



HILLINGDON
LONDON



VIRTUAL Residents, Education and Environmental Services Policy Overview Committee

Councillors on the Committee

Wayne Bridges (Chairman)
John Morgan (Vice-Chairman)
Allan Kauffman
Devi Radia
Stuart Mathers
Paula Rodrigues
Jan Sweeting (Opposition Lead)
Colleen Sullivan
Alan Chapman

Tony Little (Co-opted Member)

Date: THURSDAY, 15 OCTOBER
2020

Time: 7.00 PM

Venue: VIRTUAL - LIVE ON THE
COUNCIL'S YOUTUBE
CHANNEL: HILLINGDON
LONDON

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camera and scan the code below:



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Putting our residents first

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Head of Democratic Services
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Terms of Reference

The Following Terms of Reference are common to all Policy Overview Committees (referred to as “The overview role”):

1. To conduct reviews of policy, services or aspects of service which have either been referred by Cabinet, relate to the Cabinet Forward Plan, or have been chosen by the Committee according to the agreed criteria for selecting such reviews;
2. To monitor the performance of the Council services within their remit (including the management of finances and risk);
3. To comment on the proposed annual service and budget plans for the Council services within their remit before final approval by Cabinet and Council;
4. To consider the Forward Plan and comment as appropriate to the decision-maker on Key Decisions which relate to services within their remit (before they are taken by the Cabinet);
5. To review or scrutinise decisions made or actions taken by the Cabinet, a Cabinet Member, a Council Committee or an officer.
6. To make reports and recommendations to the Council, the Leader, the Cabinet, a Policy Overview Committee or any other Council Committee arising from the exercise of the preceding terms of reference.
7. In accordance with the Local Government and Public Involvement in Health Act 2007, to consider ‘Councillor Calls For Action’ (CCfA) submissions.

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

1. Education Services and statutory education authority functions
2. School performance and attainment
3. School Transport
4. Relationships with Local Academies / Free Schools
5. Pre-School & Early Years Services
6. Youth Services & Careers Services
7. Juvenile justice & probation services
8. Adult Learning
9. Education and learning partnerships
10. Music & The Arts
11. Highways, traffic, parking & street environment
12. Local transport, including rail, cycling & London Underground
13. Footpaths and Bridleways
14. Road safety and education
15. Planning & Building Control
16. Libraries
17. The Borough’s heritage and history
18. Sport & Leisure services
19. Waste management & recycling
20. Green spaces, allotments, woodlands, conservation and sustainable development
21. Consumer Protection, Trading Standards & Licensing
22. Registrars & Bereavement Services
23. Local watercourses, drainage and flooding
24. Environmental Health, Air & Noise Quality
25. Local impacts of Heathrow expansion
26. Local impacts of High Speed Rail

Agenda

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declaration of Interest in matters coming before this meeting
- 3 To confirm that all items marked Part 1 will be considered in Public and that any items marked Part 2 will be considered in Private
- 4 To agree the Minutes of the previous meeting 1 - 6
- 5 Statement of Licensing Policy Consultation 7 - 70
- 6 Enforcement of Parking Management Schemes 71 - 90
- 7 Update on Air Quality in Hillingdon 91 - 120
- 8 Quarterly School Places Planning Update 121 - 138
- 9 Cabinet Forward Plan 139 - 148
- 10 Work Programme 149 - 152

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Minutes

RESIDENTS, EDUCATION AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE

3 September 2020



Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London

	<p>Committee Members Present: Councillors Wayne Bridges (Chairman), John Morgan (Vice-Chairman), Stuart Mathers, Paula Rodrigues, Jan Sweeting, Colleen Sullivan, Simon Arnold (In place of Alan Chapman), Carol Melvin (In place of Devi Radia), Raymond Graham (In place of Allan Kauffman) and Tony Little.</p> <p>LBH Officers Present: Neil Fraser (Democratic Services Officer), Dan Kennedy (Director, Housing, Environment, Education, Performance, Health & Wellbeing), Ian Anderson (Business Manager, Complaints and Enquiries), Marcus Briginshaw (Finance Manager) and Graham Young (Lead Finance Business Partner)</p>
3.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillors Chapman, Kauffman & Radia. Councillors Arnold, Graham and Melvin were present as their substitutes.</p>
4.	<p>DECLARATION OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
5.	<p>TO CONFIRM THAT ALL ITEMS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT ANY ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items would be considered in public.</p>
6.	<p>TO AGREE THE MINUTES OF THE PREVIOUS MEETINGS (<i>Agenda Item 4</i>)</p> <p>In relation to previous reports on school places planning, Cllr Sweeting advised that following a Member's Enquiry, she had recently received information relating to Year 7 placements in September, and suggested that this information should be shared with the Committee.</p> <p>In addition, it was requested that the school places report scheduled for the October meeting include details of the outcomes of any discussions on performance, or discussions held with the Strategic Education London Leads Head of Improvement Group.</p> <p>RESOLVED: That the minutes of the meetings held on 19 March and 14 May 2020 be approved as a correct record.</p>

7. **ANNUAL COMPLAINTS & SERVICE UPDATE REPORT** (*Agenda Item 5*)

Ian Anderson, Business Manager, Complaints and Enquiries, introduced a report detailing corporate complaints for 2019-20.

The Committee was advised that the number of informal complaints had reduced by 15% since the previous year, from 2,756 to 2,339. Stage 1 complaints (861), had risen by 3%, and of these, 9% (80) had been escalated to Stage 2. There had been no Stage 3 complaints.

Complaints considered by the Housing Ombudsman Service and Local Government and Social Care Ombudsman had fallen by 31% from 86 to 59 complaints. Of the 59 complaints investigated by the Ombudsman, 6 were upheld, 8 were partially upheld, 8 were not upheld, and 37 were not investigated. The majority of directorates were responding to complaints within their targeted timeframes.

Compliments received had increased by 29% from the previous year, from 234 to 301. In recent months many residents had complimented the Council on the planting of wildflowers and street cleansing.

Member Enquires (MEs) remained similar at 11,308 for 2018/19 and 11,047 for 2019/20. Waste Services accounted for 66% of all Members Enquiries (5,949).

Members referred to a previous request to have the report include details of Member Enquiries submitted by each Ward, which was absent from this report. Members were advised that such information would need to be approved by senior management for inclusion in future reports. Mr Anderson agreed to report back to the committee on this point.

Regarding the report's reference to delays when processing enquiries/actions from commissioning services etc. Members requested detail on what improvements had been made. The Committee was advised that a new management team was now in place, and performance had been seen to have improved.

Members asked whether there had been any impact due to the Covid-19 pandemic. The Committee was advised that as the report detailed the period from 1st April 2019 to 31 March 2020, it only covered a very small period of the Covid-19 pandemic. However, it was explained that the Council continued to deal with complaints as normal with no relaxation of timelines for responses, but there had been a reduction in the number of complaints and Members Enquiries received between 1 April to 30 July 2020.

Members asked whether the Stage 2 complaints were as a result of delays in responding to Stage 1 complaints, or whether there were other reasons for these complaints. The Committee was advised that Stage 2 complaints were received as part of an escalation process, should a resident be dissatisfied at the outcome of the Stage 1 complaint.

Members asked whether the instigation of a new Member Enquiry process had impacted on the number of MEs received. The Committee was advised that, barring a brief adjustment period following the introduction of the new process, there had been no marked impact recorded.

The report referenced case ref. 7388809, that had been upheld by the Ombudsman. Members requested detail of any lessons learned. It was agreed that further detail

would be forwarded to the Committee following the meeting.

Members highlighted that not all cases to the Ombudsman had been detailed within the report. The Committee was advised that the report included the required statutory detail, but that future reports could include non-statutory Ombudsman investigation outcomes as part of an overall summary.

The Committee requested that future reports include detail of complaints received for the past 5 years, in order to identify potential trends, and the percentage of complaints regarding in-house services versus commissioned services. Members were advised that the 5-year detail could be included, though further analysis was required to see whether the second request could be accommodated.

RESOLVED:

1. That the report be noted.

8. **BUDGET PLANNING REPORT FOR RESIDENTS SERVICES** (*Agenda Item 6*)

Marcus Briginshaw, Finance Manager, and Graham Young, Lead Finance Business Partner, introduced the 2021/22 Budget Planning Report for services within the remit of the Residents, Education and Environmental Services Policy Overview Committee.

Key points from the report were highlighted. The budget gap, and therefore the savings requirements for the next two financial years, was calculated at £19,987k, (roughly 9% of the current Council budget of £234M), after allowing for an assumed 3.8% increase in Council Tax.

Detail of the budget gap was summarised as:

- £8.1m as 'business as usual' inflation and demand led pressures offset by increased funding;
- £5.5m as Capital Financing costs and other investment decisions; and
- £6.33m as unwinding prior use of balances to balance the previous budget.

The concluding calculation was confirmed to give the Savings Target requirement needed to achieve a balanced budget, without further recourse to General Fund Balances, as £10.6m in 21/22 and £9.3m in 22/23, for a total of £19.9m.

The impact of the Covid-19 pandemic had been significant, with General Fund pressures totalling £25.182m. To help, the Council had so far received two tranches of additional grants, totalling £15.6m, with £1.964 applied in 2019/20. A further £8.5m was expected, which would be used to support up to 75% of the loss of income during the pandemic, with additional resources totalling £9.1m.

Other funds were detailed as part of a corporate overview. The Housing Revenue Account (HRA) was a ring-fenced account with £57.8m of rental income, supporting the tenancy management functions. This was then reinvested in maintenance of stock and investment in the HRA Capital programme, which was funding 495 new units, mitigating the anticipated loss of 280 units due to the Right To Buy scheme. The financial standing of the HRA remained sound, with the 30 Year Business Plan supporting sustainability over the long term.

The Dedicated Schools Grant (DSG) was another ring-fenced account, though the funding shortfall that began after the Children's and Families Act 2014, in conjunction

with the growing demand on High Needs services, had led to an expected deficit of £7.1m in 20/21, with a cumulative figure of £20.8m. The Council had submitted a disapplication request to the Secretary of State in February 2020 with a request to transfer 3.1% of individual schools budgets to the Higher Needs – this was rejected, with the implication that any deficit can only be covered by the General Fund.

2019/20 outturn and monitoring were both showing increased pressures with the former (outturn) being £1.35m lower than forecast, and monitoring showing a £1.15m increase on the expected £7.1m pressure, giving a deficit of £23.3m by the end of March 2021.

Regarding strategies to deal with the budget gap, the Committee was informed that there were some overarching uncertainties, including the delay of the Spending review; the delay of the review of the Business Rates Retention policy; and pressures and risks as a result of Covid-19. However, as in previous years, the Council was taking a thematic approach, with the following themes continuing to form the basis of savings proposals for future years:

1. Service Transformation
2. Savings from Zero Based Budgeting
3. Procurement Savings
4. Preventing Demand
5. Income generation and commercialisation
6. Changes of responsibilities and new funding streams that are associated.

Members sought clarity on a number of points, including:

High Needs spend had consistently been under forecast. What had been done to ensure accuracy of forecasting moving forward?

Forecasts had been reviewed and re-aligned with demand growth, allowing officers to move forward with confidence. A recovery plan was in place, with Finance officers working to reduce costs in the relevant areas.

Five schools were shown to be operating at a deficit. What was the Council doing to increase resources or control costs at these schools?

The Council had provided additional officers to work with the schools to control costs moving forward.

The report made reference to a savings programme of £6.8m being hindered by Covid-19. Were the savings of £6.8m deliverable?

Savings for the current year had been impacted by Covid-19. Grants from central Government would be utilised within the current financial year, with some delayed savings to start later this year or early next year.

Was the use of reserves impacted due to some reserves being unavailable?

The Council held a number of earmarked reserves, some of which were created following underspend in previous financial years. Some of these reserves were

subsequently to be used in specific service areas where costs had increased due to Covid-19. It was expected that such expenditure would be recovered from central Government.

How was the Council dealing with a reduction in funding from central Government?

Senior officers and Council leadership were regularly reviewing all potential savings, such as reviewing the capital programme.

What percentage of savings would come from zero based reviews, versus efficiencies?

Zero based reviews were not anticipated to form a large percentage of future savings. Such reviews had been used to make savings in previous years, but moving forward, it was more difficult to remove money from base budgets. However, all budgets would be reviewed to determine their accuracy.

The DSG budget showed a potential deficit of circa £23m. The 1986 Local Government Act required Councils to cover such deficits. Was this figure a concern?

It was considered that the deficit was a large figure, though conversations with central Government had helped to allay such concerns. Further information could be forwarded to the Committee following the meeting.

RESOLVED: That the report be noted.

9. **REVIEW INTO LITTERING AND FLY-TIPPING - FINAL APPROVAL** (*Agenda Item 7*)

Members were asked to formally endorse the final report on the Committee's review into Littering and Fly-Tipping within Hillingdon, for submission to Cabinet.

Members were happy to endorse the report, but requested that robust monitoring of all implemented recommendations be in place moving forward. Members were reminded that monitoring of past reviews was regularly carried out via the Committee's Work Programme.

RESOLVED: That the report be endorsed for submission to Cabinet.

10. **NEXT MAJOR REVIEW - TOPIC DISCUSSION** (*Agenda Item 8*)

Members suggested a number of topics for consideration as the Committee's next review. These included:

- Hillingdon Youth Services, including multi agency work and services beyond Fiesta;
- ASBET Team effectiveness;
- Early Years Provision, particularly children's' centres, or impact of Covid-19;
- Impact of transport and infrastructure projects on the Borough, e.g. HS2 or third runway at Heathrow, change of priorities at TfL or reduction in funding from central Government;
- Recent changes to Planning Law and its impact on residents;
- Dog Fouling, particularly around prosecution within residential areas and parks

	<p>and open spaces;</p> <ul style="list-style-type: none"> • Tree planting, including how areas are chosen, how the areas are maintained, and how we include residents views; • Canals and towpaths, e.g. developments in Hayes; • Pest control. <p>It was confirmed that the clerk would review the suitability of these potential review topics and would provide an update at the next meeting of the Committee.</p>
11.	<p>CABINET FORWARD PLAN (<i>Agenda Item 9</i>)</p> <p>The Cabinet Forward Plan was noted.</p>
12.	<p>WORK PROGRAMME (<i>Agenda Item 10</i>)</p> <p>Members suggested items for future Committee meetings, including:</p> <ul style="list-style-type: none"> • Reducing capacity in Hillingdon Primary schools, and its impact on schools; • Education of asylum seekers and unaccompanied children; • New Planning policies; • Rivers and flooding; • Diversity and inclusion at cultural and heritage events. <p>It was requested that future school attainment reports be broken down into more easily digestible sections, rather than one large report.</p> <p>It was also requested that the next quarterly school places planning report include SEND capacity and projections of future need.</p> <p>It was confirmed that the clerk would review the suitability of these items and would provide an updated forward plan at the next meeting of the Committee.</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.05 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250636. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

STATEMENT OF LICENSING POLICY CONSULTATION

Committee name	Residents Education & Environmental Services Policy Overview Committee
Officer reporting	Daniel Ferrer, Residents Services
Papers with report	Appendix A - Overview of proposed policy changes Appendix B - Draft 2021 Statement of Licensing Policy Appendix C - Equality Impact Assessment
Ward	All

HEADLINES

This report is to consult with and invite comments from the Committee on the updated draft Statement of Licensing Policy.

This Policy is deemed as 'Policy Framework' under the Council's constitution and so requires full approval by full Council.

RECOMMENDATIONS:

That the Committee considers the revisions to the Statement of Licensing Policy and offers comments to be considered by Cabinet at the end of the consultation period.

SUPPORTING INFORMATION

The Council is required to review its licensing policies at regular intervals to ensure that it is carrying out licensing functions in accordance with current legislation. During this review, consideration has been given to how changes might improve the way in which services are being delivered, to make them more efficient and customer friendly.

A draft policy has been produced which now needs to be consulted upon, prior to final consideration by Cabinet or adoption by full Council.

The Licensing Act 2003 controls sales of alcohol, regulated entertainment and late night refreshment. The Council is required by Section 5 of the Licensing Act 2003 to review the Statement of Licensing Policy every five years. Hillingdon's current policy was adopted by Full Council in January 2016 and is therefore due for review, and subsequent approval by January 2021, before it expires. There have been some legislative changes under the Licensing Act. This has been incorporated into the revised policy.

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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

Relevant appendices are:

- An overview document detailing the proposed changes is attached at **Appendix A**.
- The draft policy attached at **Appendix B**
- Equality Impact Assessment at **Appendix C**

The proposed timetable for policy implementation is set out below:

24 th September 2020	Draft Policies to Cabinet.
5 th October 2020	Consultation period starts
14 th October 2020	Licensing Committee
15 th October 2020	Residents Education & Environmental Services POC
22 nd November 2020	Consultation period ends
10 th December 2020	Final policy to Cabinet post-consultation
14 th January 2021	Statement of Licensing Policy considered at Full Council.

Implications on related Council policies

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

The proposed Statement of Licensing Policy is a policy framework document under the Council's Constitution. As such, Cabinet is required to approve them in draft form with a timetable to include a period of formal consultation (minimum 6 weeks), to include Licensing Committee and the Policy Overview Committee. Cabinet will then consider the responses of the consultation before deciding whether or not to recommend them to full Council for adoption.

How this report benefits Hillingdon residents

The regular review and adoption of the Statement of Licensing Policy ensures that the licensing framework are up to date and effective in ensuring a safe and regulated environment for users of licensed premises. It will also ensure that there are methods for robust enforcement and review of problem licensed premises.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

Financial Implications

It is important that the Committee considers cost effective proposals that benefit resident taxpayers in relation to this review, which would ultimately be determined by Cabinet as part of the Council's broader budget planning process.

Corporate Finance has reviewed the report and confirms that there are no financial implications arising from the recommendations in this report.

Legal Implications

The Borough Solicitor confirms that the legal implications are included in the report. Further, more detailed legal advice will be given as necessary when the outcome of the Consultation is reported back to Cabinet.

BACKGROUND PAPERS

Current Statement of Licensing Policy

Revised Government Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 - last updated 24 April 2018

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

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Appendix A - Overview of proposed policy changes

Draft Statement of Licensing Policy

The Council is required by the Licensing Act 2003, to review the Statement of Licensing Policy every five years. The current policy was revised in 2016 and adopted by Full Council in January 2016.

There have been a number of changes in legislation, most notably the introduction of the Immigration Act 2016 and significant legislation related to the Coronavirus Pandemic in 2020. In addition, case law and updated Government guidance is also constantly influencing the interpretation of the legislation and shapes the way in which the Licensing Authority makes its decisions.

This policy relates to the Licensing Act 2003 only, which regulates alcohol sales, regulated entertainment and late night refreshment.

There are a number of changes to the layout and format of the policy document in order to make the document easier to read. Additional sections have also been included.

The Policy additions and changes are as follows:

Front Page

Amendment of relevant dates.

Contents Page

New sections have been added which include: 6. Partnership Working and Initiatives, 8. Immigration Act, 9. Modern Day Slavery and 24. Mobile, Remote and Internet Sales. Amendments have been made to section 7 from “Promotion of Equality” to “Equality Duty”. Therefore, there is a renumbering of the contents page.

Section 1 - Introduction & Background

1.2 has been updated for approximate figures for premises licences and personal licences.

Section 2 - Policy Statement

Addition at 2.4 to clarify when the Section 182 Government Guidance was last updated. Addition of 2.6 to state that the Licensing Authority may depart from this Policy in some circumstances but must give the reasons why.

Section 3 - Consultation

Addition to list at 3.1 of the Home Office - Immigration.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15
October 2020

Section 4 - General Principles and the Role of the Licensing Authority

Minor amendment at 4.2 to clarify that conditions attached to premises licences or club premises certificates will relate to the licensing objectives.

Section 5 - Integration of Strategies and Avoidance of Duplication

Addition at 5.2 to clarify that conditions will be attached where “appropriate, reasonable and proportionate”. At 5.4 an updated list of pieces of legislation that the licensing authority should be mindful of to avoid duplication.

Section 6 - Partnership Working and Initiatives

This is a new section to highlight the importance of collaboration with other relevant authorities and recognition of valuable initiatives such as Pubwatch schemes, Business Improvement Schemes, Best Bar None and Purple Flag.

Section 7 - Equality Duty

This section has been retitled from “Promotion of Equality” and parts 7.1, 7.2 and 7.3 have been provided to stress that any Public Authority must now exercise its functions consistent with the Equalities Act 2020.

Section 8 - Immigration Act

This is a new section that takes into account the Immigration Act which came into force in 2016. 8.1 to 8.4 provides details of the main requirements for licence holders to have the right to work and the implications where they do not,

Section 9 - Modern Day Slavery

This is a new section that acknowledges the Modern Day Slavery Act 2015. 9.2 summarises the practical ways that the licensing authority can prevent modern day slavery whilst carrying out its licensing functions.

Section 10 - Licensing Objectives - The Prevention of Crime and Disorder

This section was previously at Section 7. Minor changes at 10.6 to amend phrases, “objections” to “representations” and “necessary” to “appropriate”. This follows updates to the Act to change the test from necessary to appropriate. The original paragraph at 7.12 has been deleted which concerns the reference to Form 696. This has now been replaced with a paragraph at 10.13 advising applicants to still carry out a thorough risk assessment. This is because Form 696 was scrapped in November 2017. 7.14 has been deleted in full as the subject of Pubwatch schemes has now been inserted at 6.2 under the new section, “Partnership Working and Initiatives”.

Section 11 - Licensing Objectives - Public Safety

This is a duplication of Section 8 of the current policy. The wording remains unchanged.

Section 12 - Licensing Objective - The Prevention of Public Nuisance

This section was previously at section 9. An additional sentence at 12.1 has been added to state that outside customers and the dispersal of customers may give rise to

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15
October 2020

public nuisance issues. Additional bullet point at 12.4 has been inserted which concerns relevant signage being displayed prominently at the premises.

Section 13 - Licensing Objectives - Protection from Children from Harm

Renumbering of section as this was previously section 10. An additional paragraph has been submitted at 13.12 to confirm our expectations that all refusals for the sale of alcohol shall be recorded in a refusals log or incident log book. Furthermore, that this log shall be made available to the Police or authorised officers of the Council.

Section 14 - Public Health & Licensing

Renumbering of this section as this was previously section 11. The previous section 11.2 has been deleted and insertion of new paragraphs 14.2, 14.4 and 14.5 to reflect and be consistent with the Section 182 Government Guidance.

Section 15 - Licensing Committee

Renumbering of this section as this was previously section 12. The wording of this section remains unchanged.

Section 16 - Authorisations and Applications

Renumbering of this section as this was previously section 13. Minor additions have been submitted at 16.5 to clarify circumstances when an application may be returned to an applicant. For example, an incomplete operating schedule and also where regulations concerning Plans are not fully met. More information is provided at 16.13 to clarify the role of the Designated Premises Supervisor.

Section 17 - Representations

Renumbering of this section as this was previously section 14. 17.2 has been slightly amended to clarify the position of interested parties and to take account of the removal of the vicinity test. Inclusion of new paragraphs 17.4-17.8 to be consistent with the Section 182 Government Guidance regarding the position of the licensing authority.

Section 18 - The Role of the Ward Councillor

Renumbering of this section as this was previously section 15. Minor amendments found at 18.2 and 18.3 to clarify that Ward Councillors may initiate Review proceedings and that individual Councillors may publicise an application in addition to the applicant advertising their application. Further clarification is added at 18.5 to confirm that Ward Councillors may make a representation in writing to the Head of Service and that this representation shall also be forwarded to the Licensing Authority. 18.6 has been added to clarify that Councillors must not be members of the licensing sub-committee where they have been involved in campaigning about a particular application.

Section 19 - Decision Making and Licensing Hearings

Renumbering of this section as this was previously section 16. 19.1 has been amended to clarify that where there are no representations against an application then the licence will be granted under delegated authority with conditions attached to it that are consistent with the operating schedule. 19.2 has been added to take into account

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15
October 2020

mediation between the applicant, licensing authority and other responsible authorities. 19.7 to 19.12 are new paragraphs and have been added to highlight general principles such as Members following their codes of conduct, ensuring no biasness, rules of natural justice and parties given a full and fair hearing. 19.8 makes reference to hearings being recorded on the Council's YouTube channel. A minor addition has been added at 19.13 to confirm that a Decision Notice will be sent out to all parties.

Section 20 - Licence Conditions

Renumbering of this section as this was previously section 17. 20.2 is a new paragraph and has been added to confirm that where measures are proposed in the operating schedule by the applicant, then these will become conditions of the licence and will be consistent with the operating schedule. An additional sentence has been added at the bottom of 20.3 to clarify that the licensing authority shall only impose conditions that are appropriate, proportionate and determined on a case by case basis.

Section 21 - Enforcement

Renumbering of this section as this was previously section 18. 21.1 to 21.5 are new paragraphs and have been added to clarify the licensing authority's expectations of licence holders or premises uses once their authorisations have been granted. Furthermore these paragraphs detail how the licensing authority will inspect, check and ensure compliance. 21.7 to 21.9 contain minor amendments and make reference to current enforcement policies and codes.

Section 22 - Reviews

Renumbering of this section as this was previously section 19. Minor amendment to 22.6 has been made to confirm that the licensing authority will publish a Notice concerning Reviews on the Council's website in accordance with the 2003 Act. Additional information has been provided at 22.8 in relation to Expedited Reviews and interim steps, specifically that they can be made by the licensing sub-committee via telephone or other remote means. Further clarification has been added at 22.9 to confirm that the licensing authority must hold a full Review within 28 days from the date when the Expedited Review application was submitted.

Section 23 - Cumulative Effect

Renumbering of this section as this was previously section 20. The wording of this section remains unchanged.

Section 24 - Mobile, Remote and Internet Sales

This is a new section. Paragraph 24.1 to 24.5 have been added to provide information on how the licensing authority will deal with these types of applications and reflects the Section 182 Guidance.

Section 25 - Licensing Hours

Renumbering of this section as this was previously section 21. The wording of this section remains unchanged.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15
October 2020

Section 26 - Exemptions

Renumbering of this section as this was previously section 22. The wording of this section remains unchanged.

Appendix A - Licensing Functions

The wording of this section remains unchanged.

Appendix B - Prevention of Crime & Disorder

Deletion of the first bullet point regarding capacity limits as this will now be located in Appendix C - Public Safety. Additional details and measures have been added to this list which include the following: Publicising permitted times for licensable activities, CCTV, incident logs and having a personal licence holder on duty at the premises. It should be noted that information at the end of this Appendix concerning Form 696 has been deleted. This is because these forms were scrapped in November 2017 as previously stated in the main body of the Policy at Section 10 - Licensing Objectives - Prevention of Crime & Disorder.

Appendix C - Public Safety

Additional examples have been added to the list at the start of this Appendix. These include: capacity limits (moved from Appendix A), clear and unobstructed escape routes, approved safety arrangements and measures related to outside drinkers and smokers.

Appendix D - Prevention of Public Nuisance

The wording of this section remains unchanged.

Appendix E - Protection from Children from Harm

The wording of this section remains unchanged.

Appendix F - Responsible Authorities

This table has now been updated to provide the current contact details for the responsible authorities. In addition, the Home Office - Immigration has been added.

Appendix G - Mandatory Conditions

The wording of this section remains unchanged.

Annex A - Ward Councillors making representations

Further information added here to clarify that representations shall be forwarded to the Licensing Authority and that it should address the licensing objectives. This issue has also been added to the main body of the Policy at 18.5.

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LONDON

Statement of Licensing Policy The Licensing Act 2003

Effective – January 2016²¹ to January 2021²⁶

Contents

1.	Introduction and Background	Page 2
2.	Policy Statement	Page 2
3.	Consultation	Page 3
4.	General principles and the role of the Licensing Authority	Page <u>3</u>
5.	Integration of Strategies and avoidance of duplication	Page 4
5-6.	Partnership Working and initiatives	Page 5
7.	Promotion of Equality Equality Duty	Page 6
6-8.	Immigration Act	Page 7
9.	Modern Day Slavery	Page 7
7-10.	Licensing Objectives – Prevention of Crime & Disorder	Page 8
8-11.	Licensing Objectives – Public Safety	Page 10
9-12.	Licensing Objectives – Prevention of Public Nuisance	Page 11
10-13.	Licensing Objectives – Protection of Children from Harm	Page 12
11-14.	Public Health & Licensing	Page 14
12-15.	Licensing Committee	Page 15
13-16.	Authorisations and Applications	Page 16
14-17.	Representations	Page 18
15-18.	The Role of Ward Councillors	Page 21
16-19.	Decision Making and Licensing Hearings	Page 22
17-20.	Licence Conditions	Page 23
18-21.	Enforcement	Page 24
19-22.	Reviews	Page 25
23.	Cumulative Effect	Page 26
20-24.	Mobile, Remote and Internet Sales	Page 27
21-25.	Licensing Hours	Page 28
22-26.	Exemptions	Page 28
	Appendix A – Table of Delegations	Page <u>30</u>
	Appendix B – Prevention of Crime & Disorder	Page <u>31</u>
	Appendix C – Public Safety	Page <u>35</u>
	Appendix D – Prevention of Public Nuisance	Page <u>37</u>
	Appendix E – Protection of Children from Harm	Page <u>40</u>
	Appendix F – List of Responsible Authorities	Page <u>41</u>
	Appendix G - Current Mandatory Conditions	Page <u>43</u>

1.0 Introduction & Background

1.1 The London Borough of Hillingdon is the Licensing Authority under the Licensing Act 2003 and is responsible for the administration and enforcement of the provisions relating to:

- Alcohol sales/supplies
- Regulated Entertainment
- Late Night Refreshment

1.2 The London Borough of Hillingdon currently has approximately ~~850~~ 800 premises authorisations in force and ~~4100~~ 3500 personal licences held by individuals.

2.0 Policy Statement

2.1 The Licensing Authority exercises a range of responsibilities including helping to develop a thriving food, drink and entertainment economy whilst safeguarding the local community against issues which may arise from licensed premises.

2.2 The London Borough of Hillingdon is required by Section 5 of the Licensing Act 2003, to determine and publish a statement of licensing policy at least once every five years. The Licensing Policy will provide the Authority with the fundamental principles in respect of carrying out its licensing functions.

2.3 The Policy is also intended to inform applicants, residents and other stakeholders about the way in which the Licensing Authority will make decisions and the operating standards expected from licensed premises in accordance with the licensing objectives.

2.4 In determining its policy, the Council will take into account the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003 ([last updated on 24th April 2018](#)).

2.5 In respect of all licensing functions and determination of any licensing policy, the Council has a duty to promote the four licensing objectives:

- The prevention of crime and disorder;
- The protection of children from harm;
- The prevention of public nuisance;
- Public safety.

Each objective is of equal importance.

[2.6 Determining and publishing a statement of its policy is a licensing function and so the Licensing Authority must have regard to the Guidance issued under Section 182 of the Act. The Licensing Authority may depart from this policy if the individual circumstances of any case](#)

merit such a decision in the interests of the promotion of the licensing objectives. However, if this done then the Licensing Authority shall give full reasons for departing from its policy.

