



HILLINGDON  
LONDON



# CABINET

## To all Members of the Cabinet:

**Date:** THURSDAY, 27 MAY 2021  
**Time:** 7.00 PM  
**Venue:** COMMITTEE ROOM 6 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE  
**Meeting  
Details:** This meeting will also be  
broadcast live on the  
Council's YouTube Channel

Ian Edwards, Leader of the Council  
(Chairman)  
Jonathan Bianco, Deputy Leader of the  
Council & Cabinet Member for Property &  
Infrastructure (Vice-Chairman)  
Douglas Mills, Cabinet Member for  
Corporate Services & Transformation  
Martin Goddard, Cabinet Member for  
Finance  
Susan O'Brien, Cabinet Member for  
Families, Education and Wellbeing  
Jane Palmer, Cabinet Member for Health  
& Social Care  
Eddie Lavery, Cabinet Member for  
Environment, Housing & Regeneration  
John Riley, Cabinet Member for Public  
Safety and Transport  
Duncan Flynn, Majority Chief Whip (Ex-  
Officio Member of the Cabinet)

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phone camera and scan the code below:



**Published:**  
Wednesday, 19 May 2021

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**Putting our residents first**

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

# Useful information for residents and visitors

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**IMPORTANT: Please note that due to COVID-19 there will be a limit under safety guidance on the number of members of the public and press that can attend to observe this meeting.**

**You are, therefore, strongly advised to contact Democratic Services on 01895 250636 prior to the meeting if you wish to attend to observe proceedings.**

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Please enter via main reception and visit the security desk to sign-in and collect a visitors pass. You will then be directed to the Committee Room.

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# Notice

## **Notice of meeting and any private business**

The London Borough of Hillingdon is a modern, transparent Council and through effective Cabinet governance, it seeks to ensure the decisions it takes are done so in public as far as possible. Much of the business on the agenda for this Cabinet meeting will be open to residents, the wider public and media to attend. However, there will be some business to be considered that contains, for example, confidential, commercially sensitive or personal information. Such business is shown in Part 2 of the agenda and is considered in private. Further information on why this is the case can be sought from Democratic Services.

This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to confirm that the Cabinet meeting to be held on:

*27 May 2021 at 7pm in Committee Room 6, Civic Centre, Uxbridge*

will be held partly in private and that 28 clear days public notice of this meeting has been given. The reason for this is because the private (Part 2) reports listed on the agenda for the meeting will contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. An online and a hard copy notice at the Civic Centre in Uxbridge indicates a number associated with each report with the reason why a particular decision will be taken in private under the categories set out below:

- (1) information relating to any individual
- (2) information which is likely to reveal the identity of an individual
- (3) information relating to the financial or business affairs of any particular person (including the authority holding that information)
- (4) information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- (5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (6) Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
- (7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## **Notice of any urgent business**

To ensure greater transparency in decision-making, 28 clear days public notice of the decisions to be made both in public and private has been given for these agenda items. Any exceptions to this rule are the urgent business items on the agenda marked \*. For such items it was impracticable to give sufficient notice for a variety of business and service reasons. The Chairman of the Executive Scrutiny Committee has been notified in writing about such urgent business.

## **Notice of any representations received**

No representations from the public have been received regarding this meeting.

## **Date notice issued and of agenda publication**

19 May 2021  
London Borough of Hillingdon

# Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters before this meeting
- 3 To approve the minutes of the last Cabinet meeting 1 - 8
- 4 To confirm that the items of business marked Part 1 will be considered in public and that the items of business marked Part 2 in private

## **Cabinet Reports - Part 1 (Public)**

- 5 Report from the Corporate Services, Commerce & Communities Policy Overview Committee on the Voluntary Sector Response to Covid-19 (Cllr Douglas Mills) 9 - 30
- 6 Flood Action Plan (Cllr Eddie Lavery) 31 - 60
- 7 Licensing scheme for outdoor fitness instructors and tennis coaches in parks and open spaces (Cllr Eddie Lavery & Cllr Susan O'Brien) 61 - 88
- 8 Academy Conversion - Hermitage Primary School (Cllr Jonathan Bianco) 89 - 94
- 9 Appropriation of land at Hillingdon Court Park (Cllr Jonathan Bianco) 95 - 100

## **Cabinet Reports - Part 2 (Private and Not for Publication)**

- |           |  |           |
|-----------|--|-----------|
| <b>10</b> | Extension to the current Parking Enforcement Contract (Cllr John Riley)  | 101 - 106 |
| <b>11</b> | Electrical Testing, Repairs and Upgrades Contract (Cllr Jonathan Bianco) | 107 - 112 |
| <b>12</b> | Procurement of Corporate Fleet Vehicles (Cllr John Riley)                | 113 - 124 |
| <b>13</b> | Voluntary Sector Lease (Cllr Jonathan Bianco)                            | 125 - 132 |

*The reports in Part 2 of this agenda are not for publication because they involve the disclosure of information in accordance with Section 100(A) and Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that they contain exempt information and that the public interest in withholding the information outweighs the public interest in disclosing it.*

- 14** Any other items the Chairman agrees are relevant or urgent

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## Minutes

### CABINET

7pm, Thursday, 22 April 2021

Meeting held virtually live on the Council's

YouTube channel: Hillingdon London.



Decisions published on: 23 April 2021

Decisions come into effect on: **5pm, Friday 30 April 2021**

#### **Cabinet Members Present:**

Ian Edwards (Chairman)  
Jonathan Bianco (Vice-Chairman)  
Douglas Mills  
Martin Goddard  
Susan O'Brien  
Jane Palmer  
Eddie Lavery  
John Riley

#### **Members also present:**

Duncan Flynn  
Keith Burrows  
Wayne Bridges  
Philip Corthorne  
Nick Denys  
Simon Arnold  
Peter Curling  
Peter Money  
Kerri Prince

#### **Also Present:**

Tony Little (representative member for educational issues)

#### **1. APOLOGIES FOR ABSENCE**

All Cabinet Members were present.

#### **2. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING**

Councillor Eddie Lavery declared a non-pecuniary interest on item 7 on the agenda (budget monitoring report) as a Director of Uxbridge BID. He remained in the virtual meeting during the discussion and decision on the item.

#### **3. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING**

The decisions and minutes of the Cabinet meeting held on 18 March 2021 were agreed as a correct record.

**4. TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS OF BUSINESS MARKED PART 2 IN PRIVATE**

This was confirmed.

**5. REPORT FROM THE SOCIAL CARE, HOUSING AND PUBLIC HEALTH POLICY OVERVIEW COMMITTEE - MAKING THE COUNCIL MORE AUTISM FRIENDLY**

*The Chairman of the Social Care, Housing & Public Health Policy Overview Committee, Councillor Philip Corthorne, presented the Committee's review. He commended the review to Cabinet and set out its findings, thanking the various witnesses, previous committee chairmen, committee members and officers who had participated.*

**RESOLVED:**

**That Cabinet welcomes the review by the Social Care, Housing and Public Health Policy Overview Committee and agree the recommendations made by the Committee set out below. Furthermore, delegates their implementation to the Corporate Directors in consultation with the Cabinet Member for Health & Social Care:**

- 1. That the Council's public facing service environments adopt a practical corporate standard (checklist) to ensure a consistent approach to making these areas more autism friendly;**
- 2. That Cabinet notes the rollout of training for front-line staff thus far and recommend that this becomes embedded in the new starter induction and ongoing learning and development targets for key front-line staff in reception-based areas;**
- 3. That Cabinet explore the feasibility of improving online accessibility for residents with autism by providing further access to, and information about, Council autism services on the Council's website;**
- 4. That Cabinet consider the merits of seeking Autism Accreditation for eligible Council services through the National Autistic Society;**
- 5. That Cabinet welcome the culture of continuing improvement and such improvements as the appointment of Advanced Social Work Practitioners with a focus on autism, the development of e-learning training, and clear Council-wide guidance on reasonable adjustments under the Equality Act 2010;**
- 6. Note the impending publication of the National Autism Strategy review and forthcoming changes to legislation with a report back to the POC at an appropriate juncture covering progress on the recommendations and Hillingdon's approach to meeting these requirements;**
- 7. That appropriate front-line managers review their service's procedures whereby in formal contact environments, should a resident with autism unexpectedly remove themselves from a meeting or proceeding, it should not be taken as a withdrawal from the process in question, and**



- that steps are taken to continue such formalities in a more appropriate or suitable matter; and
8. That Cabinet recognises all the Council's strong partnership relationships with organisations and providers supporting people with autism in Hillingdon.

### **Reasons for the decision**

Cabinet welcomed the report of the Social Care, Housing and Public Health Policy Overview Committee's into 'Making the Council more autism-friendly'. The Cabinet Member for Health and Social Care paid tribute to those involved in the review and outlined how essential it was for Council staff involved in front line services to understand the barriers to those with autism in accessing those services. It was noted that training was an important component of this along with continuing the strong partnership the Council had with the voluntary sector to support people with autism.

The Leader of the Council conveyed his thanks to the Committee and praised the strong report, whilst commenting on the effectiveness of witnesses being able to participate remotely in the review during the pandemic in a more accessible way which the Council would look at continuing.

### **Alternative options considered / risk management**

The Cabinet could have decided to reject some or all of the Committee's recommendations, or pursue alternative routes in which to progress the objectives of the review.

### **Officers to action:**

Steve Clarke, Democratic Services (monitoring)  
Tony Zaman, Social Care (implementation)

### **Classification: Public**

*The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.*

## **6. STANDARDS AND QUALITY OF EDUCATION IN HILLINGDON DURING 2019/20**

### **RESOLVED:**

#### **That the Cabinet:**

- 1. Note the comments from the Residents, Education and Environmental Services Policy Overview Committee.**
- 2. Note the key findings set out in the report.**

### **Reason for decision**

Cabinet noted a detailed report on the standards and quality of education across Hillingdon schools. The Cabinet Member for Families, Education & Wellbeing updated Cabinet on the progress made but in the context of the pandemic due to the national cancellation of statutory school tests and examinations, meaning that there was limited new attainment data available.

The main findings of the 2019/20 were outlined to the Cabinet, noting that all early years' settings in Hillingdon were judged by Ofsted to be good or better and above the London average. At primary, outcomes at key stages were either in-line or above the national level, whilst at secondary progress had decreased slightly but remained above national averages. Concern was expressed that at post-16 further improvements in outcomes for children were required. However, the Cabinet Member noted that the Borough remained a positive place for apprenticeships and vocational qualifications and informed Cabinet that 87% of schools were judged by Ofsted as good or better by the end of 2019/20.

The comments of the Residents, Education & Environmental Services Policy Overview Committee, who had reviewed the data previously, were also noted along with thanks passed to council officers in supporting schools over the year.

#### **Alternatives considered and rejected**

None.

#### **Officer to action:**

Dan Kennedy, Planning, Environment, Education & Community Services

#### **Classification: Public**

*The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.*

## **7. MONTHLY COUNCIL BUDGET MONITORING REPORT: MONTH 11**

### **RESOLVED:**

**That Cabinet:**

- 1. Note the budget position as at February 2021 (Month 11) as outlined in Table 1.**
- 2. Note the Treasury Management update as at February 2021 at Appendix E.**
- 3. Note those consultancy and agency assignments over £50k approved under delegated authority between the 18 March 2021 and 22 April 2021 Cabinet meetings, detailed at Appendix F.**
- 4. Ratify an Emergency Power decision taken by the Leader of the Council on 25 March 2021 to waive all fees for pavement licenses to support businesses as they emerge from the COVID-19 pandemic, with any forgone income to be funded through the Council's COVID-19 grant funding.**

5. **Note the payment of £204k to Uxbridge BID from Additional Restrictions Grant funding to support the 340 businesses within the Business Improvement District**
6. **Agree to amend the standard parking charges for the Ruislip Lido Main car park as set out in Appendix H.**

### **Reasons for decision**

Cabinet was informed of the latest forecast revenue, capital and treasury position for the current year 2020/21 to ensure the Council achieved its budgetary and service objectives.

The Cabinet Member for Finance outlined the Council's current position and noted financial pressures relating to the pandemic which would be covered by Government grants or the Council's earmarked reserves.

Additionally, Cabinet made decisions to support local businesses as the Country moved out of lockdown and agreed revised parking fees for non-Hillingdon residents at Ruislip Lido as part of a broader package of measures to assist with traffic congestion in the area. A recommendation in relation to a free parking period at the Kingsend South Car Park in Ruislip was deferred for further consideration.

The Leader of the Council noted the continued sound financial management of the Council and thanked Council officers in this endeavour, particularly in supporting the grants process for local business during the pandemic.

### **Alternative options considered and rejected**

None.

### **Officer to action:**

Paul Whaymand, Corporate Director of Finance – Finance Directorate

### **Classification: Public**

*The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.*

## **8. CONTRACT EXTENSION - REVENUES AND BENEFITS SERVICE**

### **RESOLVED:**

**That the Cabinet approve a 2-year contract extension for Liberata UK Ltd to continue to provide Revenues and Benefits services including Business Rates administration, scanning and indexing, contact centre services, as well as council tax recovery and processing functions to the Exchequer Services Department. The proposed 24-month extension will run from 1 June 2022 until 31 May 2024 taking the total contract term from 5 to 7 years at an additional cost of £1.976m to be funded from existing budgets within the Revenues Service.**

## **Reasons for decision**

Cabinet noted that the Revenues and Benefits services contract with Liberata UK Ltd would end on 31 May 2022 and in considering the options open to the Council, it approved a 2-year contract extension which represented best value-for-money.

## **Alternative options considered / risk management**

Cabinet could have added in additional outsourced services to the contract or not have extended the contract bringing the service back in house, but these options were not considered feasible at this time.

## **Officer to action:**

Muir Laurie, Finance

## **Classification: Private**

*Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).*

## **9. VOLUNTARY SECTOR LEASE**

### **RESOLVED:**

**That Cabinet agrees the rent set out in the table below, which has been the subject of negotiation with the voluntary sector organisation detailed in this report and instructs the Head of Property and Estates to complete the rent review memorandum.**

## **Reasons for decision**

Cabinet made a decision regarding a rent review for the 5<sup>th</sup> Hayes Scout Group for use of premises at Shakespeare Avenue in Hayes. Cabinet's decision enabled the organisation concerned to benefit from heavily discounted rent as part of the Council's Voluntary Sector Leasing Policy and wider commitment to a vibrant local voluntary sector.

## **Alternative options considered and rejected**

None.

## **Officer to action:**

Michele Wilcox / Mike Paterson – Infrastructure, Transport and Building Services Directorate

## **Classification: Private**

*Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).*

### **10. ANY OTHER ITEMS THE CHAIRMAN AGREES ARE RELEVANT OR URGENT**

No additional items were considered by the Cabinet.

The meeting closed at 7.21pm

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#### **\*Internal Use only - implementation of decisions**

**All decisions:** Meeting after Cabinet, the Executive Scrutiny Committee did not call-in any of the remaining decisions by the Cabinet. Therefore, these decisions can be implemented by officers upon the expiry of the scrutiny call-in period which is from:

**from 5pm, Friday 30 April 2021.**

Officers to action the decisions are indicated in the minutes.

The minutes are the official notice for any subsequent internal process approvals required by officers to action the Cabinet's decisions.

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This virtual meeting was broadcast live on the Council's YouTube channel [here](#) under The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) (Regulations) 2020.

Please note that these minutes and decisions are the definitive record of proceedings by the Council of this meeting.

If you would like further information about the decisions of the Cabinet, please contact the Council below:

[democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.gov.uk)

Democratic Services: 01895 250636

Media enquiries: 01895 250403

To find out more about how the Cabinet works to put residents first, visit [here](#).

