



HILLINGDON
LONDON



Council

To all Members of the Council

Date: THURSDAY, 21 FEBRUARY
2019

Time: 7.30 PM

Venue: COUNCIL CHAMBER -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE

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

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2019

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Putting our residents first

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW

Useful information for residents and visitors

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Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

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Agenda

Prayers

To be said by Maharaj Shri Chetanbhai

- 1 Apologies for Absence
- 2 Minutes 1 - 10
To receive the minutes of the meeting held on 17 January 2019 (*attached*)
- 3 Declarations of Interest
To note any declarations of interest in any matter before the Council
- 4 Mayor's Announcements
- 5 Report of the Head of Democratic Services 11 - 20
- 6 General Fund Revenue Budget, Housing Revenue Account and Capital Programme 2019/2020 21 - 28

To consider the recommendations of Cabinet which will be published, once agreed. The report to Cabinet is available in the Group Offices, on request to the Head of Democratic Services or online at:

<https://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=115&MId=3175&Ver=4>

Section 106 of the Local Government Finance Act 1992 will apply to the recommendations of this item. Any Member who is more than two months in arrears with their Council Tax or has arrears of Council Tax must declare that fact and must not vote on this item.

Budget Conflict Resolution Procedures – Council is asked to consider the Cabinet's proposals. It may adopt the proposals, submit objections to Cabinet or invite the Cabinet to make amendments specified by Council. If Council votes to object to the Cabinet proposals or to invite Cabinet to make amendments then the Conflict Resolution Procedure will come into operation.

The Council meeting will be adjourned while a special meeting of the Cabinet is held, after which the Council will resume and consider any revised proposals submitted by the Cabinet or the reasons why the Cabinet disagrees with Council's objections or proposed amendments. The budget would then be open for debate and amendment until a final decision is made.

Members are asked to note that, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, recorded votes will be taken at the annual budget setting meeting on any motion, amendment to motion or substantive motion regarding the General Fund Revenue Budget, Housing Revenue Account and Capital Programme.

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Agenda Item 2

Minutes

COUNCIL

17 January 2019

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



HILLINGDON
LONDON

Councillor John Morgan (Mayor)
Councillor David Yarrow (Deputy Mayor)

	<p>MEMBERS PRESENT:</p> <p>Councillors: Shehryar Ahmad-Wallana Ian Edwards Douglas Mills Lynne Allen Tony Eginton Richard Mills Simon Arnold Scott Farley Peter Money Teji Barnes Duncan Flynn John Morse Jonathan Bianco Neil Fyfe June Nelson Mohinder Birah Janet Gardner Susan O'Brien Lindsay Bliss Martin Goddard John Oswell Wayne Bridges Raymond Graham Jane Palmer Nicola Brightman Becky Haggart Kerri Prince Keith Burrows John Hensley Ray Puddifoot MBE Roy Chamdal Henry Higgins Devi Radia Alan Chapman Patricia Jackson John Riley Farhad Choubedar Allan Kauffman Paula Rodrigues Judith Cooper Kuldeep Lakhmana Robin Sansarpuri Philip Corthorne Eddie Lavery David Simmonds CBE Peter Curling Richard Lewis Jagjit Singh Nick Denys Heena Makwana Brian Stead Alan Deville Stuart Mathers Jan Sweeting Jazz Dhillon Carol Melvin Steve Tuckwell Janet Duncan Ali Milani</p>
	<p>OFFICERS PRESENT: Fran Beasley, Jean Palmer, Paul Whaymand, Tony Zaman, Raj Alagh, Lloyd White, Morgan Einon, Beth Rainey and Neil Fraser</p>
15.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillors Dhot, Hurhangee, Markham, and Seaman-Digby.</p>
16.	<p>MINUTES (<i>Agenda Item 2</i>)</p> <p>RESOLVED: That the minutes of the meeting held on 22 November 2018 be approved as a correct record.</p>
17.	<p>DECLARATIONS OF INTEREST (<i>Agenda Item 3</i>)</p> <p>None.</p>
18.	<p>MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 4</i>)</p> <p>The Mayor announced that Lily Meares, Mayoress to former Councillor Mary</p>

O'Connor, had passed away in December 2018. Her funeral was attended by Councillor Yarrow and Mary O'Connor.

The Mayor was pleased to announce that Hillingdon had placed fourth (out of twenty) at the London New Year's Day Parade, with the prize of £5,000 added to the Mayor's Charity.

Forthcoming events included a Chinese themed quiz night to be held on 30 January, and the Mayor's Civic Service on 17 February. The Mayor would also be walking a two-part marathon around the Borough on 28 and 29 March. Members were encouraged to attend the forthcoming events.

19. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 5*)

i) URGENT IMPLEMENTATION OF DECISIONS

Councillor Puddifoot moved the recommendation as set out in the report. This was seconded by Councillor Simmonds and it was:

RESOLVED: That the recent urgent decisions taken, as set out in the report, be noted.

ii) PROGRAMME OF MEETINGS 2019/20

Councillor Puddifoot moved the recommendation as set out in the report. This was seconded by Councillor Simmonds and it was:

RESOLVED: That the timetable of meetings for 2019/20, as set out in Appendix A to these minutes, be approved and the Head of Democratic Services, in consultation with the Chief Whip of the Majority Party, be authorised to make any amendments that may be required throughout the course of the year.