3.0 Consultation

3.1 In reviewing the Council's Statement of Licensing Policy, the Council sought observations and comments from the following persons, organisations and groups and their comments have been incorporated into this policy where relevant:

- Chief Officer of Police for Hillingdon
 - London Fire Brigade
 - Chief Planning Officer
 - Hillingdon Safeguarding Children Board
 - Health and Safety Executive and Hillingdon's Health and Safety Enforcement Team
 - Public Health
 - Trading Standards
 - Enforcing Authority for Public Nuisance
 - Bodies representing holders of current authorisations
 - Resident's Associations
 - Ward Members
 - Hillingdon's Anti-Social Behaviour Investigations Team
 - Transport for London (TfL)
 - The London Boroughs of Hounslow, Harrow, Ealing
 - The Borough Council's of South Bucks, Three Rivers, Spelthorne, Slough
 - Hillingdon Arts Council
- Individuals who have requested a copy of the draft policy.
- [Home Office - Immigration](#)

4.0 General Principles and the Role of the Licensing Authority

4.1 The role of the Licensing Authority is to ensure control of the licensable activities at licensed premises, qualifying clubs, temporary events and the conduct of the personnel involved with the licensable activities as required under the Act.

4.2 ~~Terms and Conditions~~ attached to the Premises Licences and Club Premises Certificates granted by the Licensing Authority will relate to the licensing objectives and matters over which the Premises Licence Holder or Club Management Committees have direct control.

4.3 The focus will be on the licensed premises and the activities in the vicinity of those premises. Those activities, on licensed premises, that

have a direct impact on members of the public living, working or engaged in normal activities in the area, fall within the scope of the licensing regime.

- 4.4 Anti-social behaviour of patrons in and around a licensed premises and disturbance or nuisance which can be proved to be emanating from particular premises, will be a consideration for the Licensing Authority in its enforcement and decision making role.

5.0 Integration of Strategies and avoidance of duplication

- 5.1 Many people and organisations are involved with, or affected by, the ways in which licensed premises are operated. Most are involved, directly or indirectly, in the promotion of the licensing objectives, particularly those relating to the prevention of crime and disorder and public nuisance. Amongst the various stakeholders there will be a wide range of strategies that relate to, or are influenced by, the exercise of the Council's licensing function.

- 5.2 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory regimes. Some regulations, however, do not cover the unique circumstances of some licensable activities. The Licensing Authority will consider attaching conditions to Premises Licences and Club Premises Certificates where; these are [necessary appropriate, reasonable and proportionate](#) for the promotion of the licensing objectives; these are not already provided for in any other legislation; these are not contained within the applicant's operating schedule and if there are relevant representations

- 5.3 The Licensing Committee will be prepared to accept reports from other relevant departments of the Council regarding the state of the borough. These reports may include contributions from those responsible for the promotion of tourism, cultural development, planning, transport, reduction of crime or anti-social behaviour, community safety, social, and health and community development. This should enable the various agencies or departments with their own strategies, aims and objectives to keep the Licensing Committee aware of the wider picture in pursuance of the licensing objectives.

- 5.4 Planning and public nuisance legislation carry the highest risk of duplication with the Licensing regime ~~and are specifically mentioned in the Section 482 Guidance.~~ [While licence conditions should not duplicate other statutory provisions, licensing authorities and licensees should be mindful of requirements and responsibilities placed on them by other legislation. Relevant legislation may include the following:](#)

- [The Gambling Act 2005](#)
- [The Environmental Protection Act 1990](#)
- [The Noise Act 1996](#)
- [The Clean Neighbourhoods and Environmental Act 2005](#)

- [The Regulatory Reform \(Fire Safety\) Order 2005](#)
- [The Health and Safety at Work etc. Act 1974](#)
- [The Equality Act 2010](#)
- [The Immigration Act 2016](#)
- [Regulators' Code under the Legislative and Regulatory Reform Act 2006](#)

Planning

5.5 The licensing function is and should remain distinct from the Planning process. It will be for the planning process to determine land/building use decisions and the market place to determine need for particular types of premises/activities. Licensing decisions will be made with regard to the furtherance of the Licensing Objectives with regard to the particular use sought. However, it is strongly recommended that applicants ensure that:

- The proposed licensable activities do not contravene planning legislation;
- The hours sought are within the limits authorised by any planning permission.

Enforcing Authority for Public Nuisance

5.6 The Environmental Protection Unit is charged with enforcing regulations relating to Public Nuisance and is also a responsible authority for Public Nuisance matters under the Act.

5.7 It is accepted that the Licensing Authority will often work hand in hand with the Environmental Protection Unit where nuisance related issues occur at licensed premises. Whilst the Authority has a duty to uphold the prevention of public nuisance, it should be recognised that this duty will not replace the Authority's responsibilities under other legislation.

6.0 Partnership Working and Initiatives

6.1 The Licensing Authority encourages work between the Licensing Authority, relevant authorities such as Police, Environmental Health, Trading Standards and the licence holder themselves in order to solve licensing problems and to promote the licensing objectives.

6.2 Groups representing licence holders are encouraged to participate in their local crime and disorder reduction partnerships, such as Pubwatch schemes.

6.3 The Licensing Authority has a duty to work with all partners in order to deliver the promotion of the licensing objectives.

Business Improvement Districts

6.4 The Licensing Authority support and encourage further developments for Business Improvement Districts (BID's) where partnership arrangements and joint responsibility are formed with local businesses and stakeholders. BID's can play an important and positive role in discussing and tackling local issues and they have the ability to put forward appropriate schemes that are of benefit to the community.

Best Bar None

6.5 The Licensing Authority recognise the value of the Best Bar None Scheme in improving standards in the Evening and Night Time Economy. For example, they reduce alcohol related crime and disorder, build positive relationships between the licensed trade, police and local authorities and responsible owners are recognised and able to share good practice with others. Furthermore, they promote the town or city as a safe and vibrant city to go at night and shows a willingness to address alcohol related crime and anti social behaviour through the promotion of good practice and education.

Purple Flag

6.7 The Licensing Authority acknowledge that that Purple Flag status, an accreditation recognising a well managed night time economy, can bring real benefits which include:

- A raised profile and an improved public image for the location
- A wider patronage, increased expenditure
- Lower crime and anti-social behaviour
- A more successful mixed use economy in the longer term

6.0 7.0 Promotion of Equality Equality Duty

~~The Council, as the Licensing Authority, seeks the elimination of all forms of discrimination in respect of sex, religion, race, disability and sexual orientation in accordance with its established equal opportunities policy (as amended from time to time).~~

7.1 The Licensing Authority have a public sector equality duty to the following protected characteristics:

- Age
- Disability
- Sex, gender reassignment, sexual orientation
- Pregnancy and maternity
- Race, religion or belief
- Marriage and civil partnership

7.2 Under the Equality Act 2020 (S.149) a Public Authority must, in the exercise of its functions, have due regard to the need to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

7.3 This policy has been subject to an Equalities Impact Assessment and it does not have an adverse effect on equality issues.

8.0 Immigration Act

8.1 Following the implementation of the Immigration Act 2016, the Licensing Authority will ensure that the "Entitlement to Work" test is checked and scrutinised for Personal Licence Holders and individual Premises Licence Holders, where the Premises Licence permits the sale of alcohol or late night refreshment.

8.2 Where an individual holding a Premises Licence within the Borough ceases to be entitled to work in the United Kingdom on or after 6th April 2017, the Premises Licence lapses immediately, and will lapse completely unless transferred or an Interim Authority lodged within 28 days

8.3 A Personal Licence issued by the Licensing Authority will lapse when an individual is no longer entitled to work in the United Kingdom on or after 6th April 2017.

8.4 The Licensing Authority will work closely with the Home Office Immigration Enforcement (HIOE) as a Responsible Authority. The Licensing Authority will advise the HIOE where applicants have committed immigration offences and furthermore provide the HIOE assistance when entering and carrying out their enforcement duties at licensed premises within the Borough.

9.0 Modern Day Slavery

9.1 The Licensing Authority acknowledges the implementation of the Modern Day Slavery Act 2015 and will therefore fully take on their responsibilities and statutory duties under the Act

9.2 This Licensing Authority recognises the role it can play in proactively preventing modern slavery, which includes consideration of:-

- Identification and referral of victims during inspections and visits

- [Reporting and referring for investigation via the National Crime Agency's national referral mechanism any of its licence holders or managers of premises as a cause for concern](#)
- [Assisting partners with Community safety services and disruption activities.](#)

10.7.0 Licensing Objectives - The Prevention of Crime and Disorder

10.17.4 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment, can be a source of crime and disorder. The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business. Applicants are recommended to seek advice from the Police Licensing Officer and Licensing Authority Officers prior to making any application as early advice can alleviate representations being made once an application is submitted. Full contact details for both are contained within the Responsible Authorities contact in appendix B.

10.27.2 Applicants should, where appropriate, take account of local planning and transport policies, and tourism, cultural and crime prevention strategies, when preparing their operating plans and schedules.

10.37.3 Where a number of premises may be in close proximity it may be difficult to attribute the disorder to patrons of particular premises, however there is a duty on Premises Licence Holders or Club Management Committees to act responsibly to ensure their own customers do not contribute to crime and disorder whilst in their premises and in the vicinity of their premises.

10.47.4 When addressing crime and disorder, the applicant should identify any particular issues that are likely to affect adversely the promotion of the crime and disorder objective. They should then include in the operating schedule how they will deal with those matters.

10.57.5 Operating schedules should then show how they will address the issues identified. Further guidance on these measures is contained in Appendix B.

10.67.6 Applications referred to the Licensing Sub-Committee where relevant ~~objections~~[representations](#) have been received will be determined on the individual merit of each case. The Licensing Sub-Committee has the power to impose specific conditions when considered [necessary appropriate](#) in respect of the Crime and Disorder objective.

10.77.7—The Council's Licensing Officers will work closely with the Metropolitan Police Service to ensure licence conditions are met,

matters relating to crime and disorder are resolved, and that licensed premises are being operated according to the requirements of the Act.

[10.87.8](#)—Following the grant of a premises licence, the Metropolitan Police Service, Elected Members and/or interested parties such as local residents and Ward Councillors can apply to the Licensing Authority for a review of the licence if they consider that the Prevention of Crime and Disorder objective has not been met and are relevant.

[10.97.9](#)—When making decisions about an application the Licensing Sub Committee will have regard to the Borough's Crime Prevention Strategy and any conditions attached to licences or certificates will so far as possible reflect local crime prevention strategies

[10.107.10](#)—High risk or poorly managed premises will be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.

[10.117.11](#)—In the interest of public order and the prevention of terrorism, the Licensing Authority would expect that for significant events, a comprehensive risk assessment is undertaken by premises licence holders to ensure that crime and disorder and public safety matters are identified and addressed. Accordingly, for premises that wish to stage promotions, or events (see examples set out in Appendix B), the Licensing Authority recommends those applicants address the Risk Assessment and debrief processes in their operating schedule.

~~[10.12.7.12](#)—The Licensing Authority recommends the Metropolitan Police Promotion / Event Risk Assessment Form 696 and the After Promotion / Event Debrief Risk Assessment Form 696A as useful and effective tools for this purpose. Where the Risk Assessment forms are used to assess the likely risks for any promotion or event, the Licensing Authority would normally expect that they will be completed following consultation with the Metropolitan Police Service. This procedure should also be considered by the applicant when completing their Operating Schedule. (N.B Form 696 scrapped in Nov. 2017)~~

[10.13](#) The Licensing Authority strongly encourages applicants to carry out a detailed and thorough risk assessment when carrying out promotions or events. Where the risk assessment identifies significant risks for an event or promotion then the Licensing Authority would normally expect the applicant to consult with the Police and the Licensing Authority.

[10.147.13](#)—Personal Licence applicants will have to meet specific standards with regard to their suitability. There are a number of obligations on Personal Licence Holders including those who are named as Designated Premises Supervisors, the breach of which could mean appearing before the Magistrates Court.

~~10.15 7.14—The Council recognises that effective Pub Watch schemes can contribute greatly to the prevention of crime and disorder objective in licensed premises. Upon grant of any licence, licence holders and/or Designated Premises Supervisors of alcohol licensed premises will be expected to participate in their local Pub Watch scheme. (Now dealt with in 6.2~~

11.0 8.0—Licensing Objectives - Public Safety

11.1 8.1—The Licensing Act 2003 Act covers a range of premises and activities, including cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants and fast food outlets/takeaways. Each of these types of premises presents a mixture of risks to public safety, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.

11.3 8.2—The Licensing Authority will expect operating schedules to satisfactorily address these issues and applicants are advised to seek advice from the Borough's Licensing Officers and the London Fire Brigade contact details can be found in appendix F, before preparing their plans and schedules. Where an applicant identifies an issue relating to public safety (including fire safety) that is not covered by existing legislation, the applicant should identify in their operating schedule the steps that they will take to ensure public safety. Where representations are received and upheld at a hearing, the Licensing Authority will consider attaching conditions to licences and permissions to promote safety.

11.4 8.3—If relevant representations are received from a Responsible Authority, Elected Members or interested parties the application will be determined by a Licensing Sub-Committee.

11.5 8.4—Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Public Safety objective.

11.6 8.5—Following the grant of a premises licence, the London Fire and Emergency Planning Authority, Elected Members and/or the Enforcing Authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 and/or interested parties such as local residents and businesses can apply to the Licensing Authority for a review of the licence if they consider that the Public Safety objective has not been met.

11.7 8.6—The Licensing Authority's Licensing Officers will conduct inspections of licensed premises to ensure that the approved safety

standards are being maintained and that licence conditions are being complied with.

[11.8](#) [8.7](#)—High risk or poorly managed premises will therefore be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.

[11.9](#) [8.8](#)—The Council's Licensing Officers, Fire Safety Officers and Health & Safety Officers will work closely together to resolve matters relating to public safety in licensed premises.

[12.0](#) [9.0](#)—Licensing Objectives - The Prevention of Public Nuisance

[12.1](#) [9.1](#)—Licensing Sub Committees will be mindful that licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises. When addressing public nuisance the applicant should identify any particular issues that are likely to affect adversely the promotion of the licensing objective to prevent public nuisance. They should then include in the operating schedule how they will deal with those matters. The concerns mainly relate to noise nuisance from within the premises or from the use of any outside areas, light pollution, smoke and noxious smells. [This may also include patrons outside a premises and the dispersal of customers.](#) Due regard will be given to the impact these may have and the Licensing Authority will expect operating schedules to satisfactorily address these issues.

[12.2](#) [9.2](#)—Appendix D provides a list of examples of activities which could give rise to public nuisance and measures which can be taken to prevent such nuisance occurring.

[12.3](#) [9.3](#)—Applicants should give particular consideration to measures to reduce the occurrence of public nuisance associated with accommodating smokers outside the premises, following the introduction of smoke free areas in enclosed or substantially enclosed places.

[12.4](#) [9.4](#)—In relation to smoking outside licensed premises, it is expected that:

- Suitable receptacles for customers will be provided and maintained to dispose of cigarette litter in areas used, or likely to be used, for smoking
- Licensees will take all reasonable steps to discourage smoking on the public highway close to residential premises, particularly after 10pm. This could include measures such as a ban on customers taking drinks outside on to the public highway, the use of door

supervisors, or imposing a time after which re-admissions to the premises will not be permitted

- Garden areas to be cleared at a reasonable time where not doing so could cause nuisance to neighbouring residents.
- [Appropriate signage to be displayed prominently at the premises.](#)

[12.5](#) ~~9.5~~—Where an application includes provision of a smoking shelter then the Licensing Authority expects the shelter to be situated as far as possible from neighbouring residential premises.

[12.6](#) ~~9.6~~—If relevant representations are received from a Responsible Authority, Elected Members or interested parties, the application will be determined by a Licensing Sub-Committee.

[12.7](#) ~~9.7~~—Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Prevention of Public Nuisance objective.

[12.8](#) ~~9.8~~—Following the grant of a premises licence, the Council's Environmental Protection Unit, Elected Members and/or interested parties such as local residents and businesses can apply to the Licensing Authority for review of the licence if they consider that the Prevention of Public Nuisance objective has not been met.

[12.9](#) ~~9.9~~—The Licensing Authority's Licensing Officers will conduct inspections of licensed premises to ensure that the conditions relating to the prevention of public nuisance are being complied with.

[12.10](#) ~~9.10~~—High risk or poorly managed premises will therefore be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.

[12.11](#) ~~9.11~~—The Council's Licensing Officers and Environmental Protection Officers will work closely with the Council's Anti-Social Behaviour Investigations Team, requesting monitoring visits of specific premises and receiving feedback regarding the witnessing of statutory noise and public nuisance or the breach of licence conditions.

[13.0](#) ~~10.0~~ **Licensing Objectives - The Protection of Children from Harm**

[13.1](#) ~~10.1~~ The range of 'licensed premises' under the Licensing Act 2003 is very broad. It includes pubs, cinemas, theatres, restaurants, off licences etc.

[13.2](#) ~~10.2~~ Under the Licensing Act 2003, unaccompanied children under the age of 16 are not allowed on premises such as public houses which

are used exclusively or primarily for the supply of alcohol for consumption on the premises.

13.3 ~~40.3~~ This restriction does not apply to premises such as restaurants and bowling alleys etc. where the supply of alcohol is not the principal use of the premises. However, unaccompanied children under the age of sixteen are not permitted in such premises between the hours of midnight and 5 a.m. Admission of children will always be at the discretion of those managing the premises unless specifically prohibited by way of licence conditions.

13.4 ~~40.4~~—Applicants and licence holders are encouraged to be mindful of the adult nature of licensed premises and to make adequate provision for the protection of children from harm in their operating schedules. Applicants are advised to contact the Safeguarding Children and Quality Assurance team directly to seek advice prior to submitting their application.

13.5 ~~40.5~~—It is recognised that the Mandatory Conditions attached to premises licences where alcohol is sold/supplied must have in place an age verification scheme. The Licensing Authority would normally expect this scheme to include a challenge for photo identification to all persons who appear to be under the age of 25 years i.e. 'Challenge 25'

13.6 ~~40.6~~—If relevant representations are received from a Responsible Authority, Elected Members or interested parties the application will be determined by a Licensing Sub-Committee.

13.7 ~~40.7~~—Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Protection of Children from Harm objective.

13.8 ~~40.8~~—Following the grant of a premises licence, the Council's Safeguarding Children and Quality Assurance team, Elected Members and/or interested parties such as local residents and businesses can apply to the Licensing Authority for a review of the licence if they consider that the Protection of Children from Harm objective has not been met.

13.9 ~~40.9~~—The Licensing Authority's Licensing Officers will conduct inspections of licensed premises to ensure that the conditions relating to the protection of children from harm are being complied with.

13.10 ~~40.10~~—High risk or poorly managed premises will therefore be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.

13.11 ~~40.11~~—The Licensing Authority will expect that each operator dealing in the sale and supply of alcohol implements a proof of age policy in line with the Mandatory Licence conditions. The Authority expects premises licence holders to ensure that their staff are adequately trained and in every case where there is any doubt as to whether the customer is aged eighteen or over: ‘No ID- No sale’.

13.12 ~~It is expected that all refusals of alcohol shall be recorded by the operator in a Refusal or Incident Log. This Log should be made available for inspection to a Police Officer or authorised officer from the Local Authority.~~

13.13 ~~40.12~~—Trading Standards Officers and Police Officers will carry out test purchases of alcohol using young volunteers. Where sales are made, enforcement action will be taken against all responsible persons.

Children’s access to cinemas

13.14 ~~40.13~~ The Licensing Authority accepts that the British Board of Film Classification (BBFC) is the recognised authority in categorising films. It therefore accepts the BBFC classifications with respect of children’s films. The Licensing Authority will expect applicants to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to BBFC recommendations.

Children and Regulated Entertainment

13.15 ~~40.14~~—There are many kinds of regulated entertainment which are specifically arranged for children, such as plays, concerts, film shows, some of which may be school based. When it is proposed to present an entertainment specifically for children, then additional safety measures may need to be considered. The Council’s Licensing Officers and the Safeguarding Children and Quality Assurance team are able to offer advice and guidance in respect of such presentations and organisers of such events are encouraged to seek such advice.

14.0 ~~11.0~~—Public Health & Licensing

14.1 ~~41.1~~—The Director of Public Health in Hillingdon is a responsible authority under the Licensing Act 2003, and may; make representations in respect of premise licence applications and club premise certificates, and may also apply to review premise licences and certificates.

~~41.2—At the time of writing, there is no licensing objective correlating purely to public health, and as such any representations or applications made by the Director for Public Health must be based upon one or more of the current licensing objectives. Representations relating solely to public health issues are not relevant under the Act.~~

14.2 Public Health may hold useful information which may be used by them to make representations in its own right or to support representations by other responsible authorities. These representations can potentially be made on the grounds of all four licensing objectives.

14.3 ~~11.3~~—A range of public health issues may relate directly to one or more of the Licensing Objectives; for example, violent assaults, cases of alcohol poisoning at licensed premises, issues with loud noise emanating from premises.

14.4 Public Health may- record data where intoxication of patrons at specific premises has led to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. This information can be relevant to the public safety and crime and disorder objectives.

14.5 The Licensing Authority recognises the potential for Public Health to participate in the licensing process in relation to the protection of children from harm. This objective concerns the physical safety of children and also their moral and psychological wellbeing. Public Health may be able to present evidence relating to under 18's alcohol-related emergency department attendance, hospital admissions and underage sales of alcohol linked to a specific premises and their practices.

14.6 The Licensing Authority will work with the Director of Public Health and his staff in order to identify and utilise relevant public health data within the licensing process.

15.0 ~~12.0~~ **Licensing Committee**

15.1 ~~12.1~~—A Licensing Committee consisting of at least ten, but not more than fifteen Councillors has been appointed. The Licensing Committee will be kept informed by way of reports from officers on a wide range of matters which may impact on their role.

15.2 ~~12.2~~—The Licensing Act 2003 dictates that uncontested applications shall be granted and that such applications should be dealt with by specific officers who have been so delegated by the Licensing Authority.

15.3 ~~12.3~~—Whenever relevant representations have been received from Responsible Authorities; Elected Members and/or Interested Parties in respect of an application, that application will be referred to a Licensing Sub-Committee for determination.

~~15.4~~ ~~12.4~~—Although the Licensing Authority welcomes views from all members of the community, Government guidance states that the Council as the Licensing Authority should be aware that the views of vocal minorities should not be allowed to predominate over the general interests of the community that the Licensing Committee represents.

~~16.0~~ ~~13.0~~ **Authorisations and Applications**

~~16.1~~ ~~13.1~~—There are a number of authorisations relating to:

- Sale/Supply of alcohol
- Regulated entertainment
- Late Night Refreshment

These are;

Premises Licences

~~16.2~~ ~~13.2~~—Any person aged eighteen years or over who is carrying on, or who proposes to carry on, a business that involves the use of premises for licensable activities may apply for a premises licence either on a permanent basis or for a time-limited period. 'A person' in this context includes a business or partnership.

~~16.3~~ ~~13.3~~—A premises licence lasts indefinitely and may be transferred or varied at any time.

~~16.4~~ ~~13.4~~—The premises licence application form and operating schedule should be completed clearly and concisely to reflect the exact nature of the business and how the four licensing objectives will be addressed. All sections of the application form must be completed. Guidance as to what type of information should be included in the operating schedule is given in the appendices to this Policy.

~~16.5~~ ~~13.5~~—Applications which are incomplete or illegible will be returned to the applicant with an explanation for the return. Reasons may include incomplete or missing forms, ~~incomplete Operating Schedule,~~ the absence of the fee, absence of required plans or insufficient information detailed on the plans, as required under [Section 23 of The Licensing Act 2003 \(Premises Licences and Club Premises Certificates Regulations 2005 Statutory Instrument 42 and the operating schedule.](#) For personal licences also the absence of certificates or photographs.

~~16.6~~ ~~13.6~~—Applicants are advised to seek advice from the Council's Licensing Officers and the Responsible Authorities concerning the licensing requirements for premises and/or licensable activities being applied for prior to completing their operating schedule. Large or unusual events need particular consideration and applicants are advised to consult the Council's Licensing Officers for guidance and to submit applications as far in advance as possible. When required, the

Council's Licensing Officers will provide all applicants with advice and guidance in respect of completing their application forms and, in particular, how they should address each one of the four licensing objectives in their operating schedules.

[16.7](#) ~~13.7~~—Notwithstanding 13.6 above, it is the applicant's responsibility to complete the application to a satisfactory standard and they should seek professional legal advice as necessary.

Members Clubs

[16.8](#) ~~13.8~~—Some activities carried out by clubs need to be licensed under the Act but generally, members clubs are treated differently to proprietary clubs and commercial premises. A club is an organisation where members have joined together for a particular reason i.e. social, sporting or political and have combined to buy alcohol in bulk as members of the organisation for supply to members. In order to apply for a Club Premises Certificate the club needs to be a 'Qualifying Club'.

[16.9](#) ~~13.9~~—Where there is doubt about the eligibility for a club premises certificate, the Licensing Authority will seek assurances and evidence from applicants that they are a qualifying club for the purposes of the Act. Such evidence may include membership records, minutes of committee meetings etc.

Temporary Event Notices

[16.10](#) ~~13.10~~—Anyone may give the Licensing Authority a Temporary Event Notice (TEN). This procedure allows people to hold an event involving licensable activities without having to apply for a Premises Licence or Club Premises Certificate.

[16.11](#) ~~13.11~~—The Act provides a system for the temporary carrying on of any licensable activity outside of the terms of a premises licence or club premises certificate. Under this system no authorisation as such is required from the licensing authority. Instead a person wishing to hold an event at which such activities are proposed to be carried on (the "premises user") gives notice to the licensing authority of the event.

Personal Licences

[16.12](#) ~~13.12~~—To sell alcohol in licensed premises at least one person needs to hold a 'Personal Licence' which has been granted by the Licensing Authority where they live. This requirement does not apply to 'qualifying clubs'.

[16.13](#) ~~13.13~~—In some premises there may be more than one person holding a 'Personal Licence' and it is important that one person is named as being in control, this person is called the 'Designated Premises Supervisor'. [The Designated Premises Supervisor is the key person](#)

who will usually be responsible for the day to day management of the premises.

16.14 ~~13.14~~—There is one exemption from the need for a personal licence holder and “Designated Premise Supervisor” in line with the mandatory requirements of the Licensing Act 2003 section 19(2) and 19(3). That is in the case where a community premises (church, community and village halls etc.) has applied for and been granted an application to disapply these mandatory conditions.

16.15 ~~13.15~~—In determining applications for personal licences the Licensing Authority will have regard to the guidelines issued by the Secretary of State under section 182 of the Licensing Act 2003 and any secondary legislation. The promotion of the four licensing objectives applies to the consideration of applications for personal licences equally as it does to applications for premises licences.

17.0 ~~14.0~~ **Representations**

17.1 ~~14.1~~—This policy will not seek to exclude any rights enshrined in the Act or any other legislation for applicants or those making representations against applications. Each application and representation will be treated on its merits taking into account the legislation, the Guidance issued under section 182 of the Licensing Act 2003 and this policy.

17.2 ~~14.2~~—Representations can be made to the Council, as Licensing Authority, by a ‘Responsible Authority’ or by ‘Interested Parties’ which include individuals such as residents or bodies ~~or individuals who live in the vicinity of such a premises, and such as a~~ residents association, trade associations and other businesses operating ~~in the vicinity~~. Representations can be made concerning:-

- Applications for new premises licences or club premises certificates
- Applications to vary premises licences or club premises certificates
- Personal licence applications on criminal grounds (only by the Police)

17.3 ~~14.3~~—Responsible Authorities are the public authorities specifically designated under the Licensing Act 2003 to be consulted on all licence applications and are also entitled to make representations. A full list of Responsible Authorities is attached as Appendix F.

17.4 The Licensing Authority expect other responsible authorities, where they have concerns, to raise representations that fall within their remit. For instance, where there are concerns of crime and disorder, then the police should submit a representation.

17.5 The Licensing Authority is not generally expected to act as a responsible authority on behalf of other parties such as residents. However, there may be times where the Licensing Authority may feel it is appropriate to do so. For instance, this may be where the relevant responsible authority have failed to take action and the Licensing Authority is aware of relevant grounds to make a representation.

17.6 Where the Licensing Authority does act as a responsible authority and wishes to submit a representation, they may do so by assessing the application, visiting the premises if they feel it is appropriate to do so and look at the potential impact the application will have on the Licensing objectives. In addition, the Licensing Authority shall review their records to check the history of the premises and confidence in management and the level of compliance with conditions attached to the premises **licences**.

17.7 Each responsible authority has equal standing and may act independently without waiting for representations from any other responsible authority.

17.8 In cases where the Licensing Authority is also acting as responsible authority the Licensing Authority will ensure a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. For example, the Licensing Authority will distinguish the licensing case officer with the officer nominated to act as the responsible authority by allocating clear and distinct functions.

17.9 14.4—The Licensing Act 2003 also permits Elected Members to make representations on their own behalf as well as on behalf of their constituents. Members of the public who are making representations may also request that their Ward Councillor speaks on their behalf at public hearings to determine applications.

17.10 14.5—Representations about an application must be made in writing to the Council's Regulatory Services-Licensing Team within the statutory time limits.

17.11 14.6—Written representations include letters and emails. Representations received after the end of the public consultation period cannot legally be accepted and will not be considered by the Licensing Authority.

17.12 14.7—Representations must contain;

- a) The name, full address & post code, of the person making them;
- b) The reasons for their representation;
- c) Which of the four Licensing Objectives the representation relates to i.e. Crime and disorder; Public Nuisance; Public safety; Protection of children from harm.

17.13 ~~14.8~~—Representations which do not meet this requirement may be rejected as being irrelevant or frivolous or vexatious.

17.14 ~~14.9~~—Representations based on ‘Need’ for licensed premises, concerns the commercial demand for another pub, restaurant, off licence or hotel. This is not a matter for the licensing authority in discharging its licensing functions. ‘Need’ is a matter for planning committees and for the market. Representations made on the basis of need are likely to be rejected.

17.15 ~~14.10~~—All valid representations will form part of a committee report that will become a public document. It will be given to the applicant, their agent, responsible authorities, other persons making representations and any other party requesting a copy as well as the Licensing Subcommittee 10 working days prior to the hearing. Anonymous representations will not be accepted.

17.16 ~~14.11~~—Petitions may be submitted but are not as informative as individual correspondence and as such may be given less weight when considered by a Licensing Sub Committee.

17.17 ~~14.12~~—Petitions will only be accepted if on each sheet it clearly shows

- The name and address of the application site
- Reasons for the representation and
- Which of the four Licensing Objectives are relevant

17.18 ~~14.13~~—Each petitioner must give their name, full address including post code.

17.19 ~~14.14~~—Failure to comply with any of the above requirements could lead to the petition being rejected.

17.20 ~~14.15~~—The Licensing Authority follows the guidance of the Secretary of State concerning the judgments of representation as being irrelevant, vexatious and frivolous. A representation would be ‘irrelevant’ if it does not relate to the application or to the promotion of the licensing objectives in the context of the application.

17.21 ~~14.16~~—In considering whether or not a representation is ‘vexatious or frivolous’ the Licensing Authority must determine whether any ordinary and reasonable person would consider the matter to be vexatious or frivolous. Vexation may arise where, for example, there is a dispute between rival businesses. Frivolous representations would be categorised by a lack of seriousness.