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## REVIEW BY THE CORPORATE SERVICES, COMMERCE AND COMMUNITIES POLICY OVERVIEW COMMITTEE - REVIEW OF THE VOLUNTARY SECTOR RESPONSE TO THE COVID-19 PANDEMIC

<b>Cabinet Member(s)</b>	Councillor Douglas Mills
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Corporate Services and Transformation
<b>Officer Contact(s)</b>	Liz Penny, Democratic Services
<b>Papers with report</b>	Corporate Services, Commerce and Communities Policy Overview Committee's review of the 'Voluntary Sector Response to the Covid-19 Pandemic'

### HEADLINES

<b>Summary</b>	To receive the Corporate Services, Commerce and Communities Policy Overview Committee's review into the 'Voluntary Sector Response to the Covid-19 Pandemic'. To give consideration to the recommendations of the review.
<b>Putting our Residents First</b>	This report supports the following Council objective of: <i>Our People</i> .
<b>Financial Cost</b>	The recommendations proposed as a result of this review do not in themselves have a direct financial impact on Council finances.
<b>Relevant Policy Overview Committee</b>	Corporate Services, Commerce and Communities Policy Overview Committee
<b>Relevant Ward(s)</b>	All

### RECOMMENDATIONS

That Cabinet welcomes the review by the Corporate Services, Commerce and Communities Policy Overview Committee and agrees the recommendations made by the Committee set out below. Furthermore, delegates their implementation to the Corporate Directors in consultation with the Cabinet Member for Corporate Services and Transformation:

1. That Cabinet acknowledges, appreciates and recognises the response that all organisations across the voluntary sector have provided to meet the needs of residents throughout the pandemic/lockdown periods;

2. That Cabinet recognises the pro-active steps taken by the Hillingdon Community Hub/Council Officers to manage and co-ordinate resources across a number of voluntary sector partners, including Hillingdon4All to achieve a strong operating model;
3. That Cabinet continues to review and provide voluntary sector grants to enable key voluntary sector partners to continue to deliver services required by Hillingdon residents. In addition, that Cabinet looks to provide practical, operational and logistical support and guidance to enable VS partners to increase resilience going forward; and
4. That Cabinet agrees to deliver outbound communications, including through Hillingdon People, that provide information to all residents (including children and young people under the age of 16) so they can access information about key voluntary sector services, such as mental health/Hillingdon MIND. Furthermore, to support the dual purpose of such communications to assist in recruitment of volunteers across the Voluntary Sector.

### **Reasons for the recommendations**

To consider the report of the Corporate Services, Commerce and Communities Policy Overview Committee's review into the 'Voluntary Response to the Covid-19 Pandemic'.

### **Alternative options considered / risk management**

The Cabinet could decide to reject some, or all, of the Committee's recommendations or pursue alternative routes by which to progress the objectives of the review.

## **SUPPORTING INFORMATION**

At the Corporate Services, Commerce and Communities Policy Overview Committee's meeting on 17 September 2020, it was unanimously agreed that the Committee conduct a review of the voluntary sector's response to the pandemic. The Committee has now concluded its review and a report, supported by four recommendations, was endorsed by the Committee at its 6 April 2021 meeting for submission to Cabinet.

The Covid-19 pandemic has been the single largest challenge faced by both national and local governments for nearly a century. The review aimed to understand how the voluntary sector and the Council collaborated to respond to the challenges of the pandemic, and support residents during such a difficult time.

The review heard from key witnesses and considered how the voluntary sector and the Council worked together to help residents, in particular the Borough's most vulnerable residents, during the pandemic.



The following Terms of Reference were agreed by the Committee from the outset of the review:

1. To consider how the voluntary and community sector (VCS) in Hillingdon was able to respond to the needs of residents during the Covid-19 lockdown period.
2. To hear how the pandemic impacted on the VCS sector and its ability to deliver services, raise funds and recruit volunteers.
3. To review how the Hillingdon Community Hub worked with the VCS to meet emergency needs.
5. To make any recommendations that would increase resilience of VCS to respond to any future lockdown or restrictions.

It should be noted that progress of the review was hindered by the onset of the Coronavirus Pandemic and nationwide lockdown in March 2020. When the Corporate Services, Commerce and Communities Policy Overview Committee resumed meetings in September 2020, Members embraced new methods of investigation through virtual means. As a result of the review's hiatus, the timeframe for completion of the review was pushed to Spring 2021.

Through a range of information gathering sessions and witnesses, as outlined in the report, the Committee sought to gain an understanding of the nature and extent of the voluntary sector work carried out to provide vital support to residents during the Covid-19 pandemic. Considering all factors, the Committee has made recommendations reflecting the positive work of the voluntary sector whilst also helping to increase its resilience going forward.

### **Officer Comments on Recommendations**

The recommendations have been reviewed by the relevant senior officers. Officers are supportive of the recommendations and have raised no issues regarding their feasibility.

### **Financial Implications**

The recommendations resulting from this review will not require any additional resources.

## **RESIDENT BENEFIT & CONSULTATION**

### **The benefit or impact upon Hillingdon residents, service users and communities**

The recommendations will ensure that all residents (including children and young people) are kept informed, via outbound communications, of key voluntary sector services available to them, including mental health services / Hillingdon MIND.

### **Consultation carried out or required**

The Committee sought a wide range of external witness testimony as set out in its report.

## CORPORATE CONSIDERATIONS

### Corporate Finance

Corporate Finance has reviewed this report, noting that there would be no direct financial implications of the Policy Overview Committee's recommendations in respect of processes and joint working with partner organisations.

### Legal

The Borough Solicitor has confirmed that there are no specific legal implications arising from this report.

## BACKGROUND PAPERS

NIL.

# Voluntary Sector response to the Covid-19 Pandemic



## A review by the Corporate Services, Commerce and Communities Policy Overview Committee

**Councillors on the Committee:** Councillors Richard Mills (Chairman), Vanessa Hurhangee (Vice-Chairman), Lindsay Bliss, Wayne Bridges, Nicola Brightman, Farhad Choubedar, Alan Deville, Jazz Dhillon (Opposition Lead) and Scott Farley

2020/2021



HILLINGDON  
LONDON

## Chairman's Foreword

### 'A Review of the Voluntary Sector Response to Covid-19'



On behalf of the Corporate Services, Commerce and Communities Policy Overview Committee, I am pleased to present this report to Cabinet. Given the unprecedented challenges faced by both the Council and voluntary and community sector organisations following the outbreak of the Covid-19 pandemic, the Committee elected to conduct a comprehensive review of the Voluntary Sector Response to Covid-19. The review aimed to consider the ways in which the Council and the voluntary sector had collaborated effectively to meet the needs of the local community and to explore possible areas for improvement and future learning.

A number of virtual witness sessions were held during which Committee Members had the opportunity to meet with a wide range of external stakeholders including representatives of the Hillingdon and UB7 Foodbanks, Hillingdon Mind, Age UK Hillingdon, Harrow and Brent and Hillingdon Carers Trust. As the review progressed, it became apparent that, in response to the pandemic, the Council and voluntary sector partners had worked flexibly and tirelessly to ensure the needs of local residents were met as speedily and efficiently as possible.

Further to the witness sessions and on completion of the review, the Committee prepared a number of recommendations; these related to providing voluntary sector grants to enable partners to continue to deliver services required by Hillingdon residents; providing practical, operational and logistical support and guidance to enable partners to increase resilience going forward and delivering outbound communications to provide information residents could access about key voluntary sector services. It is anticipated that the implementation of these recommendations will assist in increasing the resilience of the voluntary and community sector and enhancing its ability to respond to any future lockdowns or restrictions.

Finally, I would like to take this opportunity to thank those witnesses and officers who have given up their time to assist the Committee and commend them for their continued hard work in striving to ensure the provision of high-quality services to support residents within the Borough during these incredibly challenging times.

**Councillor Richard Mills**

**Chairman, Corporate Services, Commerce & Communities Policy Overview Committee**

**Councillor for Brunel Ward**

## Summary of recommendations to Cabinet

Through the witnesses and evidence received during the detailed review by the Committee, Members have agreed the following recommendations to Cabinet:

**1**

**That Cabinet acknowledges, appreciates and recognises the response that all organisations across the voluntary sector have provided to meet the needs of residents throughout the pandemic/lockdown periods.**

**2**

**That Cabinet recognises the pro-active steps taken by the Hillingdon Community Hub/Council Officers to manage and co-ordinate resources across a number of voluntary sector partners, including Hillingdon4All to achieve a strong operating model.**

**3**

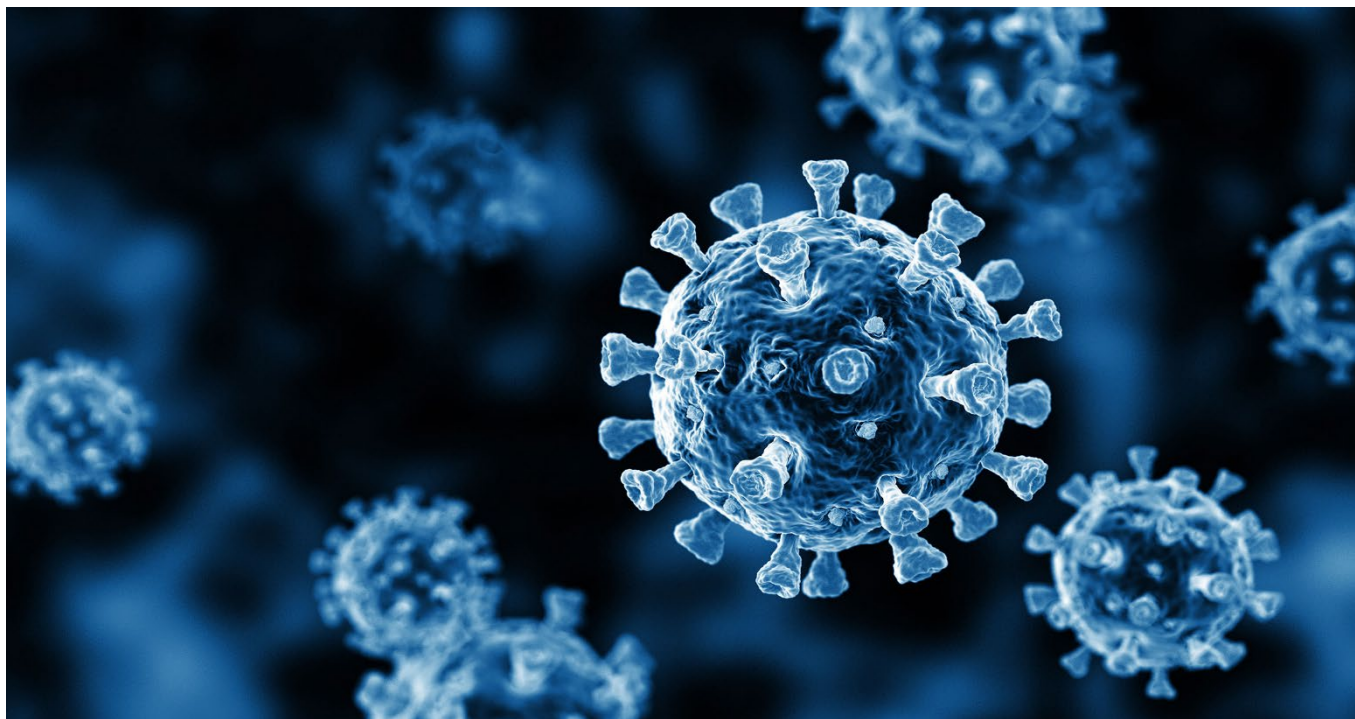
**That Cabinet continues to review and provide voluntary sector grants to enable key voluntary sector partners to continue to deliver services required by Hillingdon residents. In addition, that Cabinet looks to provide practical, operational and logistical support and guidance to enable VS partners to increase resilience going forward.**

**4**

**That Cabinet agrees to deliver outbound communications, including through Hillingdon People, that provide information to all residents (including children and young people under the age of 16) so they can access information about key voluntary sector services, such as mental health/Hillingdon MIND. Furthermore, to support the dual purpose of such communications to assist in recruitment of volunteers across the Voluntary Sector.**



## Background to the review



The Covid-19 pandemic has been the most significant challenge faced by both national and local governments for nearly a century and has led to the deaths of tens of thousands of people in the UK to date. Clearly a coordinated response was vital to help protect the most vulnerable residents in the Borough, hence the Council worked closely with the voluntary and community sector (VCS) to respond to this unprecedented event. <sup>1</sup>

At the outset of the pandemic, the organisation of the response between charities and the Council was initiated with a call from the Leader of the Council and continued with weekly calls with the Deputy Chief Executive and Lead Officers. Inevitably the first few weeks were somewhat chaotic due to the volume of issues faced; however, as it became clearer what Central Government expected from local authorities in response to the pandemic, the situation began to improve. <sup>2</sup>

The VCS was generally at the forefront of responding to the emerging and changing demands of the Covid-19 pandemic and was well placed to deal with issues on the ground and provide support. However, this sector was also impacted directly and suffered a loss of income due to reductions in donations and takings from activities. Moreover, volunteers were not always able to continue working, as they themselves needed to isolate. The sector was obliged to work closely with the Council and adjust swiftly in order to successfully meet the needs of Hillingdon residents.

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<sup>1</sup> The Government's Covid-19 Guidance for voluntary, community and social enterprise organisations can be viewed at: [COVID-19 guidance for voluntary, community and social enterprise organisations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/covid-19-guidance-for-voluntary-community-and-social-enterprise-organisations)

<sup>2</sup> Central Government's Guidance for Local Government: [Coronavirus \(COVID-19\): guidance for local government - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/coronavirus-covid-19-guidance-for-local-government)

In response to the pandemic, the Council established the Hillingdon Community Hub in collaboration with Hillingdon 4 All (H4All) - the local consortium which brings together five of the main local charities (AgeUK Hillingdon, Harrow and Brent, Hillingdon Carers Trust, Harlington Hospice, Hillingdon MIND and DASH). The Hub was widely promoted as the place to call in the event of urgent need should residents be required to shield or isolate.

Emergency food became one of the principal requests and the Hub responded quickly with a bespoke paid-for shopping service, and emergency food parcels, co-ordinated by the Council's Business Assurance Team. The Community Hub and officers in social care received notification of some 15,000 residents who were extremely vulnerable and required to shield. Consequently, the Council contacted each person in the shielded cohort to ensure that they had access to food, medication and other essential requirements. The Council also invested in a new ICT system to record and monitor these cases and referrals were made via the Hub to H4All to respond to non-food issues, such as medication, befriending and dog walking. In addition to this, the Borough's foodbanks, faith groups and voluntary organisations assisted in distributing food and prescriptions and offered invaluable support to those in need.

As lockdown requirements changed, the Council began to work more closely with the two main established foodbanks in Hillingdon - Hillingdon Foodbank and UB7 Foodbank – thereby ensuring they had the resources and capacity to meet any increased need and to take referrals from the Hub. In due course, the emergency food distribution elements of the Community Hub were moved to a more sustainable model led by the voluntary sector.

The far-reaching impact of the pandemic was immeasurable; the Council was made aware that wider issues beyond immediate food needs were becoming more significant. There were reports of mental health services coming under increased pressure, and a disturbing upturn in reports of domestic abuse. In May 2020, a special report for Cabinet was prepared setting out the Council's response to the pandemic. <sup>3</sup>

## Aim of the Review

The principal aim of the review was to ascertain how successfully the voluntary and community sector (VCS) in Hillingdon was able to respond to the needs of residents during the outbreak of the Covid-19 pandemic. Moreover, the review intended to consider how effectively the VCS collaborated with the Council's Community Hub to respond to the challenges faced and to support residents during such a testing time.

Finally, it was anticipated that the review would enable Committee Members to gain a better understanding of the ways in which the pandemic had impacted the VCS sector and its ability to deliver services, raise funds, and recruit volunteers. Following the witness sessions, the Committee planned to make recommendations aimed at increasing the resilience of VCS to

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<sup>3</sup> The Council's Response to Coronavirus

<https://modgov.hillingdon.gov.uk/documents/s48342/Draft%20Cabinet%20Report%20-%20Hillingdons%20response%20to%20Coronavirus%203.pdf>

respond to future emergency scenarios.

## Evidence & Witness Testimony

As the review progressed, the Committee received evidence from a range of officers and external witnesses as set out in this section of the report.