(iii) REVIEW OF COUNCIL CONSTITUTION - RESIDENTS SERVICES SCHEME OF DELEGATIONS - SCHEDULE OF MATTERS WHICH WILL BE REPORTED TO COMMITTEE FOR DETERMINATION

Councillor Puddifoot moved the recommendation as set out in the report. This was seconded by Councillor Simmonds and it was:

RESOLVED: That

a) the Schedule of Matters to be reported to Planning Committees, as contained in the Residents Services Scheme of Delegations be amended as shown below (in *bold italics*):

c) Any application where the Ward Councillor requests, in writing to the Head of Planning, Transportation & Regeneration within 21 days of the publication of the relevant weekly list of applications received by the Council, that it be determined by a Committee. ***The Ward Councillor must include in their request***

i) the valid planning reasons why they wish the application to be determined by Committee and their desired outcome for the application.

ii) Should the desired outcome subsequently be in accord with the Officer's Recommendation then the application will not be

referred to Committee.

Determination of what constitutes a valid planning reason, and thus a valid referral, will be made by the Head of Planning, Transportation & Regeneration in consultation with the relevant Planning Committee Chairman. In exceptional circumstances, as determined by the Head of Planning, Transportation & Regeneration the 21 day rule may be waived.

- f) ***Sites where enforcement action has been agreed by Committee has been taken and where the development that is the subject of the planning application, relates directly to the subject of the enforcement action agreed by Committee.***

ADDITIONALLY, APPLICATIONS IN THE FOLLOWING CATEGORIES SHALL BE REPORTED TO COMMITTEE FOR DETERMINATION BUT ONLY WHERE THE OFFICER RECOMMENDATION IS FOR APPROVAL:

Addition: ***Permission in Principle applications, but only where the statutory time constraints allow for determination by Committee.***

- b) **the Scheme of Planning Delegations be amended by the deletion of the reference to the determination of applications for Conservation Area Consent for demolition in Conservation Areas.**
- c) **the Terms of Reference for the Planning Committees be amended to remove the following:**
- **To approve the Council's response to development proposals not requiring planning applications for example, from Government Departments or adjoining local authorities.**
 - **To adopt supplementary planning guidance specific to the area.**

(iv) LOCAL GOVERNMENT BOUNDARY COMMISSION REVIEW OF ELECTORAL ARRANGEMENTS

Councillor Puddifoot moved the recommendation as set out in the report. This was seconded by Councillor Simmonds. Following debate (Councillor Curling), it was:

RESOLVED: That

- a) **the warding arrangements as proposed by the LGBCE be noted.**
- b) **the Head of Democratic Services, in consultation with the Leader of the Council, be authorised to submit comments on the LGBCE proposals to the LGBCE by 18 March 2019 for the composition, size and name of wards for the London Borough of Hillingdon from May 2022 onwards.**

20. **COUNCIL TAX BASE AND BUSINESS RATES FORECAST 2019/2020** (*Agenda Item 6*)

Councillor Bianco moved the recommendation as set out in the report. This was seconded by Councillor Puddifoot and it was:

RESOLVED: That

- a) the report of the Corporate Director of Finance for the calculation of the Council Tax Base and the Business Rates Forecast be approved;
- b) in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 the amount calculated by the London Borough of Hillingdon as its Council Tax Base for 2019/20 shall be 100,470.
- c) the Corporate Director of Finance be authorised to submit the 2019/20 NNDR1 return to the Ministry of Housing, Communities & Local Government (MHCLG) and the Greater London Authority (GLA).
- d) the continuation of the Government-funded Discretionary Rate Relief Scheme for 2019/20 and new Retail Relief for 2019/20 as announced in the Chancellor's October 2018 Budget, be noted.

21. **MEMBERS' QUESTIONS** (*Agenda Item 7*)

7.3 QUESTION SUBMITTED BY COUNCILLOR BRIGHTMAN TO THE CABINET MEMBER FOR SOCIAL SERVICES, HOUSING, HEALTH & WELLBEING – COUNCILLOR CORTHORNE:

“Would the Cabinet Member please provide an update on the matter raised in the motion from Councillor Duncan at the Council Meeting on 22nd November 2018, when it was suggested that the Council was “acquiring properties for housing where this will evict tenants who are then made homeless”?”

Councillor Corthorne advised that, since the Council meeting on 22 November, the matter had been investigated alongside supporting information submitted by Councillor Duncan. The matter in question related to a property in Kings Road. As stated at the previous meeting, it was the Council's policy to acquire properties with vacant possession. In this case, the landlord had served the eviction notice on 10 May 2017. The Council's first interest in acquiring the property was in January 2018, and the sale was completed in May 2018, 12 months after the serving of the eviction notice.

Councillor Corthorne highlighted that the Council continued to reduce homelessness in the Borough, and had acquired almost 300 properties in just over a year, including outright purchase and private rented accommodation for families.

By way of a supplementary question, Councillor Brightman asked:

“Given that it was not Council policy or practice to acquire tenanted properties, could the Cabinet Member provide an update in respect of Barnet Council's acquisition of 50 properties in Yeading from Palace Capital, and the assistance and support being given to the existing tenants by Barnet Council?”

Councillor Corthorne advised that as the purchaser of the properties, Barnet Council had written directly to all of the affected tenants to confirm that none would be forced out of their homes and made homeless.

Barnet Council were organising face to face meetings with each tenant to agree their preferred option on a case by case basis. Barnet Council had stated that tenants would have the option to remain in their home. Hillingdon's Homeless Prevention Service was available to offer support and guidance to any of the residents affected.

As of now, Barnet Council had spoken with 24 households and had identified a total of 13 who had been offered the opportunity to remain in their homes. It was Hillingdon Council's understanding that Barnet Council were acquiring properties through a subsidiary company and that residents would be offered assured shorthold tenancies at their current level of rent.