17.22 ~~14.17~~—Where a representation is found to be irrelevant, vexatious or frivolous, the person making it will be informed and that representation will be disregarded.

18.0 ~~15.0~~ The Role of the Ward Councillor

18.1 ~~15.1~~—Ward Councillors play an important role in the local community. They can make representations in writing and speak at the hearing on behalf of an interested party such as a local resident or local business if specifically requested to do so. They can also make representations as an interested party in their own right (see annex A with regard to Councillors making representations).

18.2 ~~15.2~~—~~For example, W~~ard Councillors may apply for a review of a licence if problems ~~at specific premises, which justify intervention,~~ are brought to their attention which justify intervention and relate to the licensing objectives.

18.3 ~~15.3~~—Ward Councillors are informed of all new applications and any application to vary a licence in their ward. Individual Councillors may publicise an application locally in addition to the statutory publication and advertising carried out by the applicant.

18.4 ~~15.4~~—Local residents and businesses may wish to contact their local ward Councillors in respect of a licence application. Details on how to contact Ward Councillors may be obtained from the Council's Website.

18.5 ~~15.5~~—Ward Councillors may attend hearings of licensing Sub Committees considering applications and speak on behalf of local residents and businesses, but only if;

- They have made a personal representation;
- They have made a representation on behalf of local residents or businesses as 'community advocates'
- They have been nominated by (an objector) who cannot attend the hearing or prefers to be represented at the hearing.

Note: Where a Ward Councillor makes representations upon an application within their ward, in writing, to the Head of Administrative, Technical and Business Services within the appropriate statutory period of consultation for the application, and this representation has been forwarded to the Licensing Authority, that application shall ~~then~~ be ~~submitted~~ ~~scheduled~~ to be heard by the Licensing Sub-Committee for determination. The Ward Councillor must include in their representations the reasons why they wish the application to be determined by the Sub-Committee and how the application adversely affects the licensing objectives. [policy clarification added by full Council on 7 September 2017]

18.6 Councillors must not be members of the licensing sub-committee if they are involved in campaigning about the particular application.

19.0 ~~16.0~~—Decision Making and Licensing Hearings

19.1 ~~16.1~~—Applications for premises licences, club premises certificates, interim authorities, provisional statements, variation of designated premises supervisors and personal licences that do not attract representations will be granted under delegated authority and be issued as applied for; any conditions, apart from mandatory conditions, will reflect and be consistent with the applicant's operating schedule.

19.2 The Licensing Authority and other Responsible Authorities , where appropriate, may choose to mediate with the applicant and other parties with a view to alleviate concerns from the application and discuss potential conditions or further measures so agreement may be reached and that there is no longer a need to go to a formal hearing.

19.3 ~~16.2~~—The Licensing Authority will form Sub-Committees consisting of three elected members led by one Chairman.

19.4 ~~16.3~~—The full Licensing Committee will sit when it is considered appropriate to comply with any requirements of the Licensing Act 2003 or accompanying Regulations.

19.5 ~~16.4~~—A Licensing Sub-Committee will sit to hear all applications for premises licences, club premises certificates, interim authorities, provisional statements, designated premises supervisors and personal licences which have attracted relevant representations from either a 'responsible authority' or 'other person'. A full scheme of delegations can be found at Appendix A

19.6 ~~16.5~~—A Licensing Sub-Committee will also sit to hear cases where the police and/or the Council's Noise and Nuisance officers have opposed a Temporary Event Notice on the basis that, should the event go ahead, one or more of the licensing objectives would not be promoted.

19.7 Members will, at all times, comply with the council's member code of conduct which should set out the standards that members must observe.

19.8 Licensing Sub-Committee hearings will be broadcasted live on Hillingdon Council's YouTube Channel. Parties attending hearings will be made aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.

19.9 It is important for the licensing authority and its committee to ensure that there is neither actual nor an appearance of bias in its decision-making.

19.10 The rules of natural justice will apply. For example, a party must know the case against them; anyone affected by a decision has a right to be heard; and no one should be a judge in his own cause.

19.11 All the parties will be given a full and fair hearing, that shall be conducted in an open, transparent and accountable manner.

19.12 Applications will be considered on the basis of whether they promote the four licensing objectives. Each application will be considered on its own merits and whilst consistency is important similar applications may be decided in different ways.

19.13 ~~16.6~~ Any decisions made by the Licensing Sub Committee will be announced verbally at the end of the hearing where possible, and a Decision Notice will be sent in writing to the applicant and any person who has made a valid representation within five working days.

20.0 ~~17.0~~ **Licence Conditions**

20.1 ~~17.1~~—Conditions on premises licences and club certificates are determined by:

- The measures put forward on the Operating Schedule
- Mandatory conditions within the Act (current list included as Appendix G)
- Measures decided at a hearing by the Licensing Sub Committee

20.2 Conditions attached to licences by the Licensing Authority that have been proposed by the applicant in their operating schedule should be consistent with the steps set out in the operating schedule. This means that the effect of these conditions should be substantially the same as that intended by the terms of the operating schedule.—

20.3 ~~17.3~~—Any conditions attached to licences following relevant representations will focus on matters within the control of the Premises Licence Holder or Club Management Committees. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity, as well as patrons of the licensed premises.

They will not be used as a means of attempting to attach responsibility to Premises Licence Holders or Club Management Committees for matters outside their reasonable control, such as anti-social behaviour once away from the premises or licensable activity.

Conditions imposed by the Licensing Authority shall be **appropriate**, proportionate and should be determined on a case-by-case basis.

20.4 ~~17.3~~—The Licensing Authority will not impose standard conditions upon every licence issued, however it may have regard to model conditions produced by the Government and/or the Institute of

Licensing and it may choose to impose these in appropriate circumstances.

21.0 ~~18.0~~ Enforcement

- 21.1 The Licensing Authority **expects** all responsible licence holders to adhere to conditions attached to their premises licence and to fully promote the licensing objectives. This is also expected from holders of Club Premises Certificates, users of Temporary Event Notices and Personal Licence holders of the Borough.
- 21.2 Authorised officers of the Council will carry out both pro-active risk rated inspections and re-active inspections to investigate complaints and referrals to ensure compliance.
- 21.3 The Licensing Authority shall focus on agreed problem and high-risk premises which require greater attention, while providing a lighter touch for low risk premises or those that are well run. This should ensure that the Council resources are used efficiently and effectively.
- 21.4 The Licensing authority **reminds** operators of licensed premises that it is incumbent on them to provide appropriate training for their staff to ensure the promotion of the licensing objectives.
- 21.5 It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities other than in accordance with a licence or other authorisation under the 2003 Act. **It is also an offence for a person to knowingly allow the licensable activity to be carried on.** The fine for this offence is unlimited. The local authority, the Police and other authorised persons under the Act have powers to take action in relation to premises carrying on unauthorised activities.
- 21.6 ~~18.1~~—Any enforcement action taken in relation to the duties of this Licensing Authority under the Licensing Act 2003 will comply with the London Borough of Hillingdon Council's ~~the current Residents Services Enforcement Policy~~ current 'Prosecutions and Sanctions Policy'
- 21.7 ~~18.2~~—The Council also supports the 'Hampton Principles' of avoiding duplication when carrying out inspections and will endeavour to carry out its inspections of licensed premises in accordance with those principles.
- 21.8 ~~18.3~~—Enforcement Officers will also comply with ~~the~~ 'The Code for Crown Prosecutors' published by the Crown Prosecution Service Regulators Code', which can be accessed at: <https://www.gov.uk/government/publications/regulators-code> <https://www.cps.gov.uk/publication/code-crown-prosecutors>

21.9 ~~18.4~~—The Licensing Authority’s Officers may carry out joint enforcement inspections with Metropolitan Police officers and other authorised officers of the Responsible Authorities.

22.0 ~~19.0~~—Reviews

22.1 ~~19.1~~—At any stage following the grant of a premises licence or a club premises certificate, an application for a review application can be submitted to the Licensing Authority by a Responsible Authority, any Elected Member or an Interested Party in connection with any of the four licensing objectives.

22.2 ~~19.2~~—The Council, as Licensing Authority, will reject an application for review where it considers that the complaint is:

- Not relevant to any of the Licensing Objectives
- Vexatious, frivolous or repetitious

22.3 ~~19.3~~—The Licensing Authority will be prepared to facilitate mediation between the licensee and those who may be intending to review the licence, depending upon the severity of the individual circumstances.

22.4 ~~19.4~~—It is recommended that applications for review of premises licences are not made until at least six months after the grant of a licence in order to allow time for evidence to be gathered on the grounds for review.

22.5 ~~19.5~~—Premises subject to review must display a statutory notice so that it is visible to passers-by, stating the ground for review and advising those who wish to make a representation to write to the Licensing Authority.

22.6 ~~19.6~~—The Licensing Authority will also place publish similar notices at the Civic Centre and on the Council’s website.

22.7 ~~19.7~~—The Violent Crime Reduction Act 2006 gives the police power to review a premises licence with immediate effect where a senior police officer considers there is the risk of serious crime or disorder at the premises. This is known as an ‘expedited review’.

22.8 ~~19.8~~—Where an ‘expedited review’ has been applied for by the Police, the Licensing Authority will convene a Licensing Sub-Committee who will consider any interim immediate steps that may include modifying the licence conditions, suspending the licence or removing the designated premises supervisor (DPS). Interim steps will be imposed by the Licensing Sub-Committee within two working days from receipt of the application. There is no requirement for a formal hearing to be held in order to take interim steps. Therefore, the relevant sub committee members can communicate by telephone or other remote

means in order to reach a decision. A written record should always be produced as soon as possible after a decision is reached.

22.9 ~~19.9~~—The Licensing Sub-Committee may impose interim steps without consulting with the licence holder, however, every effort will be made to contact the licence holder and inform him of the review. If interim steps are imposed, the Licensing Authority shall immediately notify the licence holder and the police. The licence holder is entitled to make representations at this stage and a hearing will be held to facilitate this. The Licensing Authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the chief officer's application.

23.0 ~~20.0~~ **Cumulative Effect**

23.1 ~~20.1~~—Whilst the London Borough of Hillingdon does not have a concentration of licensed premises as found in central London boroughs, it nevertheless has a relatively large number of pubs and restaurants in Town Centre areas. Most of these Town Centre areas are also home to many residents. However, the Council, as the Licensing Authority, does not propose, at this stage, to set quotas for particular types of licences.

23.2 ~~20.2~~—Applications will be considered on their individual merit thus ensuring that the characteristics of the many different types of licensable activity are fully considered. If crime and disorder or general disturbance/nuisance do prove to be linked to the concentration of customers of licensed premises in any particular areas, then the Licensing Authority will consider introducing controls over the issue of new licences through a 'Special Policy' (to limit the number of licensed premises)

23.3 ~~20.3~~—It would first be necessary to establish that, because of the number and density of licensed premises selling alcohol in a particular area, there are exceptional problems of nuisance, disturbance and or disorder outside or away from those licensed premises as a result of their combined effect. Where particular premises are identified as being responsible for the problems it may be possible to take specific measures against those individual Premises Licence Holders or Club Management Committees following relevant representations.

23.4 ~~20.4~~—Where there is public disorder from a minority of people who display anti-social behaviour away from licensed premises, there are other measures available to the Police Authority to address such issues.

23.5 ~~20.5~~—Before deciding whether to adopt a Special Policy (to limit the number of licensed premises), the Council as the Licensing Authority must be sure that the imposition of individual conditions to particular premises would not solve the problem. The Council as the Licensing

Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder. It must be sure it has met its obligations under the Crime and Disorder Act 1998 and in terms of its promotion of the licensing objectives under the Licensing Act 2003.

23.6 ~~20.6~~—If objector representations are made as to the cumulative effect of a new application and hence the need for a Special Policy (to limit the number of licensed premises), the onus will be on the objector to provide the evidence that the additional premises would produce the impact claimed.

23.7 ~~20.7~~—If a Special Policy (to limit the number of licensed premises) is introduced it will be reviewed regularly to assess whether or not it is still needed.

24.0 Mobile, Remote and Internet Sales

24.1 The Licensing Authority may receive applications for the sale of alcohol where the order for alcohol, or payment for it, takes place may not be the same as the place where the alcohol is appropriated to the contract. This situation occurs when sales are made online, by telephone, or mail order. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. It will be the premises at this location which need to be licensed.

24.2 In these cases, the Licensing Authority will ensure that the subsequent premises licence will be subject to appropriate conditions including the times of day during which alcohol may be sold and also the mandatory licence conditions such as age verification measures.

24.3 Operators who run premises providing ‘alcohol delivery services’ should advise the licensing authority that they are operating such a service in their operating schedule. This ensures that the licensing authority can properly consider what conditions are appropriate to attach to their premises licence.

24.4 Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact their licensing authority for its view on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required.

24.5 The Licensing Authority may also receive mobile, remote, internet sales for late night refreshment such as fast food orders. Applicants should be mindful of the impact of such applications on the licensing objectives particularly the prevention of public nuisance. For instance, there may be concerns of vehicles or noise created by waiting vehicles or drivers outside the premises for pick up. Applicants should put in place appropriate measures and address these issues in their operating schedule.

25.0 ~~21.0~~ Licensing Hours

25.1 ~~21.1~~—Prior to the introduction of the Licensing Act 2003, it was believed that fixed and artificially early closing times (established under the Licensing Act 1964) were one of the key causes of rapid binge drinking prior to closing times and one of the causes of disorder and disturbance when large number of customers were required to leave the premises simultaneously.

25.1 ~~21.2~~—The aim through promotion of the licensing objectives should be to reduce the potential for concentrations and achieve a slower dispersal of people from licensed premises through flexible opening times.

25.3 ~~21.3~~—Arbitrary restrictions that would undermine the principle of flexibility will therefore be avoided. The four licensing objectives will be paramount at all times and the Council will always consider the individual merits of each case.

25.4 ~~21.4~~—In accordance with guidance there is no fixed restriction on terminal hours for any particular areas of the borough. Such a restriction could cause the migration of patrons from one area to another and create the circumstances that the legislation is attempting to avoid. Each application will be dealt with on its merits. It is for the applicants to detail in their Operating Schedule exactly what times they intend to open and close the premises and what measures they will take to ensure that they do not cause nuisance or disturbance to their neighbours in the vicinity. The later the terminal hour applied for, the greater will be the need to address the issues of disturbance and nuisance.

25.5 ~~21.5~~—Shops, stores and supermarkets licensed to sell alcohol will normally be allowed to do so for the full duration of their trading hours. Restrictions may be applied, for example where representations are made indicating the particular premises or patrons of the premises are linked to disorder and or disturbance.

26.0 ~~22.0~~ Exemptions

26.1 ~~22.1~~ There are a number of circumstances where entertainment related activities are exempt from regulation. These activities are specifically addressed in detail in the Section 182 Guidance. In summary, these are:

- Live Music
- Recorded Music
- Plays
- Performances of Dance

- Indoor Sport
- Any entertainment provided by a local authority, school or hospital
- Community exhibitions of film

26.2 ~~22.2~~ The exemption for entertainment is subject to certain conditions relating to the timings of the entertainment and maximum audience numbers, i.e. between the hours of 08.00 and 23.00 and for audiences of no more than 500 people.

26.3 ~~22.3~~ In licensed premises, where the exemptions apply, any conditions relating to entertainment would be suspended between the hours of 08.00 and 23.00. However, the Licensing Authority is empowered to lift the suspension of licence conditions upon a licence review where there are demonstrable effects on one or more of the licensing objectives.

26.4 ~~22.4~~—It should be noted that any dance performances of an adult nature, involving nudity, are still regulated under the Local Government (Miscellaneous Provisions) Act 1982 and separate permission would apply.

Appendix A

TABLE OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	SUB-COMMITTEE	OFFICERS
Application for a personal licence	If a Police objection	If no objection made
Application for personal licence, with unspent convictions	If a Police objection	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no representation made
Application for provisional statement	If a relevant representation made	If no representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no representation made
Application to vary designated premises supervisor	If a Police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Police objection	All other cases
Application for Interim Authorities	If a Police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a representation/objection is irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of an objection to a Temporary Event Notice	All cases	
Revocation of Personal Licence where convictions come to light after grant	All cases	
Determination of application by Community Premises to include alternative licence condition	If a Police objection	All other cases
Decision whether to consult other responsible authorities on minor variation applications		All cases
Determination of minor variation applications		All cases

APPENDIX B – PREVENTION OF CRIME AND DISORDER

Examples of measures to prevent crime and disorder which applicants are encouraged to give when completing their Operating Schedules:

- ~~• The setting of a safe capacity limit – This is important in order to prevent overcrowding giving rise to risk of crime and disorder~~
- Use of crime prevention notices – For use in circumstances where it would be helpful to warn customers of prevalence of crime which may target them, for instance, to warn of pickpockets or bag snatchers
- Publicising details of the premises operation – Display details of the premises opening ~~and~~ closing times and permitted times for licensable activities
- Installing CCTV – The presence of CCTV cameras can be an important means of deterring crime both inside and outside of the premises. It can also help to provide valuable evidence in the event that an incident does occur. CCTV should be maintained in good working order and used at all times with a thirty one day library of recordings maintained at all times. In addition, a staff member who is able to operate the CCTV system shall be on the premises at all times when the premises is open. The staff member shall be able to provide the Police or authorised officer copies of recent CCTV images or data with minimum delay when requested.
- An incident log shall be kept at the premises and made available on request to a Police Officer or an authorised officer. The following incident should be recorded in the log:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system , searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - ~~• (h) any visit by a relevant authority or emergency service~~
- Removing low cost high strength alcohol from offer – To help reduce street crime and violence and anti-social behaviour from public drunkenness
- Developing a drugs policy in conjunction with the police – Establish a clear written anti-drugs policy and publicise this to customers

- Preventing counterfeit products, such as alcohol, tobacco, DVDs, CDs and other goods from being offered for sale upon the premises
- Exercising control over the removal of open drink containers – To prevent the use of containers as weapons in the street
- Using plastic containers and toughened glass – Consideration should be given to the use of safer alternatives to glass which would inflict less severe injuries if used as weapons. Note: That any glass alternatives used for measuring draft beer and cider must be lawful for trade use under weights and measures legislation.
- Introducing bottle bans – Decant drinks into glasses before being handed across a bar
- Providing seating for customers – sufficient to ensure that the majority of customers do not have to stand
- Ensuring good availability of soft drinks and food
- Employing an appropriate number of SIA registered door supervisors – Valuable for maintaining orderly behaviour in queues; searching and excluding those suspected of carrying offensive weapons, or illegal drugs; keeping out banned individuals; or controlling admissions and departures
- Making personal searches by door supervisors a condition of entry – Including the provision of signage and female SIA for personal searches conducted on female customers and performers
- Providing door supervisors with search wands / search arches – Maintained in good working order and used on all occasions
- Providing a drugs and weapons box – Kept under the direct control of premises management with all seized drugs and weapons to be handed over to the police in accordance with the police code of practice
- Installing ID scanning and recording equipment – Requiring all patrons to provide ID and agree to being recorded. Provide notices to this effect in conjunction
- Establishing a last admissions policy – For both admissions and readmissions. Publicise this at the premises
- Establishing a dispersals policy – Helping to reduce the potential for disturbance to local residents
- Co-operating with the police and Council on venue hire agreements – Providing good notice (at least one month) of all internal and external promoters engaged at the premises. Also comply with requests from the

police not to engage a specific promoter where this is recommended by the police for crime and disorder

- [Specifying that there shall be a personal licence holder on duty on the premises at all times when the sale of alcohol can take place](#)

Premises Licence Holders and representatives from Clubs are expected to participate in Pub Watch, Club Watch, Business Watch and Radio Link and similar schemes.

Dispersal

The Licensing Authority considers the orderly dispersal of customers from licensed premises to be an important factor in promoting the licensing objectives. In considering any application for the grant or variation of a licence serious consideration will be given to the dispersal arrangements from the premises and the effect that granting the licence might have on the dispersal arrangements of other licensed premises in the area. The Licensing Authority will pay particular attention to an application which may delay orderly dispersal or is likely to encourage people to remain in the vicinity.

Drugs

The Licensing Authority recognises that drug misuse is not something that is relevant to all licensed premises however it is committed to the reduction and eradication where possible of drugs from licensed premises as part of its role in promoting the Crime and Disorder licensing objective.

If relevant representations are received to following an application for the grant or variation of a licence, special conditions may be imposed to support the prevention of the sale, supply and consumption of drugs.

In premises where drugs misuse is problematic and where the Police or others apply for a 'Review' of the licence, the Licensing Authority will consider this as being very serious and will give appropriate consideration to the full range of options available including the suspension and revocation of the licence. The Licensing Authority recognises that each case is individual and will be decided on the facts and its specific merits.

Nightclubs and other similar venues

Nightclubs and other similar venues should, when completing their operating schedule, consider including reference to the use of risk assessments for the different types of music and DJ's/MC's or similar that they propose to use.

In addition, if it is proposed, on occasions, to stage significant events or promotions, then applicants should also consider when completing their operating schedule, submitting a separate risk assessment for each individual

event or promotion followed by the submission of a subsequent 'de-brief' report.

~~Detailed below are examples of conditions that applicants may wish to considering offering in their operating schedule:-~~

~~1. The premises licence holder shall undertake a risk assessment of any promotion or event (as defined over) using the MPS Promotion/Event Risk Assessment (Form 696) or an equivalent and provide a copy to the Metropolitan Police Service using the email as detailed below and the Licensing Authority not less than fourteen days before the event is due to take place.~~

~~2. Where an 'event' has taken place, the premises licence holder shall complete follow up feedback using form 696a and submit this to the Metropolitan Police by email as detailed below within three days of the conclusion of the event.~~

~~Licensing-xh@met.pnn.police.uk~~

~~ClubsFocusDesk-CO14@met.police.uk~~

~~Definition of an 'Event'~~

~~The recommended guidance to music event organisers, management of licensed premises or event promoter on when to complete Form 696 is where you hold an event that is—~~

- ~~• promoted / advertised to the public at any time before the event, and~~
- ~~• predominantly features DJs or MCs performing to a recorded backing track, and~~
- ~~• runs anytime between the hours of 22.00 hours and 04.00 hours, and~~
- ~~• is in a nightclub or a large public house.~~

APPENDIX C – PUBLIC SAFETY

Examples of measures to promote Public Safety may include:

- The setting of a safe capacity limit – This is important in order to prevent overcrowding
- Escape routes to be clear, unobstructed, well maintained, immediately available and clearly identified in accordance with the plans provided.
- The approved arrangements at the premises, including the means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment shall at all times be maintained in good condition and full working order.
- Appropriate measures to ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway

Publications which applicants should consider when preparing their operating schedules:-

- British Standard 9999 - Code of Practice for Fire Safety
- Regulatory Reform (Fire Safety) Order 2005 – clause 14(2) (a)-(h)
- British Standard 7671 - Requirements for Electrical Installations (I.E.E. Wiring Regulations)
- British Standard 5266 - Code of Practice for emergency lighting systems
- British Standard 5839 - Fire detection and alarm systems for buildings
- Model National Standard Conditions for Places of Entertainment – Published by LDSA Publications, PO Box 266, Bromley, Kent, BR2 9ZN
- Technical Standards for Places of Entertainment - Published by LDSA Publications, PO Box 266, Bromley, Kent, BR2 9ZN
- Purple Guide - A guide to health, safety and welfare at large events <http://www.thepurpleguide.co.uk/>
- Managing Crowds Safely, HSG154 (ISBN 0-7176-1834-X)
- 5 Steps to Risk Assessment, Case Studies (HSE 1998) (ISBN 0-7176-1580-4)

- The Guide to Safety at Sports Grounds published by HMSO, The Green Guide (ISBN 0-11-341072-7)
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances, www.streetartsnetwork.org/pages/publications
- Home Office and London Drug Policy Forum guidance 'Safer Clubbing'

APPENDIX D – PREVENTION OF PUBLIC NUISANCE

Relevant issues might include:

- Preventing noise and vibration escaping from the premises, including music, noise from plant and patrons
- Preventing disturbance by patrons arriving at, gathering outside of, being admitted or re-admitted to or departing from the premises, particularly, but not exclusively between 11pm and 7am hours
- Preventing vehicle queues forming outside of the premises, or where some form of queuing is necessary, the steps to prevent disturbance or obstruction
- Ensuring clear up operations conducted by staff do not cause a nuisance and that staff leave the premises quietly
- Addressing arrangements made for parking by patrons
- Considering whether there is sufficient public transport provision and where licensed taxis or private hire vehicles are likely and any arrangements made to prevent disturbance to local residents
- Controlling disturbance that may be caused by the use of gardens / terraces / external and other open-air areas including the highway, particularly in relation to smoking and the passage of patrons between internal and external areas
- Preventing nuisance from the positioning and operation of plant and machinery such as kitchen extraction systems, ventilation plant, condensers
- Restricting delivery and collection times (waste, equipment and consumables) to between 8am and 8pm hours
- Limiting any nuisance or glare caused by the positioning of external lighting, including security lighting
- Preventing odour or pests from refuse storage and waste disposal and the accumulation of litter and smokers waste in the vicinity of the premises

- The need for regular patrols of the boundary of the premises and / or at the nearest residential to ensure nuisance impacts are not being experienced by neighbours.

Management controls should be considered for:

- The numbers of persons using any licensed external area at any one time
- The hours of operation of any licensed external area, requiring patrons to return back into the premises at a specific time. In residential areas, this is particularly important
- The numbers of smokers allowed outside of the premises at any one time
- The taking of drinks outside of the premises when patrons step outside to smoke. This can be assisted by providing a 'drinks safe' area for patrons who temporarily leave the premises
- Queues of patrons awaiting admission and how these are arranged
- The areas within which patrons may congregate outside of the premises, restricting them, for instance, to the curtilage or footprint of the premises
- The times within which live music and / or amplified sound may be played in any external area or marquees or relayed by external speakers (where permitted under the terms of the licence)
- The times within which barbecues or other cooking facilities may be provided within any external area
- Terminal hour for last admissions and readmissions to the premises
- The supervision of patrons using any external area so as to prevent nuisance and disturbance
- Arrangements made with local cab companies calling for customers, requiring that they call within the premises for their customers without sounding their horn in the street
- The reduction of music levels within the premises 30 minutes before closing so as to reduce levels of excitement among patrons upon leaving

- The display of notices at exit points asking patrons to ‘ please leave quietly’ and be mindful of local neighbours when leaving the premises
- The supervision of patrons outside of the premises to ensure quick dispersal from the immediate area upon closing time
- The clearance of any litter created by the operation of the premises
- The hours during which external activities such as the handling and removal of waste or musical equipment or the delivery of goods
- Restricting the use of artificial lighting outside of the premises so as to reduce the potential for light nuisance
- Applicants are advised to seek advice from the Council’s Environmental Health Officers contact details can be found in appendix F before preparing their plans and operating schedules. Where representations are received and upheld at a hearing the Licensing Authority will consider attaching conditions to licences and permissions to prevent public nuisance.

Publications which should be considered when preparing operating schedules:

- a) British Standard 4142 2014: Methods for rating and assessing industrial and commercial sound
- b) London Borough of Hillingdon Supplementary Planning Guidance - Noise
- c) Control of ‘Noise’ published by the British Beer and Pubs Association

APPENDIX E – PROTECTION OF CHILDREN FROM HARM

The Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:

- Limitations on the hours when children may be present.
- Limitations on the presence of children under certain ages when particular specified activities are taking place.
- Limitations on the parts of premises to which children might be given access.
- Limitations on ages below eighteen.
- Requirements for an accompanying adult.
- Full exclusion of people under eighteen from the premises when any licensable activities are taking place.

The following are examples of premises that will raise concern:

- Where entertainment or services of an adult or sexual nature are commonly provided.
- Where there have been convictions of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
- A known association with drug taking or drug dealing.
- Where there is a strong element of gambling on the premises.
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

APPENDIX F

Responsible Authorities:

<p>The Licensing Service</p> <p>London Borough of Hillingdon Civic Centre 4W/01 High Street Uxbridge UB8 1UW</p> <p>licensing@hillington.gov.uk <i>Licensing Authority</i></p>	<p>Police Licensing Dept</p> <p>Uxbridge Police Station 1 Warwick Place Uxbridge UB8 1PG</p> <p>xh@met.pnn.police.uk</p> <p><i>Hillingdon Police Enforcement</i> For all Areas</p>
<p>Fire Safety Regulation: North West Area 1</p> <p>London Fire Brigade 169 Union Street London Se1 0LL Attn: North West Area Team</p> <p>FSR-AdminSupport@london-fire.gov.uk</p>	<p>Service Manager- Safeguarding Children and Quality Assurance 4S/07</p> <p>Social Services London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>safeguardingchildrenadmin@hillington.gov.uk</p> <p>A body involved in the Protection of Children from Harm</p>
<p>Health & Safety Executive</p> <p>Rose Court 2 Southwark Bridge London SE1 9HS www.hse.gov.uk</p> <p><i>Enforcing Authority for the Health and Safety at Work Act 1974</i></p>	<p>Trading Standards Service</p> <p>London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>Attn Divisional Trading Standards Officer</p> <p>tradingstandards@hillington.gov.uk</p> <p><i>Enforcing Authority under the Weights and Measures Act 1985</i></p>
<p>Environmental Protection Unit</p> <p>London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>asbinvestigations@hillington.gov.uk</p>	<p>Head of Planning</p> <p>London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>Planning@hillington.gov.uk</p>

<p><i>Enforcing Authority for matters relating to Environmental Pollution and Public Nuisance</i></p>	<p><i>The Planning Authority</i></p>
<p>Public Health</p> <p>London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>shajioff@hillingdon.gov.uk</p> <p><i>Health Authority Body</i></p>	<p>Food, Health & Safety Team</p> <p>London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>EnvironmentalhealthCP@hillingdon.gov.uk</p> <p><i>Enforcing Authority for the Health and Safety at Work Act 1974</i></p>
<p>London Waterways</p> <p>Canal & River Trust Docklands Office 420 Manchester Road London E14 9ST</p> <p>enquiries.london@canalrivertrust.org.uk</p>	<p>Home Office (Immigration Enforcement)</p> <p>Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY</p> <p>alcohol@homeoffice.gsi.gov.uk</p>

Appendix G - Current Mandatory Conditions under the Licensing Act 2003

All Premises Licence authorising supply of alcohol

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex A

Clarification added by full Council on 7 September 2017 with respect to ward councillors making representations:

Where a Ward Councillor makes representations upon an application within their ward, in writing, to the Head of Administrative, Licensing, Technical and Business Services within the appropriate statutory period of consultation for the application, and this representation has been forwarded to the Licensing Authority, that application shall then be ~~submitted~~ scheduled to be heard by the Licensing Sub-Committee for determination. The Ward Councillor must include in their representations the reasons why they wish the application to be determined by the Sub-Committee and how the application adversely affects the licensing objectives.



HILLINGDON
LONDON

Equality Impact Assessment

STEP A) Description of what is to be assessed and its relevance to equality

What is being assessed? Please tick ✓

Review of a service Staff restructure Decommissioning a service

Changing a policy ✓ Tendering for a new service A strategy or plan

The review of the Council's Statement of Licensing Policy which takes place every 5 years and must be in place by January 2021

Who is accountable? E.g. Head of Service or Corporate Director

London Borough of Hillingdon – 'The Licensing Authority'

Date assessment completed and approved by accountable person

9th September 2020

Names and job titles of people carrying out the assessment

Daniel Ferrer, Licensing Team Manager

A.1) What are the main aims and intended benefits of what you are assessing?

