of Hillingdon's democratic process:

- Metropolitan Police Service
- Hillingdon Clinical Commissioning Group
- Healthwatch Hillingdon
- The Hillingdon Hospitals NHS Foundation Trust
- Royal Brompton and Harefield NHS Foundation Trust
- Central and North West London NHS Foundation Trust
- London-wide Local Medical Committee
- Hillingdon Local Medical Committee
- London Ambulance Service NHS Trust
- London Fire Brigade
- National Probation Service
- Users of the Council's Key Working Service
- Stroke Association, Cafe Nero's Social Group
- Waste Management - London Borough of Harrow
- Primary Forum Executive
- Hillingdon Association of Secondary Headteachers
- Schools Forum
- Schools Strategic Partnership Board
- Governor Executive Committee
- Various headteachers
- Age UK Hillingdon
- British Heart Foundation
- Michael Sobell House
- TMP Worldwide

Past and completed reviews

Policy Overview and Scrutiny Committees have undertaken comprehensive reviews of local service provision since 2002, with their findings incorporated into the core work the Council and its partners do to put residents first. Details of past reviews over the last 5 years are set out below. Copies of all reviews are available to read on the Council's website.

2015/16

- Raising Standards in Private Rented Accommodation
- The Effectiveness of Early Help to Promote Positive Outcomes for Families
- Alcohol Related Admissions Amongst Under 18s
- Hoarding in Hillingdon
- Diversifying the Street Champions Initiative
- The Effectiveness of Early Help to Promote Positive Outcomes for Families
- Supporting Educational Aspiration for Disadvantaged Children

2014/15

- Tackling Social Housing Fraud
- Review into Family Law Reforms
- Children's Oral Health
- A Review of Hillingdon's Corporate Complaints Procedure
- Policing and Mental Health Services
- Hillingdon's Implementation of the Special Educational Needs and Disability (SEND) Reforms
- The Cleaning and Maintenance Schedule for Hillingdon's Footpaths and Bridleways
- Hillingdon Child Sexual Exploitation Strategy
- Reducing the Risk of Young People Engaging in Criminal Activity and Anti-Social Behaviour
- Hillingdon's Shared Lives Scheme

2013/14

- Stigma: The Effect on Residents' Mental and Physical Health in the Borough
- Review of Anti-Social Behaviour Partnership Working in the Borough
- The Causes of Tenancy Failure and how it can be Prevented
- Using Our Water: Improving Efficiency and Developing Long-Term Strategies
- Improving Outcomes for Care Leavers Not in Education, Employment or Training (NEET)
- Strengthening the Council's Role as a Corporate Parent
- Reducing our Carbon Footprint

2012/13

- Community Cohesion and the accessing of Council services
- Crime Prevention Resources provided for Hillingdon Police and the free Older People's Burglar Alarms Scheme
- Leaving Care Grant
- Safeguarding of Children that go Missing
- Access to Education for Hillingdon's Vulnerable Children and Young People
- Review of the Regulations and Byelaws relating to Cemeteries and Burial Grounds within Hillingdon

- Review of local pest control services and the impact of waste management processes on them
- Review of Adult Community Mental Health Services
- Special Constables

2011/12

- Effectiveness of the Audit Committee and its Terms of Reference
- Operation and Function of Hillingdon First Card
- Elective Home Education
- Adoption & Permanency
- The Review of Mobile Technology and Telecommunications Equipment in Hillingdon Borough and beyond
- Personalisation and Disabilities with Reference to Transition
- Population Flows and the Impact on Housing Services in Hillingdon
- Re-Offending
- Dementia

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