7.1 QUESTION SUBMITTED BY COUNCILLOR BLISS TO THE CABINET MEMBER FOR SOCIAL SERVICES, HOUSING, HEALTH & WELLBEING – COUNCILLOR CORTHORNE:

“50 families in Yeading have been given notice to vacate their long term homes as the properties have been sold by Palace Capital to Barnet Council. Can the Cabinet Member update us on the discussions between Hillingdon and Barnet Council? Some families are due to lose their homes on the 15th February, and are desperate to know where they can go for help with their housing needs.”

Councillor Corthorne referred Councillor Bliss to his answer to question 7.3, but highlighted that while Hillingdon officers were engaging with senior managers at Barnet Council, Barnet were taking the lead in this matter.

By way of a supplementary question, Councillor Bliss asked:

“Could the Cabinet Member confirm when Hillingdon was advised of Barnet Council's intention to purchase these homes, and why there was no dialogue with residents and local Councillors before the eviction notices were received?”

Councillor Corthorne advised that Hillingdon was aware that the properties were going to be made available for purchase, but were not attracted to the proposition as there were sitting tenants in place. Regarding Barnet Council's actions, this was an internal matter for that Council.

7.2 QUESTION SUBMITTED BY COUNCILLOR ARNOLD TO THE LEADER OF THE COUNCIL - COUNCILLOR PUDDIFOOT:

“Would the Leader of the Council please update Council, and in due course the residents of this Borough, on the outcome of the request made to Back Heathrow Ltd. at the Council Meeting held on 22nd November 2018.

Following a number of misleading and disingenuous statements made by the organisation Back Heathrow Ltd., the Leader of the Council requested, for the purpose of openness and transparency that they supply the Council with details of providers of finance and support received for the last three financial years, within 40 days.

The Leader stated that Back Heathrow Ltd. was not a resident-focussed organisation but was a puppet of Heathrow Airport Ltd. and that he doubted that the organisation would respond appropriately but would instead demonstrate a complete lack of scrutiny that would go against the grain of local opinion. Is he now in a position to confirm his assessment?”

Councillor Puddifoot advised that Back Heathrow Ltd. had not supplied the information requested, were clearly the puppet of Heathrow Airport Ltd., and therefore could not be taken seriously. Hillingdon had started the current financial year with funding set aside to fight the Heathrow expansion totalling £331,000. Expenditure so far this year, after deducting £117,000 received from partnering boroughs, had

reduced that figure to £163,000.

The current year's budget contained an earmarked reserve of £250,000 to fund half the running costs of Uxbridge Police Station, which was no longer required as MOPAC has declined Hillingdon's offer of assistance. Accordingly, as indicated in the 2019/20 Budget which came to Cabinet in December, this sum would be added to the Heathrow Expansion Fighting Fund, giving a total of £413,000 funding available.

This was fulfilling the promise that Hillingdon had made to the people of the Borough at the local election in May last year, in that Hillingdon Council would defend Hillingdon residents and its environment against the detrimental effects of Heathrow Expansion, however much it cost and for however long it took.

There was no supplementary question.

7.4 QUESTION SUBMITTED BY COUNCILLOR RILEY TO THE CABINET MEMBER FOR CENTRAL SERVICES, CULTURE AND HERITAGE – COUNCILLOR LEWIS:

“Could the Cabinet Member please let us know what the Council is doing to mark Holocaust Memorial Day, which takes place on 27th January?”

Councillor Lewis confirmed that Holocaust Memorial Day (HMD) took place on 27 January each year, and was a time to remember the millions of people murdered during the Holocaust, under Nazi Persecution and in the genocides which followed in Cambodia, Rwanda, Bosnia and Darfur.

Holocaust Memorial Day was a time to learn the lessons of the past and recognise that genocide did not take place on its own; it was a steady process which could begin if discrimination, racism and hatred were not checked and prevented. It was highlighted that while UK residents were fortunate to live without risk of genocide, discrimination had not ended, nor had the use of the language of hatred or exclusion. Accordingly, there was still much to do to create a safer future, and Holocaust Memorial Day was an opportunity to start this process.

The theme of Holocaust Memorial Day 2019 was ‘Torn From Home’, which encouraged audiences to reflect on how the enforced loss of a safe place to call ‘home’ was part of the trauma faced by anyone experiencing persecution and genocide.

Hillingdon Libraries would be marking Holocaust Memorial Day by hosting the ‘Torn From Home’ theme, as well as showing the Oscar winning 1997 Film ‘Life is Beautiful’. Events to be hosted included poetry and reading projects. The full itinerary was available via the Council website and social media, and at each of library including the mobile library.

There was no supplementary question.

PROGRAMME OF MEETINGS 2019/2020

The meeting, which commenced at 7.30 pm, closed at 7.57 pm.

resolutions please contact Lloyd White, Head of Democratic Services on 01895 556743. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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Programme of Meetings 2019/2020

COUNCIL - 17 JANUARY 2019

APPENDIX A

(NB: times may vary from those shown)