Comprehensive review and consultation to implement the Council's new Statement of Licensing policy. As a result, it is intended that this assessment will support effective and efficient delivery of licensing functions and the Council's objectives and allow for stakeholders views to be taken into account.

A.2) Who are the service users or staff affected by what you are assessing? What is their equality profile?

The main users of the service that will be affected will be the actual applicants. Looking at previous applications and licences granted for premises and personal licence holders the equality profile for the applicants is very mixed. However, it is clear that a substantial amount of applicants come from a Black, Asian, Minority and Ethnic Background.

This is particularly the case where applicants have a premises or reside in the south parts of the Borough such as Hayes. This is evident when applications are related to off licence, takeaways and family run restaurants. Some of these applicants will decide to instruct an agent or seek legal advice but some will choose to draft their application themselves and attend subsequent licensing hearings in person.

A.3) Who are the stakeholders in this assessment and what is their interest in it?

Stakeholders	Interest
Applicants and licence holders	Ensure that they are supported by the Authority in making their applications and kept fully informed of the process and the implications of the reviewed statement of licensing policy.
Residents and Businesses	Ensuring that specific requirements have been met by the applicant/licence holder and they are able to submit their objection/representation if it is valid under the legislation.
Licensing Committee, Cabinet & Council	Ensuring processes are followed in accordance with licensing legislation and that all information is presented to them in full so appropriate, reasonable and proportionate decisions can be made.
Chief Executive, Corporate Directors & Staff	Ensuring processes are followed in accordance with licensing legislation and that all information is presented to them in full so appropriate, reasonable and proportionate decisions can be made.

A.4) Which protected characteristics or community issues are relevant to the assessment? ✓ in the box.

Only tick the boxes which relate to the data you have in A2.

Age	✓	Religion or belief	✓
Disability	✓	Sex	✓
Gender reassignment	✓	Sexual Orientation	✓
Marriage or civil partnership	✓	Community Cohesion	✓
Pregnancy or maternity	✓	Community Safety	✓
Race/Ethnicity	✓	Other – please state	

STEP B) Consideration of information; data, research, consultation, engagement

B.1) Consideration of information and data - what have you got and what is it telling you?

The main source of data and information are the current records kept by the Licensing Authority. Applications for premises licences and personal licences state the applicant's contact details and their right to work status. In addition, there is the information and feedback received from officers who engage with applicants on the phone or face to face during site visits. It is noted that a substantial amount of applicants and indeed licence holders are from a Black, Asian, Minority and Ethnic Background. This is particularly the case where applicants have a premises or reside in the south parts of the Borough such as Hayes. This is particularly evident when assessing applications which relate to off- licences, takeaways and family run restaurants.

Consultation

B.2) Did you carry out any consultation or engagement as part of this assessment?

Please tick ✓ NO ✓ YES

If no, explain why:

It was not felt necessary to complete consultation as part of this assessment however, in the implementation of the policy, there will be ongoing engagement with potential applicants and other relevant parties during formal consultation.

B.3) Provide any other information to consider as part of the assessment

The new Statement of Licensing policy is not anticipated to have a significant impact as there is a strong degree of consistency between the old and new document, it is merely reflecting updates to legislation and Secretary of State guidance.

On the whole, the amendments proposed have been drafted to clarify, formalise and, in some cases, simplify the processes in relation to applications under the Licensing Act 2003. The principles governing the Statement of Licensing policy remain consistent with the previous policy statement and recognise the wider community impacts that the Licensing Authority, residents, business community and other stakeholders must be aware of when participating in the licensing process. The new Statement of Licensing Policy recognises the need for a balance between the rights of businesses and the community.

The Licensing Authority have a public sector equality duty to the following protected characteristics:

- Age
- Disability
- Sex, gender reassignment, sexual orientation
- Pregnancy and maternity
- Race, religion or belief
- Marriage and Civil Partnership

Under the Equality Act 2020 (S.149) a public authority must, in the exercise of its functions, have due regard to the need to:-

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

C) Assessment

What did you find in B1? Who is affected? Is there, or likely to be, an impact on certain groups?

C.1) Describe any **NEGATIVE** impacts (actual or potential):

Equality Group	Impact on this group and actions you need to take
Applications from a Black, Asian, Minority and Ethnic background	<p>There will be many applicants from a Black, Asian and Minority Ethnic background whose first language is not English and who will therefore require assistance with their applications and the explanation of the legislation including the new reviewed Statement of Licensing policy.</p> <p>The Licensing Team will offer advice on the telephone with completing on-line applications and will accommodate appointments during office hours. In addition, consideration will be given to officers carrying out site visits to meet the applicants to gain a better understanding of their proposed application.</p>

C.2) Describe any **POSITIVE** impacts

Equality Group	Impact on this group and actions you need to take
Applications from a Black, Asian, Minority and Ethnic background	<p>Better quality of applications being submitted and as a result residents, responsible authorities and members of the Licensing Committee being well informed to make decisions in considering applications. Furthermore, better relationships will be formed with applicants and so it is hoped that there will be higher standards of compliance when the applicants operate.</p>

D) Conclusions

The Licensing Team has identified that a substantial amount of applications will continue to be received from those from a Black, Asian, Minority and Ethnic background. This will be particularly the case where applications are received from applicants who work or reside in the south of the Borough.

Literacy issues have been identified within these communities. Applicants will require some assistance with their applications, supporting documentation and explanation of Government guidance and the Council's Statement of Licensing Policy.

The Licensing Team will offer telephone advice for on-line forms and consideration will be given to meeting the applicant at Council Offices or the premises to assist them in completing application forms.



Signed and dated: 17.08.20

Name and position: Daniel Ferrer, Licensing Team Manager

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ENFORCEMENT OF PARKING MANAGEMENT SCHEMES

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Roy Clark, Parking Services Manager
Papers with report	Appendix A - Plan of Parking Management and 'Stop and Shop' Schemes Appendix B – Table of PCN contraventions
Ward	All

HEADLINES

To provide Members of the Committee with a brief summary of the current parking enforcement arrangements in relation to Parking Management and 'Stop and Shop' schemes across Hillingdon.

RECOMMENDATIONS:

That the Committee:

- 1. Notes the information presented in the report.**

SUPPORTING INFORMATION

Background

Parking enforcement was decriminalised in 1993 and from 4th July 1994 all parking enforcement in London was undertaken by local authorities using powers prescribed in the Road Traffic Act 1991.

Decriminalised Parking Enforcement (DPE) was subsequently made available to local authorities outside London but it was not mandatory for authorities to adopt these powers.

The council initially undertook DPE using directly employed Parking Attendants to patrol the parking restrictions in the borough and to issue Penalty Charge Notices (PCNs) where vehicles were found to be parked in contravention. In 2003, the in-house DPE service was tendered and a specialist parking enforcement contractor took over the DPE service from September 2003. At that time, the council remained responsible for processing any appeals or challenges against the PCNs issued but the parking enforcement contractor was responsible for patrolling the parking restrictions and issuing PCNs.

Since then, the DPE contract has been renewed on a number of occasions to different providers

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

and the existing DPE service is undertaken by APCOA Parking (UK) Limited (APCOA). The existing contract expires on 3rd August 2021 and officers have already commenced the procurement process to retender this contract.

How parking enforcement is undertaken in Hillingdon

The council's parking enforcement contractor, APCOA, deploys Civil Enforcement Officers (as Parking Attendants are now known) to patrol in 24 distinct patrol areas across the borough on a daily basis, and approximately 250 hours of Civil Enforcement Officer (CEO) hours are deployed on each day (71 hours on Sundays and Bank Holidays). APCOA have a staff establishment of 50 no. enforcement staff to meet these deployment hours.

The CEOs generally work between 6am - 10pm Monday to Saturday and 8am -10pm on Sundays and Bank Holidays but these times can be extended if they are dealing with a particular issue where the problem is occurring outside of these hours.

Parking enforcement is undertaken in a mixture of ways which includes foot patrols, car/moped patrols and also by using Unattended CCTV enforcement units. The CEOs will patrol their nominated patrol beat and, whilst they will cover the whole beat area, they will concentrate on areas where high levels of contraventions occur to ensure that congestion is minimised on the road network and that it is safe for all users.

There are numerous parking management and Stop & Shop schemes across the borough and these are routinely patrolled, during their operating times, by the CEOs to ensure that the limited kerb space in parking management schemes is kept clear for residents and their visitors, and to ensure a turnover of spaces for visitors/shoppers in Stop & Shop areas.

Attached as Appendix A to this report is a plan showing the existing Parking Management Scheme ('PMS') and 'Stop and Shop' ('S&S') parking schemes currently implemented across the Borough.

Whilst the CEOs are required to undertake enforcement of all contravening vehicles that they find during the course of a patrol, this does not necessarily mean that they will issue a PCN to every vehicle. If the driver is with the vehicle they will be given the option to move so that they are no longer parked in contravention and a PCN will only be issued if the vehicle fails to move.

When new parking management or Stop & Shop schemes are introduced, officers review the extent of the new scheme with APCOA and decide whether additional CEOs need to be deployed to ensure that the new area is regularly patrolled or whether it can be incorporated into an existing patrol beat. In the week prior to parking enforcement being introduced into a new scheme, the CEOs will patrol the area and place Advisory Notices on all the vehicles, which advise the driver that new controls will soon be in force and encourages them to ensure that their vehicle is parked legally before the date that enforcement will start.

To assist with safety outside schools, we operate a school rota so that all of the various schools in Hillingdon are visited on a regular basis and almost all of the available CEOs are deployed outside the schools during the morning and afternoon school run times.

Contrary to popular belief, CEOs are not paid a bonus to incentivise the issue of PCNs and their salary is not related, in any way, to the number of PCNs issued. Additionally, the contract between the council and the APCOA specifically prohibits the introduction of a bonus scheme that is related, in any way, to the number of PCNs that are issued.

The council's Parking Operations team actively manage and monitor the DPE contract to ensure that APCOA are undertaking their duties in accordance with the contract.

CCTV enforcement

Prior to April 2015, local authorities were able to utilise CCTV technology to undertake enforcement of the parking regulations by CCTV but a change in legislation meant that from April 2015, CCTV could only be used to enforce parking in the following areas:

- Red Routes
- Bus Stop Clearways
- Bus Lanes
- School Keep Clear zigzag areas

Local authorities are also permitted to undertake CCTV enforcement of certain moving traffic contraventions, such as banned turns, no entry points, weight restrictions, etc, as these are not legally classed as "parking" contraventions.

To improve safety outside schools, the council installed Unattended CCTV enforcement units outside all schools in 2016 to automatically enforce against vehicles that stop on the School Keep Clear zigzag markings which are located outside most schools.

All contraventions that are captured by the Unattended CCTV enforcement system are manually reviewed by a specially trained CCTV enforcement officer to ensure that the evidence supports the issue of a PCN, before a PCN is authorised.

At the present time, the council has 131 Unattended CCTV enforcement units of which 106 are outside schools. A further 25 cameras have been deployed to enforce bus stops/lane and moving traffic conventions in various locations across the borough.

Legislation covering parking enforcement

There is a range of Acts of Parliament and Statutory Instruments which cover parking enforcement, which includes the following:

- The Road Traffic Regulation Act 1984 & 1991
- The Road Traffic Act 1991
- The London Local Authorities Acts 1990, 1995, 1996, 2000, 2004, 2007 and 2012.
- The Traffic Management Act 2004
- The London Local Authorities and Transport for London Act 2003 and 2013

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

In addition to these the Secretary of State for Transport has also issued Statutory Guidance to local authorities that sets out the policy framework for decriminalised civil parking enforcement. The guidance attempts to strike the balance between as much national consistency as possible, while allowing parking policies to suit local circumstances, and a system that is fair to the motorist, but also effective in enforcing parking regulations. All enforcement authorities operating DPE have to use this guidance as part of their parking operation.

To reflect the seriousness of different types of parking contravention, PCNs are legally categorised as Higher or Lower. Higher level PCNs generally apply to contraventions associated with prohibited parking, such as parking on double yellow lines, and Lower level PCNs apply to contraventions associated with permitted parking places, such as overstaying a period of parking in a bay. A table showing the various PCN contraventions that can be issued and whether they are Higher or Lower level PCNs is detailed in Appendix B.

Processing of appeals and challenges against PCNs

As part of the council's parking enforcement operation, the council operates a parking administration service to assess challenges or appeals against PCNs, in accordance with current parking enforcement legislation. It is a statutory requirement of all enforcement authorities to provide this service, to ensure that any challenges or appeals are dealt with equally, efficiently and consistently. This administration service is provided directly by council employees and is not part of the service provided by APCOA.

If a motorist feels that they have been issued a PCN that is incorrect then legislation provides them with an opportunity to submit a challenge/appeal. Their challenge or appeal will be considered by a specially trained council officer and a decision made as to whether the points raised by the vehicle owner or driver justify the cancellation of the PCN.

If the officer decides not to cancel the PCN then a full explanation is provided for the reason for rejecting the challenge or appeal.

If the person is not satisfied with the council's decision then the owner (which legislation deems to be the DVLA registered keeper), who is legally responsible for the PCN regardless of who was driving the vehicle, will then have an option to have their appeal considered by an independent Adjudicator at the Environment and Traffic Appeals Service. The Adjudicator will consider the case put forward by the owner and the council and make a decision on whether the PCN should be cancelled and their decision is binding on both parties. There is no charge made to the owner to use this service.

Implications on related Council policies

A role of the Policy Overview Committees is to monitor the performance of Council services and make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

How this report benefits Hillingdon residents

The report sets out the ways in which the Council enforces the parking restrictions that have been introduced in response to requests from residents in respect of parking management issues, and to minimise congestion and maintain safety on Hillingdon's road network.

Financial Implications

Any revenue generated from PCNs that have been issued legally accrues to the council's Parking Revenue Account, which is maintained in accordance with Section 55 of the Road Traffic Regulation Act 1984. Legislation requires that a London Borough council must keep an account of the income and expenditure in respect of parking places on the highway, and sets out how any deficit must be treated and limitations on the use of any surplus.

Legal Implications

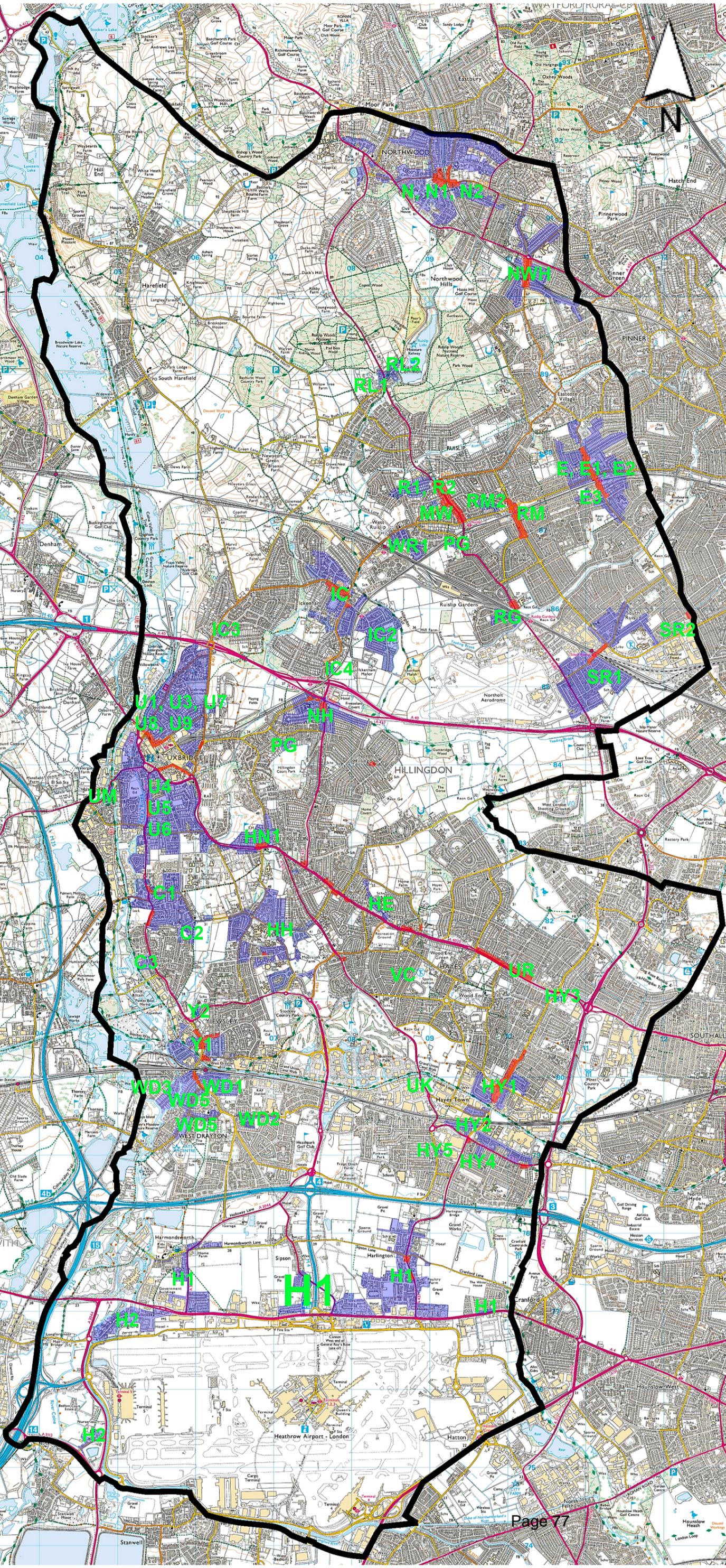
The relevant legal framework is set out in this report.

BACKGROUND PAPERS

Appendix A - Plan of Parking Management and 'Stop and Shop' Schemes

Appendix B - Table of PCN contraventions

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KEY

 = Borough Boundary

 = Parking Management Schemes

 = Stop & Shop Parking Schemes

Zone prefix locations are for guidance purposes only



HILLINGDON
LONDON

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Standard PCN Codes v6.7.8

On-Street

Code	General suffix(es)	Description	Diff. level	Notes
01	aoyz	Parked in a restricted street during prescribed hours	Higher	Suffixes y & z for disabled badge holders only
02	ao	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	
04	cs	Parked in a meter bay when penalty time is indicated	Lower	
05	cpsuv1	Parked after the expiry of paid for time	Lower	
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	Higher level in Wales
07	cmprsv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower	
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".
11	gu	Parked without payment of the parking charge	Lower	
12	rstuw4	Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge	Higher	
13		---- RESERVED FOR TfL USE (LOW EMISSION ZONE) ----	n/a	
14	89	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	
16	bdehqwxyz4569	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required	Higher	Suffix "s" only for use where bay is completely non-resident
17		---- RESERVED FOR ROAD USER CHARGING USE ----	n/a	
18	bcdefhmprsv12356789	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	
19	irsuwxyz4	Parked in a residents' or shared use parking place or zone with an invalid virtual permit or displaying an invalid physical permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower	
20		Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher	
21	bcdefghlmnpqrsuv1256789	Parked wholly or partly in a suspended bay or space	Higher	
22	cflmnopsv1289	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"
23	bcdefghklprsv123789	Parked in a parking place or area not designated for that class of vehicle	Higher	Suffix required to fully describe contravention
24	bcdefhlmnpqrsuv1256789	Not parked correctly within the markings of the bay or space	Lower	
25	n2	Parked in a loading place or bay during restricted hours without loading	Higher	On-street loading bay or place
26	n	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.
27	no	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher	

28	no	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher	
29	j	Failing to comply with a one-way restriction	n/a	London and Wales only
30	cflmnopsu12789	Parked for longer than permitted	Lower	
31	j	Entering and stopping in a box junction when prohibited	n/a	London and Wales only
32	jdt	Failing to proceed in the direction shown by the arrow on a blue sign	n/a	Code-specific suffixes apply. London and Wales only
33	jbcefgghikrsyz	Using a route restricted to certain vehicles	n/a	Code-specific suffixes apply. London and Wales only
34	j0	Being in a bus lane	n/a	
35		Parked in a disc parking place without clearly displaying a valid disc	Lower	
36	j	Being in a mandatory cycle lane	n/a	Wales only
37	j	Failing to give way to oncoming vehicles	n/a	London and Wales only
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a	Code-specific suffixes apply. London and Wales only
39		---- RESERVED FOR TfL USE (ULTRA LOW EMISSION ZONE) ----	n/a	
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	
41		Stopped in a parking place designated for diplomatic vehicles	Higher	
42		Parked in a parking place designated for police vehicles	Higher	
43		Stopped on a cycle docking station parking place	Higher	
45	nw	Stopped on a taxi rank	Higher	"stopped" may be varied to "waiting"
46	n	Stopped where prohibited (on a red route or clearway)	Higher	
47	jn	Stopped on a restricted bus stop or stand	Higher	
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	CCTV can be used on a restricted area outside a school only
49		Parked wholly or partly on a cycle track or lane	Higher	
50	jlru	Performing a prohibited turn	n/a	Code-specific suffixes apply. London and Wales only
51	j	Failing to comply with a no entry restriction	n/a	London and Wales only
52	jgmsvx	Failing to comply with a prohibition on certain types of vehicle	n/a	Code-specific suffixes apply. London and Wales only
53	j	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a	London and Wales only
54	j	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a	London and Wales only
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction
58		Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a	London Lorry Control Scheme
59		Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a	London Lorry Control Scheme
61	124cgn	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.
62	124cgn	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.

63		Parked with engine running where prohibited	Lower	
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	n/a	Code-specific suffixes apply. For use in Essex only
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	n/a	Code-specific suffixes apply. For use in Essex only.
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	n/a	Code-specific suffixes apply. For use in Exeter only.
67		Using a vehicle on a restricted street without a valid safety permit	n/a	Direct Vision Standard
72		--- RESERVED FOR BUILDERS' SKIPS CONTRAVENTIONS ---		London only
75		--- RESERVED FOR LITTERING FROM MOTOR VEHICLES ---		
76		-- RESERVED FOR WASTE RECEPTACLE CONTRAVENTIONS --		London only
99	no	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings

Off-Street

70		Parked in a loading place or bay during restricted hours without loading	Higher	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	u	Parked without payment of the parking charge	Lower	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
77		--- RESERVED FOR DVLA USE ---	n/a	
80	u	Parked for longer than permitted	Lower	Off-street car parks
81	o	Parked in a restricted area in a car park	Higher	Off-street car parks
82	puv4	Parked after the expiry of paid for time	Lower	Off-street car parks
83	4	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	u	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	btrwyz45	Parked without a valid virtual permit or clearly displaying a valid physical permit where required	Higher	Off-street car parks
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted	Higher	Off-street car parks
90	psuv	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"
91	cg	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks
92	o	Parked causing an obstruction	Higher	Off-street car parks
93		Parked in car park when closed	Lower	Off-street car parks
94	p	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	Off-street car parks. "two" may be varied to another number or "multiple"
95		Parked in a parking place for a purpose other than that designated	Lower	Off-street car parks
96		Parked with engine running where prohibited	Lower	Off-street car parks

Suffixes

General suffixes:-

- | | | | |
|--------------------------------|-----------------------|-------------------------------------|--|
| a) temporary traffic order | b) business bay | c) buses only | d) doctor's bay |
| e) car club bay | f) free parking bay | g) motor cycle bay | h) hospital bay |
| i) wrong type of voucher | j) camera enforcement | k) ambulance bay | l) loading place |
| m) parking meter | n) red route | o) blue badge holder | p) pay & display |
| q) market traders' bay | r) residents' bay | s) shared use bay | t) voucher/P&D ticket used in permit bay |
| u) electronic payment | v) voucher | w) wrong parking zone | x) incorrect VRM |
| y) obscured / illegible permit | z) out of date permit | 0) local buses / trams only | 1) electric vehicles bay |
| 2) goods vehicle loading bays | 3) bicycle bay | 4) virtual permit | 5) dedicated disabled bay |
| 6) hotel bay | 7) taxis only | 8) zero emission capable taxis only | 9) electric vehicle car club bay |

Taxi Ranks (code 45) only

w) amends the contravention code description to change the wording from 'stopped' to 'waiting'

Footway parking (codes 61, 62, 64, 65 and 66) only:-

- | | | |
|-------------------------|----------------------|--------------------------|
| 1) one wheel on footway | 2) partly on footway | 4) all wheels on footway |
| c) on vehicle crossover | g) on grass verge | |

Moving traffic contraventions only:-

32 d) proceeding in the wrong direction t) turning in the wrong direction

- | | | | |
|--|--------------------------------|---------------------------------------|-------------------------------|
| 33 b) buses only | c) buses and cycles only | e) buses, cycles and taxis only | f) buses and taxis only |
| g) local buses only | h) local buses and cycles only | i) local buses, cycles and taxis only | k) local buses and taxis only |
| q) tramcars and local buses only | r) tramcars only | s) tramcars and buses only | y) pedal cycles only (*) |
| z) pedal cycles and pedestrians only (*) | | | |

38 l) must pass to the left r) must pass to the right

50 l) no left turn r) no right turn u) no U-turn

52 g) goods vehicles exceeding max gross weight indicated m) motor vehicles s) solo motorcycles
v) all vehicles except non-mechanically propelled ones being pushed x) motor vehicles except solo m/cycles

Supplement to the Notes

Suffix 'j' identifies a contravention that can be used on highways other than red routes using CCTV. The suffix itself is not required on a PCN.

(*) applicable in Wales only

RECORD OF ADDITIONS & AMENDMENTS

VERSION	AMENDMENTS	EFFECTIVE DATE
6.7.8	Code 06 – note amended to indicate the contravention is a higher level in Wales	December 2 2019
	Code 29 added (Failing to comply with a one-way restriction)	
	Code 31, 32, 33, 37, 38, 50, 51, 52, 53, and 54 – note amended to include Wales	
	Code 32 - amended to 'proceed' rather than 'drive'	
	Code 32 – suffix “w” (one-way traffic) removed	
	Code 33 – suffix “y” added for pedal cycles only and suffix “z” added for pedal cycles and pedestrians only (* indicating Wales only added)	
	Code 36 added (being in a mandatory cycle lane) and a note added that this is applicable in Wales only	
	Code 67 added (Using a vehicle on a restricted street without a valid safety permit) for Direct Vision Standard	
6.7.7	Code 12 – amended to clarify virtual and physical permit actions	25 March 2019
	Code 16 – amended to clarify virtual and physical permit actions	
	Code 19 – amended to clarify virtual and physical permit actions	
	Code 39 added (reserved for Tfl - Ultra Low Emission Zone)	
	Code 85 – amended to clarify virtual and physical permit actions	
6.7.6	Code 14 – suffixes “8” and “9” added	1 January 2018
	Code 16 – suffix “9” added	
	Code 18 – suffixes “1”, “2”, “3”, “5”, “6”, “7”, “8” and “9” added	
	Code 21 – suffixes “7”, “8” and “9” added	
	Code 22 – suffixes “1”, “2”, “8” and “9” added	
	Code 23 – suffixes “7”, “8” and “9” added	
	Code 24 – suffixes “7”, “8” and “9” added	
	Code 30 – suffixes “c”, “2”, “7”, “8” and “9” added	
	Code 75 – note referencing “London only” removed	
	Code 82 – suffix “4” added	
	Code 83 – suffix “4” added	
	Suffix “7” added for taxis only	
	Suffix “8” added for zero emission capable taxis only	
Suffix “9” added for electric vehicle car club bay		

6.7.5	Code 72 added (reserved for Builders' Skips Contraventions)	15 December 2016
6.7.4	Code 51 – amended to remove references to complying with a sign	10 June 2016
6.7.3	Code 21 – suffix “n” added.	2 April 2015
	Code 26 – suffix “n” added	
	Code 27 – suffix “n” added	
	Code 28 – suffix “n” added	
	Code 61 – suffix “n” added	
	Code 62 – suffix “n” added	
	Code 99 – suffix “n” added	
	Supplement to notes added for suffix “j” and the use of CCTV	
6.7.2	Suffix “j” removed from contravention codes where CCTV enforcement is no longer permitted.	1 April 2015
	Code 63 – suffix “c” and note removed.	
	Code 96 – suffix “c” and note referring to bus bays removed.	
6.7.1	Code 75 added (reserved for Littering from Motor Vehicles).	1 December 2014
	Code 76 added (reserved for Waste Receptacle Contraventions).	
6.7	Code 16 – suffixes “5” and “6” added.	1 April 2014
	Code 17 – general description note amended to state “Reserved for Road User Charging Use”.	
	Code 21 – suffixes “5” and “6” added.	
	Code 24 – suffixes “5” and “6” added.	
	Code 25 – “or bay” added to the description and “or place” added to the notes.	
	Code 30 – suffix “1” added.	
	Code 41 – “parked” amended to “stopped”.	
	Code 63 – note amended to replace “coach” with “bus”.	
	Code 70 – amended for consistency.	
	Code 80 – amended for consistency.	
	Code 85 – description amended to remove reference to “permit bays”. Suffixes “y”, “z” and “5” added.	
	Code 89 – amended to simplify description.	
	Code 95 – amended to simplify description.	
	Code 96 – note amended to replace “coach” with “bus”.	
	Suffix “u” – amended from “mobile phone parking” to “electronic payment”.	
Suffix “5” – added for dedicated disabled bays.		

	Suffix "6" – added for hotel bays.	
6.6.2	Code 45 – "parked" amended to "stopped" and a note added indicating that "stopped" may be varied to "waiting" with use of a code specific 'w' suffix.	1 November 2013
6.6.1	Code 12 – suffix "4" added.	1 April 2012
	Code 16 – suffix "4" added.	
	Code 18 – suffix "j" added.	
	Code 19 – suffix "4" added.	
	Code 23 – Notes added to indicate that "suffix required to fully describe contravention"	
	Code 25 – suffix "2" added.	
	Code 55 – suffix "j" added.	
	Code 85 – suffix "4" added.	
	Suffix "4" – added for virtual permits.	
6.6	Code 1 – suffix "e" removed (old definition of suffix). Suffixes "a" and "j" added.	1 April 2011
	Code 2 – suffix "e" removed (old definition of suffix).	
	Code 5 – suffix "1" added.	
	Code 6 – suffix "1" added.	
	Code 7 – suffix "u" added.	
	Code 10 – notes amended to allow use of "multiple" instead of a specific number.	
	Code 11 – suffix "g" added.	
	Code 12– suffix "u" added. Suffix "x" removed. Description amended to take account of parking meters and payments where nothing is displayed in the vehicle.	
	Code 16 – "or zone" added. "clearly" added Suffix "e" added (new definition of suffix).	
	Code 18 – suffix "e" added (new definition of suffix).	
	Code 19 – suffix "u" added. Description amended to take account of parking meters and payments where nothing is displayed in the vehicle.	
	Code 20 – amended to remove "loading gap" and clarify contravention. Suffix "j" added.	
	Code 21 – amended to simplify description. Suffixes "e" (new definition of suffix), "g", "1" and "2" added.	
	Code 22 – suffix "j" added. Notes amended to allow use of "prescribed time period" instead of a specific period.	
Code 23 – suffixes "e" added (new definition of suffix) "1", "2" and "3" added.		
Code 24 – suffixes "e" (new definition of suffix) "l", "1" and "2" added.		
Code 26 – suffix "e" removed (old definition of suffix). Suffix "j" added.		