### Age UK (Hillingdon, Harrow & Brent)/The Carers Trust Hillingdon

The first witness session was attended by representatives of Age UK, Hillingdon, Harrow and Brent<sup>4</sup> and the Carers Trust Hillingdon (a local charity which operates support services for unpaid carers living or caring in the London Borough of Hillingdon).<sup>5</sup>

Members were informed that Age UK and the Carers Trust Hillingdon were two of the five larger charities in the Borough that formed part of Hillingdon 4 All (H4All). The Committee was advised that H4All, the NHS and the Council had rallied together in response to the pandemic to address the immediate needs of residents. Initially, the focus had been on ensuring that vulnerable residents and those shielding at home had access to food and medicine. Food parcels, deliveries and shopping services had been organised expeditiously to meet these needs.

As time progressed, calls from residents were of a more complex nature. Some residents reported that they were feeling isolated or lonely. Many were obliged to stay at home with limited human contact and no internet access. Said residents often felt excluded from society which had a significant detrimental impact on both their physical and mental health and wellbeing. It was estimated that 5-6% of the population were digitally excluded, but this rose to 20-25% among older residents. It was therefore vital that older residents were actively encouraged to engage with and use technology. Charities reached out to these vulnerable residents and attempted to ameliorate their online access thereby preventing social isolation - tablets were sourced and provided to those most in need. Staff in full PPE visited elderly residents to train them on how to make best use of their new equipment.

To further assist in combatting depression and social isolation, Members heard that charities delivered Christmas presents and hampers during the festive period. Additionally, a range of social programmes were put in place to support those in need. Other innovative ways to assist in

<sup>4</sup> Age Uk Hillingdon, Harrow and Brent: [Welcome to Age UK Hillingdon, Harrow and Brent](#)

<sup>5</sup> Hillingdon Carers Trust: [Carers Trust Hillingdon - Supporting unpaid carers in Hillingdon](#)



addressing the issue of social isolation were introduced including pamper evenings and language lessons; these proved to be an effective way to bring people together.

These were challenging circumstances and the Committee heard that staff morale was understandably low at times. Volunteers and staff were offered training and support - including death counselling. Many carers in the Borough requested additional help and support at this time and the voluntary sector did its utmost to provide this.

Going forward Members were advised that H4All planned to expand its coverage to include additional charities through the Health and Wellbeing Alliance, which included 45 groups. While the current five organisations had large portfolios, they did not cover everything, hence there was a need for wider collaboration with other groups - plans to expand were underway. The Committee was informed that a programme of support and psychotherapy for carers was being piloted; charities were awaiting feedback from carers to ascertain how helpful this had been.

## Hillingdon Foodbank and UB7 Foodbank



The pandemic had devastating consequences; some Hillingdon residents struggled to feed themselves and their families and had no other option than to approach local foodbanks for assistance. In its article “The Lived Experience of Food Insecurity under Covid-19”, the Food Standards Agency observed that “Covid-19 rapidly worsened insecurity for those who were already missing meals and/or compromising nutritional quality previously, and rapidly tipped those ‘just managing’ into insecurity.”<sup>6</sup> The Committee’s second witness session was attended by representatives of two local foodbanks – Bell Farm Christian Centre ‘UB7’ Foodbank<sup>7</sup> and Hillingdon Foodbank.<sup>8</sup>

Members were informed that UB7 Foodbank had been launched in 2017 serving West Drayton, Yiewsley and Heathrow Villages. Prior to the pandemic, in addition to the Foodbank, Bell Farm Christian Centre had organised a plethora of other activities, including an older person’s dining centre serving weekly hot lunches, holidays for the elderly, parenting groups and holidays clubs. At the onset of the pandemic, the Centre was obliged to adapt hastily to meet the needs of the local community. Fortunately, the Foodbank and advice centre were able to remain open and continued to operate in a Covid secure manner.

The Committee was advised that, in terms of children’s work, this had changed significantly during the pandemic as holiday clubs and toddler groups were no longer feasible. The Centre worked

<sup>6</sup> The Food Standards Agency: [The Lived Experience of Food Insecurity under Covid-19](#)

<sup>7</sup> UB7 Foodbank: [Yiewsley & West Drayton Foodbank | Helping Local People in Crisis](#)

<sup>8</sup> Hillingdon Foodbank: [Hillingdon Foodbank | Helping Local People in Crisis](#)

closely with Hasbro who donated hundreds of toys and crafts. Zoom classes and Zoom Christmas parties for children aged 5-11 were organised and packs of crafts were sent to their homes. In addition to this, food parcels, treat and craft bags were delivered to the elderly and craft boxes and food hampers were provided for adults and families in need.

Members heard that the local community was hugely supportive of the Centre's efforts. Local businesses, caterers and residents volunteered to help and a Facebook page with hundreds of members was set up to co-ordinate this activity. Many who had been furloughed offered to help with deliveries and befriending, whilst local children were involved in making cards for the elderly. The Council had also been extremely supportive – Grant Officers had allowed the Centre to use the Council's funding flexibly as required.

With regards to Hillingdon Foodbank, Members heard that it had been in operation since 2009 and had been the first foodbank in London. Although well prepared in many respects, it had become clear at the outset of the pandemic that the project would need to adapt quickly to enable it to cope with the unprecedented demand; closure was a real possibility at that time as 80-90% of volunteers were over 70 and needed to shield. Fortunately, the response from the local community had been fantastic and the foodbank was able to continue its vital work. Within two weeks, all premises including the main warehouse in Denham were Covid secure. Members heard that Hillingdon Foodbank had served 7672 clients in 2019 whereas, by the end of 2020, the numbers had risen to 18,222.

At the outbreak of the pandemic, a new Community Hub was set up within the Council. Once Council staff had been redeployed back to their former jobs, an exit plan was needed to facilitate a more sustainable system led by the voluntary sector. In August 2020, the Council initiated discussion with the two foodbanks offering funding and support to enable them to purchase additional food supplies and to cover administrative expenses. The Committee heard that this was an entirely new model as previously the foodbanks had relied exclusively on donations. Additionally, the Council helped Hillingdon Foodbank with the purchase of fridges and with transportation costs. A grant application under the Council's core grant scheme was being considered to continue to support them in the future. It was confirmed that the advice centre at Bell Farm was also supported by the Council through the core grant scheme and the possibility of a small grant for the older people's dining centre had been agreed.

In terms of training, Members heard that all staff at the Bell Farm foodbank had been trained in mental health first aid as recommended by the Council. Hillingdon Foodbank had recruited a volunteer Life Coach to support clients in the future. It was confirmed that the Foodbank had a robust team of volunteers; some of whom were professionals with mental health experience willing to help those in the community in need of their support.

With regards to the current situation, Committee Members were advised that people with an urgent need who contacted the Community Hub were now being referred directly to the foodbanks. Some of the needs were more complex than previously; however, partners were extremely adept at adapting their working practices to meet these changing needs. The future model had yet to be determined but there was now some resilience in the system and an

understanding of how to scale up if faced with another crisis in the future.

The collaborative effort was applauded. It was noted that the Gurdwara in Hayes, the Muslim Centre and the Salvation Army had offered local residents hot meals during the crisis. Moreover, foodbanks had worked in partnership with various agencies, schools, GPs and religious establishments to raise awareness and distribute food vouchers.

## Hillingdon Mind



In June 2020, Mind published an article entitled “The Mental Health Emergency” noting that “The effects of social distancing, lockdown, the loss of loved ones to the virus and the over-consumption of stress-inducing media reports is taking a huge toll on our mental health and wellbeing and will continue to have lasting effects long after lockdown is over”<sup>9</sup>

At its final witness session, the Committee received evidence from the Director and Head of Psychotherapeutic Service, Hillingdon Mind. Members heard that Hillingdon Mind’s Counselling services had rapidly moved online in March 2020 - about a week before lockdown. The Mental Health Recovery Service had been significantly impacted by the pandemic and all social activities and therapeutic group work had moved to telephone calls / online. A Mental Health Care Calling and Crisis Response Calling Service had been introduced in March 2020 – approximately 160 clients were identified as high-risk and were called regularly. In addition to this, a food and medicine delivery service was introduced in March 2020 and all staff were provided with equipment to enable them to work from home. The current Group Schedule was entirely online with the exception of the Wellbeing Walk – the Committee heard that the online activities had been well received and clients had adapted better than anticipated.

Members learnt that, since March 2020, demand for Counselling had increased by 157%, for Mental Health Support and Advice by 346% and requests for psychological support for Carers had increased by 150% - this had put immense pressure on the team which consisted of only 3.5 members of staff. Some 100 additional volunteer counsellors had been recruited to assist and it was hoped that funding would be received to enable Hillingdon Mind to recruit four new members of staff in the near future.

Additional funding had been secured from the CCG to provide 40 additional free counselling spaces for a period of three months and from the Big Lottery to provide free Key Worker Counselling for twenty clients. An application had been made to the Big Lottery and Postcode Lottery to use existing grant funds to address IT poverty, Food Poverty and Emergency funding for vulnerable clients. Twenty tablets had been purchased for clients and shopping done for those who were struggling to obtain food bank vouchers.

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<sup>9</sup> Mind: [The Mental Health Emergency](#)

Members were informed that the service had seen an increase in first time users for mild to moderate mental health issues. It had also witnessed an increase in suicide ideation within the Severe Mental Illness group and an increase in Safeguarding referrals to Social Services (from one or two per annum to three or four per quarter).

In terms of future pressures, it was likely that the problems would persist once the pandemic was over. A potential recession would negatively impact mental health and a described 'tsunami' of mental health cases was expected. It would be difficult to get clients to re-engage with GPs and encourage them to get vaccinated. It was anticipated that some clients would struggle with reconnection after lockdown and projects were being initiated to assist people with these challenges.

Members were advised that Hillingdon Mind was exploring a number of avenues to build capacity to meet demand – these included speaking to current funders CCG and LBH, applying to Big Lottery and City Bridge Trust for grants, discussing with CNWL innovative ways to deliver mental health services, for example the One Stop Shop and developing webinars to provide mental health advice.

It was confirmed that Hillingdon Mind had met with the Council's Voluntary Sector Development Office, to discuss possible collaboration with other voluntary sector and community groups. Mental Health first aid courses were planned to enable people to spot the early signs of mental health issues since early intervention was key.

## **The Council's Response to the pandemic**

Members heard that the Council had initially worked closely with H4All to set up the Covid-19 Community Hub tasked with co-ordinating the delivery of food and medicine and related support services. This in-house system initially provided a bespoke shopping service and emergency supplies to those in need. However, it was necessary to scale up rapidly to ensure the needs of the most vulnerable were met.

The original plan had been for H4All to create a Hub with the support of the local authority. However, it had rapidly become apparent that the charities lacked the infrastructure to enable them to achieve this effectively. H4All had 4 phone lines whereas the Council could commission a dedicated contact centre with twenty members of staff. Moreover, the Council had IT resources, purchasing cards and means of transportation at its disposal. It was, therefore, decided that the Council would run the Hub while the charities would co-ordinate volunteers and focus on their core charitable work. In the fullness of time, the work of the Hub had been transitioned back to voluntary partners and a partnership had been built with the local foodbanks.

The Committee was informed that the Council had also been involved in issuing emergency grants to residents as required.

## Looking ahead

It was confirmed that the Council had signed up to the London Funders' Pledge <sup>10</sup> which had enabled partners to use their grant funding flexibly as they saw fit. The Committee welcomed the fact that H4All aspired to develop as an organisation that represented smaller local charities and that a small grant had been made available to H4All to support this work.

Councillors heard that this had been a challenging time for smaller charities as the number of volunteers and donations had fallen dramatically during the Covid-19 pandemic. It was recognised that some charities needed to reinvent themselves and the Council and H4All were helping to facilitate that. Committee Members were conscious that larger charities had drawn down a significant resource during the pandemic and smaller charities were at risk of disappearing without support. The fact that this situation would be closely monitored going forward was welcomed.

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<sup>10</sup> London Funders ["We stand with the sector" - funder response to Covid-19 | London Funders](#)

## Findings and conclusions

### Recognition of the Work of the Voluntary Sector in Response to the Covid-19 Pandemic

As previously indicated within the body of this report, Members acknowledge that the voluntary and community sector in Hillingdon has played a crucial role in ensuring that the needs of Hillingdon residents have continued to be met throughout the pandemic and lockdown periods. Voluntary sector organisations have worked tirelessly to ensure that all residents, including the elderly and the vulnerable, have been well supported and safeguarded throughout the Covid-19 pandemic.

As set out previously, local foodbanks have provided food parcels, treat and craft bags, telephone advice and Zoom classes and parties for children. Through H4All, Age UK has reached out to the elderly arranging social activities, delivering Christmas presents and hampers and providing tablets to reduce social isolation while Hillingdon Carers Trust has worked to support carers in need. Moreover, Hillingdon Mind has reacted expeditiously to support its clients by moving the majority of its Counselling services, social activities and therapeutic group work online. Innovative Mental Health Care Calling and Crisis Response Calling Services have also been introduced to support those clients most at risk.

The Committee noted that the voluntary sector response to this unprecedented event has been laudable both in terms of its efficiency and efficacy. It has been a steep learning curve for all those concerned and the response has been highly commendable. Members extended their gratitude to all those involved in this impressive co-ordinated effort.

On that basis, it is recommended by the Committee that:

**1**

**That Cabinet acknowledge, appreciate and recognise the response that all organisations across the voluntary sector have provided to meet the needs of residents throughout the pandemic/lockdown periods.**

### A Strong Operating Model

As noted within the main body of this report, the Hillingdon Community Hub and Council officers have worked together proactively to ensure that the needs of Hillingdon residents have been met throughout the pandemic. At the outset of the pandemic, the Council swiftly established the Hillingdon Community Hub in collaboration with Hillingdon 4 All (H4All) - the local consortium encompassing five of the main local charities (AgeUK Hillingdon, Harrow and Brent, Hillingdon Carers Trust, Harlington Hospice, Hillingdon MIND and DASH). Since many organisations lacked the operational management / business practices to operate at scale, it was decided that the Council would take a leading role in managing logistics while the charities would co-ordinate



volunteers and focus on their charitable work. Despite the logistical challenges faced initially, the Hub was swiftly able to respond to the needs of residents working with a number of leading voluntary groups to manage and co-ordinate resources. Referrals were made via the Hub to H4All to respond to non-food issues, such as sourcing and delivering medication, befriending and dog walking. The Borough's foodbanks, faith groups and voluntary organisations also assisted by distributing food and prescriptions and providing support to people with befriending calls.

Members noted that the Hub was widely promoted as the place to call in event of urgent need, should residents be required to shield or isolate. The in-house system was initially set up to provide a bespoke shopping service and emergency supplies but was able to scale up very quickly to ensure the needs of the most vulnerable were met. Once Council staff had been redeployed back to their normal jobs, an exit strategy was planned to set up a more sustainable system. At this point, the work of the Hub was successfully and seamlessly transferred to voluntary partners.

The Committee welcomed this proactive and collaborative approach noting that the Community Hub and Council officers had worked effectively with a wide range of voluntary sector partners to manage and co-ordinate resources and establish a strong operating model, thereby ensuring that the needs of Hillingdon residents, including the elderly and the vulnerable could be met.

On that basis, it is recommended by the Committee:

**2**

**That Cabinet recognises the pro-active steps taken by the Hillingdon Community Hub/Council Officers to manage and co-ordinate resources across a number of voluntary sector partners, including Hillingdon4All to achieve a strong operating model.**

## Voluntary Sector Grants

The Committee noted that, during the pandemic, Council officers had worked tirelessly to provide support and guidance to local partners. The Council had signed up to the London Funders' Pledge which had enabled partners to use their grant funding flexibly as they saw fit. It was also noted that H4All aspired to develop as an organisation that represented smaller local charities and a grant had been made available to H4All to support this work.

Members learnt that a small grant from Central Government had been made available to develop community engagement. Additionally, Cabinet had agreed that Hillingdon Mind's grant would be increased going forward. Moreover, a grant application under the Council's core grant scheme was being considered to support Hillingdon Foodbank in the future. The advice centre at Bell Farm was also regularly supported by the Council through the substantial core grant scheme and the possibility of a small grant for the older people's dining centre had been discussed.

It was noted that business models were likely to change somewhat as a result of the impact of the pandemic. In view of this, the Committee recommended that officers continue to review financial support and provide grants to enable key voluntary sector partners to deliver vital

services to Hillingdon residents. The Committee felt that the importance of providing essential practical, operational and logistical support and guidance to assist local voluntary sector and community partners in increasing their resilience to meet future need could not be underestimated.