MEETING (and start time)	May	June	July	Aug'	Sept'	Oct'	Nov'	Dec'	Jan'	Feb'	Mar'	April	May
COUNCIL (7.30pm)	9 (AGM)*		4		12		21		16	20			7 (AGM)
Whips Meeting (5pm)			2		10		19		14	18			
CABINET (7pm)	23	20	25		26	24	14	12	23	13	12	23	21
Petition Hearings with the Cabinet Member for Planning, Transportation & Recycling (7pm)	22	12	10		11	9	13	10	15	12	11	15	13
Petition Hearings with the Cabinet Member for Finance, Property & Business Services (7pm)		25			24		26		29		24		
Petition Hearings with other Cabinet Members (dates & times tbc)													
Central & South Planning Committee (7pm)	2	4	2	6	3	2	6	4	8	5	4	8	6
North Planning Committee (7pm)	15	19	17	21	18	16	20	11	22	19	18	22	20
Major Applications Committee (6pm)	15	19	17	21	18	16	20	11	22	19	18	22	20
Major Applications Sub-Committee (HS2) (dates & times tbc)													
Pensions Committee (5pm)			24			30			22		18		
Audit Committee (5.10pm)			22			17				3		23	
Health & Wellbeing Board (2.30pm)		25			24			3			2		
Health & Wellbeing Board Working Group (dates tbc)													
Licensing Committee (10am)			11			14			14			9	
Licensing Sub-Committee (10am) (dates tbc)													
Executive Scrutiny Committee (7.15 pm or at the rising of Cabinet)	23	20	25		26	24	14	12	23	13	12	23	21
Social Care, Housing and Public Health Policy Overview Committee (7pm)		12	31		25	23	27		15	6	25	16	
Residents, Education & Environmental Services Policy Overview Committee (7pm)		26	18		4	15	4		21	25	19	14	
Corporate Services, Commerce & Communities Policy Overview Committee (7:30pm)		18	23		19	10	5		14	4	4	7	
External Services Select Committee (6pm)		12	9		5	9	7		14	11	26	29, 30	
Standards Committee (7pm)		3			2			9			3		
Registration & Appeals Committee (dates / times tbc)													
Hillingdon SACRE (5.30pm)		6					7				26		

Minute Annex

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REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5 day call-in provided there is agreement from the Chief Executive and the Chairman of the Executive Scrutiny Committee to waive this. All such decisions are to be reported for information only to the next full Council meeting.
2. Since those noted at the 17 January 2019 Council meeting, the following decisions have been made using urgency procedures:

Date of Decision	Decision Type / Nature of Decision	Decision-Maker
11/01/2019	Housing Revenue Account Capital General Contingency Budget 2018/19: Fire Safety Programme - Approval of single tender for a specialist consultant to prepare specifications, support and manage essential works on Packet Boat House, with Capital Release.	Leader of the Council and Cabinet Member for Finance, Property and Business Services
16/01/2019	Property Works Programme 2018/19: Approval of single tender for the replacement of Fire Doorsets within Merrimans House	Leader of the Council and Cabinet Member for Finance, Property and Business Services
25/01/2019	Harefield Village Green Pond Renovation, single tender Acceptance.	Leader of the Council and Cabinet Member for Finance, Property and Business Services
30/01/2019	Civic Centre Works Programme 2018/19: Capital Release authority to replace Civic Centre Basement Car Park Roller Shutter Doors.	Leader of the Council and Cabinet Member for Finance, Property and Business Services
07/02/2019	Bowls Club Refurbishment 2019 Programme: Acceptance of tender for a contractor to demolish and rebuild Court Park Bowls Club, with associated Capital Release.	Leader of the Council and Cabinet Member for Finance, Property and Business Services
07/02/2019	Disabled Facilities Grants 2018/19: Capital Release authority for adaption works to a property on Uxbridge Road to assist a resident.	Leader of the Council and Cabinet Member for Finance, Property and Business Services

Date of Decision	Decision Type / Nature of Decision	Decision-Maker
08/02/2019	Digital Transformation Website & Channel Shift: acceptance of tenders for works to upgrade the Council's website and digital presence for residents.	Leader of the Council and Cabinet Member for Finance, Property and Business Services

Background Papers: Decision Notices

ii) MEMBERSHIP OF COUNCIL COMMITTEES 2018/19

RECOMMENDATION: That, upon the recommendation of the Conservative Group, Councillor Goddard replace Councillor Radia on both the North and the Major Applications Planning Committees.

Background Papers: None

(iii) MEMBERS' ALLOWANCES 2019/20

1. The Council is required to undertake an annual re-adoption of its Allowances Scheme and, in doing so give due regard to the recommendations made by the report of the Independent Panel on the Remuneration of Councillors in London.
2. Having given due regard to the latest report, no change is proposed to the nature of the Allowances Scheme for 2019/20.

RECOMMENDATIONS: That:

- a) the current Members' Allowances Scheme be revoked as of 31 March 2019 and the new Scheme for 2019/20 be approved, as shown in Appendix A, for implementation from 1 April 2019.
- b) The Head of Democratic Services be authorised to increase the level of Basic and Special Responsibility allowances in line with any annual pay award to staff.

NB: the proposed scheme includes a 2% increase awarded w.e.f 1 April 2019, as part of the 2 year pay award to staff in 2018.

INFORMATION

3. Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 requires re-adoption of the scheme by 31 March 2019.
4. Before making or amending its allowances scheme, the Council is required, by virtue of Regulation 19, to have regard to the recommendations of an Independent Remuneration Panel. The Panel published their latest report in January 2018 and the key findings were reported to Members in February

2018. These are summarised again below for Members' information and the full report can be viewed here: <https://www.londoncouncils.gov.uk/who-we-are/about-us/financial-information/leadership-and-expenses/remuneration-councillors-london>.