	Code 27 – amended to include cycle tracks and verges.	
	Code 28 – added for raised carriageways.	
	Code 30 – suffixes “j” “l”, “m”, “p” and “s” added.	
	Code 36 deleted – covered by code 30.	
	Code 43 added – cycle hire bays.	
	Code 48 – amended to include TSRGD variations for hospitals and fire, police and ambulance stations.	
	Code 57 – “coach” amended to “bus”.	
	Codes 64 and 65 – police use no longer needed – amended to apply to Section 6 of the Essex Act 1987.	
	Code 66 – police use no longer needed – amended to apply to Section 30 of the Exeter City Council Act 1987.	
	Codes 67 and 68 deleted – vehicle emissions codes no longer needed.	
	Code 71 added.	
	Code 80 – suffix “u” added.	
	Code 84 – suffix “u” added and code amended for consistency.	
	Code 86 – amended for consistency.	
	Code 90 – suffix “u” added. Notes amended to allow use of “prescribed time period” instead of a specific period.	
	Code 94 – notes amended to allow use of “multiple” instead of a specific number.	
	Suffix “c” – amended to apply to buses.	
	Suffix “e” – amended to refer to car club bays.	
	Suffix “1” – added for electric vehicles bays.	
	Suffix “2” – added for goods vehicles loading bays.	
	Suffix “3” – added for bicycle bays.	
6.5.1	Code 32 – suffix “p” removed.	1 November 2009
	Codes 37, 50, 52, 53 and 54 – amended to remove references to complying with a sign.	
	Code 38 added with code-specific suffixes.	
6.5	Code 6 – suffix “s” removed;	31 March 2008
	Codes 6 & 83 – “or voucher” removed as option and added to description	
	Code 12 – no longer London only	
	Codes 12, 19, 22 – “or zone” removed as option and added to description	
	Code 15 deleted	

	Code 16 – suffix “s” removed from use in relation to shared residents’ / other use bays	
	Code 26 – “in a special enforcement area” added	
	Code 27 – “in a special enforcement area” added	
	Code 40 – “clearly” removed; “in the prescribed manner” added	
	Code 48 – “during term time” option removed; “when prohibited” added	
	Code 49 – “or lane” removed as option and added to description	
	Code 62 – “or over a footpath or” added	
	Code 83 – “or parking clock” removed as option and added to the description	
	Code 87 – amended to the same description as code 40	
6.4.1	Code 12 – “zone” added as an option	14 June 2007
	Code 19 – “zone” added as an option	
6.4	Code 6 – suffix “s” removed from use in London	8 June 2007
	Code 12 added	
	Code 15 withdrawn from use in London	
	Code 15 – “zone” added as an option	
	Code 16 – suffix “s” removed from use in London in relation to shared residents’ / other use bays	
	Code 19 amended	
6.3	Code 5 – suffix (u) added	27 November 2006
	Code 11 added (for use in parking places where payment can be made using mobile phones)	
	Code 14 added (for use in electric vehicles’ charging places where parking is only allowed if charging is taking place)	
	Code 17 deleted (and reserved for Congestion Charging)	
	Code 18 – suffixes (p) (r) (s) and (v) added	
	Code 19 added (in place of previous code 17)	
	Code 21 – suffix (u) added	
	Code 22 – “zone” added as an additional option	
	Code 25 – suffix (j) added	
	Code 26 – distance becomes variable and no longer London only	
	Code 30 – suffix (u) added	
	Code 40 – “and parking disc” added as an option for use on time limited bays	
	Code 61 – suffix (j) added	

	Code 73 added (for use in car parks where payment can be made using mobile phones)	
	Code 82 description changed ("in a pay and display** car park" removed) – suffixes (p) (u) and (v) added	
	Code 87 - "and parking disc" added as an option for use on time limited bays	
	Code 89 – "and/or length" added	
	Code 91 – "a car park or" added	
	Suffix (p) changed – "bay" removed to allow for use in all off-street car parks	
	Suffix (u) added for use where mobile phones used to pay for parking	
	Suffix (v) changed – "bay" removed to allow for use in all off-street car parks	
6.2	Code 5 description changed ("at a pay and display** bay" removed)	1 March 2006
	Code 07 – suffix (r) included and 'meter feeding' moved from description to notes	
	Code 17 added (for use in shared use permit/ paid for parking bays)	
	Code 18 added (for use in parking places, e.g. Pay & Display, where unauthorised trading is being conducted)	
	Code 26 description changed from "Vehicle parked more than 50 cm from the kerb and not within a designated parking place"	
	Code 34 no longer London only	
	Code 47 description changed from "Parked on a restricted bus stop/stand"	
	Code 49 - "lane" included as optional alternative to 'track' - N.B. In general, where there is a mandatory cycle lane, there is a waiting restriction, and the code 01 can still be used	
	Code 83 – description changed ("pay & display" removed from before "car park")	
	Code 95 added (for use in Park & Ride car parks or similar facilities)	
	Code 96 added (for use in certain off-street coach bays)	
6.1	Code 83 - "or parking clock" included as additional option	6 June 2005
6.0	Code 10 added (Parked without clearly displaying two**** pay and display tickets when required)	July 2004
	Code 27 added (Parked adjacent to a dropped footway)	
	Code 34 description changed from "Vehicle seen contravening bus lane regulations"	
	Codes 31, 32, 33, 37, 50, 51, 52, 53 and 54 added (Moving traffic contraventions)	
	Code 46 description changed from "Parked on a clearway where stopping is prohibited"	
	Codes 58 and 59 added (Lorry Ban contraventions)	
	Code 60 deleted and "(except L B of Barnet)" deleted from note for code 62	
	Code 62 no longer London only	
	Code 94 added (Parked in a pay & display** car park without clearly displaying two**** valid pay and display tickets when required)	
	Suffix (n) added to indicate contravention on a red route	
	Suffix (o) changed from "orange" to "blue" badge holder	

	Suffixes for moving traffic contraventions added	
5.5	Description of code 01 altered to “pre <u>scri</u> bed” which relates to roads listed in the schedule	January 2001
	Codes 64, 65, 66 added for use on Metropolitan Police removals	
5.4	Additional suffix (j) added to those contraventions which could, in some circumstances, be enforced by camera – subject to alteration during pilot of CCTV enforcement	November 2000
	Bus lane contravention code changed to Code 34 with suffixes (j) – camera enforcement and (0) – local buses or trams only	
5.3	Code 26 added (LLAA 2000)	September 2000
	Code 60 repealed by LLAA 2000 and replaced by Code 62 in London (except for L B of Barnet)	

AIR QUALITY BRIEFING NOTE

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Val Beale – Residents Services
Papers with report	Appendix A - Details from Cabinet Meeting 30 May, 2019 Appendix B - School Pollution Results Table
Ward	All

HEADLINES

To provide Members of the Committee with a brief update on the development of Hillingdon's Air Quality Action Plan, information in regard to actions taken to implement the RESPOC recommendations and to answer questions sent by the Committee in advance of the meeting. The opportunity has been taken to give the members of the Committee a briefing on the impact of the recent COVID lockdown period on monitored air pollution levels in the borough.

RECOMMENDATIONS:

That the Committee:

- 1. Notes the information presented in the report; and**
- 2. Confirms whether there was any further information requested to be included in the report to come before the Committee in October 2020.**

SUPPORTING INFORMATION

1 The RESPOC report "Review of Air Quality in Hillingdon" gave a number of recommendations (R) for the Council to consider in relation to the development of the Air Quality Action Plan 2019-2024. These were;

- The Action Plan should maintain a strong focus on Hillingdon school travel plans. It should prioritise work with schools most affected by air pollution, particularly to explore measures to tackle idling emissions from cars and coaches (R1);
- Further promotion of the Air Text service providing pollution alerts for Borough residents should be considered (R2);
- The Council should explore ways to work with businesses to help them and their employees improve air quality in the Borough (R3);
- The air quality monitoring networks across the Borough should be reviewed to ensure that there is appropriate coverage, particularly in Air Quality Focus Areas (R4);

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

- The Council will explore further ways to make businesses and residents aware of their responsibilities recognising that the whole Borough is designated a Smoke Control Area (R5);
- Existing work by the Council to promote healthier and greener alternatives to driving, such as cycling and walking, and other practical ways to reduce pollution, should be integrated into the Action Plan along with ways to evaluate their impact in helping to reduce emissions.(R6)

1.1 The RESPOC report was approved by Cabinet and the recommendations taken forward into the review of the Air Quality Action Plan (AQAP).

1.2 Following a statutory and public consultation, the Air Quality Action Plan 2019-2024 was adopted by Cabinet on 30th May. The Plan is available on request.

1.3 The Air Quality Action Plan (AQAP) has two key objectives, to focus action to:

- *improve the areas of poorer air quality as soon as possible;*
- *to continue to improve air quality across the borough and reduce public exposure to air pollution, especially for vulnerable groups within our communities such as the young, the old and those already suffering with associated respiratory illnesses.*

1.4 The AQAP has a series of key priorities and an action plan delivery table containing 30 separate actions aimed at delivering the objectives and priorities of the Plan. The RESPOC report recommendations, which were endorsed by Cabinet, were key inputs which informed the consultation process for the finalisation of the AQAP and have been reflected in the key priorities and in the action plan measures. The Council priorities have been defined as:

- *Lead by example*

The Council will undertake a review of its own fleet and develop a programme for reducing emissions from this source over the five years of this Plan. This approach will also be adopted in regard to reducing emissions from Council buildings and the Council will both promote the use of, and seek funding to ensure the supply of, the infrastructure necessary for the increased use of low/zero emission technologies throughout the borough.

- *Prioritise reducing public exposure and improving air quality around schools*

The Council will work with schools to help them implement measures to reduce exposure both at school and on the journey to school. This will focus initially on those in the areas of poorer air quality and where schools are close to busy roads.

- *Prioritise the implementation of improvement strategies in the Air Quality Focus Areas*

The Council will investigate the development of an air quality improvement strategy for each Air Quality Focus Area on a rolling programme across the five years of the Plan.

- *Ensure the integration of the Healthy Streets approach in relevant council work programmes*

The Council will ensure its transport management projects and town centre improvements programmes incorporate delivery outcomes which include reducing pollution emissions and protecting public exposure.

- *Ensure the planning system supports the achievement of air quality improvements in relation to new developments*

The Council will use its planning policies to ensure new developments incorporate air quality positive design measures from the outset. Suitable mitigation measures will be sought to reduce pollution increases associated with new development, especially in areas where the air quality is already poor.

- *Raise awareness via targeted campaigns*

The Council will develop a rolling programme of awareness and enforcement campaigns focused on the protection of public health such as; promotion of the free pollution alert system, AirText, to vulnerable groups in the borough; a renewed focus on the issues of health impacts from particulate matter arising from sources such as from the burning of wood, coal and other substances especially in domestic fireplaces, enforcement on pollution issues arising from construction site activities and the enforcement of no idling throughout the borough.

- *Promote the use of greener walking and cycling routes to help the delivery of the Council's transport objective of an increased mode share for walking and cycling*

The Council will use available funding mechanisms to provide the necessary infrastructure and local improvements needed for increased cycling and walking facilities. Along with the use of enhanced green infrastructure to create greener walking and cycling routes away from the most polluted areas and roads, this will form an important integrated approach to reducing exposure to pollution and promoting healthier lifestyles as well as improving air quality by providing a zero-emission alternative to use of the car.

- *Work with external stakeholders*

The Council will ensure that external stakeholders, whose operations influence the pollution levels experienced within the borough, are actively engaged to deliver focused actions to reduce emissions from their operations and play their part in improving the air quality in the local communities..

1.5 Following the publication of an Air Quality Action Plan, the Council has a statutory duty to produce an Annual Status Report (ASR) and to submit it to the Mayor of London for approval on a yearly basis. The report has to include the monitoring data for the previous calendar year, trends in monitoring over time and report on the implementation of the actions within the AQAP.

1.6 The 2019 ASR was submitted on the 25th May 2020 to meet the GLA imposed 31st May deadline. Both the Full ASR Report and the Summary ASR Report are available on request. The ASR gives details of the monitoring data, the highlights in terms of actions taken and the action plan table of the 30 improvement actions with details of progress.

2 Specific progress on the Actions as recommended by RESPOC

2.1 The remainder of this Report focuses on the implementation of actions taken in regard to the RESPOC recommendations. Answers to queries received in advance from the Committee have been included in the relevant sections.

Recommendation 1 - Action Plan should maintain a strong focus on Hillingdon school travel plans. It should prioritise work with schools most affected by air pollution, particularly to explore measures to tackle idling emissions from cars and coaches;

Advance question from the Committee - could the Committee be provided with a list of schools located in areas where air quality was a concern?

2.2 A study by the Mayor of London reported on the pollution levels experienced at school premises throughout London and highlighted those where the levels of pollution was a concern. Air quality concern was defined as where modelling had indicated the playing areas within the school premises were above the limit value set to protect health ie 40ug/m³ annual mean nitrogen dioxide. None of the schools in Hillingdon were identified on this list in regards to being subjected to levels of pollution above the recognised health limits.

2.3 The list of all educational establishments (local authority schools, special schools, academies, independent schools etc) within Hillingdon has been attached (App B). This identifies the establishments ranked by their pollution levels within defined ranges, namely:

- under 40ug/m³ but above 35ug/m³;
- below 35ug/m³ but above 30ug/m³;
- below 30ug/m³ but above 25ug/m³;
- below 25ug/m⁵ but above 20ug/m³.

2.4 Hillingdon pupils, in terms of predicted levels of pollution within the outside playing areas, may not be in same situation imposed by the high levels of pollution as found in schools in places such as Inner London, but as reducing exposure to pollution has proven health benefits, especially for younger children, a key priority of the AQAP, as recommended by RESPOC, is to continue to further reduce exposure and improve air quality around our schools.

2.5 Whilst the Council can offer support and help to schools in issues such as the development of School Travel Plans, provision of access to pedestrian and cycling training, education campaigns in regard to sustainable travel and air quality, it does require the individual schools to actively engage with the Council to secure the maximum benefits.

2.6 In regard to School Travel Plans, the Council engagement continued throughout

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

2019/2020, paused only by the imposition of lockdown in March 2020. Whilst engagement is re-starting now schools are re-opening work on travel plans may not be to the same level straight away as the schools concentrate on getting back to a form of normality.

2.7 Transport for London has introduced a sustainable travel for school programme called STARS. This is an accreditation scheme (gold, silver, bronze levels) based upon achieving good levels of sustainable travel. The Council encourage all schools to consider the scheme when developing their school travel plans. In Hillingdon there are currently 10 schools at gold level, 3 at silver and 3 at bronze. Ten of the STARS accredited schools are within the above 30ug/m³ but below 35ug/m³ pollution category.

2.8 In addition, the Council has introduced a Hillingdon-specific parent parking pledge initiative which includes pledging to increase active travel as well as issues such as a pledge not to leave car engines running at drop off around schools. In 2019/2020 24 schools have actively engaged with the pledge initiative.

Advance question from the Committee - regarding the Council's cycle schemes, how often were lessons held? Were the schemes available across the Borough, and were schools encouraging their pupils to cycle to school?

2.9 The majority of schools are engaged with the Council in regards to gaining access to pedestrian and cycling training. In 2019/2020 this programme delivered pedestrian training and cycle training to 14,420 and 1,213 people respectively in 2019/2020 with additional support for family cycle training although delivery on this programme was cut short due to lockdown. Whilst the training will be restarted it may not be to the same level straight away as the schools concentrate on getting back into a form of normality.

2.10 The Council is participating in a pan-London "No Idling" raising awareness campaign funded by the Mayor of London. Following a call for interest to all schools, two campaigns were carried out in 2019/2020. The locations were Whiteheath Primary School and the Guru Nanak School. The events included air quality workshops followed by group activity outside the schools. Participating children approached drivers in the area at school pick up times, advising them of the impacts of idling vehicles on health and asking idling drivers to switch their engines off.

2.11 The two events engaged with 600 pupils in terms of the air quality workshops designed to raise their awareness of air pollution, the impacts on their health and how simple things like switching off engines and coming to school by walking, cycling or scooting instead of driving can help improve the pollution levels around their schools.

2.12 The action events outside the schools involved the pupils engaging with around 73 drivers. The majority of drivers were supportive and either not idling while waiting or switching off their engines when asked. An additional five schools expressed an interest in participating in further events although arrangements were postponed due to lockdown restrictions.

2.13 The no idling at schools campaign is currently being adapted to being delivered potentially as an online resources for schools. The MAQF funded Project Officers are developing workshop material which can be delivered either by:

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

- Idling Action project officers in the school,
- Idling Action project officers virtually via MS teams or Zoom;
- Independently by the teacher utilising the video workshop and lesson plan.

2.14 To help reinforce the message the Council has now installed no idling signs around every school in the Borough. This is in addition to the camera enforcement on the School Keep Clear zigzags. Between May 2019 and 31st January 2020 a total of 2,781 fines were issued for parking in the restricted zig zag areas close to the schools in the Borough. Whilst this demonstrates that action is being taken, it also highlights that a significant problem remains.

2.15 In addition to the above an air quality education package has been trialled at a school located in West Drayton. The package consisted of five lessons covering sources of pollution, health effects, an air quality monitoring exercise with the results mapped, the production of a school clean air walking route map and the production of a student-led news film based on the lessons. The importance of communicating the impacts of air pollution with parents, teachers and the local community was a common thread throughout the lessons as a means of changing behaviour, for example encouraging active travel.

2.16 Following a call for interest a further ten schools were then identified for similar education packages in the school year 2019/2020. Delivery has, however, been postponed until after lockdown is lifted and the schools are ready to be able to incorporate this work into their timetables.

2.17 Following concerns raised by Highfield Primary School in regard to potential safety issues during the school run, the Council is undergoing the trial of a 'School Street'. This is a pedestrian and cycle only zone outside a school that is implemented at key periods around school pick-up and drop-off times. The creation of a 'School Street' can help in tackling congestion problems outside schools; reducing road safety risks and improving air quality at the school gates, whilst making it easier and safer to walk and cycle to school.

2.18 The Council held a public consultation with the school, parents and households in the surrounding residential areas and the pilot School Street scheme was introduced in January 2020. The intention was for a 6-month trial with subsequent evaluation as to whether the restrictions should be made permanent. The scheme is currently suspended until lockdown restrictions are lifted.

Advance question from the Committee - was the Council supporting tree planting on school land? What was the most common tree planted, and was it effective at improving air quality?

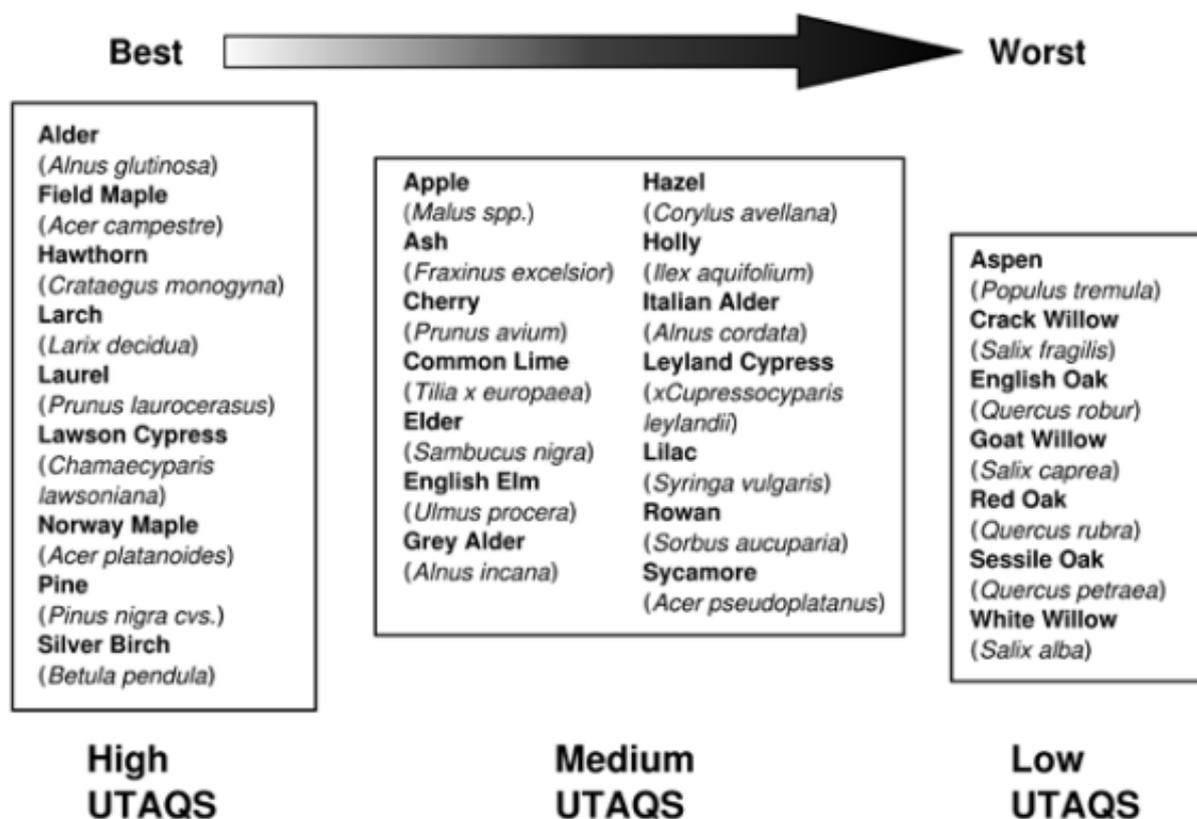
2.19 Working alongside other aspects such as the promotion of active travel for school children, the raising awareness of air pollution via the provision of education programmes and the implementation of no idling zones outside schools, the Council has undertaken to consider the installation of pollution barriers, including the use of hedges and trees, to provide further protection from exposure to pollution at the school site itself and complement other measures being undertaken to help provide a healthier environment at the school premises.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

2.20 Whilst the provision of pollution barriers themselves do not reduce pollution from the sources that cause the emissions eg road traffic, they can be relevant for consideration where school playgrounds/playing fields are in close proximity to pollution from roads. This is especially important at primary schools given the vulnerability of younger children to air pollution, therefore, even where schools are in generally less polluted areas there are benefits to be gained by reducing the exposure of young children during their recreational times to pollution from nearby traffic. A study by King’s College London found levels of nitrogen dioxide were reduced by 23 per cent when a green wall was placed between a busy road and a school playground.

2.21 In regards to the specific use of tree species, the Council is guided by information such as "Urban Trees and Air Quality", (Woodland Trust). This document ranks tree species with an Urban Tree Air Quality Score (UTAQ) from high benefit to local air quality to lower benefit.



Source - Trees Improve Urban Air Quality, Woodland Trust

2.22 The current planting scheme being undertaken at Cherry Lane Primary school includes the use of trees and those chosen were Hawthorn (*Crataegus* species) high UTAQ and Rowan (*Sorbus* species) medium UTAQ.

Recommendation 2 - Further promotion of the Air Text service/pollution alerts for Borough residents should be considered.

Advance question from the Committee - could information on AirText be forwarded to the Committee?

2.23 London-wide episodes of high pollution happen a few times each year. It is vital that people are kept fully informed and can respond accordingly. Timely air pollution data gives vulnerable people a chance to act to protect themselves, for example by reducing their exposure or simply by carrying their medication. The service airTEXT is a pollution alert warning system. Advice is given on anticipated pollution events via phone, email and social media.

2.24 The Council has been part of the airTEXT partnership since its inception. airTEXT is a free service for the public providing air quality alerts by SMS text message, email and/or voicemail and 3-day forecasts of air quality, pollen, UV and temperature across Greater London.

2.24 Member local authorities pay a small annual subscription to be part of the service. Residents and workers within the local authority can sign up for free and receive the alerts. In addition the alerts are sent to all schools, GP surgeries and care homes within the borough. See link below for full details and sign up. This is also available on the Hillingdon website.
<https://www.airtext.info/about>

2.25 The data recorded for the time period April 2019 - November 2019, ie eight months of the reporting year, reported a total of 3,551 alerts sent out across the 176 members in Hillingdon, the majority of these via email and text. In Hillingdon this time period included 16 separate pollution events, of which there were 4 in April which coincided with a Sahara Dust event.

2.26 Information is available on the Council website and there was a specific article in the Hillingdon People magazine to raise awareness of the scheme.

The Council should explore ways to work with businesses to help them and their employees improve air quality in the Borough (R3);

2.27 The Council's Town Centre improvement programme represents an opportunity for air quality benefits to be incorporated into this work, each scheme includes consultation with local businesses as part of the development process. The provision of improved cycling and pedestrian access to transport hubs can help local businesses develop their workplace travel plans targeted at improving access for their employees, examples are given below;

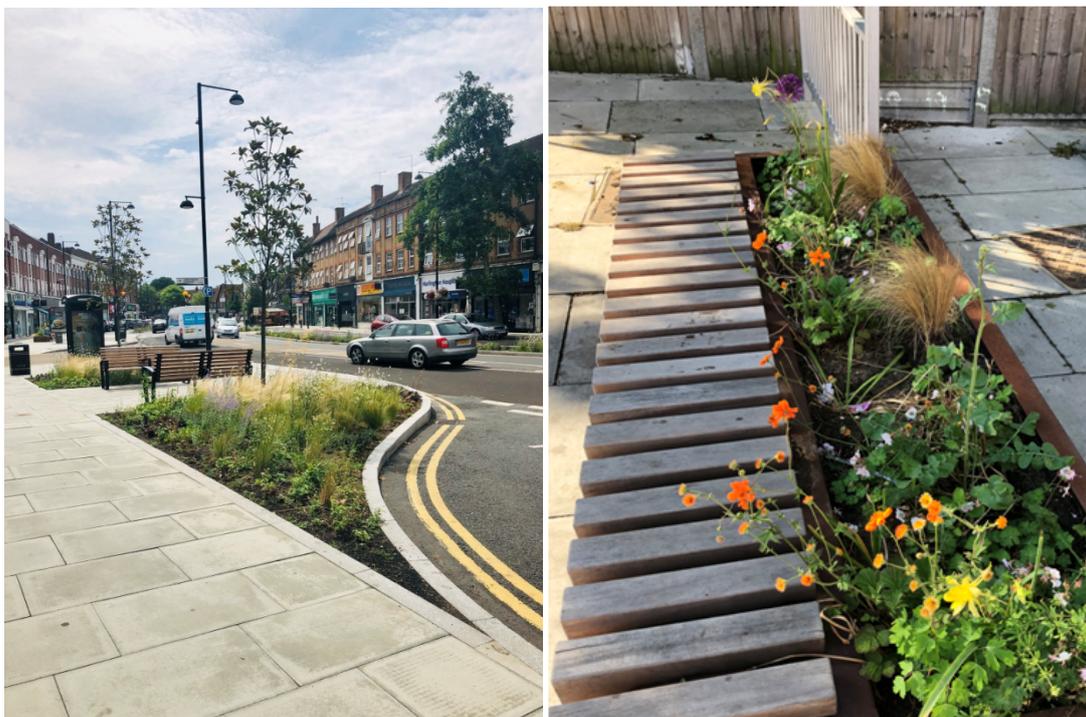
- An improvement scheme for a shopping parade in close proximity to the Uxbridge Road includes proposals to widen the pavements to enhance the separation of pedestrians from the Uxbridge Road along with the inclusion of cycle stands;
- additional improvements in Uxbridge Town Centre include new trees, footway widening for pedestrian access and cycle stands;
- Hayes Town Centre improvements have been concentrated around the arrival of Crossrail with the integration of an extended continuous cycle way and the introduction of a 20mph zone throughout to encourage cycle use by both local communities and local businesses.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

2.28 An innovative scheme to help both local air quality and local flooding occurrences has been implemented in Eastcote town centre. This incorporates the concept of rain gardens at the susceptible parts of the road system where flooding has occurred. This has also provided an additional buffer area between pedestrians and emissions from the road.

2.29 Further measures include the incorporation of new planter benches which have been installed at four locations with the dual benefit of providing seating with additional urban greening. The Eastcote scheme has won an award in the ICE London Civil Engineering Awards for multi-functional benefits for a Town Centre.



Rain garden and planted seating as part of the Eastcote town centre scheme.

2.30 In regard to working with local businesses and communities the Council has introduced a Targeted Problem Solving Group working with other partners such as the Police, Fire Brigade, TfL, Housing associations and a range of other Council departments. There is a rolling programme of events across the borough.

2.31 Information on issues such as improving air quality, information on airTEXT and raising awareness of the enforcement of no idling has now been included in the programme for dissemination at these events. In 2019/2020 the events engaged with a total of 2,258 people.

Recommendation 4 - The air quality monitoring networks across the Borough should be reviewed to ensure that there is appropriate coverage, particularly in Air Quality Focus Areas;

Advance questions from the Committee - Where were air quality monitoring stations? Were these in proximity to areas of poor air quality? Were these near schools, and were the stations at the appropriate height to obtain correct readings?

2.32 As recommended by RESPOC, a review of the air quality monitoring network across the borough was commissioned with the aim to assess whether the current locations should be retained, whether there are locations that could be withdrawn and where new sites should be located, paying particular attention to the Air Quality Focus Areas.

2.33 This review reported in June 2019 and was up and running by August 2019. This monitoring network will help to assess the success of actions taken across the borough to improve air quality and allow the Council to assess the trends in air quality over time. Details of the air quality monitoring network and the review are reported below.