On that basis, it is recommended by the Committee:

**3**

**That Cabinet continues to review and provide voluntary sector grants to enable key voluntary sector partners to continue to deliver services required by Hillingdon residents. In addition, that Cabinet looks to provide practical, operational and logistical support and guidance to enable VS partners to increase resilience going forward**

## Outbound Communications

Having received evidence from a number of local voluntary and community sector partners, Members noted the essential nature of the work carried out by partners throughout the pandemic to support Hillingdon residents. It was vital that all residents (including children and young people) had full knowledge and understanding of the services available to them and were able to easily access said services going forward in times of need. It was acknowledged that the demand for mental health support was likely to continue to increase in the future. The Committee understood that Central Government was making additional funds available to support the mental health of children and young people and a small grant had been made allocated to develop community engagement. Mind had expressed an interest in working with the young people category but were currently able to do so due to a lack of funding.

In view of the above, outbound communications (to include an article in Hillingdon People) were proposed to promote the work of the voluntary sector, reach out to community groups and raise awareness of the services on offer in the Borough. It was vital that all residents, including the young, were aware of the services available to them and were able to readily access such services in times of need. The communications would outline the work of the charities and set out their future needs which could also assist in recruiting more volunteers. Based on feedback from some of the organisations, it was noted that this would need to be managed carefully to ensure that the voluntary sector and community partners did not become overwhelmed with new enquiries.

On that basis, it is recommended by the Committee:

**4**

**That Cabinet agrees to deliver outbound communications, including through Hillingdon People, that provide information to all residents (including children and young people under the age of 16) so they can access information about key voluntary sector services, such as mental health/Hillingdon MIND. Furthermore, to support the dual purpose of such communications to assist in recruitment of volunteers across the Voluntary Sector.**



## About the review - witnesses and activity

The following Terms of Reference were agreed by the Committee from the outset of the review:

1. To consider how the voluntary and community sector (VCS) in Hillingdon was able to respond to needs of residents during the Covid-19 lockdown period.
2. To hear how the pandemic impacted on the VCS sector and its ability to deliver services, raise funds, and recruit volunteers.
3. To review how the Hillingdon Community Hub worked with the VCS to meet emergency needs.
4. To make any recommendations that would increase resilience of VCS to respond to any future lockdown or restrictions.

The Committee received evidence from the following sources and witnesses:

<p><b>Witness Session 1 – 4 November 2020</b></p>	<p><b>Voluntary Sector External witnesses:</b></p> <ul style="list-style-type: none"> <li>• Julian Lloyd, Chief Executive Officer at Age UK, Hillingdon, Harrow and Brent; and</li> <li>• Sally Chandler, Chief Executive at Carers Trust Hillingdon</li> </ul> <p><b>Council officers in attendance:</b></p> <ul style="list-style-type: none"> <li>• Kevin Byrne, Head of Health Integration and Voluntary Sector Partnerships</li> </ul>
<p><b>Witness Session 2 – 12 January 2021</b></p>	<p><b>Voluntary Sector External witnesses:</b></p> <ul style="list-style-type: none"> <li>• Diane Faichney, Foodbank Chair and Manager and Centre Director of Bell Farm Christian Centre; and</li> <li>• Tunde Balogun, Senior Pastor Kingsborough Family Church – representing Hillingdon Foodbank</li> </ul> <p><b>Council officers in attendance:</b></p> <ul style="list-style-type: none"> <li>• Kevin Byrne, Head of Health Integration and Voluntary Sector Partnerships</li> </ul>

**Witness Session 3 -  
3 February 2021**

**Voluntary Sector External witness:**

- Angela Stangoe MBACP – Director and Head of Psychotherapeutic Services, Hillingdon Mind

**Council officers in attendance:**

- Kevin Byrne, Head of Health Integration and Voluntary Sector Partnerships; and
- Mike Talbot, Director – Corporate Resources and Services

## References

1. Government COVID-19 Guidance for voluntary, community and social enterprise organisations:  
[www.gov.uk/guidance/covid-19-guidance-for-voluntary-community-and-social-enterprise-organisations](http://www.gov.uk/guidance/covid-19-guidance-for-voluntary-community-and-social-enterprise-organisations)
2. Covid-19 Guidance for Local Government:  
[Coronavirus \(COVID-19\): guidance for local government - GOV.UK \(www.gov.uk\)](http://www.gov.uk/guidance/coronavirus-covid-19-guidance-for-local-government)
3. Special Report to Cabinet detailing “Hillingdon Council’s Response to Coronavirus”:  
<https://modgov.hillingdon.gov.uk/documents/s48342/Draft%20Cabinet%20Report%20-%20Hillingdons%20response%20to%20Coronavirus%203.pdf>
4. Age UK Hillingdon, Harrow and Brent: [Welcome to Age UK Hillingdon, Harrow and Brent](#)
5. Hillingdon Carers Trust: [Carers Trust Hillingdon - Supporting unpaid carers in Hillingdon](#)
6. The Food Standards Agency: [The Lived Experience of Food Insecurity under Covid-19](#)
7. UB7 Foodbank: [Yiewsley & West Drayton Foodbank | Helping Local People in Crisis](#)
8. Hillingdon Foodbank: [Hillingdon Foodbank | Helping Local People in Crisis](#)
9. Mind: [The Mental Health Emergency](#)
10. London Funders ["We stand with the sector" - funder response to Covid-19 | London Funders](#)

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## FLOOD ACTION PLAN

<b>Cabinet Member(s)</b>	Councillor Eddie Lavery
<b>Cabinet Portfolio(s)</b>	Environment, Housing and Regeneration
<b>Officer Contact(s)</b>	Vicky Boorman / James Latham - Planning, Environment, Education and Community Services
<b>Papers with report</b>	Appendix 1 – Flood Action Plan

## HEADLINES

<b>Summary</b>	<p>To approve the Flood Action Plan which sets out the actions that the Council is and will be undertaking in the coming months to ensure that Council services and residents are resilient to the impacts of flooding.</p> <p>It is intended to capture the current actions and approaches ahead of a review of the Statutory Local Flood Risk Management Strategy which needs to be adopted by Mid-2022.</p>
<b>Putting our Residents First</b>	<p>This report supports the following Council objectives: Our People; Our Natural Environment; and Our Built Environment.</p> <p>This report contributes to delivering Objective C6 (Climate Change Adaptation and Mitigation) of the Draft Strategic Climate Action Plan.</p>
<b>Financial Cost</b>	Flood measures within the plan are expected to be delivered within existing budgets and resources.
<b>Relevant Policy Overview Committee</b>	Residents, Education and Environmental Services Policy Overview Committee
<b>Relevant Ward(s)</b>	All Wards

## RECOMMENDATIONS

### That the Cabinet:

- 1. Approves Hillingdon's Flood Action Plan capturing work ahead of development and publication (including full public consultation) on the Council's Local Flood Risk Management Strategy (statutory requirement to be adopted by mid-2022).**
- 2. Agrees to the implementation of the actions in the Flood Action Plan.**

### Reasons for recommendation

Due to the ongoing impacts of climate change, more residents are at risk of flooding than 15 years ago and flooding is happening more frequently in the Borough. In the future, there are predicted to be wetter winters and drier summer in London but rain will fall in more intense showers in the summer months.

There are potentially over 30,000 residential properties currently at risk of flooding from various sources across the Borough. With over 180km of ordinary watercourses draining predominantly impermeable clay soils, often flowing through dense residential areas in ageing infrastructure, there are challenging constraints to managing flood risk. With so many locations facing risk all services will need to contribute to managing the flood risks faced by residents.

The Council has an excellent track record in securing funding to work with residents and communities to understand and reduce the risk of flooding. By piloting innovative approaches such as Natural Flood Management and taking a whole catchment approach to managing the risk of flooding, Hillingdon Council is in a good position to face the challenges posed by climate change.

This Flood Action Plan states the actions that the Council is and will be undertaking in the coming months to ensure that Council services and residents are resilient to the impacts of flooding. It is intended to capture the current actions and approaches ahead of the review of the Statutory Local Flood Risk Management Strategy which needs to be adopted by mid-2022. To avoid excessive consultation on flood risk plans this Action plan is only intended to capture actions associated with adopted plans and strategies ahead of the statutory consultation on the Strategy (developed on a 6 yearly cycle). The current strategy can be found here: [Local Flood Risk Management Strategy](#)

Recommendation 1 – The Flood Action Plan will help deliver the requirements of the Climate Change Action Plan and the current Local Flood Risk Management Strategy (2016) and provides a base for the Council to update the Local Flood Risk Management Strategy as part of the statutory 6 year planning cycle (required mid 2022).

Recommendation 2 – To identify opportunities within current operational practices and budgets to improve flood risk management practices, for example through changes to land management practices.

## Alternative options considered / risk management

The option to take no action was not considered. To achieve the climate emergency declaration requires leadership from the Council and targeted action working in partnership with residents, public sector organisations, community groups and businesses.

## Policy Overview Committee comments

The Residents, Education and Environmental Services Policy Overview Committee received an update on Flooding at a recent meeting and such committees will be able to participate actively in the forthcoming consultation.

## SUPPORTING INFORMATION

1. Hillingdon is the second largest London Borough and has potentially over 30,000 residential properties currently at risk of flooding. With over 180km of ordinary watercourses draining predominantly impermeable clay soils, often flowing through dense residential areas in ageing infrastructure, there are challenging constraints to managing flood risk.
2. As Lead Local Flood Authority, Hillingdon Council has been working over the past 10 years to understand the risk of flooding, investigate significant flood incidents and implement measures to reduce the risk of flooding. The council has other roles and responsibilities that integrate with the statutory flood risk duties.
3. In a changing climate there has been an increased burden on many council services due to flooding in recent years. The headline impact of climate change on rainfall in London, is for there to be less rainfall in the summer concentrated into more intense showers, and for more rainfall over winter months. Climate change is already impacting on the risk of flooding in Hillingdon, with there being a noticeable increase in the frequency and intensity of summer rainfall events and wetter winters in recent years.
4. The Flood Action Plan provides a context of the real risk of flooding in the Borough both now and in the future, restates the actions currently being undertaken to reduce the risk of flooding to residents, and sets out the intention of the Council to allocate appropriate resources across all services to manage the increasing flood risk.
5. The Flood Action Plan includes **statutory actions** required by law, actions that promote **climate resilient places**, actions that consider **today's growth and infrastructure resilient in tomorrow's climate**, as well as actions that promote the national objective of **a nation ready to respond and adapt to flooding**.

## Financial Implications

There are no direct financial implications associated with the recommendations to this report. The workstreams identified within the Flood Action Plan are expected to be contained within existing budgets. Any specific proposals that require additional funding will be raised with the Cabinet Member for further consideration.

## RESIDENT BENEFIT & CONSULTATION

### **The benefit or impact upon Hillingdon residents, service users and communities?**

The Flood Action Plan will provide benefits to residents by setting out how all Council services are prepared for the projected impacts of flood risk and have plans in place to respond to these increasingly more frequent flood incidents. The review of planned works with the flooding team will also ensure proposed works maximise opportunities to reduce the risk of flooding to our residents and communities. Coordinated communications will ensure that residents are engaged in understanding their individual risk of flooding, as well as being more informed of the projects that the Council is implementing to reduce the risk of flooding.

### **Consultation carried out or required?**

The Flood Action Plan builds on the work the Council has undertaken to date in line with the current adopted Local Flood Risk Management Strategy (which was subject to full consultation) to understand the risk of flooding and implement projects to reduce the risk of flooding. Cabinet is asked to approve the Flood Action Plan and for the actions to be implemented by the respective service areas.

The updated Local Flood Risk Management Strategy will be developed towards the end of 2021 with a view to adopting by mid-2022. This will be subject to a full consultation as part of the statutory requirements.

## CORPORATE CONSIDERATIONS

### **Corporate Finance**

Corporate Finance has reviewed this report and confirms that there are no direct financial implications associated with the recommended implementation of the Flood Action Plan, noting that measures within the plan are expected to be delivered within existing budgets and resources. Financial implications associated with the emerging Local Flood Risk Management Strategy will be quantified alongside development of the strategy and reflected in future iterations of the Council's Medium-Term Financial Forecast as appropriate.

### **Legal**

The Borough Solicitor confirms that the legal implications are included in the report and action plan.

## BACKGROUND PAPERS

[Strategic Climate Action Plan](#)

[Local Flood Risk Management Strategy](#) and accompanying [Objective and Measures](#) (published in 2016)





**HILLINGDON**  
LONDON

# Flood Action Plan



**Flood and Water Management**

**Residents Services**

**May 2021**

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## Introduction

In 2010, the Flood and Water Management Act was given Royal Assent. This provided clarity as to the roles of the different organisations with responsibilities for managing flood water; importantly, it introduced Lead Local Flood Authorities.

As a Lead Local Flood Authority, the Council has been working over the past 10 years to understand the risk of flooding from various sources, investigate significant flood incidents and implement measures to reduce the risk of flooding. The Council also uses its position to secure action from other organisations who have responsibility for flood risk management. The strategy for delivering these responsibilities is set out in a portfolio of flooding documents held on the Council website<sup>1</sup>.

In a changing climate there has been an increased burden on many council services due to flooding in recent years. In March 2021, Hillingdon Council published its draft Strategic Climate Action Plan to set out the actions that will be carried out to meet the vision of becoming “*the greenest London borough, to protect and enhance the environment, and to provide a brighter prospect for future generations.*”

The management of flood risk is covered in the draft Strategic Climate Action Plan under Objective C6 – Climate Change Adaptation and Mitigation. More specifically, C6.2 states the need:

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*To ensure the Council’s flood resilience and management work incorporates a changing climate and that the Council’s own land and property decisions consider the need to make space for water.*

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The Environment Agency have also produced a new [National Flood Risk and Coastal Change Strategy](#) (2020)<sup>2</sup>. This sets a vision: A nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100.

The National Strategy has three core ambitions concerning future risk and investment needs:

1. **Climate resilient places:** working with partners to bolster resilience to flooding and coastal change across the nation, both now and in the face of climate change.
2. **Today’s growth and infrastructure resilient in tomorrow’s climate:** Making the right investment and planning decisions to secure sustainable growth and environmental improvements, as well as resilient infrastructure.
3. **A nation ready to respond and adapt to flooding and coastal change:** Ensuring local people understand their risk to flooding and coastal change and know their responsibilities and how to act.

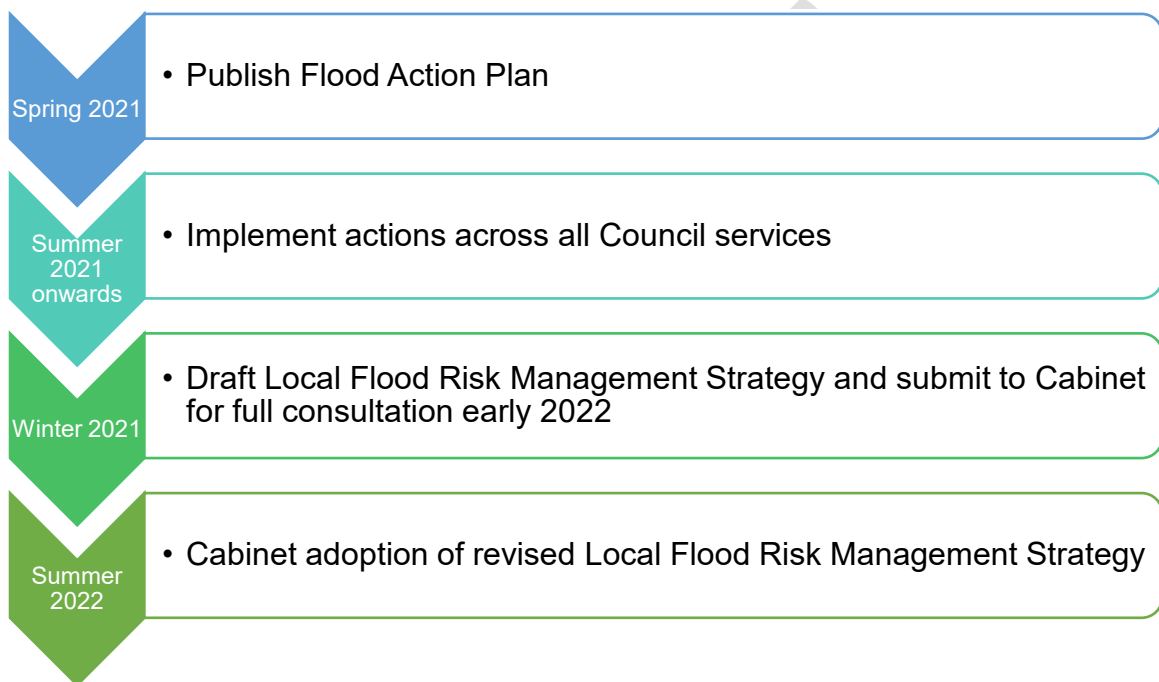
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<sup>1</sup> [www.hillingdon.gov.uk/flooding](http://www.hillingdon.gov.uk/flooding)

<sup>2</sup> [National Flood and Coastal Erosion Risk Management Strategy for England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/national-flood-risk-and-coastal-change-strategy)

The Council is required to plan for flooding on a 6 year cycle. The Council has a Local Flood Risk Management Strategy which was adopted in 2016. This strategy is due to be reviewed and refreshed by mid-2022. This is a statutory plan that will be part of a full consultation with residents and key stakeholders and will set out the strategic objectives for the coming years. This strategy will also include the detailed actions which will be reviewed annually.