- The Panel recognised the balance between setting allowances at a level where they are neither an incentive nor a disincentive to the recruitment of candidates to stand as Councillors.
- The Panel regretted the removal of the opportunity for Members to join the Local Government Pension scheme, recognising that, senior Members in particular, often have to give up earning opportunities elsewhere in order to properly carry out their role.
- **Basic Allowance** - the Panel recommended a Basic Allowance of **£11,045** (LBH recommendation for 2019/20 = **£11,482.59**), reluctantly accepting that, in the current financial climate it would be inappropriate to recommend a general increase in Members' Allowances beyond the annual updating in line with staff pay awards. The Panel did, however, recognise that this level was somewhat below the level of basic allowance paid in some other parts of the country.
- **Travel and Subsistence** - the Panel reiterated their view that the basic allowance should cover basic out-of-pocket expenses including intra-borough travel etc. The Scheme should allow for costs related to 'special circumstances' and travel out of Borough to be met.
- **Special Responsibility Allowances (SRA):**
 - the Panel reiterated their recommendations that no more than 50% of Councillors on a Council should receive a SRA and that no Member should receive more than one SRA.
 - **Leader's Allowance** - The Panel recommended a SRA of **£57,085** for Leaders of London Borough Councils (LBH recommendation for 2019/20 = **£57,129.24**).
 - Originally the Panel suggested that the level of allowance to be paid to Leaders of London Borough's should be broadly equivalent to that paid to MP's. Four years ago when the Panel last reported, an MP received a salary of £67,060 and the Panel were recommending a Leader's allowance of £65,472.
 - However, the increase in the level of payment to MP's has outstripped that of payment to Leaders. An MP currently receives £76,011, as well as being entitled to other benefits such as a pension and a termination payment.
 - Although the Panel still feel that the level should be equivalent to that of MP's they recognise that in the current stringent financial climate, such an increase cannot be justified.
 - Other SRA's recommended by the Panel are based on a percentage of the amount paid to Leaders of Councils and fall broadly into three bands as illustrated overleaf:

Panel Recommendation	LBH Equivalent	LBH recommended Amount
<p>Band One - between 20-30% of the remuneration package for the Leader: £2,582 to £9,397:</p> <ul style="list-style-type: none"> Deputy Mayor Vice Chairman of a Scrutiny / Regulatory Ctte Chairman of a Sub Ctte Opposition Whip Opposition Spokesperson Cabinet Assistant Adoption Panel member Leader of a special project 	<ul style="list-style-type: none"> Deputy Mayor Vice Chairman of Licensing Committee Chairman of Standards Committee Standards Committee Independent Person Chairman of Audit Committee* Champion Council rep' on Adoption and Permanency Panel Cabinet Assistant Deputy Leader of 2nd Party Chief Whip of 2nd Party 2nd Party Lead on Scrutiny and Policy Overview Committee 2nd Party Lead on Planning Committee 	<p>£9,005.07 £6,507.96 £3,253.98 £1,629.99 £3,095.70 £5,937.79 £13,015.93 £9,005.07 £5,937.79 £5,937.79 £5,937.79 £5,937.79</p>

Panel Recommendation	LBH Equivalent	LBH recommended Amount
<p>Band Two - - between 40-60% of the remuneration package for the Leader: £16,207 to £29,797</p> <ul style="list-style-type: none"> Chairman of a Scrutiny / Planning / Licensing etc Mayor Chief Whip Opposition Leader 	<ul style="list-style-type: none"> Chairman of Scrutiny / Planning etc Chairman of Licensing Committee Mayor Chief Whip of Largest Party Leader of 2nd Party 	<p>£23,090.28 £9,761.87 £23,090.28 £23,090.28 £23,090.28</p>
<p>Band Three - between 70-80% of the remuneration package for the Leader: £36,917 to £43,460</p> <ul style="list-style-type: none"> Cabinet Member Deputy Leader Main Scrutiny Chair Chair of Health and Wellbeing 	<ul style="list-style-type: none"> Cabinet Member Deputy Leader of the Council 	<p>£40,244.82 £48,124.17</p>

- Increases** - The Panel continued to recommend that allowances should be updated annually in accordance with the headline figure in the annual local government pay settlement. This has been done in the Scheme recommended to Council in the appendix.

FINANCIAL IMPLICATIONS

5. Provision has been made in the 2019/20 budget for Members' Allowances, although it is important to note this is based upon current posts being held by Members. Those who occupy more than one post only receive one Special Responsibility Allowance, normally the higher. It is therefore difficult to accurately estimate the true cost until after the Annual Council meeting in May when Members are confirmed or re-confirmed into posts receiving a Special Responsibility Allowance.

LEGAL IMPLICATIONS

6. In accordance with the 2003 Regulations, the current scheme needs to be revoked as of 31 March 2019 and a new scheme made before 31 March 2019. If it is not, any allowances paid to Members would not comply with the law and could, therefore, be challenged.

BACKGROUND PAPERS: Report of the Independent Panel on the Remuneration of Councillors in London
January 2018

MEMBERS' ALLOWANCES SCHEME 2019/20**1. Introduction**

In accordance with Local Authorities (Members Allowances) England Regulations 2003 No. 1021 (as amended) the London Borough of Hillingdon makes the following scheme: -

2. Basic Allowance

For 2019/20 an allowance of **£11,482.59** will be payable to all Councillors. This figure will be increased each subsequent year in line with the annual Local Government Pay Settlement and it will be paid in equal monthly instalments. The basic allowance includes intra borough travel and subsistence costs.