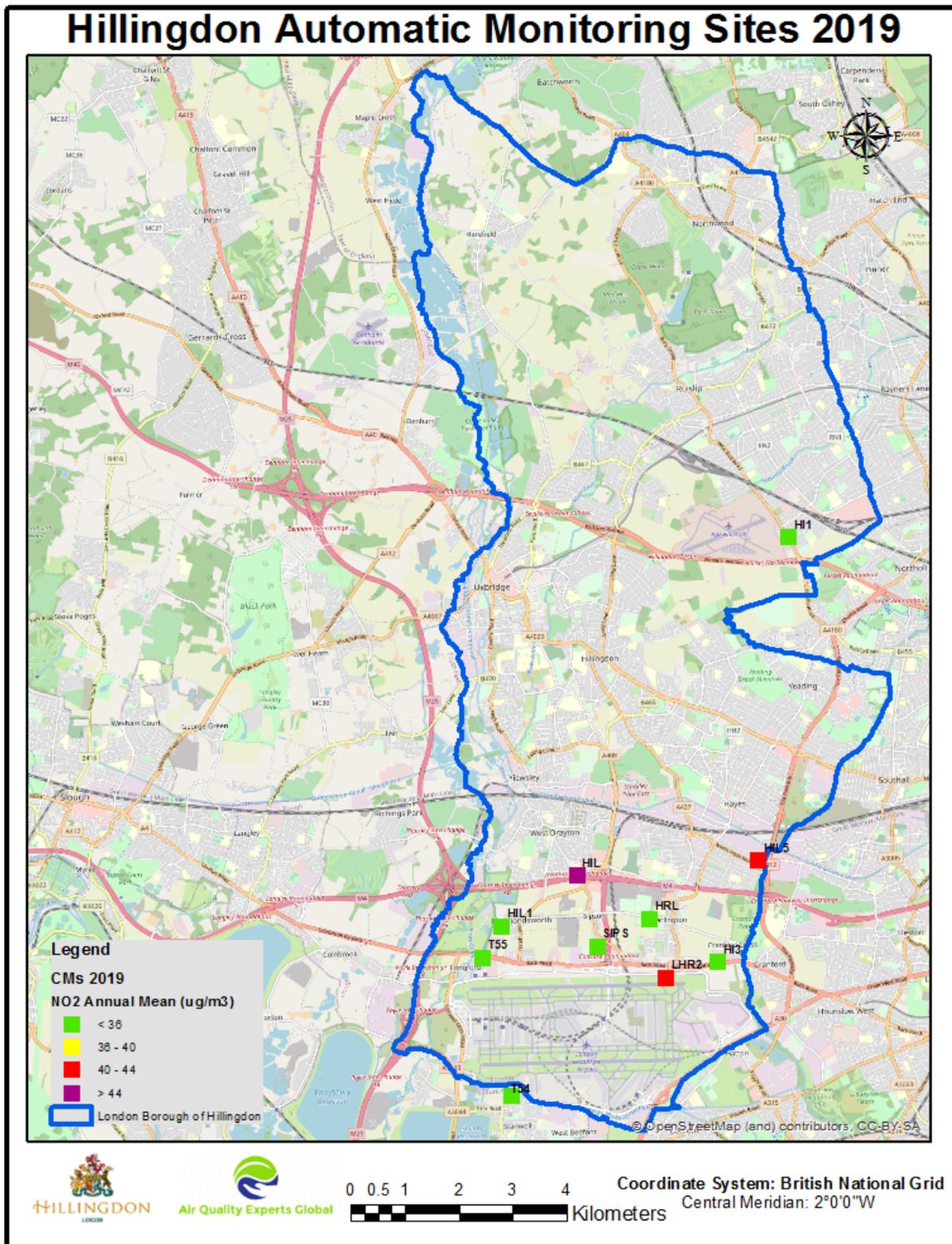
The Council assesses air quality levels using a) continuous air quality monitoring stations and b) by the use of indicative nitrogen dioxide diffusion tubes. The two types of monitoring are discussed below.

a) Continuous air quality monitoring stations

2.34 These require specific analysers, housed securely in units and are placed at fixed locations. The units require air conditioning units, access to phone-lines and electricity plus outside expertise to calibrate and quality control the data in accordance with specialised national technical guidance.

2.35 These have been in place for a number of years and are mainly located in the bottom two thirds of the borough. Additional monitors are in place and operated by Heathrow Airport Ltd (HAL) and one by the M4 is operated by central Government (DEFRA). There is public access to all the monitoring data. The map below shows the location of the monitors, the results are displayed for annual mean nitrogen dioxide, with green being below the health limit level, yellow close to the health limit value through to red and purple being above the health limit value. These are shown for the results in 2019.

Map 1:



Classification: Public
 Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

2.36 The station locations as in the map are:

- H1 - West End Road, South Ruislip (LBH operated site)
- HIL5 - North Hyde Road, Hayes (LBH operated site)
- HIL - West Drayton, 30m north of the M4 (DEFRA operated site)
- HRL - Harlington, background site between M4 and the A4 and Heathrow Airport (HAL operated site)
- LHR2 - on-airport (HAL operated site)
- HI3 - Bath Road (LBH operated site)
- HIL1 - Harmondsworth, background site (Lakeside operated site)
- Sips - Sipson, background site closer to A4/Heathrow Airport (LBH operated site)
- T55 - Longford (HAL operated site)

b) Diffusion tube network

2.37 In addition the council uses smaller diffusion devices called diffusion tubes. These are used to monitor pollution hotspots and to monitor background locations so trends across the borough can be assessed over time. These are easier to locate and only require a monthly exposure and collection regime with accredited laboratory analysis to ascertain the results.

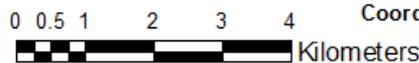
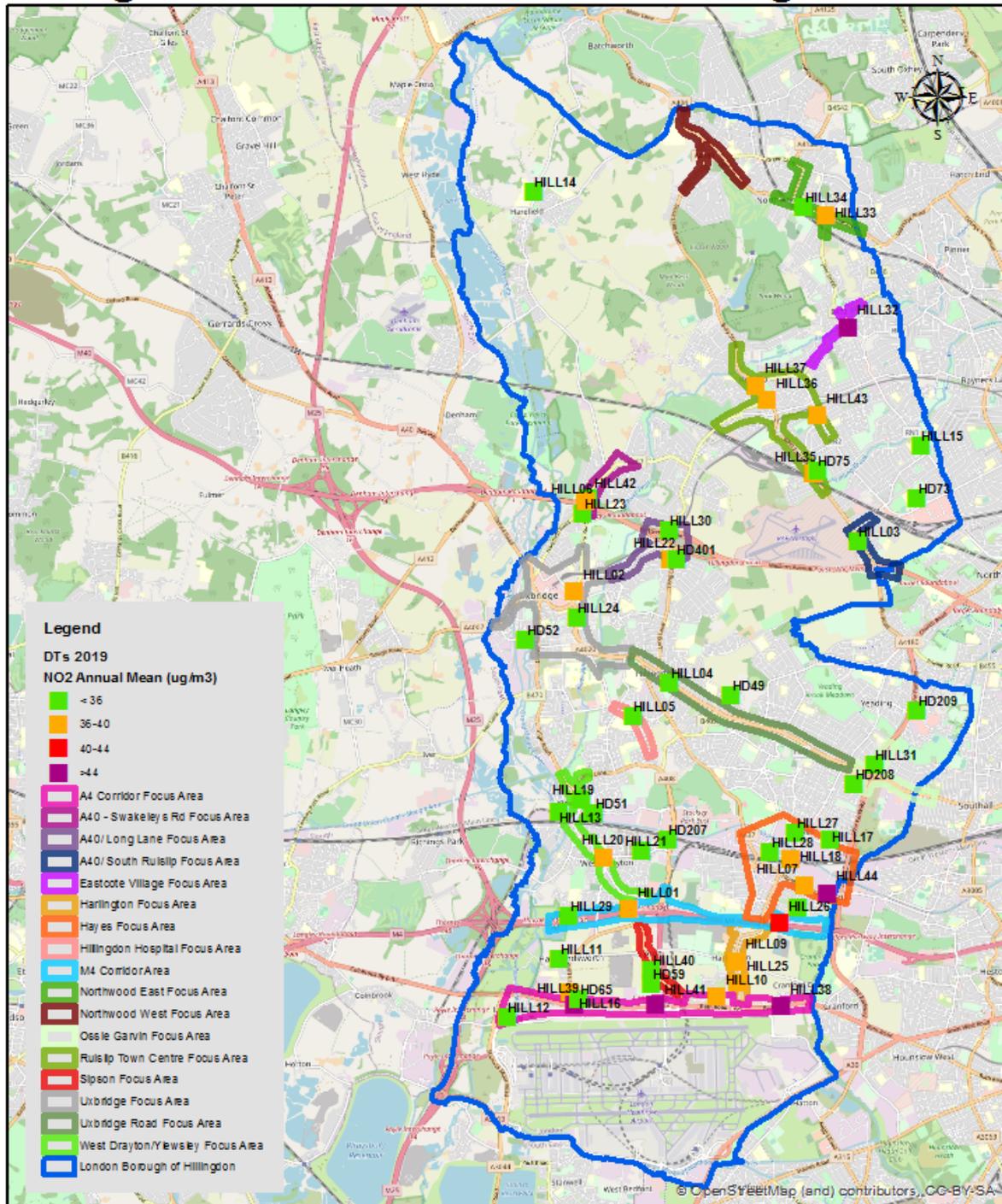
2.38 As the continuous air quality monitoring stations require substantial funding to decommission and re-locate, the Air Quality Monitoring review recommended that the diffusion tube network provided a better opportunity to ensure there is coverage throughout the areas of concern such as the Air Quality Focus Areas.

2.39 The map below indicates the location of the reviewed diffusion tube network and includes the location of the Air Quality Focus Areas as identified in the AQAP. Some of the original diffusion tube locations have remained, others deleted and new locations identified to ensure coverage. The coloured dots represent the annual mean nitrogen dioxide levels recorded in 2019, with green being below the health limit level, orange close to the health limit value through to red and purple being above.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

Hillingdon Non-Automatic Monitoring Sites 2019



Coordinate System: British National Grid
 Central Meridian: 2°0'0"W

Map 2

Classification: Public
 Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

2.40 It should be noted that the results for the year 2019 are not yet considered to be fully representative at all locations as the new network has only been in place since August 2019. This means new locations have only been monitored for 6 months instead of a full calendar year. The sites include background sites, school sites and road-side sites and are also located to assess worse case exposure eg residential housing by congested roads.

2.41 In regard to the question of the height of monitoring, this is largely dictated by the national technical guidance which suggests a minimum of 1.5m. This is part of the quality control of the data and ensures all monitoring throughout the country can be compared in terms of the analysers used, the laboratory analysis used and the pollution level at a given height. In terms of the diffusion tubes there is an added bonus of being at height meaning they are not so easily stolen.

2.42 In terms of public exposure there have been several studies looking at the pollution levels experienced at 1m and below. In situations close to busy roads, the levels have been found to be higher than those above 1m with studies using specialised monitoring techniques indicating young children in prams and buggies on busy roads being exposed to substantially more pollution than the adults pushing the pram. For further information please see the link <https://www.bbc.co.uk/news/health-45181761>

2.43 Avoiding busy roads, using pram and buggy covers and using pollution dispersal techniques with the planting of roadside hedges alongside busy roads, moving pedestrians further away from the road sources have all been identified as ways by which the exposure of young children to pollution can be reduced.

Advance question from the Committee - could the Committee be provided with data from the monitoring stations, in order to identify any trends?

2.44 Each year the Council is required to produce an annual status report (ASR) for the GLA which includes all the monitoring data and trend analysis. The graph below is from the 2019 ASR for the automatic monitoring sites in the borough and illustrates the trends over the last 10 years.

2.45 The three monitoring stations registering levels above the legal limit of 40ug/m³ (red dotted line) for annual mean nitrogen dioxide in 2019 are;

- LHR2 - this is on-airport at Heathrow;
- HIL- this is 30m from the M4 in West Drayton
- HIL5 - this is in Hayes

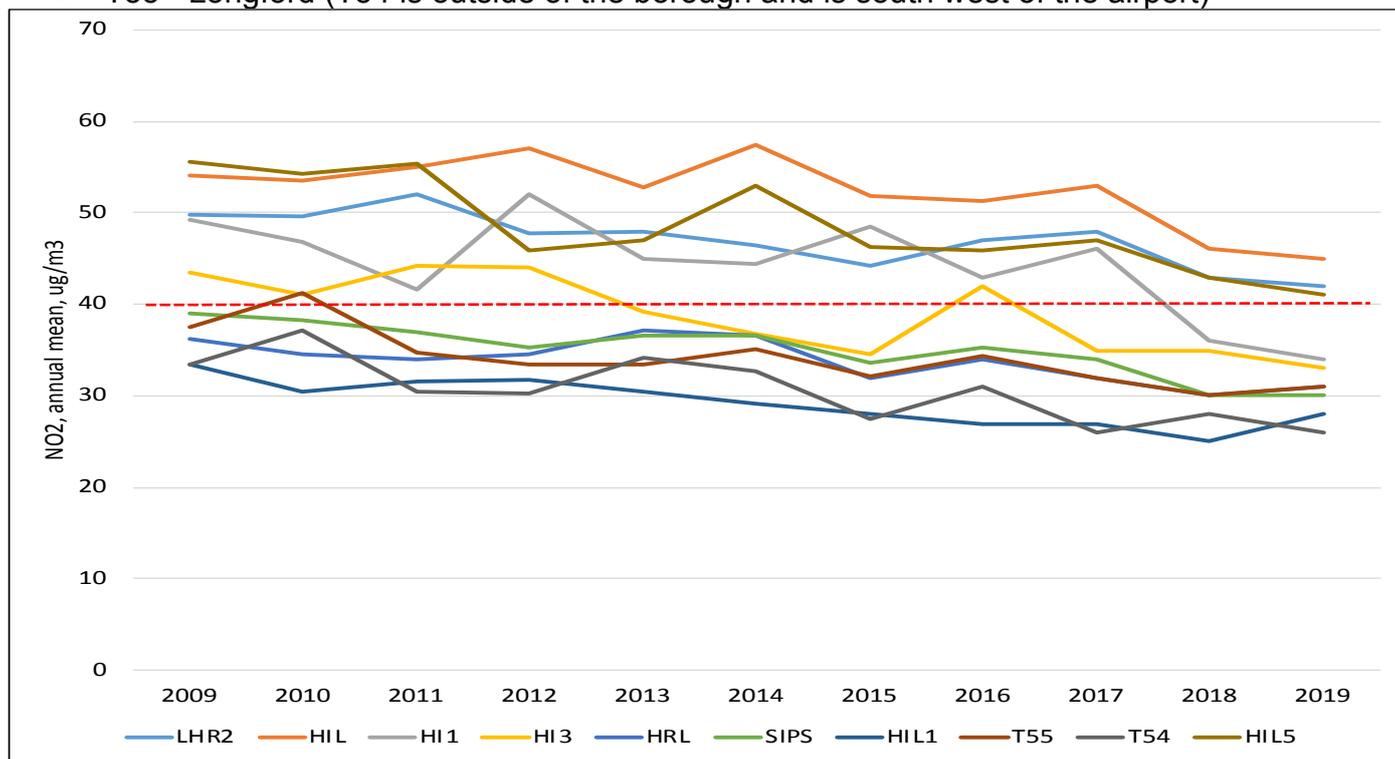
The other stations registering levels below the limit value in 2019 are:

- HI1 - West End Road, South Ruislip
- HI3 - Bath Road
- HRL - Harlington, background site between M4 and the A4 and Heathrow Airport
- Sips - Sipson, background site closer to A4/Heathrow Airport
- HIL1 - Harmondsworth, background site

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

- T55 - Longford (T54 is outside of the borough and is south west of the airport)



Annual mean NO₂ concentrations µg.m⁻³ as measured at the automatic monitoring stations, 2009-2019,

2.46 The monitor in West End Road South Ruislip (HI1) as shown by the grey line indicates the influence of the proximity to a busy road on pollution levels. The monitoring levels have started to drop in the last two years as the monitor was moved towards the back of a grass verge from its previous position closer to the road. As this brings the monitor closer to where people live this is considered a better representation of public exposure over the year.

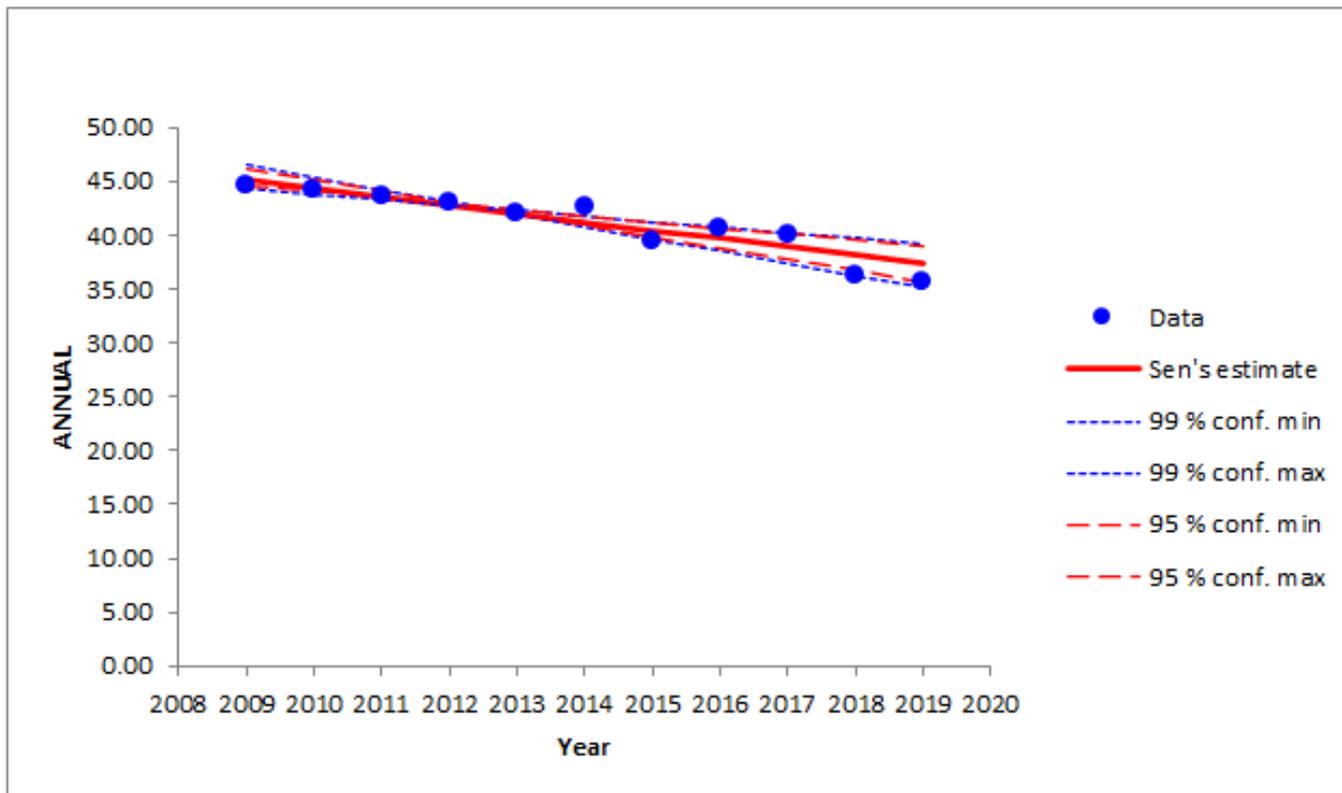
2.47 The other thing to note is the importance of weather patterns on pollution levels. The peaks can often be attributed to specific weather conditions in a particular year such as temperature inversions which tend to "hold" pollution closer to the ground.

Advance question from the Committee - the review had made reference to a reduction in nitrogen dioxide. Was this statistically significant?

2.48 A reduction in the highest levels of predicted pollution can be observed on page 6 of the RESPOC Review Report which shows the modelling map as predicted for 2005, and page 10 which shows the modelling map as predicted for 2013.

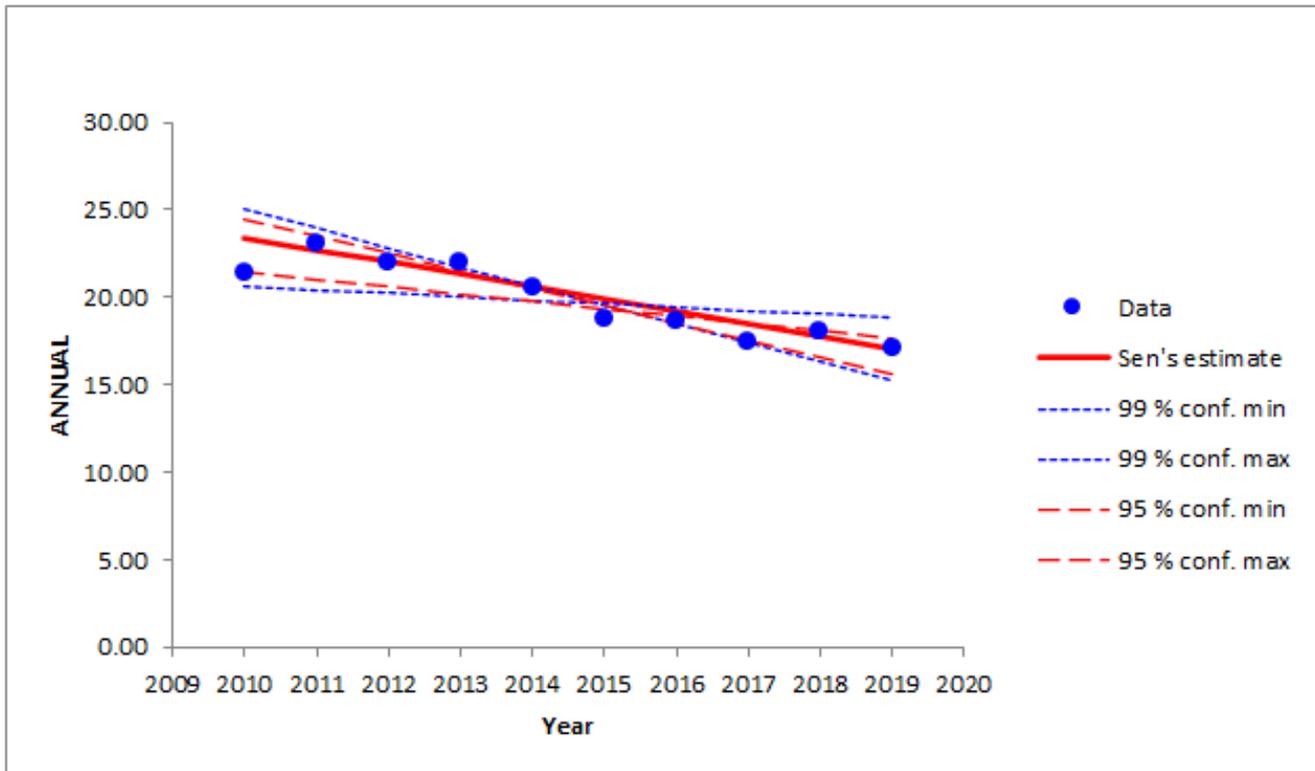
2.49 The graph above indicates there have been initial drops since 2009 with a general levelling out in more recent years, increases in concentration at some sites is observed for some years, this is usually attributable to variability in weather conditions.

2.50 To illustrate this more clearly in terms of statistical analysis a best fit line is computed. Taken as an average across all the automatic stations this indicates a slow overall reduction over 10 years.

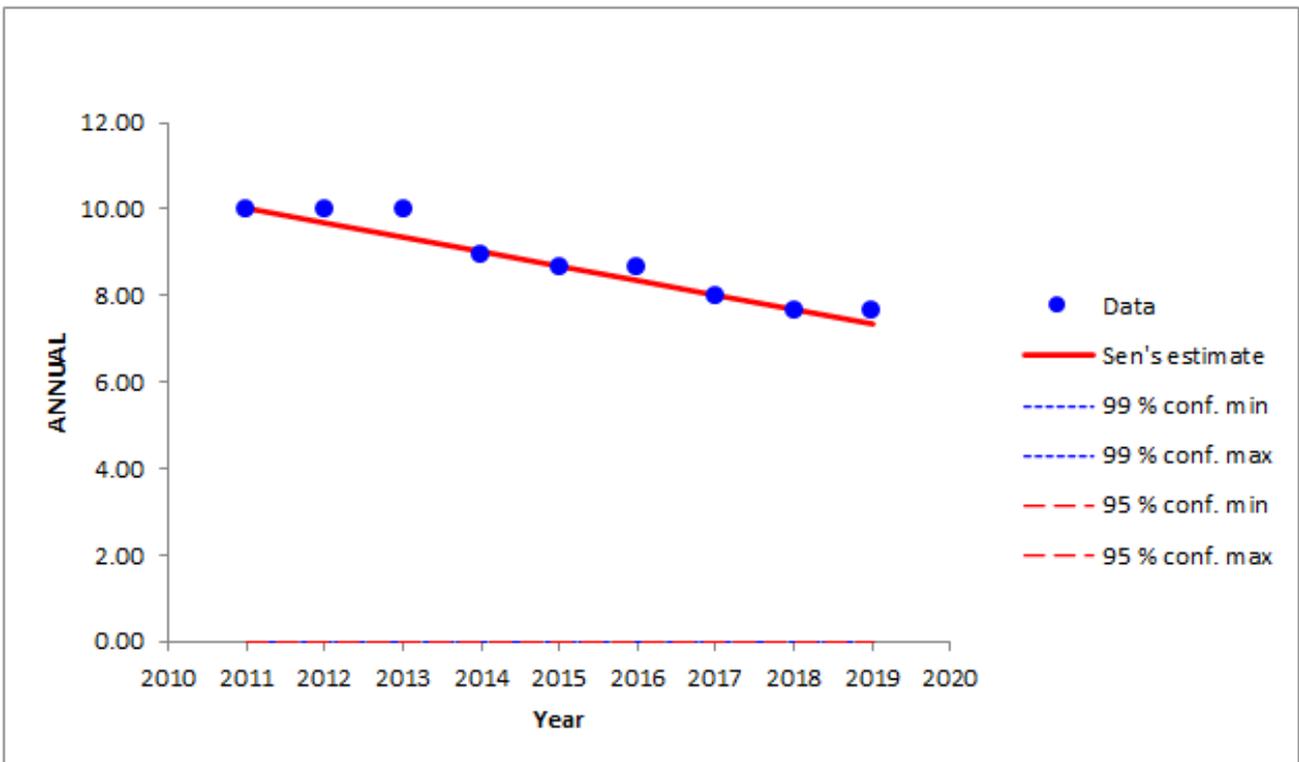


Annual mean NO₂ concentrations $\mu\text{g.m}^{-3}$ as measured at all the automatic monitoring stations, 2009-2019, (average across all sites in the borough) showing a mild downward trend in concentrations.

2.51 This pattern is repeated when looking at particulate matter, both for PM₁₀ and for the finer fraction PM_{2.5}:



PM10



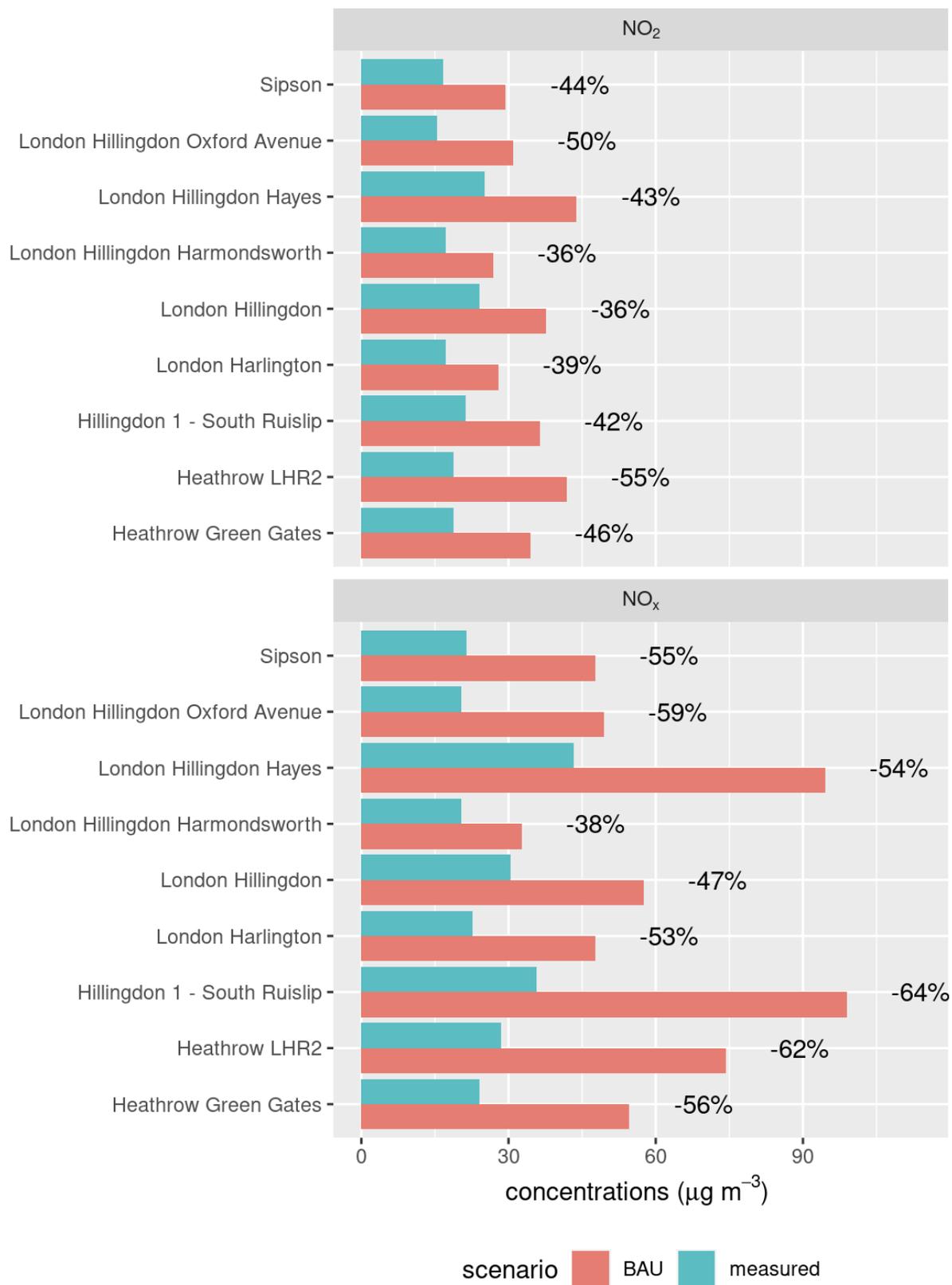
PM2.5

Annual mean PM₁₀ and PM_{2.5} concentrations $\mu\text{g.m}^{-3}$ as measured at the automatic monitoring stations, 2010-2019 (average across all sites in the borough). No sites exceed the annual mean objective.

2.52 Whilst it is too early to assess whether the impacts of lockdown in 2020, in terms of reductions in air pollution levels, will remain as a statistically significant trend over time, the reductions experienced at the air quality monitor stations in Hillingdon are notable. An initial analysis is given below.

2.53 The month of March saw the start of the Government intervention for restraining the spread of COVID-19, starting with the recommendation for social distancing measures on 16th March through to full lockdown on the 23rd March. In this month significant drops in pollution levels were recorded across all sites in the borough. Analysis by consultants on behalf of Hillingdon¹ shows the extent to which nitrogen dioxide (NO₂) and total nitrogen oxides (NO_x) concentrations fell between lockdown on March 23rd, through to May 12th, comparing measured data with a hypothetical business as usual (BAU) scenario representing concentrations that would have been observed in the absence of lockdown.

¹ https://www.airqualityengland.co.uk/assets/reports/199/Hillingdon_report_covid_analysis.html



Estimated effect of lockdown on NO₂ and NO_x concentrations up to May 12th 2020.

2.54 In the longer term, data can be compared with road and air traffic volumes to understand what drives these results and the extent of traffic reductions needed to achieve required pollution savings. Variability between sites also needs careful investigation given different influences at different times. An important challenge will be to understand how the benefits observed for air quality can be locked in as the country returns to "normal", post-lockdown.

Recommendation 5 - The Council will explore further ways to make businesses and residents aware of their responsibilities recognising that the whole Borough is designated a Smoke Control Area;

2.55 In declared smoke control areas the burning of fuel is only permitted if both the fuel itself and the appliance in which it is burned are on the DEFRA exempt lists. In London the increased popularity of wood burning stoves in domestic premises has been linked with increasing emissions in PM_{2.5}, estimated as contributing to between 23% and 31% of emissions of this finer fraction of particulate matter across London.