This Flood Action Plan is intended to reaffirm the current actions in relation to flood risk management and paves the way towards a refreshed draft Local Flood Risk Management Strategy (LFRMS). It provides the current context for flood risk management ahead of revising the strategy by mid-2022.



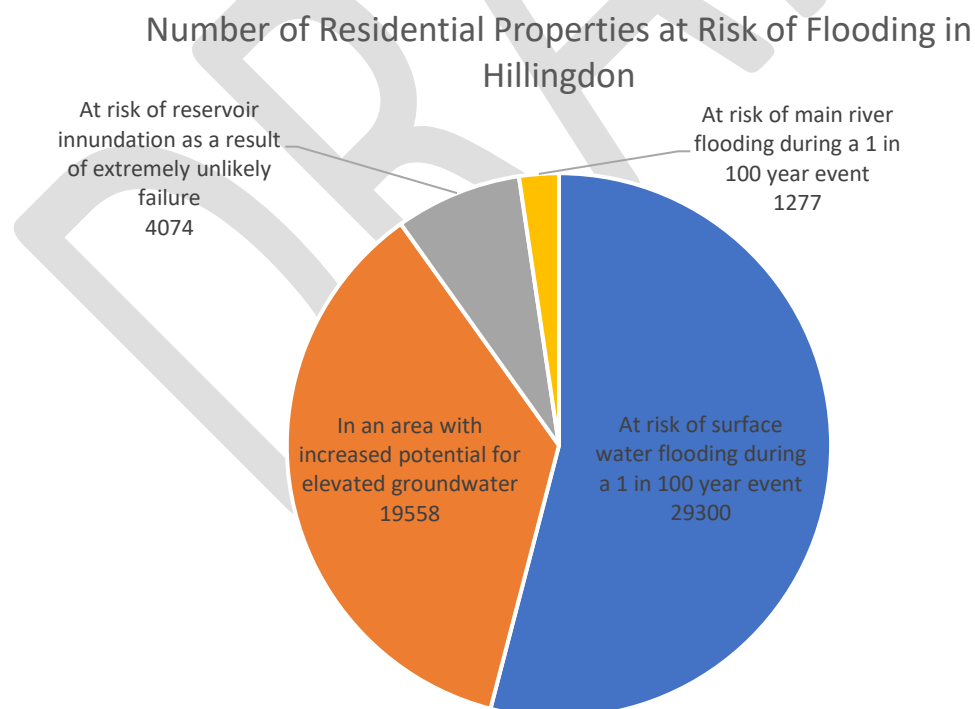
## Flood risk context

The Council has various roles in managing flood risk introduced by the Flood and Water Management Act 2010. As a Lead Local Flood Authority (LLFA) takes a lead on flood risk associated with surface water, groundwater, and ordinary watercourses. As a Highways Authority, the Council also has the separate responsibility for managing the risk of flooding on adopted highways. These roles are defined as Risk Management Authorities (RMA).

The Environment Agency is the lead authority for Main Rivers (e.g., the River Pinn, Yeading Brook, River Crane and River Colne) as well as reservoir flooding. Thames Water is responsible for managing foul and surface water but to limited design standards. All these authorities have a statutory duty to cooperate in collectively managing the risk of flooding from all sources.

The Council is also a major landowner with riparian responsibilities for a significant area of water infrastructure, including reservoirs like Ruislip Lido, rivers such as the River Pinn, and lakes such as at Little Britain.

Hillingdon is the second largest London borough and has potentially over 30,000 residential properties currently at risk of flooding<sup>3</sup>. With over 180km of ordinary watercourses draining less permeable clay soils, often flowing through dense residential areas in ageing infrastructure, there are challenging constraints to managing flood risk.



*Properties at risk of flooding (note some properties will be at risk from multiple sources)*

<sup>3</sup> For a rainfall event with a 1% chance of occurring in any given year according to the Surface Water Management Plan (2011)

The council is aware of flooding across the borough stretching back over 100 years, although the most comprehensive records are from the last 8 years. Residents and businesses are at risk from a number of sources and are becoming more exposed to the possibility of flooding due to changes in climatic patterns, for example an intense summer rain shower, which can occur any time from June to October, or a large winter storm from the Atlantic.

While there was extensive flooding across the Borough in 1977,1988 and in the early 2000s, more significant flooding has recently occurred. In the winter of 2013/14, 26 residential properties, 7 businesses and 4 schools/ educational facilities were affected by flooding externally. In June 2016, 86 properties flooded internally and in October 2019 12 residential properties and 7 businesses flooded. Recently, properties have been flooded and many evacuated in October 2020 and January 2021.

The reports and trends of these flooding events indicate surface water incidents, which impact small groups of residents in multiple locations across the Borough. Heavy rain builds up on roads or saturated ground and is not able to drain away through constrained infrastructure. These events are not designated major incidents but are happening more frequently, and this trend is likely to increase.

In addition to residential properties, there are businesses, community facilities and infrastructure at risk of flooding that are important to Hillingdon residents, many of which have flooded in the past.

- **Schools** – including Whiteheath Infant School, Queensmead School, Bourne Primary School, Barnhill Community High, Charville Primary School, Coteford Infant School.
- **Leisure facilities** - including Eastcote Lawn Tennis Club, public parks such as Bessingby Park, Pinn Meadows and Elephant Park, and various allotment sites.
- **Commercial properties** – including Ruislip Manor town centre and Victoria Road Retail Park, South Ruislip.
- **Transport infrastructure** - including Ruislip Manor Underground Station, A40 at Hillingdon Circus and RAF Northolt, and M4 at Shepiston Lane, Hayes.

Recent flood events have highlighted current limitations in the availability of warnings prior to flood events, both to residents and to council services. Flood awareness and preparedness in the community and within council services is becoming increasingly important. The management of flood risk is also complicated by the myriad of different organisations each with different areas to lead on. It is far from straightforward to identify the difference between surface water flooding (the Council takes the lead on but is predominantly managed by private water bodies) and river flooding (the remit of the Environment Agency).

As the primary point of contact with residents, the Council takes a leadership role in establishing collaboration across the responsible authorities to ensure a joined up approach to flood risk management. Beyond that, there is a role for everyone to understand the causes and impacts of flooding to ensure that there is widespread contribution to managing the problem.



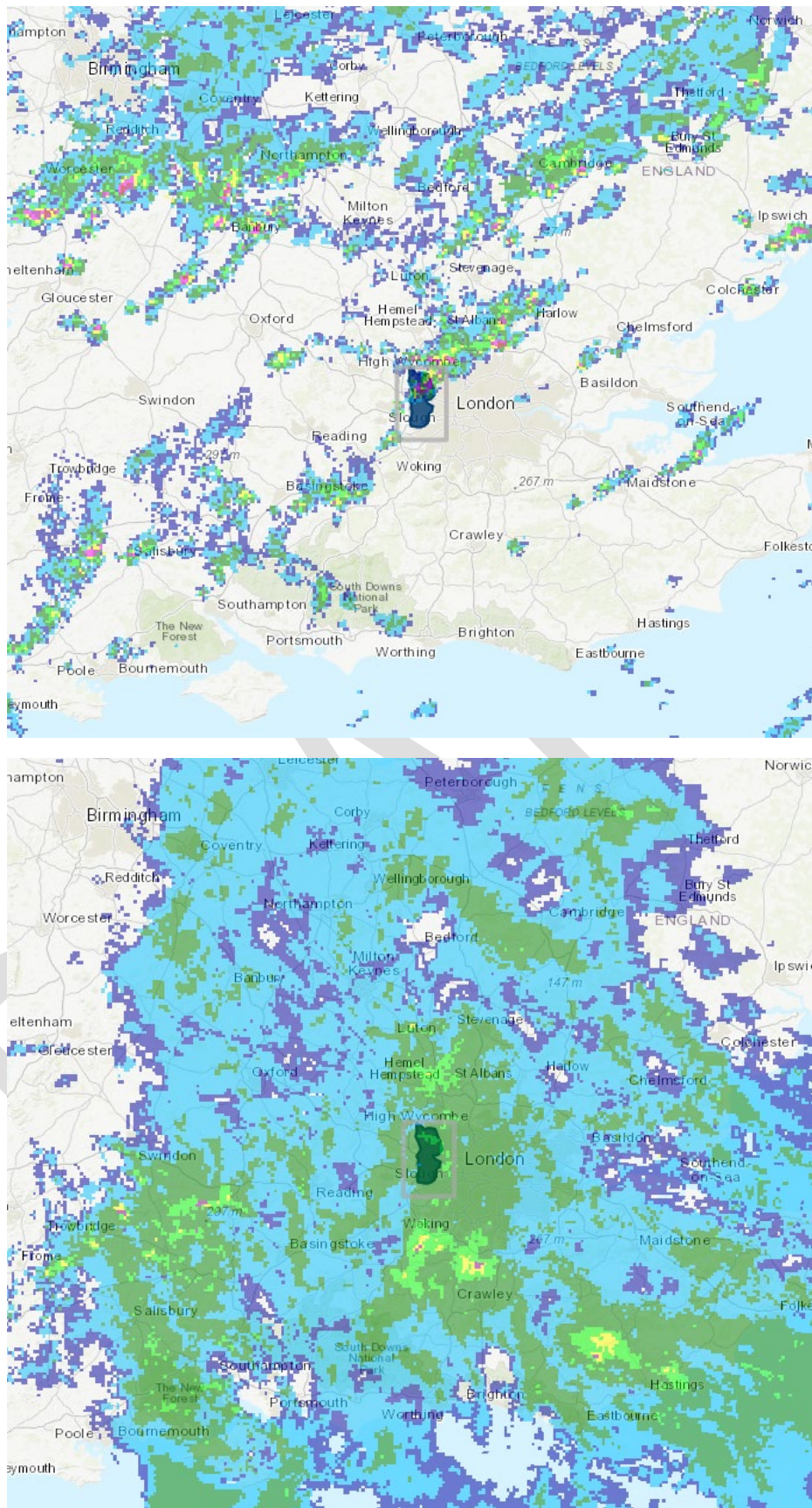
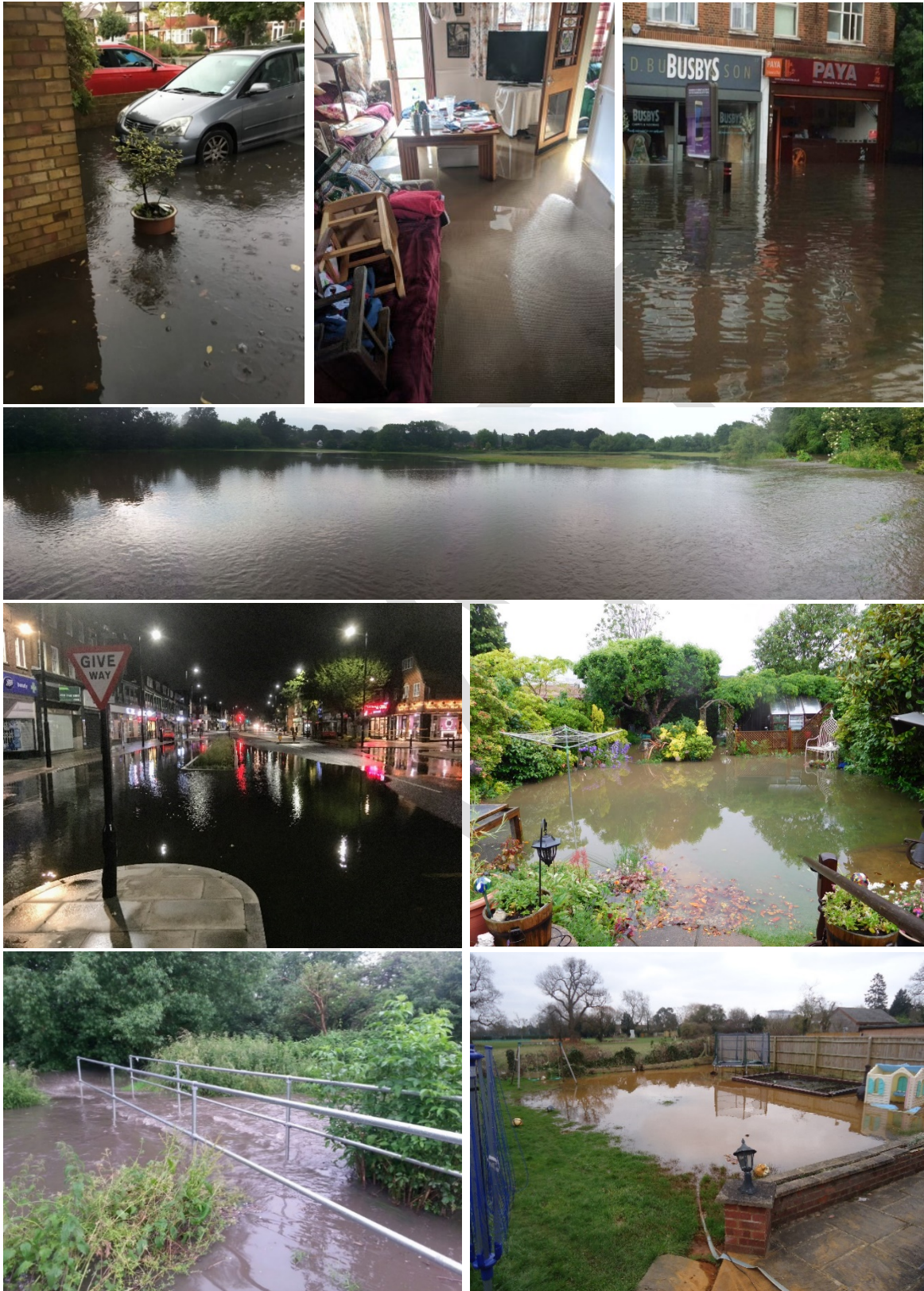


Figure showing difference in extent of rainfall between summer (left) and winter (right) rainfall events that have affected residents on 1<sup>st</sup> October 2019 and 28<sup>th</sup> January 2021, respectively.





*A selection of photographs showing the impacts of flooding on communities across the Borough.*



## Climate change impacts

The headline impact of climate change on rainfall in London assumes less rainfall in the summer but concentrated into more intense showers, and for more rainfall over winter months. Climate change is already impacting on the risk of flooding in Hillingdon with a noticeable increase in the frequency and intensity of summer rainfall events and wetter winters in recent years.