3. Special Responsibility Allowances

Special responsibility allowances of the following amounts shall be paid in equal monthly instalments to Councillors holding the following responsibilities:

	(£)
1. Mayor	23,090.28
2. Deputy Mayor	9,005.07
3. Leader of the Council	57,129.24
4. Deputy Leader of the Council	48,124.17
5. Chief Whip of Largest Party	23,090.28
6. Cabinet Member	40,244.82
7. Chairman of Scrutiny and Policy Overview Committee	23,090.28
8. Chairman of Planning Committee	23,090.28
9. Chairman of Licensing Committee	9,761.87
10. Vice Chairman of Licensing Committee	6,507.96
11. Chairman of Standards Committee	3,253.98
12. Standards Committee Independent Person	1,626.99
13. Chairman of Audit Committee*	3,095.70
14. Champion	5,937.79
15. Council representative on Adoption and Permanency Panel	13,015.93
16. Cabinet Assistant	9,005.07
17. Leader of 2 nd Party	23,090.28
18. Deputy Leader of 2 nd Party	5,937.79
19. Chief Whip of 2 nd Party	5,937.79
20. 2 nd Party Lead on Scrutiny and Policy Overview Committee	5,937.79
21. Party Lead on Planning Committee	5,937.79

* Where a non-Councillor is Chairman or Vice Chairman a co-optees' allowance is payable as set out in the Scheme under section 9.

Special Responsibility Allowances will be increased each subsequent year in line with the annual Local Government Pay Settlement.

4. Limit on Payment of Special Responsibility Allowances

Individual Councillors may not claim a special responsibility allowance for more than one position for which they qualify.

5. Renunciation

Councillors may elect to forego any of their entitlement to an allowance under the scheme by giving written notice to the Corporate Director of Finance.

6. Part-Year Entitlements

(a) This paragraph regulates Councillors' entitlement to allowances where the scheme is amended during the course of the year or where an individual ceases to be a Councillor or accepts or relinquishes a position of special responsibility.

(b) If an amendment to this scheme is made during the year to which it refers and changes the amount which a Councillor may claim in basic allowances the annual entitlement shall be calculated using the following method:-

Annual entitlement to basic allowance	=	Days at unamended rate divided by 365	X	Annual payment at unamended rate	+	Days at amended rate divided by 365	X	Annual payment at amended rate
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(c) Where the term of office of a Councillor begins or ends part way through the year the annual entitlement to basic allowance shall be calculated using the following method:

Annual entitlement to basic allowance	=	Days as a Councillor divided by 365	X	Annual rate of allowance
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(d) Where this scheme is amended during the year to which it refers the annual entitlement to basic allowance of Councillors beginning or ending their term of office part way through the year shall be calculated using the following method:

Annual entitlement to basic allowance	=	Days as a Councillor during unamended scheme divided by 365	X	Annual payment at unamended rate	+	Days as a Councillor during amended scheme divided by 365	X	Annual payment at amended rate
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(e) Where Councillors hold positions of special responsibility during part of the year their annual entitlement to special responsibility allowance shall be calculated using the following method:

Annual entitlement for special responsibility allowance	=	Days holding position of special responsibility during unamended scheme divided by 365	X	Annual payment at unamended rate	+	Days holding position of special responsibility during amended scheme divided by 365	X	Annual payment at amended rate
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7. Out of Borough Travelling and Subsistence Allowances

Councillors shall be entitled to claim for out of borough travelling allowances incurred in undertaking approved duties as agreed in advance by the Council.

The out of borough car mileage allowance for Councillors shall be paid at the same rate as those paid to officers for the Standard Mileage User Allowance.

The amounts paid for out of borough subsistence shall be in accordance with the maximum levels laid down from time to time by the Department for Communities and Local Government but claims may only be made for approved duties.

8. Dependent / Carers Allowance

A dependent / carers allowance shall be payable at the National Minimum Wage for Adults hourly rate based on the following criteria:

- payments should be subject to a maximum weekly payment, equivalent to seven-and-a-half hours of care per week;
- the maximum rate should be set locally to reflect local costs, in accordance with social service departments levels;
- payment should be claimable in respect of children aged 15 or under or in respect of other dependants where there is medical or social work evidence that care is required;
- only one weekly payment should be claimable in respect of the household of each Member, except in special circumstances to be judged by the Council's Standards Committee;
- the allowance should be paid as a reimbursement of incurred expenditure against receipts;
- the allowance should not be payable to a member of the claimant's own household and;
- any dispute as to entitlement and any allegation of abuse should be referred to the Council's Standards Committee for adjudication.

9. Co-optees' Allowances

Where a co-optee and non-Councillor is the Chairman of the Audit Committee, an annual entitlement allowance of £3,095.70 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. Where a co-optee is an Independent Person on the Standards Committee an annual entitlement allowance of £1,626.99 may be paid. Where a co-optee is one of the three statutory education co-optees on the Executive Scrutiny Committee, an annual entitlement allowance of £433.87 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. These allowances will cover expenses, such as travel and subsistence, related to the duties of the postholder.

10. Claims and Payments

- (a) All claims for out of borough travelling and subsistence and carers allowances must be submitted within two months of the date of the approved duty to which they relate, made on the standard form as used by officers and returned to the Head of Democratic Services.

- (b) Payments shall be made in respect of basic and special responsibility allowances subject to sub-paragraph (c) below in Instalments of one twelfth of the amount specified in this scheme on or before the 15th of the month direct to each Member's bank or building society account.
- (c) Where the payment of allowances in one-twelfth instalments would result in a Councillor receiving more than he or she is entitled to because of a part year effect (as defined in paragraph 9 above) the payment shall be restricted to the annual entitlement.

11. Withholding Members' Allowances

Where there has been an adjudication, which suspends or partially suspends a Councillor from office following a breach of the Code of Conduct, the Council may withhold all allowances paid to that Councillor with immediate effect.

12. Records of Allowances and Publicity

In accordance with the 2003 regulations a detailed record will be kept of the name of the recipient and the amount and nature of each payment made. This will be available for public inspection at all reasonable times or copies supplied following the payment of a reasonable fee.