2.56 With exposure to particulate matter, and especially the finer PM_{2.5} fraction, identified as contributing to a number of serious health effects, reducing the emissions and hence public exposure is expected to bring about benefits in health. The Government's Clean Air Strategy has set out a path by which the sales of bagged traditional house coal and wet wood (in units under 2m³) will be phased out by February 2021, as will the sale of loose coal direct to customers via approved coal merchants by February 2023, allowing the public time to switch to cleaner alternatives.

2.57 Research by the GLA suggests that many Londoners are unaware they live in a Smoke Control Zone and are therefore unaware of the restrictions this brings in terms of what can be burned and in which appliances.

2.58 Information available on Hillingdon's website has been enhanced (October 2019) and there has been specific information on the issue in the Hillingdon People magazine. This included information on what it means to live in a smoke control zone, the smoke control area regulations and signposting to information on compliant fuels and appliances.

2.59 In regards to reducing other forms of potential smoke the Council offers every resident a free garden waste collection service, aiming to reduce the need for garden bonfires. In 2019, 825 tonnes of garden and kitchen waste were collected. In terms of the enforcement of domestic dust and smoke issues, officers attended 255 incidents in April 2019-March 2020.

2.60 The advice on the need to reduce emissions to air from these sources has been repeated regularly since the Covid 19 lockdown using the Council's social media updates. This highlights the need to avoid using wood burning stoves or lighting bonfires especially in these current times.

Recommendation 6 - Existing work by the Council to promote healthier and greener alternatives to driving, such as cycling and walking, and other practical ways to reduce pollution, should be integrated into the Action Plan along with ways to evaluate their impact in helping to reduce emissions.

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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

2.61 The Mayor of London's Transport Strategy has introduced the concept of Healthy Streets. Using a scorecard rating approach, projects to improve public realm are assessed in terms of their ability to improve on 10 key indicators, one of which is Clean Air:

Healthy Streets Indicators



Source - Transport for London

2.62 The incorporation of this approach into Council schemes will ensure benefits for air quality, as well as the improvement of cycling and pedestrian provision, are an integral part of each Council scheme. The use of the healthy streets indicator system from a pre-scheme assessment to post-scheme assessment provides a means of demonstrating the level of improvement provided by implementation of the scheme.

3 Additional advance questions from the Committee

How many vehicles did the Council operate and what progress had been made to improve emissions?

What were the next steps for the replacement of vehicles? How long would it take to update the fleet in respect of satisfactory emissions?

3.1 The implementation of a Council Fleet replacement programme is being taken forward by the Fleet Management Team over the time period 2019-2024/25.

3.2 In 2019/2020 this has included the upgrade of 77 specialist vehicles (this includes refuse collection vehicles, road sweepers, cage tippers etc) to Euro V1 in terms of vehicle emissions for NOx and PM10. These will meet the future tighter standards being set for the TfL London Low Emission Zone (proposed for October 2020, now postponed to end of February 2021).

3.3 Consideration is currently being given for the purchase of eight pool cars which will be low/zero emissions technology, electric equipment is being trialled by the Green Spaces Team and plug in electric points are being provided for the ice cream vans at Ruislip Lido so that the constant running of the diesel engines required to keep the products cold can be switched off therefore removing the local pollution caused by the idling of the engines.

How was the Council promoting the use of Green Fleets for sub-contractors and partners?

3.4 The Fleet Operator Recognition Scheme (FORS) is a voluntary accreditation scheme for fleet operators. It aims to raise the level of quality within fleet operations, and to demonstrate which operators are achieving exemplary levels of best practice in safety, efficiency, and environmental protection. All current Council contracts include the requirement to be Freight Operators Recognition Scheme registered and also to be a minimum of Euro V1/6 in terms of emissions.

3.5 The Council is participating in the Mayor's Air Quality Fund No Idling campaign. The initial year 2019/2020 focused on working with schools, 2020/2021 will consider working with local authority fleets and local businesses. The opportunity will be taken to consider how the inclusion of low/zero emissions requirements and practices can be captured in relevant local authority contracts.

Could planning polices be reviewed so that the Council was not forced to approve applications located in areas of poor air quality simply because the application provided some form of mitigation, such as mechanical air scrubbing?

3.6 There has been a noticeable change in air quality planning policies over the last few years. The Council Local Plan Part 1 introduced the policy that planning developments should not cause a worsening of local air quality and introduced the notion of air quality neutrality. This has now been further enhanced by the Council's Local Plan Part 2 and the introduction of developments being "at least air quality neutral" as a minimum, with the protection of the public against unacceptable risk of pollution being specifically sought as well as developments needing to actively contribute to air quality improvements.

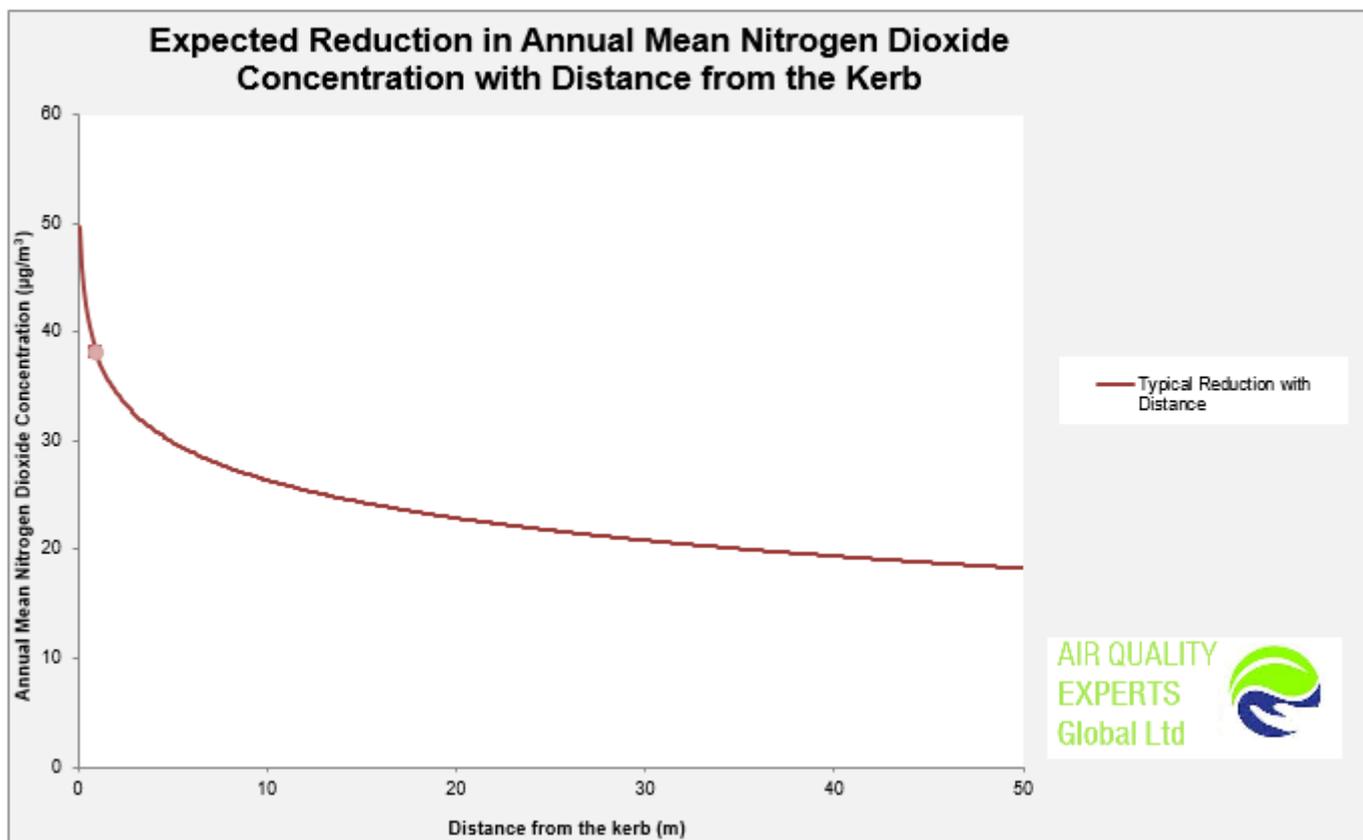
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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

3.7 The Intend to Publish London Plan Policy for air quality introduces the concept of developments being clean by design to protect future occupiers, to address public exposure to existing air pollution and make provision to address local problems of air quality.

3.8 The introduction of clean by design measures should ensure that the improvements, which include protecting future occupiers, are built in at the right stage as opposed to add on mitigation at the end. Clean by Design measures include looking to move the accommodation away from the source of pollution, providing appropriate greening infrastructure to prevent exposure to pollution including associated amenity areas, the use of ultra low emissions energy sources to protect indoor air quality.

3.9 For the protection of future residential exposure, moving the accommodation away from the pollution source, ie back from the road, is a design measures which can be included in the initial stages of the development along with sufficient greening infrastructure to provide additional protection and negate the need for mechanical ventilation. The pollution drop off with distance is illustrated in the graph below.



Source DEFRA, AQ Technical Guidance

Implications on related Council policies

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

Air quality is a significant issue across all areas of London, including for Hillingdon residents. Hillingdon's new Air Quality Action Plan seeks to tackle this through a number of measures, to improve the quality of life for residents.

Financial Implications

None at this stage.

Legal Implications

None at this stage.

BACKGROUND PAPERS

Air Quality Action Plan 2019-2014
Air Quality Annual Status Report 2019
Air Quality Annual Status Report Summary 2019

Appendix A

Details from Cabinet Meeting 30 May, 2019

8. [Hillingdon Air Quality Action Plan 2019-2024](#) PDF 163 KB

Additional documents:

- [Consultation Report , item 8](#) PDF 124 KB
- [Air Quality Action Plan 2019-2024 , item 8](#) PDF 2 MB

Minutes:

RESOLVED:

That Cabinet:

**Considers the responses to the consultation received in Appendix 1; and
Approves the Hillingdon Air Quality Action Plan 2019-2024 for adoption by the Council.**

Reasons for decision

Cabinet approved the Hillingdon Air Quality Action Plan for 2019-2024. It was noted that the Plan fulfilled the Council's statutory requirement to update its current Plan and put in place actions to improve air quality, in accordance with guidance from the Mayor of London. Cabinet considered the consultation responses, and the process undergone by the Council to review the Action Plan, which had incorporated recommendations from the Residents' & Environmental Services Policy Overview Committee's review on Air Quality in 2017/18. In particular, Cabinet noted the health impacts on residents on poor air quality and efforts to tackle idling cars, particularly outside schools.

Alternative options considered and rejected

None. If the Council were not to update its Action Plan, it would not be using the most accurate information to tackle poor air quality and could be directed to do so under the Environment Act.

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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

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Appendix B - School Pollution Results listing

Establishment Name	Type of Establishment
Under 40ug/m3 but above 35ug/m3	
Cherry Lane Primary School	Community school
Green Corridor	Special post 16 institution
Lady Nafisa Independent Secondary School for Girls	Other independent school
Uxbridge High School	Academy converter
The Global Academy	University technical college
William Byrd Primary Academy	Academy sponsor led
Cranford Park Academy	Academy converter
Botwell House Catholic Primary School	Voluntary aided school
Harlington School	Foundation school
St Andrew's CofE Primary School	Voluntary aided school
Below 35ug/m3 but above 30ug/m3	
Hillingdon Primary School	Academy converter
Pinkwell Primary School	Academy sponsor led
West Drayton Academy	Academy converter
Heathrow Primary School	Community school
John Locke Academy	Academy sponsor led
The Willows School	Academy special converter
St Bernadette Catholic Primary School	Voluntary aided school
St Matthew's CofE Primary School	Academy converter
Minet Junior School	Community school
Minet Nursery and Infant School	Community school
Harmondsworth Primary School	Community school
Wood End Park Academy	Academy converter
Nanaksar Primary School	Free schools
Guru Nanak Sikh Academy	Academy converter
St Martin's Church of England Primary School	Academy sponsor led
Dr Triplett's CofE Primary School	Voluntary aided school
Rabbsfarm Primary School	Community school
Queensmead School	Academy converter
Yeading Infant and Nursery School	Community school

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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

McMillan Early Childhood Centre	Local authority nursery school
Lake Farm Park Academy	Academy sponsor led
Yeading Junior School	Community school
Hillingdon Manor School	Other independent special school
Hewens Primary School	Free schools
Hewens College	Academy converter
De Salis Studio College	Studio schools
Northwood School	Academy converter
Laurel Lane Primary School	Academy sponsor led
Brookside Primary School	Academy sponsor led
The Young People's Academy	Academy special sponsor led
Park Academy West London	Academy sponsor led
St Helen's College	Other independent school
St Catherine Catholic Primary School	Voluntary aided school
Below 35ug/m3 but above 30ug/m3	
Parkside Studio College	Studio schools
Rosedale College	Academy converter
The Skills Hub	Academy alternative provision converter
Grange Park Junior School	Foundation school
Grange Park Infant and Nursery School	Foundation school
Whitehall Junior School	Community school
Whitehall Infant School	Community school
Oak Farm Infant School	Foundation school
Oak Farm Junior School	Foundation school
Rosedale Primary School	Academy sponsor led
Barnhill Community High School	Academy converter
Belmore Primary Academy	Academy sponsor led
Colham Manor Primary School	Community school
St Mary's Catholic Primary School	Voluntary aided school
Field End Junior School	Community school
Field End Infant School	Community school
Hayes Park School	Foundation school
Bishopshalt School	Academy converter
Oak Wood School	Foundation school
Pield Heath House RC School	Non-maintained special

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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

	school
Warrender Primary School	Community school
Highfield Primary School	Community school
UTC Heathrow	University technical college
Bourne Primary School	Community school
ACS Hillingdon International School	Other independent school
Ruislip High School	Academy converter
Swakeleys School for Girls	Academy converter
The Douay Martyrs Catholic School	Academy converter
Charville Academy	Academy converter
Hedgewood School	Community special school
Vyners School	Academy converter
Meadow High School	Community special school
St Swithun Wells Catholic Primary School	Voluntary aided school
Deanesfield Primary School	Community school
Moorcroft School	Academy special converter
HCUC (Harrow College & Uxbridge College)	Further education
Hermitage Primary School	Community school
Cowley St Laurence CofE Primary School	Academy converter
Ryefield Primary School	Academy converter
Holy Trinity CofE Primary School	Voluntary aided school
Pentland Field School	Free schools special
Below 30 but above 25	
Newnham Junior School	Community school
Newnham Infant and Nursery School	Community school
Lady Bankes Junior School	Community school
Lady Bankes Infant School	Community school
Brunel University	Higher education institutions
Ruislip Gardens Primary School	Community school
Glebe Primary School	Community school
Sacred Heart Catholic Primary School	Voluntary aided school
Coteford Infant School	Community school

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Residents, Education and Environmental Services Policy Overview Committee – 15 October 2020

Bishop Ramsey Church of England School	Academy converter
The Hall School	Other independent school
West Middlesex College	Miscellaneous
Coteford Junior School	Academy converter
Grangewood School	Academy special converter
The Breakspear School	Community school
Harlyn Primary School	Community school
Bishop Winnington-Ingram CofE Primary School	Voluntary aided school
St John's School	Other independent school
Hillside Infant School	Foundation school
Hillside Junior School	Foundation school
Haydon School	Academy converter
Whiteheath Junior School	Community school
Whiteheath Infant and Nursery School	Community school
London School of Theology	Miscellaneous
Frithwood Primary School	Community school
Northwood College for Girls	Other independent school
St Helen's School	Other independent school
RNIB Sunshine House School and Children's Home	Non-maintained special school
St Martin's School	Other independent school
Below 25 but above 20	
Harefield Junior School	Community school
The Harefield Academy	Academy sponsor led
Harefield Infant School	Community school

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Residents, Education and Environmental Services Policy Overview Committee – 15
October 2020

QUARTERLY SCHOOL PLACES PLANNING UPDATE

Committee name	Residents, Education & Environmental Services Policy Overview Committee
Officer reporting	Dan Kennedy, Residents Services
Papers with report	None
Ward	All

HEADLINES

The purpose of this report is to provide the Residents, Education & Environmental Services Policy Overview Committee with an update on admissions numbers in September 2020 and projections for future demand for primary and secondary school places in Hillingdon. They show continuing rising secondary demand and primary rolls continue to be high and relatively stable. There is a slight reduction in forecast secondary demand compared to the previous projection, but still a growing need for additional Year 7 places over the next seven years at least, due to parental preferences and the pattern of movements in and out of the borough.

Adjustments have been made in reducing primary Planned Admissions Numbers (PANs) and excess capacity to support effective school organisation, following careful analysis.

Plans are underway to secure high quality permanent extra places in secondary and special schools and also temporary extra places to meet increasing demand, where this is required.

As requested by Members, the Quarterly update also includes details of SEND capacity and projections of future need and the outcomes of any discussions on school performance, or discussions held with the Strategic Education London Leads Group.

RECOMMENDATIONS:

That the Committee:

- 1. Note there were sufficient places for all pupils in September 2020, for admissions to Reception, Junior School Year 3 and secondary Year 7, within a reasonable distance of homes and, so far as possible, meeting parental preferences and enabling schools to have efficient class sizes.**
- 2. Note adjustments in reducing total primary PAN to help schools manage changes in demand.**
- 3. Note the increasing demand for Year 7 places from 2020 onwards, and the options being progressed for both permanent and temporary increases in secondary places to meet the projected increases. Work is underway with schools and Trusts to progress this.**
- 4. Note that most special schools in the borough are now full after a recent**

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

unprecedented rise in new EHCPs and new pupils moving into the borough with EHCPs. Significant expansion is underway including one new special free school and expansions in four others to provide 273 extra places by 2023/24, and proposals are being put to Lead Members to secure additional places in the current year.

- 5. Note the update on School improvement issues.**
- 6. Seek further information about the update.**

SUPPORTING INFORMATION

1. The Council has a legal duty to ensure every child is offered a school place, often referred to as the 'sufficiency duty'. Work on school organisation aligns with fulfilling other statutory duties; to ensure that its statutory education functions are discharged with a view to promoting high standards, ensuring fair access to opportunity for education and learning, and promoting the fulfilment of learning potential for all learners.
2. The actual rolls in each school vary due to parental preferences, movements in and out of the borough and the relative popularity of schools, including those out of the borough. 94% of admissions are offered according to parental preferences, only 6% are allocated by the LA to the spaces left. Statistical forecasts based on current pupil rolls and capacity, birth rates, population changes, migration and new housing are a useful guide but not fully effective at providing an accurate number of how many pupils will be in each school. The Department of Education (DfE) advise an extra 5%-10% margin should be considered in school places planning to meet movement in-year and between schools. The forecasts assume each place is equally desirable but the borough has some extremely oversubscribed and some undersubscribed schools which distort the outcomes.

The Admissions Process for September 2020 entry

3. The 2020 Pan-London scheme operated as normal through the lockdown period. All resident parents were offered a place on the national offer days (NOD), 2 March for Secondary and 16 April for Primary. The borough has sufficient places to meet parental demand throughout 2020/21, including those admitted via the separate SEND statutory process for admitting pupils with EHCPs naming a mainstream school, which also includes an element of parental preference. Following NOD, most places were accepted by parents but some were declined. Late applicants since the October 2019 deadline were added into the further rounds of offers made up to the end of August 2020. From September the admissions are managed directly by each school except that the council is the Admissions authority for 24 of the 58 schools with a Reception intake.

Primary Reception entry in September 2020

4. The number of offers for Reception on National Offer Day (NOD) was almost the same as in 2019. 3875 offers were made to Hillingdon residents with a small number made to out of borough residents. 28 of the 58 schools (nearly half) were immediately full to their Planned Admissions Number but 9 had offers that were 30 or more below their PAN, and others around 15 below their PAN. All these schools continue to be monitored. Three determined reductions in PAN last year, totalling 4FE (Pinkwell, Ryefield and St Martin's) to take place for 2021. Cabinet approved in September that the LA will consult this term

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

on a 1 FE reduction in PAN at Ruislip Gardens Primary school, if agreed, to take effect in September 2022.

5. NOD was during the Coronavirus lockdown and this prompted some delay in parents confirming acceptance of an offer, increased local and national interest in elective home education and in requests from parents to defer reception admission to next January or September from parents believing their pupils were not ready to start school due to illness, lack of nursery experience and other reasons. Although there are processes to agree to deferral, it has been very rare and usually this is considered for summer-born children and those with serious medical needs. Officers will monitor and advise and update advice on deferring admission to next January or September or requesting part-time attendance until the child is aged five. Technically next September has to be a new application so this could create uncertainty. This will affect school budgets since they are based on the previous October roll. Ultimately the admissions authority and headteacher can decide each case. This could mean different approaches in different schools due to circumstances. Table 1 shows the total number of Reception places and offers at NOD and a rise of 84 pupils through the subsequent late offers and further rounds by August. This excludes the pupils admitted with EHCPs.

6. **Table 1 - Numbers of places available and offers made for Reception at NOD and by August.**

TOTAL number Schools with Reception	TOTAL PAN Y7 (Sept 2020)	NOD Offers made - (excluding EHCPs)	EHCP offers	NOD total vacancies	Schools full with waiting lists	21.08.20 Total offers (excluding ECHPs)
58	4551	3875	29	656	28 (of 58)	3959

Admission to Year 3 in separate Junior Schools in September 2020

7. The 12 Junior schools recruit into Year 3 with the vast majority of their pupils coming from their linked infant school, but they must apply and can choose to move elsewhere, which does lead to some pressures. The Local Authority is the admissions authority for 8 of the 12. There were vacancies on NOD in all but 2 schools but concentrated in 3 schools. Table 2 sets out the number of offers made to date.

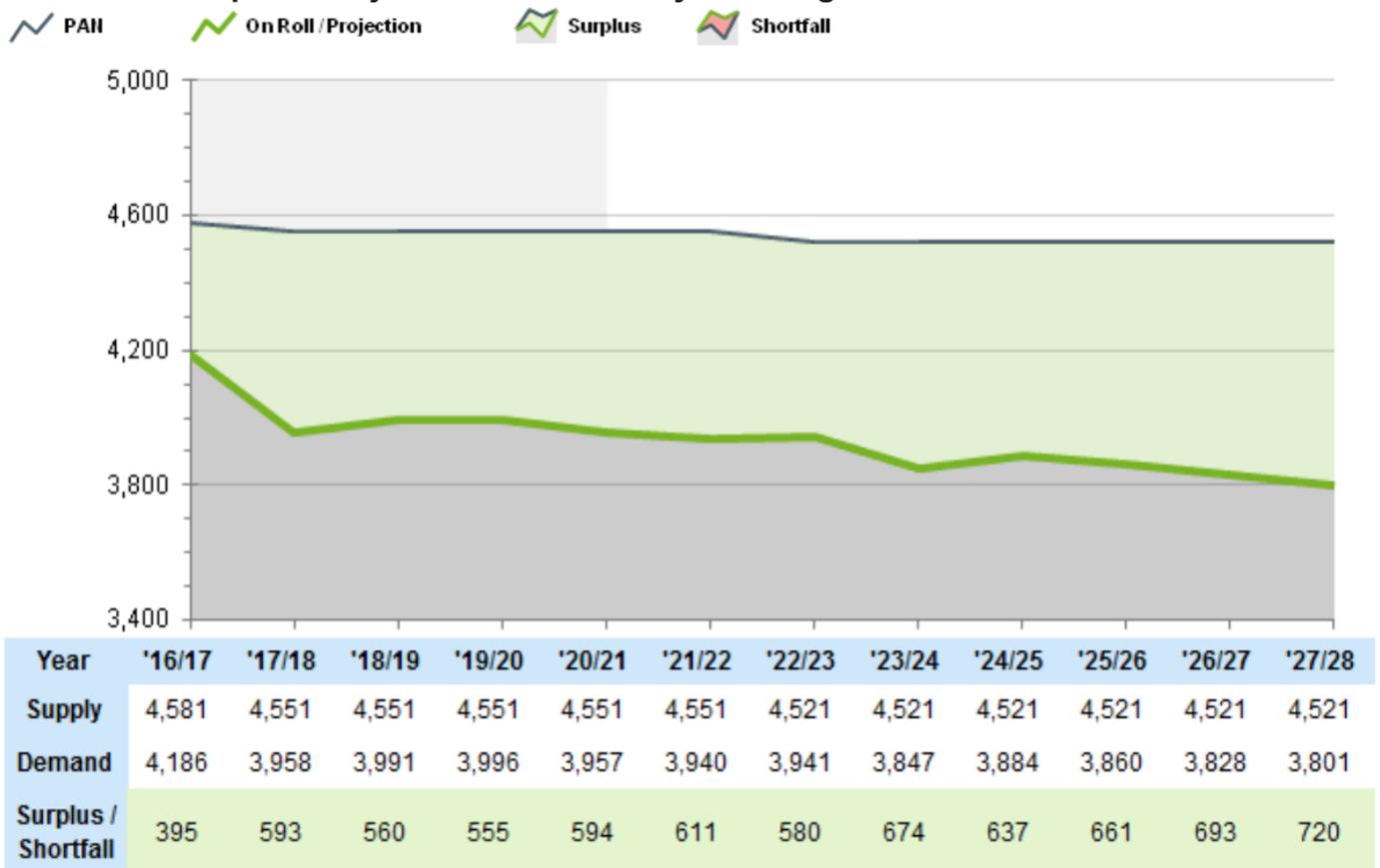
Table 2 - Numbers of places offered for Junior School Year 3 at NOD and by August.

TOTAL Schools	TOTAL PAN Y3 (Sept 2020)	NOD Offers made - excluding EHCPs	EHCP offers	NOD total vacancies	Total offers as of 21 Aug 2020	Places available 21 Aug 2020
12	1199	1007	36	157	1032	141

Primary School Projections and changes to the Planned Admissions Numbers of schools

8. After over a decade of increasing demand, overall Primary school rolls reached a high plateau in 2016/17 and are projected to be high and stable with minor rises and falls to 2026, reflecting volatility of pupils moving schools and families moving in, out and across the borough, mainly due to housing availability and costs. At NOD 2020 there were 14% of surplus places at Reception and 12% overall in primary, above the 5%-10% necessary to manage in year moves. In the current context this has proved useful for helping manage social distancing in schools and there will be sufficient places to meet parental demand in September 2021.
9. Vacancies were concentrated in around 12 of the 70 primary schools. Some have experienced budget issues and officers from different teams are working to give support to them. Proposals agreed last year will be implemented in 2021 to reduce 4FE of PAN across three academies; Pinkwell, Ryefield and St Martin's, and the Cabinet recently considered a proposal to reduce the PAN of Ruislip Gardens community primary school by 1FE in 2022. The planned reopening of reception intakes at Nanaksar at 4FE has begun, just 1 FE starting in September 2020 rising to the full 4FE once the new building is complete in 2021/22, which will align with major new local housing coming on stream. This is shown in the table below.

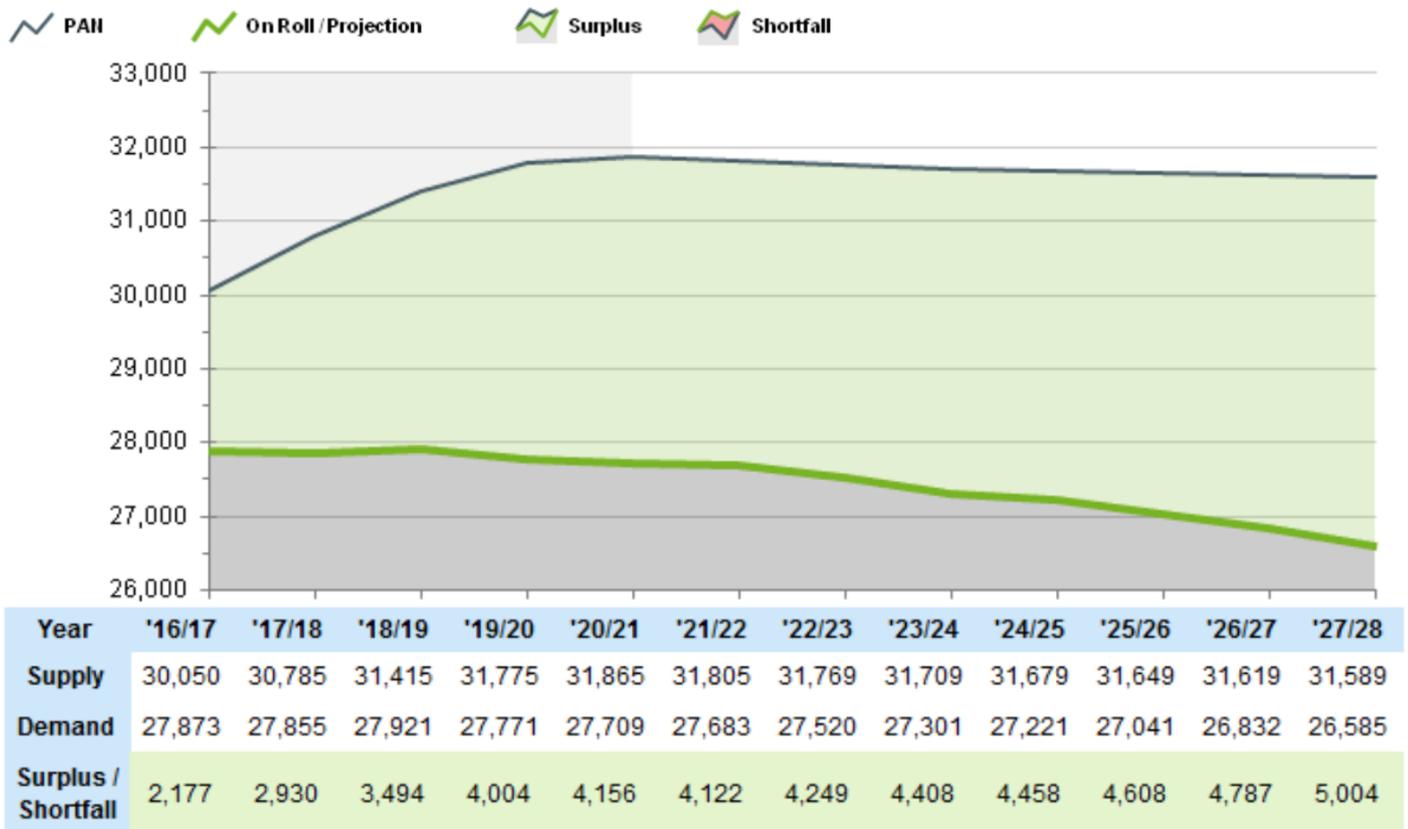
Table 3 Reception Projections - All Primary Planning Areas



Classification: Public

Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

Table 4 Total Primary Rolls Projections - All Primary Planning Areas



Secondary Places

September Year 7 2020 entry

- 94% of pupils on our schools' rolls gained their place in Year 7 through parental preferences and the pan-London computer matching process offered one of their six preferences, but that then left a pattern of vacant spaces available for the council to make offers to the 6% of pupils (around 220) who had not secured any of their preferences. Each year, some parents do not use all their six preferences and some make 'unrealistic preferences' - they do not meet the criteria which is set out online for each school in 'Starting School' by Hillingdon and other LAs.
- Officers knew there was increasing demand given the size of Year 6, and noted in 2019-20 that 79 extra pupils joined Year 7 through the year after the October school pupil census. Therefore on NOD in 2020 the total Year 7 PAN was increased by 145 extra places to 3,852, by the LA commissioning places around the borough and each of the schools then confirmed their temporary change. After the offers were made, the sufficiency duty was fulfilled, with 97 vacancies. These pooled in the four schools graded Requires Improvement by Ofsted, and in the extra places added to last the year at Haydon school, so altogether these should be sufficient for in-year moves. Across the four schools there are about 80 places that in 2019 and 2020 received no preferences and where offers

made to parents in the 6% without any offers of preferences then declined them - so in practice they make up 2% of capacity but do not deliver it, highlighting the limitations of simple statistical supply and demand forecasts, and the need to also use local intelligence and past preferences and patterns of out and in borough moves. Officers across education teams are helping support improvements in these schools.