Climate Change Effect	Impact to residents	Impact to Council
Intensity of summer rainfall events projected to increase by 40% <sup>4</sup>	<ul style="list-style-type: none"> <li>• More frequent events</li> <li>• Probability of extreme events occurring will increase.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased no of Flood Investigations</li> <li>• Reduced time to prepare to respond to warnings and act.</li> </ul>
Summer rainfall will be lower overall.	<ul style="list-style-type: none"> <li>• Ground will be drier on average which will result in compaction and increased runoff.</li> <li>• Water supplies may be affected.</li> </ul>	<ul style="list-style-type: none"> <li>• Water supplies may be affected.</li> <li>• Drought impacting services such as Green Spaces.</li> <li>• Vulnerable residents more at risk requiring more support.</li> </ul>
Overall winter rainfall will increase by 40% <sup>5</sup>	<ul style="list-style-type: none"> <li>• Risk of groundwater flooding will increase, with saturated ground in the winter much more likely.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased issues of standing water in residential gardens or on roads requiring attention.</li> </ul>
Significant winter storms are 25% more likely.	<ul style="list-style-type: none"> <li>• More frequent fluvial events.</li> <li>• Smaller watercourses and catchments previously not affected during winter will start to be affected.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased need for coordination with Environment Agency for main river flooding</li> </ul>

With many more properties at risk of flooding by 2050 due to the projected impacts of climate change, the Council needs to ensure that flood risk action is embedded across all services to deliver the scale of the work needed. Opportunities to reduce flood risk and increase flood resilience to communities must be taken in all projects the Council delivers.

The primary principle is to hold water back in times of heavy rain thus reducing the speed water reaches drainage systems. It must be noted though that it is not possible to protect

<sup>4</sup> Upper end total potential change anticipated for the '2080s' (2070 to 2115). Source: [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444444/flood_risk_assessments_climate_change_allowances_-_gov.uk.pdf)

<sup>5</sup> Met Office UKCP projections in a 4 degrees warming scenario.

residents and businesses from every storm event. It is therefore necessary to ensure that the at risk areas are identified and residents and business are prepared for flood events.

Additionally, The Climate Change Action Plan C6.3 includes the wider objective to *“run a campaign to raise awareness for the need to be better prepared for a changing climate.”*

Whilst this relates to climate change adaptation more widely, flooding is important to include to ensure residents are aware of the risk and what they can do about the risks they face and the impact of climate change.

There are other impacts of climate change projections that will change the way water is managed in Hillingdon including:

- **Drought** – reduction in summer rainfall will reduce the availability of water for environmental low flows leading to reduced dilution of effluent and strained habitats for freshwater species.
- **Temperature extremes** – species in river systems are sensitive to temperature extremes and are likely to be affected by increased water temperatures.
- **Habitat diversity** – a changing climate will affect the plant species that thrive in habitats, including an increased threat of invasive species. Those that live in isolation and are not connected to other populations will have increasing difficulty in being resilient to the increasing temperature and increasing likelihood of drought.
- **Pollution** – more frequent intense rainfall events will lead to an increase in sewer overflows, run off from highways and exacerbate issues with sewer blockages and foul misconnections.

## Statutory actions

There are several ongoing actions that the Flood and Water Management team in the Council has been implementing that relate to the statutory responsibilities contained in the Flood and Water Management Act (2010).

### Local Flood Risk Management Strategy

The adopted [Local Flood Risk Management Strategy](#) and accompanying [Objective and Measures](#) (Published in 2016) sets out how the risk of local sources of flooding (such as surface water, groundwater and from ordinary watercourses) is managed in the Borough and is due for a review in 2021/2022. Although the strategy is robust and still relevant, there are additional obligations in the updated [National Flood Risk Management Strategy](#) (September 2020) on a LLFA that need to be reflected in the local strategy. Recent significant flooding events and an updated program of projects further add to the need to comprehensively review the strategy by mid-2022. These changes also make it necessary to reaffirm the position in this Action Plan ahead of that statutory plan.

**ACTION FL1** – By mid 2022 an updated Local Flood Risk Management Strategy will have been consulted on and adopted by the Council. This strategy will align with new national obligations, incorporate current projects and priorities, reflect climate change projections and ensure recent significant events are captured.

There will be a full consultation on this strategy, supported by a robust communication plan that will invite widespread engagement

### Flood incidents and investigations

The council has a statutory duty to investigate significant flooding and publish the report under Section 19 of the Flood and Water Management Act (2010). The purpose of a Flood Investigation is to determine the roles of the Risk Management Authority and whether lessons can be learned or where improvements can be made to reduce the risk of repeat events. Flood investigations take time to compile due to the need to collect reports from different organisations and to consult with affected residents.

**ACTION FL2** – By autumn 2021 the investigations from recent events including winter 2020/21 will be prepared.

In a changing climate, projections show that the likelihood of rainfall events that would significantly affect residents will continue to increase. The burden on the Council to investigate significant flooding will therefore increase and efficiencies in the mechanisms for reporting, sharing, and reporting of flood incidents between RMAs (Risk Management Authorities) and internal services should be explored (e.g. [FORT - Home \(geowessex.com\)](http://geowessex.com)).

**ACTION FL3** – By autumn 2021 a refined method for recording, sharing and investigating flood incidents between Risk Management Authorities will be developed. Officers will work with partners to set up a regular forum of lead flood risk management authorities to reinforce the collaborative approach to managing flood risk.

### **Flood asset register**

The council has a statutory duty to hold a register of significant flood assets under Section 21 of the Flood and Water Management Act (2010). While the current Flood Asset Register was published in 2014, a significant amount of work has been undertaken in the past 18 months to improve the breadth and quality of the information.

In a changing climate there will be an increased reliance on existing drainage infrastructure and structures – such as culverts, bridges, watercourses, and pumps – to convey water through the landscape in a way that minimises the impacts to residents and communities. It is highly unlikely that there will be wholesale upgrades to drainage and water management infrastructure over the coming years and therefore monitoring the condition and maintenance regime of existing flood assets is essential.

**ACTION FL4** – By summer 2021 the revised draft Flood Asset Register will be shared with internal stakeholders (Green Spaces, Highways Structures etc.) and other statutory bodies (e.g. Transport for London) for comment and revision, with a deadline of autumn 2021 to publish a final Flood Asset Register.

## **Climate resilience places**

### **Flood risk management projects**

It is important to identify the right projects in the right areas to take forward and the Surface Water Management Plan (SWMP) for the Council (2011) reviewed the risk of surface water flooding to properties across the borough and identified Critical Drainage Areas focused on the clusters of properties at risk of flooding. Areas at risk of flooding are likely to be lower lying where water from various sources culminates.

Hillingdon Council has received funding from the Thames Regional Flood and Coastal Committee (TRFCC) to develop the SWMP and take a catchment approach to understanding where flood water was draining from, and prioritising resources across the Borough. Holding water back at the top of catchments can reduce the impacts in the low lying areas. Solutions therefore can be some distance from the impacted areas. Work to understand the flooding on a catchment basis is crucial to effective and efficient solutions.

A Catchment Management Plan will be published in phases and will replace the current SWMP. The conclusions of the Catchment Plan will form the basis of the projects over the next reporting period in the LFRMS.

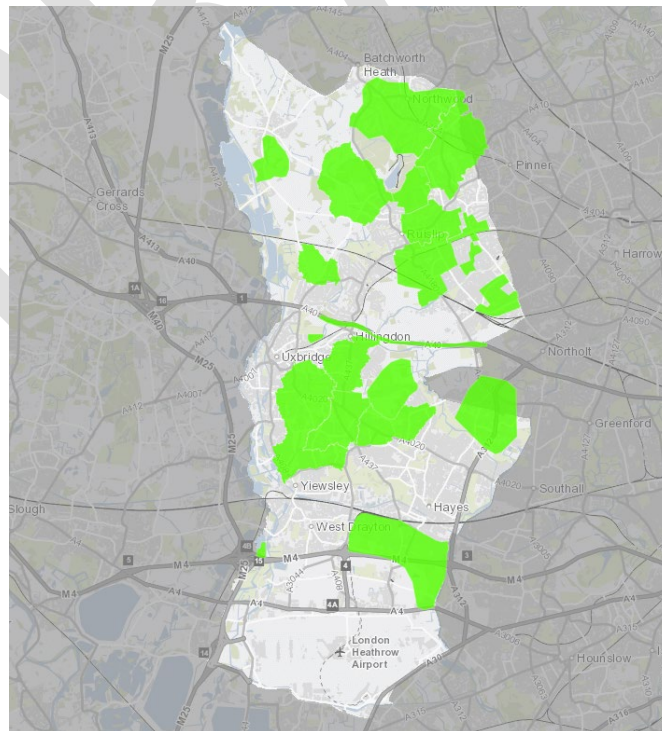
**ACTION FL5** – By summer 2021, mapping outcomes from Phase 1 of the Hillingdon Catchment Management Plan will be published online to show the drainage catchments across the Borough and the flooding hotspots.

**ACTION FL6** – By autumn 2021 Phase 2 of the Catchment Management Plan will be published to identify the prioritised ranking of catchments and the recommended actions against each of those catchments.

The objectives in the first and current Local Flood Risk Management Strategy have forged the way for the Council to have secured approximately £1m of funding from the TRFCC over the last 3 years to reduce the risk of flooding to the residents. The Council will continue to deliver projects in line with the adopted strategy (2016) and with a view to longer term actions to be captured in the updated strategy.

There is a list of active projects on the Council website, and more recently a refreshed list of projects was discussed at the Residents Education and Environment Services Committee, Tuesday 20<sup>th</sup> April. The REESPOC report can be found in Appendix A which contains a snapshot summary of the current projects and key ongoing actions. To ensure areas of interest for potential projects are easily identifiable, a map is being developed to highlight these areas, an extract of what this will look like is shown below. A refreshed interactive summary of current projects and past actions will be published on the flooding page of the Council website.

**ACTION FL7** – By summer 2021 the Flood and Water Management Project ‘StoryMap’ will be made publicly available via the Council Flooding website.



*Areas covered by past, current or future flood risk management projects.*

An internal log of actions completed and actions to be undertaken will also be reviewed monthly with the Cabinet Member for the Environment. This log will include the locally specific and overall outcomes of each flood investigation to ensure that all Risk Management Authorities are held to account on their obligations.

**ACTION FL8** – The Flood and Water Management team will provide a flood action log and report monthly on it to the cabinet member for the environment. This will provide a forum for capturing emerging actions and ensuring work to protect residents and business is appropriately focused.

As well as implementing its own schemes on the ground, the Council will continue to work hard to secure additional funding for projects to maintain a programme of actions into the future. In the coming fiscal year just under £1m of funding has been programmed by the TRFCC subject to providing the necessary evidence to the Environment Agency for projects across the Borough. Officer time is required to review the status of future funding, as well as compiling the necessary documentation to receive the funding.

**ACTION FL9** – By summer 2021 the future funding programme will be reviewed alongside the Environment Agency to ensure that the allocations reflect the areas at highest risk of flooding where schemes will be brought forward.

The Environment Agency is currently leading on two Main River flood risk management projects in the Borough, Park Wood and Pinn Meadows in Ruislip and the Lower Pinn in Ickenham/Uxbridge/Yiewsley.

The Environment Agency also have several duties and powers to undertake maintenance works on main rivers, some of the information can be found on the published [Asset Information and Maintenance Programme \(data.gov.uk\)](#) However, to many residents this process is not transparent enough.

In addition, Thames Water is responsible for managing the risk of flooding from sewers, including foul sewer and surface water sewers. Thames Water is currently developing its Drainage and Wastewater Management Plan. There are unresolved issues with the transparency of information between Thames Water and the Council on areas such as asset condition and properties affected by sewer flooding.

**ACTION FL10** – Officers will continue to work with other organisations such as Thames Water and the Environment Agency to ensure they also develop projects and work with the Council to reduce risk of flooding to residents.





*A selection of photographs showing interventions to improve flood resilience.*



## Responding to flooding

As confirmed to REESPOC, Council services have been developing Incident Flood Plans to ensure that their services are resilient to flooding. The primary services where Incident Flood Plans are important are Highways, Green Spaces, Housing/Estates and Education and resident facing services such as the Contact Centre.

Incident Flood Plans will show how the service will respond to incidents both in and out of hours, highlighting key known flood risk hotspots and setting out a clear process of response, as well as provide, encourage, and support recovery following a flood event.

There is also now a specific duty for large reservoir owners to create and submit an onsite Flood Plan<sup>6</sup>. The Council will therefore have to produce a plan for Ruislip Lido which is designated a large reservoir.

**ACTION FL11** – Work will commence on the Flood Plan for Ruislip Lido as required by the April 2021 Ministerial Directive.

The Flood and Water Management Team will lead on the coordination of Incident Flood Plans for various services across the Council to identify improvements to managing flood risk management within current budgets.

The Flood and Water Management Team will continue to apply and secure funding to identify and implement projects that will assist services with the management of flood risk.

Council services and residents are reliant on the national weather and flood warning services for information on the likely occurrences of flooding events. Recent flood incidents have highlighted the localised nature of flooding, as well as the lack of bespoke warning tailored to the conditions of specific catchments. The Council is leading on an innovative project to increase local monitoring and warning capacity, combining the warning systems of Hydromaster and the monitoring systems of Datasphere; being forewarned allows for individuals to be prepared, for example through the installation of temporary flood gates, securing belongings on ground floors or organising accommodation elsewhere.

**ACTION FL12** – By summer 2021 the number of local water level monitoring gauges will have increased to 8 (procured through grant funding), with the data shared to local residents' groups. In addition, warnings generated within Hydromaster will be shared with internal officers and work will commence with the communications team regarding the ability to disseminate more effective warnings.

<sup>6</sup> [Reservoir on-site flood plans: ministerial direction - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/reservoir-on-site-flood-plans-ministerial-direction)



## Today's growth and infrastructure resilient in tomorrow's climate

### Place making actions.

Current surface water drainage infrastructure is, in many places across the borough, at capacity during rainfall events each year. There are currently no proposals by Thames Water for significant upgrades to surface water sewers across the borough and therefore the effects of climate change will exacerbate the existing situation. The Council therefore needs to maximise opportunities for storing and holding water; removing impermeable surfaces from the surface water drainage system is a particular priority.

Sustainable drainage systems (SuDS) are required to be implemented in every new development and have also been shown to be a popular solution for town centre redevelopment, such as the award-winning rain gardens in Eastcote Town Centre. Schools such as Lake Farm and Ruislip High School have installed green roofs, Oak Wood and Swakeleys High Schools have integrated SuDS within their redevelopment. Retrofitting SuDS within Council owned land and as part of highways resurfacing, town centre projects, school redevelopments or on housing estates across the borough forms part of current guidance<sup>7</sup> issued by the Mayor of London.

**ACTION FL13** – The Flood and Water Management Team will continue to work with other services to identify opportunities for the use of SuDS within the Council's corporate estate and within existing resources (for example, where changes to the management of green spaces or highways can be altered to ensure water is held back from drainage systems). Where opportunities are identified outside existing budgets, these will be considered as part of proposals for the relevant Cabinet Members or Cabinet as appropriate.

There is a desire to reduce the rate and volume of runoff from land. This will ensure that the way land is managed in the future does not contribute to the impacts of climate change. There is a growing body of literature about 'working with natural processes' and implementing 'natural flood management' within landscapes to reduce the risk of flooding. Natural flood management has been implemented in Park Wood in Ruislip and will shortly be implemented in Mad Bess Wood.

The Strategic Climate Action Plan identifies the need for fresh approaches to land management to adapt to the changing climate. This will likely require more trees to be planted to offset carbon generation. Climate change is a global issue, the location of tree planting to offset carbon generation is highly flexible, however, planting of trees can also be a natural form of managing flood risk. Developing an approach to tree planting, as well as land management, in order to respond to climate change will also factor in the more specific geographical requirements of managing flood risk.

<sup>7</sup> [SuDS Sector Guidance | London City Hall](#)

**ACTION FL14** – The Flood and Water Management Team will work closely with the Green Spaces team on methods and opportunities to review approaches to land management that have the dual benefit of meeting climate change actions as well flood risk reduction.

### **Making the right investment and planning decisions**

The Council was involved in the production of the [West London Strategic Flood Risk Assessment](#) (2018) which informed the preparation of the Hillingdon Local Plan Part 2 and future planning decisions. Development should be directed away from areas at risk of flooding to protect the homes and livelihoods of future residents, reduce the burden on the emergency services as well as ensuring the risk of flooding does not increase for those already residing in these areas. Planning Officers should ensure they apply the guidance within the Strategic Flood Risk Assessment and flood risk advice from the Environment Agency and Lead Local Flood Authority.