As soon as is reasonably practicable after the end of the municipal year to which the scheme relates the total sum paid to each recipient in respect of basic allowances, special responsibility allowance, dependant carers allowance and out of borough travelling and subsistence allowance will be published on the Council's website and local newspaper.

13. Independent Remuneration Panel

Hillingdon Council has had regard to the recommendations made by the Independent Panel for the Remuneration of Councillors in London in developing its Members' Allowances Scheme.

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GENERAL FUND REVENUE BUDGET, HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME 2019/20

Council Tax Resolution 2019/20 – Cabinet Proposals

Summary

1. The purpose of this report is to enable the Council to calculate and approve the Council Tax Requirement for 2019/20, in accordance with the Local Government Finance Act 1992 as amended by the Localism Act 2011.
2. Cabinet on 14 February will be considering proposals to Council on Hillingdon's General Fund Revenue budget, Housing Revenue Account Budget, Fees & Charges, Capital Programme, Treasury Management Strategy and London Borough of Hillingdon's Pay Policy Statement for 2019/20. Cabinet will recommend a budget to Council in line with the Budget and Policy Framework Procedure Rules as set out in the Council's Constitution.
3. The proposals will be published, once agreed. In the meantime the report to Cabinet is available in the Group Offices, on request to the Head of Democratic Services or online at:

<https://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=115&MId=3175&Ver=4>

Background Documents: None

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GENERAL FUND REVENUE BUDGET, HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME 2019/20

Council Tax Resolution 2019/20 – Cabinet Proposals

Summary

1. The purpose of this report is to enable the Council to calculate and approve the Council Tax Requirement for 2019/20, in accordance with the Local Government Finance Act 1992 as subsequently amended. In addition, the Act requires Council to determine whether any Council Tax increase is excessive (that is in excess of 6%) which would require a referendum to be held.
2. **Copies of the proposed budget have been made available in the Group Offices and the Council website.**
3. The background paper to this report sets out the Cabinet's proposals to Council on Hillingdon's General Fund revenue budget, Housing Revenue Account budget, Capital Programme, amendments to the approved schedule of Fees & Charges, Treasury Management Strategy, Investment Strategy, Capital Strategy, Minimum Revenue Position and Pay Policy Statement. In addition, this report also considers reasons for, and implications arising from, these proposals. The proposals result in a Band D Council Tax for Hillingdon of £1,139.64, which represents a 2.4% uplift on the Council's element of Council Tax at the 2018/19 level.
4. The report to Cabinet is available in the Group Offices, on request to the Head of Democratic Services or online at:
<https://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=115&MID=3175#A133887>
5. Greater London Authority (GLA) budget proposals add £320.51 to the amount payable by Hillingdon's Council Tax payers, which represents an 8.9% increase in the GLA portion of Council Tax compared to 2018/19.
6. Based on the Cabinet's proposals, and the GLA precept, the total Band D Council Tax for 2019/20 will be £1,460.15.

CABINET RECOMMENDATIONS that:

- 1 **The General Fund revenue budget proposals made by Cabinet be approved, resulting in a Council Tax requirement for 2019/20 of £114,499,631;**
- 2 **Council note that at its meeting on 17 January 2019 the Council calculated the amount of 100,470 as its Council Tax Base for the year 2019/20. This was calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its Council Tax Base for the year (*Item T in the formula in Section 31B (3) of the Local Government Finance Act 1992*);**

3 The Hillingdon element of Council Tax be set at £1,139.64 for a Band D property. Taking into account the precept levied by the Greater London Authority, this results in an overall Band D Council Tax of £1,460.15 for the borough;

4 The following amounts have been calculated by the Council for the year 2019/20, in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act):

a) £450,506,042 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A (2) (a) to (f) of the Act. *(Gross Expenditure including the amount required for additions to working balances)*

b) £336,006,411 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act. *(Gross Income including reserves to be used to meet Gross Expenditure)*

c) £114,499,631 being the amount by which the aggregate at 4 (a) above exceeds the aggregate at 4 (b) above. This is calculated by the Council in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. *(Item R under Section 31B of the Act)*

d) £1,139.64 being the amount at 4 (c) above divided by Item T (2 above). This is, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. *(Council Tax at Band D for the Council)*

e)

The London Borough of Hillingdon Council Tax			
Band A	Band B	Band C	Band D
759.76	886.39	1,013.01	1,139.64
Band E	Band F	Band G	Band H
1,392.89	1,646.15	1,899.40	2,279.28

being the amounts given by multiplying the amount at 4 (d) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation B and D. This is calculated by the Council in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- 5 Council note that for the year 2019/20 the Greater London Authority and its functional bodies have stated the following amounts in precepts. These have been issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

The Greater London Authority Precept			
Band A	Band B	Band C	Band D
213.67	249.29	284.90	320.51
Band E	Band F	Band G	Band H
391.73	462.96	534.18	641.02

- 6 The Council has calculated the aggregate in each case of the amounts at 4 (e) and 5 above. The Council in accordance with Section 30 and 36 of the Local Government Finance Act 1992 hereby sets the Council Tax for the year 2019/20 for each category of dwelling below:

Total Council Tax 2019/20			
Band A	Band B	Band C	Band D
973.43	1,135.68	1,297.91	1,460.15
Band E	Band F	Band G	Band H
1,784.62	2,109.11	2,433.58	2,920.30