Forecasting places

12. The last school census data is January 2020. Head teachers have told officers there have been substantial movements of families during the pandemic, around, into and out of the borough. The scheduled school pupil census day was 1 October 2020, which is used as the basis of the schools' budgets, though we will not have all the data until early December.
13. Key points at 1 September 2020 which will help inform planning for 2021-23:
 - On National Offer Day 3,676 offers were made and 78 pupils with EHCPs were placed in Year 7, totalling 3,755 pupils - above the basic PAN of 3,707; but leaving an adequate working margin below the expanded PAN of 3,852.
 - There were 97 vacant places across the Borough - in just four schools, geographically placed north east, north west, south and south west and also amongst the extra added at Haydon.
 - Seven schools were immediately oversubscribed on first preferences, most were full on all preferences but two had lower preferences, especially first preferences. By June there had been more declines and re-offers and most schools had waiting lists so 'shuffling' continues as places are confirmed and pupils move from lower preferences.
 - Since NOD there has been a steady processing of late applications and offers. From 1 September all Year 7 all admissions will be managed by each school as in-year admissions. As lockdown eased, there were significant pupil in-year admissions of forces families moving into RAF Northolt and NATO Command Northwood.
 - There seems to be an ongoing rise in families requesting EHE, a national trend linked to Covid.
 - Since 2017 the borough has become a net-exporter of around 97 pupils, reflecting the increasing numbers of first preferences from borough residents to out-borough schools - essentially creating a shift of pupils out to the west and north and of incomers in from the east. These numbers are not stable, as they are heavily reliant on applications and acceptances to selective schools out of the borough, so dependent on the relative popularity of the schools and success in entrance exams.
14. Table 5 below shows the basic PAN, the extra temporary places added for 2020/21, the offers made and the vacant places on National Offer Day, noting that there needs to be sufficient places to meet demand throughout the year.

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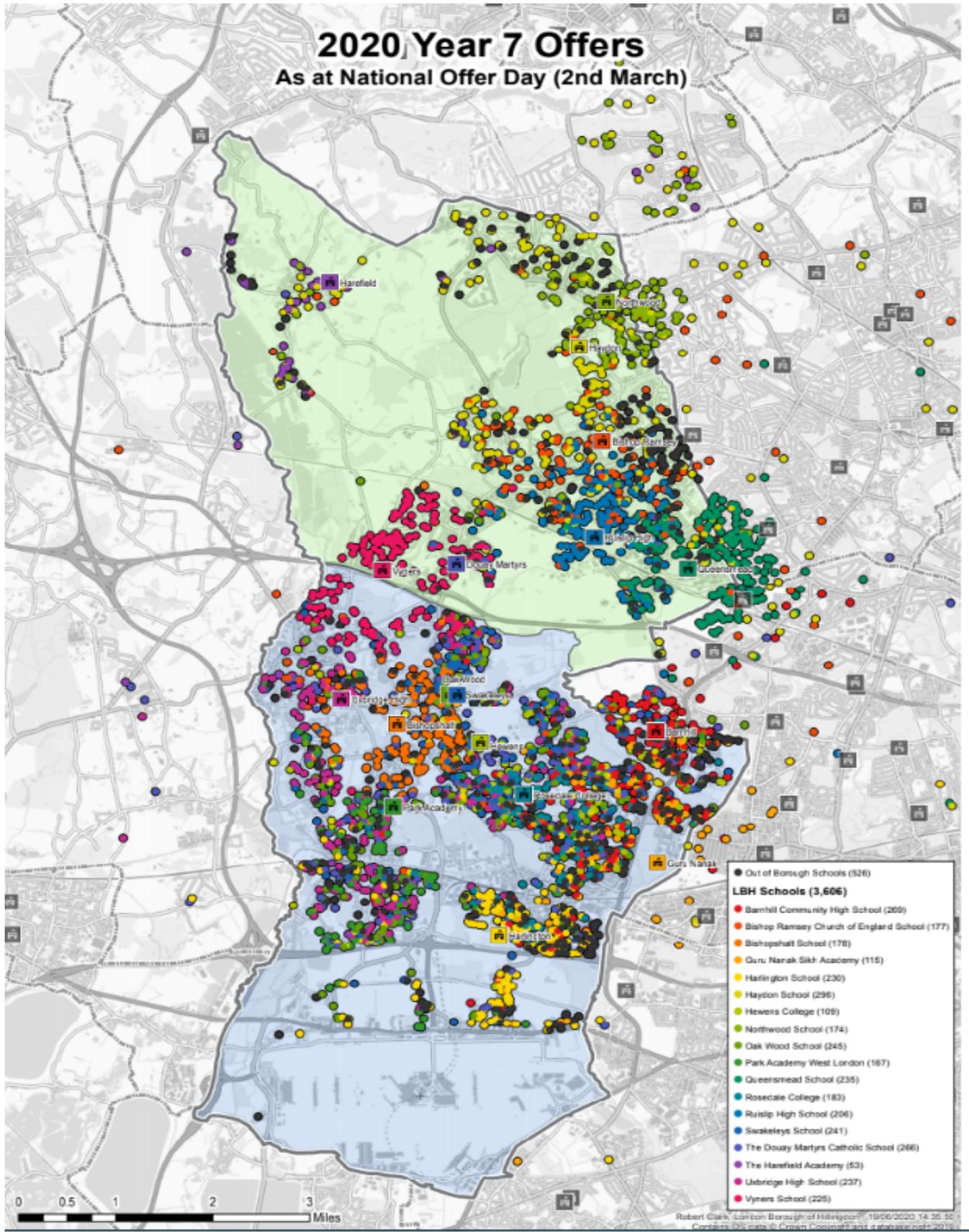
Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

Table 5: Year 7 offers 2020 in Hillingdon Secondary Schools

School	Normal PAN	Temp extra places commissioned before NOD	NOD Offers Made	Add NOD ECHP	NOD vacancies
Barnhill	240	30	268	2	0
Bishop Ramsey	186	0	181	5	0
Bishopshalt	186	0	177	9	0
Douay Martyrs	240	30	270	0	0
Guru Nanak*	180	0	176	4	0
Harefield	90	0	53	0	37
Harlington	195	45	231	2	7
Haydon	300	30	303	2	25
Hewens	120	0	109	1	10
Northwood	180	0	175	5	0
Oak Wood	270	0	248	8	14
Park Academy	180	0	171	5	4
Queensmead	240	0	235	5	0
Rosedale	180	0	177	3	0
Ruislip High	210	0	206	4	0
Swakeleys	240	0	235	5	0
Uxbridge High	230	10	236	4	0
Vyners	240	0	225	15	0
TOTAL	3707	145	3676	79	97
TOTAL		3852	3755	INCLUDING ECHPs	

15. The map below shows roughly where pupils with an offer for Year 7 lived and which schools they went to, noting if they chose schools out of the borough (not the ECHPs) Each dot is 1-3 pupils to avoid identifying individual pupils. Although most pupils attend a school within 2.5 miles of their home (some just across the borough boundaries); some do travel further for various reasons; faith, sibling link, they have moved after they joined the school, other family reasons.

Map 6 showing where Year 7 pupils live and were made offers on National Offer Day



Classification: Public
 Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

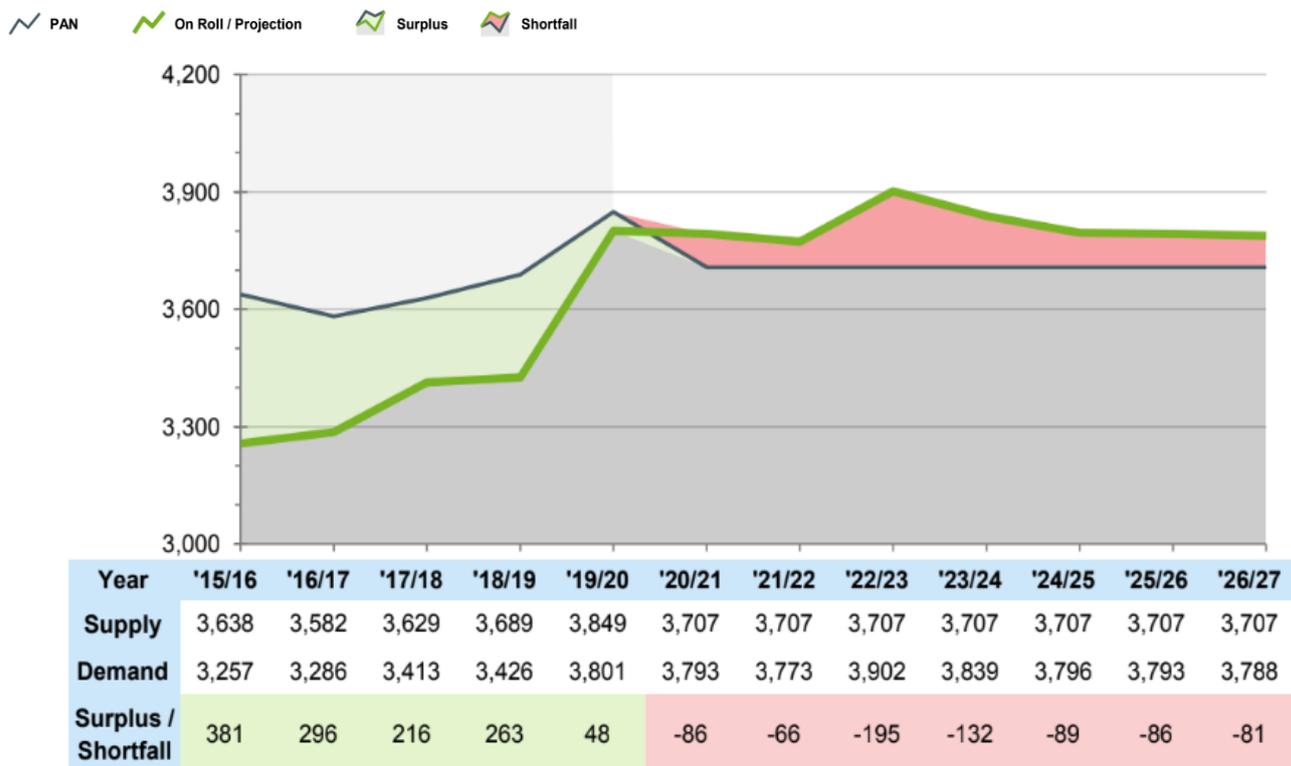
The map highlights:

- Most secondary pupils have places at a school within two miles of their home. The outliers include pupils with a EHCP, sibling or staff-child link or those who have moved but remained at the school.
- 94% of parents get one of their six preferences, which constrains the scope for the 6% of offers made by the LA after all parental preferences have been matched. These then meet national guidance of 75 minutes and 3 miles, including changing buses as parents could reasonably challenge very long journeys across the borough.
- The borough has areas with high concentrations of pupils (with overlapping pupil dots) and isolated large areas with no pupils, housing or roads (airports, woods, parks, farms, greenbelt) which can double the actual journeys to school beyond the straight distance.
- Note the map does not include the 79 pupils admitted with an ECHP or the 61 pupils who were already on roll at Guru Nanak which is a 5-18 all- through school - so they transfer into Year 7 without applying.

School Place Forecast for 2021 - 23 and adding 7% margin

16. The DfE has indicated it will use the 2019 data from local authorities (called SCAP 19 data) for national school places forecasting for the next few years, with LAs to report only permanent changes to physical capacity above 30 places - not temporary increases in PAN. The forecast shows a peak shortfall in 2022-23. For the past few years the actual net flows of Year 7 pupils have increased out of the borough, and witnessed a flow from south to north. The model assumes that all our capacity can be filled whereas for the past few years we have had at least 2% of Year 7 impossible to fill by preferences or offers, meaning we have to add that to the DfE advice of at least 5% surplus places to allow for in-year movements. This will then ensure that we have sufficient places given the size of the borough, distances between schools with places available after the outcomes of preferences and the need to make accessible offers, based on evidence of actual numbers over the past few years.
17. The SCAP19 forecast for Year 7 is shown in the table below, raw without adding the 7% margin, but with the PAN including the extra places required to offer all residents a place.

Table 7 SCAP 19 Total Year 7 Supply and Demand 2015- 2026



Summary of Plans for Extra Places in 2021 and beyond

18. The computer application process has begun for Year 7 entry in September 2021 and closes on 31 October. The sufficiency duty lasts the whole year from National Offer Day and beyond for each cohort. The borough population is expanding not through increased birth rate but through new housing and migration so there needs to be sufficient places in each year group to meet growing needs across the borough. Possibly the impact of Covid-19 will lead to more applications to home educate (at least for some months) and also changes in preferences between schools. It may decrease the number of applications to schools requiring travel, within and out of the borough, since there may be changes to concessionary travel for those aged 11+. The future year 7 needs for 2022 and 2023 will be updated after the October census figures are available, applying experience of this round and any other updates we have such as on major changes to the timing of major housing developments.
19. As part of the replacement building programme for Harlington School, there will be a permanent expansion of 1.5 FE in school places, aiming for opening the new building in September 2023. In August, the DfE approved the new secondary 6FE Free School, Bishop Arden, in the north of the borough on a site to be confirmed. Both are dependent on receiving planning permission so are not yet absolutely definite openings for 2023.

20. The Veritas Academy Trust and DfE will shortly start the pre-opening phase of the new school, and the Trust wishes to work closely with the LA to ensure successful delivery of a local school. It will have open admissions based on distance though it will have Church of England (CofE) status. There will be no places with CofE priority but it will have a Christian ethos and be explicitly welcoming to people of all world faiths.

Key factors that will confirm the demand for extra temporary places in 2021 and beyond

21. Officers expect there will be excess demand for Year 7 places above the base total of Planned Admission Numbers. Discussions have continued with schools to ensure the LA has sufficient places for residents. It is likely that again the LA will want to agree with some schools to commission some temporary extra places above PAN. Using the forecast and recent actual experience, including the extra volatility caused by Covid-19, officers are updating all the variables that will refine the actual number of extra places needed, currently it ranges from 50 to 150 extra places. The exact number of extra places needed for 2021 and potential locations will be fixed by mid-December, when one of the key data; acceptances to out-borough grammar schools is confirmed. Some schools have already indicated they can offer extra temporary places within existing accommodation but other popular schools are now full beyond their building capacity and several will have building work starting in 2021 so may not be suitable for extra places. We must have sufficient places to last the whole school year and beyond, so have a margin available of places accessible to all parts of the borough. If necessary, and agreed with Academy Trusts, plans will include adding temporary accommodation. There is sufficient budget provision for this.

22. Key variables include:

- The number of Y6 pupils in our schools is the largest element and is being checked with schools ahead of the census submissions. In early November there will be a check to see the extent Hillingdon schools have received first preferences from within the borough. By mid-November most EHCPs will be finalised.
- Imports and exports are crucial and in mid November other boroughs will share the information on the number of preferences by LBH residents to schools in other Boroughs and also crucially, other LA's plans to change their capacity. This year, due to Covid, selective grammar school results will be even later - a key moveable determinant of the final demand for places in the borough's schools but out of our control. For September 2020 it was 4.8% of all the offers made to residents - equal to 6 forms of entry - but this varies each year, potentially up and down by +/- 2 FE each year.
- The number of Y7 pupils with EHCPs seeking a place in mainstream schools, as they take priority over preferences once this is named on their statement. The process has begun and includes parents making preferences for schools as well as SEND needs. In 2020 it was 79 pupils, up from 75 the previous year, but they concentrate in some schools. It is likely to be higher, in line with the growth in the total number of pupils and the proportion of pupils with EHCPs.
- Each year the number of residents making their top preferences out of borough varies; in 2020, about 20% of residents made their 1st preference out of the borough and 14% secured an offer out of borough This has increased over the past few years. This is almost balanced by the number of pupils coming into our

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Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

schools who live out of the Borough. More pupils may have secured places out of borough after NOD as places were freed up in higher preference school places. Most pupils coming into the Borough are to a school close to their home or to a faith school.

- The table below shows that of the 539 residents with an offer out of borough, about a quarter went to a nearby school less than a mile away from the LBH boundary; another third went to selective or grammar schools in nearby LAs; a fifth went to RC schools nearby and a fifth to a wide selection of other faith or other schools up to 15 miles away or moved to another part of the UK. The success in securing places at selective schools is also unpredictable - being relative to the other applicants and to parents and pupils willing to take entrance exams and travel to school.

Table 8 The out of borough schools that LBH residents secured places on NOD.

1 mile or closer to LB Hillingdon	Selective / Grammar	RC	Other faith	Mainly individual pupils to wide range of schools up to 15 miles away
26%	34%	20%	2%	18%

Special School Provision

23. Officers are working closely together to ensure that plans for increased future provision for pupils with EHCPs and SEND are fully integrated into place planning. The outline of the secondary free school plan includes an ASD resource base.
24. Currently plans are underway in five of our seven special schools for expansions to create 273 extra places by 2023/24 including in two new purpose-built free schools. Plans were agreed by Members and approved by DfE in 2014-16 and some have been rescheduled in the delivery. Up to May 2019 it was assumed all these extra places would be sufficient to meet needs. Then it became clear that a large need of pupils with SEND required EHCPs, or updates to existing EHCPs and over summer 2020 there was an inflow into the borough of pupils with ECHPs. In a year, the number of pupils with EHCPs has expanded by an unprecedented 18%, though the proportion of the school population with EHCPs is now similar to the Greater London average of 3.8%. The table below shows the January 2020 roll and the September 2020 planned place number of each special school and notes which have expansion underway and the final number of extra places being created.

Table 9 Special Schools In Hillingdon at last census, current places and planned expansions

School Name	Primary Need (key below)	Age Range	Jan 2020 Census	LBH Planned Place Number 2020/21	Planned EXTRA Places in new build - all to be commissioned by LBH	Year extra places open	Funding Stream
Hedgewood (Community)	MLD & ASD	Primary	173	170	25	2020/21	DfE Special Provision Capital Fund
Meadow High (Community)	MLD & ASD	Secondary	246	235	0	2022/23	Priority Schools Building Programme
New: Grand Union Village (Eden Academy Trust)	PMLD, SLD	Primary	0		80	2023/24	Free School
Grangewood (to be replaced by Pinn River) Eden Academy Trust)	PMLD, SLD	Primary	109	89	-89	2023/24	Free School
New Pinn River (Eden Academy Trust)	SPLD ASD VI	age 4-19			180		
Moorcroft (Eden Academy Trust)	SLD, PLD, ASD	Secondary	86	95	25	2020/21	DfE Special Provision Capital

Pentland Field (Eden Academy Trust)	MLD & ASD	age 4-19	106	147	0	NA	NA
The Willows (single Academy)	SEMH	Primary	65	38	0	NA	NA
Young People's Academy (Orchard Hill College Academy Trust)	SEMH	Sec	60	65	52	2022/23	Free School
TOTAL			845	839	273		

CODE	DESCRIPTION		
SPLD	Specific learning difficulty	HI	Hearing impairment
MLD	Moderate learning difficulty	VI	Visual impairment
SLD	Severe learning difficulty	MSI	Multi-sensory impairment
PMLD	Profound & multiple learning difficulty	PD	Physical disability
SEMH	Social, emotional and mental health	ASD	Autistic spectrum disorder
SLCN	Speech, language and communication needs	OTH	Other difficulty / disorder

25. Some of the new pupils and those with new EHCPs will require new placements in special schools in time. Given the building work now underway at most of the special schools it is not possible to expand them further. Therefore other solutions are being investigated with schools such as repurposing some vacant school building spaces to create new special school provision, in a separate unit staffed by special school staff. This could mean the LA commission the places in a primary Academy in a strong Trust who have an existing partner outstanding Special School Trust they would work with to staff and deliver the places. This would require Member and DfE consideration and approval but initial findings suggest it may be feasible and able to open within months. Further work is underway to test the viability of the proposal prior to presenting to Members for consideration.

26. Discussions are also underway to meet the new demand for places for pupils aged 3-5 who clearly have special needs, that can also offer assessment and finalisation of their EHCP prior to starting statutory education.

27. Lead Members will be presented with detailed options in the first instance.

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Residents, Education and Environmental Services Policy Overview Committee - 15 October 2020

Outcomes of any discussions on performance, or discussions held with the Strategic Education London Leads Head of Improvement Group

28. The performance of a school can influence the parent-preference decisions for school places. The Strategic Education London Leads meetings are focused on local authority partnership models and the education performance of key pupil cohorts. Since February 2020, discussions have been focused on the education response to Covid-19. This includes how London is responding as a collective group and borough wide local arrangements. Ofsted School Visits will be undertaken during the Autumn term to assess how schools are responding with the protective measure requirements and remote learning. The key focus for this 2020-21 academic year is to close the potential teaching and learning gap from the impact of the school closures between March-July 2020.
29. The DfE will not be publishing school, college or multi-academy trust (MAT) level performance data based on summer 2020 tests, assessments and exams at any phase. They will not be publishing, or sharing, school, college or MAT level accountability measures, such as Progress 8 and level 3 value added, using the summer 2020 data. The performance tables that were due to be released in October and December 2020, and in January and March 2021, will not go ahead. The DfE will also not publish any institution-level qualification achievement rates in the national achievement rate tables for the 2019 to 2020 academic year.
30. As a consequence of Statutory Assessment Tests and Teacher Assessment outcomes not being available, the DfE nor the LA will be able to benchmark or compare the performance of schools, at a national, local or individual level for 2020. The Council will be following the DfE's advice regarding any data reporting arrangements required.
31. At a local level, the Council is expecting that schools within the borough will provide and discuss, with the Education Improvement Leads, performance data relating to current pupils. The performance data will have been collected and collated through Teacher Assessment. The performance data will include all pupils in all groups. Tracking systems will be used by schools to identify gaps in learning for action.
32. Legally schools do not need to engage in providing performance data to the Council due to the DfE's disapplication. Therefore the Business Performance and Education Improvement and Partnerships Services will need to play an active role in using our own Risk Assessment analysis to identify schools causing concern with performance data.

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CABINET FORWARD PLAN

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Neil Fraser, Democratic Services Officer
Papers with report	Appendix A – Forward Plan
Ward	All

HEADLINES

The Committee is required by its Terms of Reference to consider the Forward Plan and comment as appropriate to the decision-maker on key decisions which relate to services within its remit (before they are taken by the Cabinet or by the Cabinet Member).

RECOMMENDATIONS

That the Residents, Education and Environmental Services Policy Overview Committee notes and comments on items going to Cabinet.

SUPPORTING INFORMATION

The latest published Forward Plan is attached.

Implications on related Council policies

Policy Overview Committees are at the heart of how the Council shapes policy at Member level.

How this report benefits Hillingdon residents

Policy Overview Committees directly engage residents in shaping policy and recommendations from the Committees seek to improve the way the Council provides services to residents.

Financial Implications

None at this stage.

Legal Implications

None at this stage.

BACKGROUND PAPERS

NIL.

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Ref	Upcoming Decisions	Further details	Ward(s)	Final decision by Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Public / Private Decision & reasons
SI = Standard Item each month									
Council Departments: RS = Residents Services SC = Social Care AD = Administration FD= Finance									
Cabinet Meeting – 22 October 2020									
029	Hayes Housing Regeneration: Options Appraisal	The Council is currently consulting with residents at both Austin Road and Avondale Drive Estates with a view to looking at a number of ways that it can improve the estates. This report will present Cabinet with the recommendations from an Options Appraisals Report, informed by the first round of consultations with residents and seek approval for the next steps.	Townfield		Cllr Sir Ray Puddifoot MBE, Cllr Jonathan Bianco, Cllr Philip Corthorne	RS - Perry Scott	Public / local resident consultation	NEW	Public

028	Proposed licensing scheme for outdoor fitness instructors and tennis coaches in parks and open spaces	Cabinet will consider consultation on a proposal to introduce a new licensing scheme for outdoor fitness instructors and tennis coaches using Hillingdon's parks and open spaces and to operate this on a commercial basis. The proposals would be designed to protect open spaces for all visitors and ensure the operation of qualified and insured operators that support residents to improve their health and wellbeing, with any enforcement action through an update to the	All		Cllr Jonathan Bianco / Cllr Richard Lewis / Cllr Douglas Mills	RS - Priscilla Simpson	Public consultation e.g. residents, ward councillors, fitness instructors and tennis coaches. Statutory consultation on any Public Space Protection Order changes.	NEW	Public
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		Council's Public Space Protection Order regime.							
013	Self-Build & Custom-Build Housing (Charging and Eligibility Criteria)	Following consultation approved by Cabinet on 21 May 2020, to seek approval to introduce a charging schedule and eligibility criteria for inclusion on Hillingdon's Self-Build and Custom-Build Housing Register.	All		Cllr Keith Burrows / Cllr Philip Corthorne	RS - James Rodger / Julia Johnson		New	Public
015	Response to Government Consultation: Planning for the future	The Ministry of Housing, Communities and Local Government has set out proposed reforms of the planning system to streamline and modernise the planning process, bring a new focus to	All		Cllr Keith Burrows	RS - James Rodger / Julia Johnson		New	Public

		design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed. This report to Cabinet will set out the Council's response to the consultation prior to the submission deadline of 29 October 2020.							
016	Award of Building Contract: Uxbridge Mortuary Extension	This report will seek approval to appoint a works contractor for extension and reconfiguration of the existing facilities at Uxbridge Mortuary to increase its capacity.	Brunel		Cllr Jonathan Bianco / Cllr Richard Lewis	RS - Bobby Finch			Private (3)

Cabinet Member Decisions expected - October 2020

018	Home to School Transport Policy	The Leader and Cabinet Member will consider approval of an updated Home to School Transport Policy following a review and consultation.	All		Cllr Sir Ray Puddifoot MBE / Cllr Susan O'Brien	SC- Sandra Taylor / Gareth Blckett / Jan Major	Consultation will take place, along with an Equalities Impact Assessment		Public
012	Accreditation of the Museum, Archives and Local Studies Service & approval of related policies	Member approval is sought to enable the Museum, Archives and Local Studies Service to achieve full accreditation as a museum service by the Arts Council for England. This requires approval of the Council's updated Collections Development Policy and associated Documentation	All		Cllr Sir Ray Puddifoot MBE / Cllr Richard Lewis	RS - Tim Saward / Susan Dalloe	Various		Public

		Policy, Care and Conservation Policy, Access Policy and service Forward Plan. This will enable the service to continue its work to preserve and promote the heritage of Hillingdon for all its residents.							
Cabinet Meeting - 10 December 2020									
020a	The Council's Budget - Medium Term Financial Forecast 2021/22 - 2025/26 (BUDGET FRAMEWORK)	This report will set out the Medium Term Financial Forecast (MTFF), which includes the draft General Fund reserve budget and capital programme for 2021/22 for consultation, along with indicative projections for the following four years. This will	All	To full Council 25/2/21	Cllr Sir Ray Puddifoot MBE & Cllr Jonathan Bianco	FD - Paul Whaymand	Public consultation through the Policy Overview Committee process and statutory consultation with businesses & ratepayers	New	Public

		also include the HRA rents for consideration.							
009b	Statement of Licensing Policy for consultation - POLICY FRAMEWORK	Every 5 years the Council is required to review its licensing policy, which forms the basis of decisions made on licensing matters by Officers and the Licensing Sub-Committee. Following consultation, Cabinet will consider the policy for recommendation to Full Council for adoption.	All	To full Council 14/01/2021	Cllr Douglas Mills	RS - Daniel Ferrer	Statutory consultation , Policy Overview Committee and Licensing Committee	New	Public
030	REFERRAL FROM COUNCIL 10 SEPTEMBER 2020: Motion on WW1 memorial and remembrance	Following the approval of the substantive motion relating to the war memorial at St Martin's Church in West Drayton and	West Drayton / All		Cllr Sir Ray Puddifoot MBE / Cllr Richard Lewis	TBC		NEW	Public

		remembering those who lost their lives in the First World War, Cabinet will receive a report to enable full and accurate facts to be considered and appropriate action taken and recommended.							
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RESIDENTS, EDUCATION AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE - WORK PROGRAMME

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Neil Fraser, Chief Executive's Office
Papers with report	Appendix A – Work Programme
Ward	All

HEADLINES

To enable the Committee to note future meeting dates and to forward plan its work for the current municipal year.

RECOMMENDATIONS

That the Residents, Education and Environmental Services Policy Overview Committee considers the report and agrees any amendments.

SUPPORTING INFORMATION

- The Committee's meetings will start at 7pm and the witnesses attending each of the meetings are generally representatives from external organisations, some of whom travel from outside of the Borough. Forthcoming meeting dates are as follows:

Meeting Date	Room
3 September 2020	VIRTUAL
15 October 2020	VIRTUAL
3 November 2020	VIRTUAL
27 January 2021	TBC
23 February 2021	TBC
17 March 2021	TBC
20 April 2021	TBC

Implications on related Council policies

The role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet, who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

Policy Overview Committees directly engage residents in shaping policy and recommendations and the Committees seek to improve the way the Council provides services to residents.

Financial Implications

None at this stage.

Legal Implications

None at this stage.

BACKGROUND PAPERS

NIL.

Multi year work programme

May 2018 - May 2022

2021

Residents, Education & Environmental Services Policy Overview Committee	October 15	November 3	December CABINET	January 27	February 23	March 17	April 20	May CABINET
REVIEW:								
Topic selection / scoping stage		Topic Selection		Scoping Report				
Witness / evidence / consultation stage								
Findings, conclusions and recommendations								
Final review report agreement								
Target Cabinet reporting								
Regular service & performance monitoring								
Quarterly School Places Planning Update	X			X		X		
Annual complaints & service update report						X		
Standards Attainment report (incl. School Improvements)					X			
CIL Expenditure Monitoring - Annual Report								
Budget Planning Report for Residents Services				X				
Cabinet's budget proposals for next financial year				X				
Cabinet Forward Plan Monthly Monitoring	X	X		X	X	X	X	X
One-off service monitoring								
Enforcement of Parking Schemes across the Borough	X							
Strategic Plan for the Adult Learning Service		X						
New Licensing Policy	X							
School Admissions Criteria Minor Changes		X						
ASBET Fines and Prosecutions (incl. dog fouling)								
Early Years Provision Update				X				
Tree Planting Update					X			
Rivers and Flooding Update						X		
Planning Policies Governing Canals and Towpaths							X	
HS2 Update (tbc 2021)					X			
Update on the new SEN Strategy, and the new Additional Needs Strategy (tbc 2021)								
Past review delivery								
Air Quality Action Plan Update	X							
Payment Modernisation for Key Resident Services (tbc)								

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