**ACTION FL15** – The Flood and Water Management Team will undertake refresher training for all planning officers particularly with a view to ensuring the Council's Strategic Climate Action Plan is incorporated into decision making.

Strategic infrastructure and green infrastructure planning should consider the need for climate resilience. Future reviews of Community Infrastructure Levy allocations for the capital programme should ensure that climate resilience for residents is one of the key priorities.

**ACTION FL16** – Future strategic infrastructure reviews (including Green Infrastructure Strategies, Community Infrastructure Levy allocations and Strategic Infrastructure Plans) should consider the need for climate adaptation for the risk of flooding across the Borough.

## **A nation ready to respond and adapt to flooding.**

### **Supporting flood action groups**

To improve the awareness of flood risk in the community Council officers have supported the creation of Flood Action Groups (FLAGS) in flooding hotspots areas, with four formal groups in existence. These groups have been a positive channel for sharing updates on projects as well as maintaining strong and inclusive links to the community. The existing groups should continue to be supported, and new groups should be promoted within affected communities.

**ACTION FL17** – The Flood and Water Management team will continue to support the work of existing Flood Action Groups across the Borough and will work closely with the Cabinet Member for the Environment to identify further opportunities ahead of the LFRMS consultation.

### **Communication with residents**

Recent flood events have highlighted the need for consistent and accurate messaging from authorities responsible for managing flood risk. An improved catalogue of communications material that is available during flood events, such as social media posts, contact centre advice and on the ground reports of officer work will be developed.

To have a consistent and strong message from the Council related to the management of flood risk, a communications campaign will be implemented over the next 12 months.

**ACTION FL18** –An online communications campaign will be developed to enhance the communications output from the Council to residents and businesses. A bespoke social media campaign will be launched ahead of the ‘rainy season’ in October.

### **Monitoring and reporting**

In addition to the monthly monitoring of the internal Flood Action Log with the Cabinet Member for the Environment, an annual report will be published to set out the progress against this Flood Action Plan, report on project progress and discuss completed or ongoing flood investigations.

**ACTION FL19**– By autumn 2021 an annual flood risk monitoring report will be submitted to REESPOC/Cabinet to summarise the previous 12 months.

## Register of actions.

Action	Description	Service Support	Due by
FL1	Prepare Revised Local Flood Risk Management Strategy	FWM	Winter 2021
FL2	Publish Flood Investigation Reports (including for Winter 2020/21)	FWM	Autumn 2021
FL3	Set out revised draft flood incident recording process for internal services and RMA.	FWM (for comment from RMA and internal)	Autumn 2021
FL4	Share draft Flood Asset Register for comment	FWM (for comment from RMA and internal)	Summer 2021
FL5	Share Catchment Management Plan Phase 1 mapping outcomes	FWM	Summer 2021
FL6	Share Catchment Management Plan Phase 2 outcomes	FWM	Autumn 2021
FL7	Share Flood and Water Management Project Story Map	FWM	Summer 2021
FL8	Review the internal Flood Action Log monthly with the Cabinet portfolio holder.	FWM	Ongoing
FL9	Confirm Environment Agency future funding programme.	FWM	Summer 2021
FL10	Environment Agency and Thames Water to develop projects to reduce the risk of flooding to residents.	Environment Agency and Thames Water	Ongoing
FL11	Draft service level Incident Flood Plans complete	All services in conjunction with FWM	Autumn 2021
FL12	Increase water level monitoring coverage.	FWM	Summer 2021
FL13	Delivery of Sustainable Drainage Systems programme on Council land	Highways and Housing Estates	Ongoing
FL14	Work with Green Spaces	Green Spaces	Ongoing
FL15	Planning officers to consider flood risk and climate change adaptation when making decisions.	Planning	Ongoing
FL16	Strategic infrastructure planning should consider the need for climate adaptation across the Borough.	Planning Policy	Ongoing
FL17	Continue to support local Flood Action Groups	FWM	Ongoing
FL18	Plan for and undertake 12-month communications campaign.	Comms	Summer 2021 to Summer 2022
FL19	Publish annual flood risk monitoring report.	FWM	Autumn 2021

## Appendix A – Residents, Education and Environmental Services Policy Overview Committee – Tuesday 20<sup>th</sup> April 2021

### Item 64 [Information Item on Flooding](#) PDF 262 KB

#### Minutes:

Victoria Boorman, Flood and Water Management Specialist introduced a report detailing the Council's roles and responsibilities as a Lead Local Flood Authority, its required actions during a major flood event, and lessons learned from recent flood events.

### FLOODING

<b>Committee name</b>	<a href="#">Residents, Education and Environmental Services Policy Overview Committee</a>
<b>Officer reporting</b>	Victoria Boorman
<b>Papers with report</b>	None
<b>Ward</b>	All

#### HEADLINES

The Committee have requested an update on a broad range of flooding incidents and actions taken.

This report covers the following subjects:

#### Flooding

- Roles and Responsibilities
- Actions during a major flood event
- Council learning from previous major flood events

#### RECOMMENDATIONS:

**That the Committee notes the information presented in the report.**

## SUPPORTING INFORMATION

### Flooding

#### **Roles and Responsibilities**

The Council as a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act has the lead on 'local' flood risk from surface water, groundwater, and ordinary watercourses. The Environment Agency has the lead on main rivers, reservoir flooding and a strategic overview. Thames Water have responsibility for surface and foul water sewers, and Riparian Owners have responsibility for the stretch of river, stream, or ditch next to their land or property.

Although the organisations have the lead on these issues, they do not have the responsibility or the ability to solve all flooding issues, the primary responsibility remains with the landowner.

#### Gullies

Most common highway drainage feature is a gully. This consists of a concrete pot positioned under the road surface with an iron grate visible from the road. The water collects in the concrete pot and is then channelled via a pipe before connecting into the surface water sewer network or to a soak away.

Sometimes these pots and pipes become blocked with soil, dead leaves, and rubbish, preventing the free flow of water to the main surface water sewer. Hillingdon Council has over 32,000 road gullies across the borough. Gullies are normally cleaned by lifting the metal grating or cover and sucking all the dirt out using a gully sucker machine. High pressure jetting is required to remove some obstructions.

The Council has an annual cyclical gully cleansing programme whereby gullies in residential roads are cleansed once per year; A-roads twice per year; B & C-roads once per year. 400No 'critical gullies' have also been identified in locations that require more frequent cleansing and are cleansed four times per year.

Gullies on the Transport for London Road Network are the responsibility of Transport for London. There are also private roads which have gullies or other road drainage infrastructure which are the responsibility of those residents to maintain.

#### Surface water sewers

Highway run-off flows from a gully into a surface water sewer main. Often flooding can occur even where the gully is clear. This can be because there is a blockage within the surface water sewer, for example because of tree roots or silt build up, a blockage at the outfall or because of the river levels being high.

Surface water sewers are the responsibility of the utility companies, and in Hillingdon, this is Thames Water. The utility company will investigate and determine if there is an issue and take appropriate action to clear it. If a water main is overwhelmed simply because a great

deal of rain has fallen, a utility company is not required to undertake works to increase the size and capacity.

### Flooding on roads

New roads include designed drainage systems intended to remove water efficiently from the surface of the highway to provide a safe passage for all vehicles and pedestrians. Older roads may have less sophisticated drainage, but all have features designed to take the water away from the road surface as quickly as possible. In some rural areas or on very minor roads, this may simply be a ditch leading to a watercourse.

When there is very heavy rainfall on the highway in a brief period, it can often be greater than the capacity of the drainage facilities designed to take it away, so it should be expected to see some water on a road after very heavy rain and water can remain for a while in low spots in the road even where the drainage system is working. Roads are designed to contain this water on the road by keeping it within the kerbs.

However, if the water remains after several hours, the gullies and the sewers may need to be investigated by the different organisations to determine if there is a problem or if the drainage system has sufficient capacity.

### **Actions during a major flood event**

If the Environment Agency issues a Severe Flood Warning for a river in or upstream of Hillingdon, the Councils emergency Flood Plan would be activated which would initiate a coordinated Hillingdon response.

Some of the key service areas involved the planning, preparation response or recovery may include Highways, Green Spaces, Planning, Corporate Communications, Social Services, Corporate Property, Flood & Water Management, and Emergency Management & Response Service. Each service would follow internal service procedures alongside the Flood Plan to ensure a suitable response.

Key strategic actions include determining those most at risk, critical local infrastructure and evacuation and shelter requirements.

During a major flooding incident an Emergency Response Officer would attend the scene as the Local Authority Liaison Officer (LALO). The role of the LALO at the scene is to receive a situation report from the emergency services and to make a note of any requests made regarding providing an emergency rest shelter, and if other council departments also need to be contacted such as Housing, Highways and Social Care - to ascertain if there are any vulnerable adults who may have been affected.

The LALO is the Councils representative at the scene of the emergency event, and as such would need to liaise with the emergency services, provide regular updates, and send regular situation reports to the Borough Emergency Control Room. Any requests for Council departments to attend the scene would need to be escalated to Council Silver, who would contact the relevant departments. If an emergency rest shelter is required, then Council Silver would activate this and contact the rest centre managers and officers.

## **Council learning from previous major flood events**

As a Lead Local Flood Authority, the Council also has a duty to investigate significant flooding events. This tries to identify the organisations involved, and what action they are taking to alleviate flooding. It is dependent on the cooperation of these other organisations. The writing of the investigation does not mean the Council is responsible for the flooding or to provide a solution. However, it is hoped that by making the process more transparent, other organisations and stakeholders can be more easily held to account for their actions.

### Investigation

Reports of flooding to the council are collated and recorded, and significant flooding (where properties or business have been flooded internally) trigger a Section 19 investigation, which will be published.

Any investigation takes time to prepare, but particularly in Hillingdon as often the places affected are so disparate across the borough. Each significant report is investigated by the Flood and Water Officer, further information collected, reviewed, and referred to other organisations such as Thames Water where necessary for feedback. Often there are several organisations involved, with responsibility for various parts of the drainage system. For example, where gullies on the road, which the council are responsible for, drain to a Thames Water Sewer, which in turn flows into a main river for which the Environment Agency has responsibility.

The Council understands the concerns of residents who wish to see action taken quickly, but it is important that the Council prioritises resources and funding to those affected most. The Council must also ensure that works do not make the situation worse for others. The Council has published flood investigation reports on the Council website on following significant flood events in December 2013, July 2014, and June 2016. These reports and the actions taken can be found on the Council webpages. [Flooding - Hillingdon Council](#). The flooding team have finalised a draft of October 2019 ready to submit for cabinet approval to publish. It is working on a further report combining the events of October 2020 and Jan 2021.

### Actions

In the long-term finalised opportunities to alleviate issues on reported flooding sites, will be incorporated into an update of Hillingdon's Local Flood Risk Management Strategy to be published later in 2021 as sites where further investigation will be required to seek solutions for. These will be prioritised in accordance with the consequences of the flood and the numbers affected against those already on the Action Plan being taken forward.

Where possible, the most affected sites will be the subject of applications for external funding by the relevant service area. This will allow the Council to do more detailed studies of the area and assess options for solutions to determine if there is a future scheme to alleviate flooding. This will often need the cooperation of other organisations with responsible for various parts of the drainage system.



The Council have an extensive list of projects that the Council flooding team are leading on and working with the Environment Agency to identify opportunities for ways to reduce flood risk to residents. The following is a list of some of the key projects that the flooding team are working on with the Environment Agency and other organisations such as Thames Water.

<b>Project</b>	<b>Issues</b>	<b>Actions</b>
Bessingby Park (LBH land)	1.Thames Water drainage/ sewer overflows. 2.Surface water ponding. 3.Risk of properties flooding. x4 properties flooded in 2021. Park flooded x5 times in January 2021.	Flooding team are working with Thames Water to ensure they investigate the issues properly and feedback actions taken to the Council and residents. A clean up has taken place April 2021.
Riverside Caravan Park, West Drayton (Private land)	Flooding from adjacent River Colne – overtopping the bank. Flooded 20 plus residents in October 2020 and they had to be evacuated. They were surrounded by water in Jan 2021.	Currently temporary Sandbag wall in place to protect residents. The Flooding team are working with the EA (Environment Agency) to ensure they put in place a longer-term solution. The EA are working to understand the complex interactions in this area better as well as maintain the river.
Donkey Lane, Bigley Ditch, West Drayton (Private land)	Flooding to 5-6 properties and water surrounding others in 2016, 2020 and 2021.	River Maintenance works along the River Colne identified and being undertaken.
Park Woods / Pinn Meadows (LBH land)	Flooded in 2016 in two key areas – in Brook Drive and Park and Broadwood Avenue.	Quick wins phase 1 completed by the Council in Feb 2021 to create more space for water along the River Pinn for water and enhance the park. The flooding team are working with residents and the Environment Agency to identify longer term options.
Cannon-Brook, Pinn	Risk of properties flooding. In 2016 x6 properties flooded at Watlington close. Previously x100 flooded in 1977.	Property Level protection works at Wallington Close as well as upstream Wetland works designed near Bury Street to slow the flow of water to areas at risk.
Joel Street, River Pinn	Eastcote Tennis Club and several residents in the surrounding area were affected by flooding in 2016 and 2019.	Works at Haydon Drive identified and now designed to slow the flow water entering the Joel Street ditch. Some funding secured though the Better Neighbourhood fund match funding to be sought from the EA by the flooding team.
Copthall, River Pinn	Risk of properties flooding. x116 potentially at risk from flooding	Designs developed to hold back water on area that HS2 have identified as
Ruislip Manor, River Crane	Risk of properties flooding. In 2016 x13 businesses affected. Tube station closed multiple times since then.	TFL (Transport for London) committed funding to look at Options but with Covid the funding has not yet been provided. A gauge to provide warning of the issues developing is to be installed.

Victoria Road, River Crane	Risk of properties flooding. In 2016 Victoria Road closed. In 2021 at Deane Park flooded gardens – existing defence not working. Potential for hundreds of residents and Stonefield Industrial Park to be affected.	Consultants developing options that could be considered to alleviate flooding.
Eastcote Town Centre	In 2016 and 2020 Businesses along Eastcote High Street flooded.	An extension to the Raingardens identified. Parking Changes identified needed. Consultation on these highway changes imminent.
Elephant Park (LBH land)	Risk of flooding to properties. In 2014 flooding of residents on Regent Avenue.	Design developed, Tender for contractors being developed, works to start this summer to reintroduce a river through the park.
Charville	Risk of flooding to residential properties. 0 properties flooded internally but over 40 properties experienced disruption to their electrical supplies.	Options identified but private landowner consent needed to be delivered. Ongoing discussions being held.
A40, River Crane	Episodes of flooding leading to sections of the A40 being reduced to x1 lane / reduced flow of traffic.	Consultants being commissioned to review options.
River Crane - Cranford Park	No previous reports of flooding, but large numbers of properties modelled to be at risk.	Detailed design of Wetland Options within Cranford Park being developed as outlines on Cranford Park Masterplan for Heritage Lottery Fund project.