- 7 The Council delegate authority to the Corporate Director of Finance, in consultation with the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to approve amendments to the aggregate 2019/20 Council Tax set out in Recommendation 6 to reflect any late changes to Greater London Authority Precept.
- 8 The Council Tax Discount for Older People be retained for 2019/20 with a 2.34% discount on the Hillingdon's element of the Council Tax for those joining the scheme on or after 1 April 2019 and 7.11% for those who joined before or on 31 March 2019;
- 9 The Capital Programme for 2019/20 to 2023/24 as set out in Appendix 9 of the background report to Cabinet be approved;
- 10 The Housing Revenue Account budget proposals and housing rents set out in Appendix 10 of the background report be approved;
- 11 The proposed amendments to Fees and Charges set out in Appendix 8 of the background report to Cabinet be approved;
- 12 The Treasury Management Strategy Statement, Annual Investment Strategy, Capital Strategy and Minimum Revenue Provision Statement for 2019/20 to 2023/24 as set out in Appendix 12 of the background report to Cabinet be approved;
- 13 The London Borough of Hillingdon Pay Policy Statement for 2019/20 as set out in Appendix 13 of the background report to Cabinet be approved;

- 14 Council note the Corporate Director of Finance’s comments regarding his responsibilities under the Local Government Act 2003;**
- 15 Council (as set out in Schedule G of the Constitution - Budget and Policy Framework Procedure Rules) resolves that Cabinet may utilise the general reserves or balances or approve virements between the General Fund budget, Housing Revenue Account budget or Capital budgets during the MTFE financial years 2019/20 to 2023/24 in respect of those functions which have been reserved to the Cabinet in Article 7 of the Constitution;**
- 16 Council confirm that the Council’s relevant basic amount of Council Tax for 2019/20 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and therefore a referendum will not be triggered.**

Greater London Authority Precept

7. As one of thirty three billing authorities across the capital, the London Borough of Hillingdon collects Council Tax on behalf of the Greater London Authority (GLA) which is paid over in full as the annual precept. While the Council has no control over the level of this precept or the resulting GLA share of Council Tax payable by residents of the borough, current regulations require that billing authorities calculate the total amount of Council Tax payable as part of the budget setting resolution. The level at which the GLA sets the precept for the forthcoming year does not impact upon the Council’s own budgets or the Hillingdon share of Council Tax.
8. The Mayor of London published a consultation budget on 20 December 2018, which proposed an 8.9% uplift in Council Tax from 2018/19 levels, and following a period of public consultation these proposals were reconfirmed by the Mayor in his draft consolidated budget. This draft consolidated budget was approved by London Assembly without amendment at its meeting on 24 January 2019, although the GLA’s two stage budget setting process defers final approval of the budget by the London Assembly until a meeting scheduled for 25 February 2019.
9. This report has been drafted on the basis of the final budget proposals published by the Mayor of London on 15 February 2019, which remain unchanged from the proposals previously approved by the London Assembly on 24 January 2019. In the unlikely event that the Mayor’s proposals are amended (which would require a two thirds majority of the London Assembly to support an alternative proposal), it would be necessary for the Council to update the aggregate Council Tax figures set out in Recommendation 6 following this meeting.
10. Given that any such amendment would not impact upon the Council’s own budget proposals and level of Council Tax, it is recommended that authority is delegated to the Corporate Director of Finance, in consultation with the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to reflect a revised level of GLA precept and GLA share of Council Tax in the final calculation for 2019/20.

Council Tax Referendums

11. Schedule 5 of the Localism Act 2011 inserted into the Local Government Finance Act 1992 Chapter 4ZA of Part 1 makes provision for a Council Tax referendum to be held if an authority increases its relevant basic amount of Council Tax in excess of principles determined by the Secretary of State for Communities and Local Government. Section 41 of the Local Audit and Accountability Act 2014 amended Chapter 4ZA of Part 1 of the Local Government Finance Act 1992 by imposing new obligations on the Council. These include a requirement that as soon as is reasonably practicable after determining that it is required to hold a referendum in relation to its relevant basic amount of Council Tax for the financial year, the Council must notify that fact in writing to any body that has issued a levy or a special levy to it for the financial year.
12. The Secretary of State has determined the principles for the year 2019/20 under section 52ZC (1) of the Local Government Act 1992 that a Council Tax increase will be excessive if the authority's relevant basic amount of Council Tax for 2019/20 is 6% or greater than its relevant basic amount of Council Tax for 2018/19. This 6% threshold for excessive increases includes the 3% additional flexibility available to local authorities with responsibility for providing adult social care.
13. The relevant basic amount of Council Tax as calculated is the same as the Band D Council Tax for Hillingdon and if the proposals within this report are approved there will be a 2.4% increase in the Council Tax level between 2018/19 and 2019/20 and is therefore not excessive.

Financial Implications

14. This is a financial report and the comments of Corporate Finance are contained throughout.

Legal Implications

15. The Borough Solicitor confirms that the calculations set out in this report fully accord with all necessary statutory requirements.
16. As is mentioned in the body of the report, the Local Government Finance Act 1992 has been amended by both the Localism Act 2011 and section 41 of the Local Audit and Accountability Act 2014. Local authorities are now required to hold a referendum if there is an increase in the relevant basic amount of Council Tax of 6%, or more than 6%, in 2019/20 compared to the relevant basic amount of Council Tax for 2018/19.
17. The Cabinet's proposals for the 2019/20 Council Tax requirement, as set out in the attached report, do not require a referendum to be held and therefore the notification requirements set out in section 41 of the Local Audit and Accountability Act do not apply.

18. Finally, Members must have regard to section 106 of the Local Government Finance Act 1992. This provides that a Member who has not paid an amount due in respect of Council Tax for at least two months after it becomes payable, may not vote on matters concerning the level of Council Tax or the administration of it. Therefore any Council Members who are more than two months in arrears with their Council Tax payments must make a declaration to this effect at the beginning of the Council meeting.

Background Documents: None