## APPROVAL OF A NEW LICENSING SCHEME FOR OUTDOOR FITNESS INSTRUCTORS AND TENNIS COACHES IN PARKS AND OPEN SPACES

<b>Cabinet Member(s)</b>	Councillor Eddie Lavery Councillor Susan O'Brien
<b>Cabinet Portfolio(s)</b>	Environment, Housing and Regeneration Families, Education and Wellbeing
<b>Officer Contact(s)</b>	Priscilla Simpson, Planning, Environment, Education & Community Services
<b>Papers with report</b>	Appendix 1 - Draft Code of Conduct for Outdoor Fitness Operators for use of parks and open spaces Appendix 2 - Draft Terms and Conditions for Outdoor Fitness Operators for use of parks and open spaces Appendix 3 – Outdoor Operator Consultation Responses in full Appendix 4 – Consultation on Public Space Protection Order Variation

### HEADLINES

<b>Summary</b>	This report asks Cabinet to approve a new licensing scheme for increasing number of outdoor fitness instructors and tennis coaches using Hillingdon's parks and open spaces on a commercial basis. This follows Cabinet's decision back in October 2020 to consult on a scheme. This would protect the Borough's parks and green spaces; ensure that access to and use of public open spaces is preserved for all visitors; ensure that fitness operators hold appropriate qualifications that comply with industry best practice; and ensure that fitness operators hold sufficient public liability insurance. This proposal is based on the results from the statutory process and consultation required on any changes to the Public Space Protection Order.
<b>Putting our Residents First</b>	This report supports the following Council objectives of: <i>Our People</i> ; <i>Our Natural Environment</i> ; <i>Strong Financial Management</i> .
<b>Financial Cost</b>	There is no material expenditure or income arising from the proposal for a licence system for outdoor fitness and tennis coach instructors.
<b>Relevant Policy Overview Committee</b>	Residents', Education and Environmental Services
<b>Relevant Ward(s)</b>	All

## RECOMMENDATIONS

**That the Cabinet:**

- 1. Agree the licensing scheme for outdoor fitness operators including tennis coaches using Hillingdon's parks and open spaces on a commercial basis, including the terms and conditions and code of conduct as set out in the report;**
- 2. Agree the fees set out for the licensing scheme in this report;**
- 3. Note the outcome of the statutory consultation on the Public Space Protection Order (PSPO) that proposed outdoor fitness operators and tennis coaches using Hillingdon's parks and open spaces on a commercial basis produce a licence issued by Hillingdon Council; and**
- 4. Subject to the licensing scheme being approved by Cabinet, authorise the Corporate Director of Planning, Environment, Education and Community Services to make the requisite Public Space Protection Order change set out, so both come into effect simultaneously.**

### **Reasons for recommendation**

To approve a new licensing scheme for the increasing number of outdoor fitness instructors and tennis coaches using Hillingdon's parks and open spaces on a commercial basis along with associated fees. Cabinet will need to be satisfied that the statutory consultation process relating to Public Space Protection Orders (PSPOs) has been properly undertaken, and they should fully consider the consultation responses submitted before they authorise the Corporate Director of Planning, Environment, Education and Community Services takes steps to vary the PSPO in accordance with the final recommendation in the report.

### **Alternative options considered / risk management**

The existing controls could be left in place and not replaced by both a licensing scheme and an amended Public Space Protection Order. This is not recommended as the number of outdoor fitness instructors and tennis coaches has increased. Robust controls are required to manage these operators and to help protect our environment.

An alternative option would be to limit the licensing scheme and PSPO to those locations in the Borough that are most affected by instructors carrying out their business in the Council's parks and open spaces. This approach is not recommended because treating areas of the Borough differently could give rise to indirect discrimination.

### **Policy Overview Committee comments**

None at this stage.

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## SUPPORTING INFORMATION

1. This proposal to Cabinet is to agree the licensing scheme which aims to reduce the impact on parks and park users from the increase in fitness instructors and tennis coaches that hold their regular, paid group exercise classes in local parks across the Borough. Social media posts also show that there are likely to be more instructors than are known using local green spaces and parks for their weekly exercise sessions - these are being held without consent given by the Council.

Data from the four gated tennis parks sites shows that 60% of the known/registered tennis coaches use these courts for private coaching. This can prevent residents having access to already popular tennis courts. Added to this, are a number of tennis coaches who come from outside of the Borough.

2. Resident complaints have also increased. Concerns have been raised regarding loud and vocal fitness instructors delivering their sessions from 6.30am on weekends or weekdays causing noise disturbance for local residents. Other concerns relate to fitness trainers blocking areas of parks such as athletic tracks where training equipment such as skipping ropes, jogging weights, resistance bands, kettle bells etc are left on the track for the duration of the sessions. This can cause access issues for other parks users such as joggers, walkers, and cyclists.
3. Concerns over financial gains being made by commercial fitness operators has led to a number of bodies, such as The Royal Parks and the London boroughs of Ealing, Richmond-upon-Thames and Brent legislating these activities via a permit system. The permits for fitness operators are on a sliding scale relating to participation. It would seem that many of these commercial operators have migrated to Hillingdon's parks from neighbouring boroughs to avoid licensing.
4. In agreeing to licence these operators, officers would expect outdoor operators to provide the following:
  - A copy of a site map showing proposed site/area of use for the fitness session;
  - A copy of emergency procedures relating to the proposed fitness session and an emergency plan including first aid cover;
  - A copy of a Risk Assessment that adheres to Government Guidance on being Covid-19 secure;
  - A copy of Child Protection Policy and DBS certification; details of all activities and procedures surrounding those activities where minors will be attending in the absence of their parents/guardians;
  - Evidence of Register of Exercise Professionals (REPS) Level 3 fitness qualification where applicable;
  - Evidence to demonstrate compliance with insurance requirements;
  - Details of named individuals responsible for delivering the agreed activity sessions.

5. The fee suggested to be charged is comparable to that charged by the London Borough of Ealing and it is not proposed to implement a discount for residents. The Council will also charge a replacement fee of £20 (incl. VAT) for each subsequent replacement of the photo identification.

Borough/Park	Single training session	Group Classes	
		<£6 per class or 6 sessions per week	<£11 per class or 7 + sessions per week
Ealing	£50	£545	£1,090
<b>Hillingdon</b>	<b>£50</b>	<b>£545</b>	<b>£1,090</b>

6. It is proposed that an online application form will be designed to ensure any applicant conforms to the stated requirements. Once agreed, a license will be issued together with a photo identity card which is required at all times. This new initiative will be promoted in Hillingdon People and in all park notice boards.

7. The Anti-Social Behaviour Crime and Policing Act 2014 Public Spaces Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in particular areas that are detrimental to the local communities quality of life, by imposing conditions on the use of the area which apply to everyone. They are designed to ensure that law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

8. Subject to any PSPO being approved, it would then be an offence for a person, without reasonable excuse, to do anything that the person is prohibited from doing by a Public Spaces Protection Order such as holding fitness or tennis coaching sessions without permission. The enforcing officer could decide that a fixed penalty notice (FPN) of a maximum of £100 would be the appropriate sanction. The FPN can be issued by an authorised Council officer in accordance with Council enforcement policies, or a police officer.

## **Consultations and feedback**

### **Results from National Governing Body and Outdoor Operators Consultation**

To establish views on the proposed licence scheme, a consultation exercise was carried out involving EMD UK, industry expert and the National Governing Body for Group Exercise, and local outdoor operators currently using or would like to use Hillingdon's parks and green spaces for their physical activity group sessions.

- The consultation period ran from 11 November 2020 to 25 November 2020.
- All the outdoor operator consultation responses can be found in full in Appendix 3.
- These responses have been acknowledged and officers thank those who have responded.
- A summary of the responses and clarification of the points raised, are as follows:

### **EMD UK (National Governing Body for Group Exercise) response**

#### **Question 1**

This scheme will introduce more robust controls to ensure that fitness operators hold appropriate qualifications that comply with industry best practice, are fully insured and hold liability for participant's safety, as well as ensure that parks and open spaces are protected and access to and use of public open spaces is preserved for all visitors. Do you support this?

EMD UK Response: We would fully support this. As the NGB for group exercise, the industry best practice is us and we would expect providers to adhere to standards as set by EMD UK

#### **Question 2**

Outdoor Fitness Instructors and tennis coaches will be expected to adhere to new Terms and Conditions, a signed Code of Conduct, and an annual fee structure as part of this licence scheme. Do you support this?

EMD UK Response: We would also expect them to submit risk assessments for all activities

#### **Question 3**

An annual fee will include a Hillingdon resident rate at 90% of that charged by our neighbouring borough. Do you support this?

EMD UK Response: We would ask that the licence fee is at a reasonable rate so that it is cost-effective for instructors to deliver classes, perhaps also consider how this can be paid for in relation to instalments as most instructors are self employed

## **Outdoor operator responses:**

These are set out in full in Appendix 3 but in summary:

**1. As an outdoor fitness operator using Hillingdon council's parks and open spaces, do you agree to the introduction of a licence scheme?**

92% of respondents agreed to the introduction of a license scheme and acknowledged the need to have a formal arrangement between the council and operator, which would also ensure that all outdoor operators had appropriate insurances and policies in place

**2. As an outdoor fitness operator do you agree to the Hillingdon Council annual fees and charges structure for a single training session and group classes?**

33% of respondents agreed with the fee structure as long as the situation was monitored across all outdoor operators.

Clarification on the points raised:

- 1) Annual fees would be charged comparable to those by the London Borough of Ealing and a recommendation to include a Hillingdon resident rate at 90% of that charged by our neighbouring borough.
- 2) Robust checks of all operators will be made through registration processes and self-policing.

**3. Please give your comments to the proposed Outdoor Fitness Operator and Parks Tennis Coaches [Terms and Conditions](#) and [Code of Conduct](#)**

100% of the respondents agreed with the proposed Terms and Conditions and Code of Conduct

**4. There will be an online registration process for outdoor fitness operators to complete. Once completed and checked by Hillingdon Council a photo ID badge will be issued to the recipient. The photo ID badge will need to worn or be visible by the operator during fitness sessions in parks and green spaces.**

**Do you agree with this registration process?**

92% of the respondents agreed with the registration process. A number of respondents wanted clarification on the process to monitor and check all operators using the parks.

Clarification on the point raised:

- 1) Measures such as self-policing, robust checks of qualifications and relevant policies, issuing of ID badges, and promotion of approved outdoor operators on the Council webpages will be applied and regularly monitored

**5. All outdoor fitness operators that are successfully registered with Hillingdon Council will have their sessions promoted through the council website.**

Do you agree with the promotion of registered instructors on the Council website?

83% of respondents agreed to have the support of the Council in promoting their group sessions.



## Statutory Consultation on the Public Space Protection Order responses

The consultation period ran from 2 April 2021 to 30 April 2021.

Five responses were received (via email), and raised the following for consideration:

1) *'I would like to oppose the use of open spaces for commercial gain without Council approval. We need to be sure these businesses are:*

- Regulated*
- Covid compliant*
- Paying for wear and tear on any leased ground such as Kings College Playing Fields for Ruislip Rangers football club, Eastcote hockey club etc*

*I often see private football coaches using our parks (and also Kings College Playing Fields and the goal facilities) which causes extra wear and tear to the pitches, which I believe the clubs have to pay for themselves. This is unfair.*

*I completely agree with people wanting to start and run their business, but it needs to be safe and done properly.*

*It may be too late to add in, but I think it would be great to add in 1:1 or group commercial sports like football or other activities.'*

2) *'I'm sure they don't give their training for free. Do they have insurance in case of a client getting an injury. I see them in Shenley Park at 7 a.m.*

*Have seen groups of up to 30 people doing fitness classes in the evening also in Shenley Park. You can hear them shouting out and sometimes they have music blasting out.*

*They can probably make a fair bit of money with a large group.*

*I don't think this should be allowed, parks are for people to enjoy in peace if they want.'*

3) *'I don't see what the problem is with instructors using open spaces. These people need to reopen their businesses and start making some money, are they really causing people a problem. There is plenty of room in a park for instructors and students to socially distance and there would still be enough room for other people to use the parks. The instructors are residence of the Borough and so are the students why can't they use the facilities. The people complaining probably don't want to use the space anyway it's just another thing to have a say about. I'm all for the space being used constructively by these people until such a time as they can get back inside to carry out their training. Also the people they are teaching may need the contact for their mental well being as well as physical fitness, shouldn't we be looking after our fellow residents at this tricky time.*

*I think it's ridiculous anyway that gyms can open with people sharing equipment (even if its wiped down between uses) but people that teach martial arts or aerobics to adults are not allowed to open.*

*Let's just leave them until such time, hopefully soon that they can return to their venues.'*

4) *'I would like to comment on this that I am not in favour of adding a clause to prevent fitness instructors using parks. The parks are there for us to freely enjoy, and that includes for exercise (Which the government is trying to encourage to keep the nation fit) so why restrict the ways we can do this? I have noticed a few fitness instructors around but I don't find it any more*



*obstructive than someone exercising by themselves/with friends. It makes a nice change from only seeing dog walkers.*

*I don't know about the tennis courts, that sounds like a different issue. If they are drop in, and anyone can use them, then anyone can use them. If they need booking then if the client is eligible to book why does it matter that they have a coach with them? Naturally some people will use tennis courts far more than other people who don't like tennis.'*

*5) 'I agree that the instructors who use Hillingdon's parks and open spaces should pay for a licence and should pay this towards maintaining the park. I noticed the number of instructors increased in the past couple of years. They for example use the area near the running track in King's College Road, every day there are a few instructors running their classes there. The grass gets destroyed by the people in the class in the spring and summer, I think there should be some charge for using this area for such commercial activity. They often take quite a lot of space, effectively blocking the running track so the others cannot use it. I think this is an approach a lot of councils in London have taken.'*

The email responses above has been acknowledged and officers have thanked all those who have responded. Clarification to the points raised are as follows:

1) The draft license conditions would protect the Borough's parks and green spaces; ensure that access to and use of public open spaces is preserved for all visitors; ensure that fitness operators hold appropriate qualifications that comply with industry best practice; and ensure that fitness operators are fully insured and hold liability for participants safety.

2) The consultation period was for 28 days and both the forward plan and the minutes of the Cabinet Report were published.

As no consultation feedback had been received by 19 April 2021, a further 'push' through the Council social media platforms was made on 22 April and 29 April 2021 stating the following:

*"Fitness instructors and tennis coaches are increasingly using public parks and open spaces for private lessons without consent. Theses spaces are for our residents and we want to protect them, which is why we're launching a consultation. Have your say [bit.ly/3tFYmGo](https://bit.ly/3tFYmGo)"*

## **Financial Implications**

The introduction of a commercial outdoor fitness and tennis coaching licensing scheme will safeguard access to and use of public open space in the Borough for all visitors.

It is proposed to introduce an annual fee for instructors of £545 for group sessions, rising to £1,090 where there are 7 or more sessions per week. There will be a separate £50 fee for a single session. No additional staff are required in the licensing team to administer the scheme.

License applications, including payment, are expected to be completed online, with the applicant providing the required documentation for checking. This would be managed by the Sport and Physical Activity Team at no extra cost.

Likewise, the Council's Environment Enforcement Team would enforce the scheme at no extra costs. Where an offence occurs, a fixed penalty notice of a maximum of £100 is proposed.

This scheme is not expected to generate significant income levels at this stage however monitoring of income this year will provide guidance for future years. Income received this year from this scheme will contribute towards the maintenance and refurbishment of the Council's parks and tennis courts.

There is a risk of increased demand considering the current restrictions on social gatherings and indoor activities. This could result in the need to provide additional resources for administration and enforcement. The proposed fees would come into effect in 2021/22.

## RESIDENT BENEFIT & CONSULTATION

### The benefit or impact upon Hillingdon residents, service users and communities?

These recommendations will improve the quality of life for residents and those using and living near our parks and open spaces. Residents will know that outdoor fitness instructors and tennis coaches are adhering to a code of conduct that respects other parks users and residents, are professionally qualified and suitably insured to undertake their fitness sessions, and are not making commercial gain from free access to Hillingdon's parks and open spaces.

### Consultation carried out or required

Broad consultation has taken place to consult with certain individuals and bodies as set out in this report, so it can amend the PSPO and implement the proposed scheme.

## CORPORATE CONSIDERATIONS

### Corporate Finance

Corporate Finance has reviewed the report and concur with the Financial Implications set out above, noting that the income from licences and penalty fees will be reviewed, as part of budget monitoring.

### Legal

#### The Council's Power to Licence Activity

Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to provide facilities for recreation and "to make available such facilities for use by such persons as it thinks fit either without charge or on payment of such charges as the authority thinks fit". This provision enables the Council to introduce a licensing scheme for Outdoor Fitness Instructors and Tennis Coaches and to charge a licence fee.

#### PSPO

Section 59 of the Anti-Social Behaviour, Crime & Policing Act 2014 authorises the Council to make or amend a PSPO where it is satisfied that activities have taken place which have had a detrimental effect on the quality of life" and that without these activities being prohibited by a PSPO the activities

are likely to continue. The Council must also be satisfied that the making of a PSPO is justified and proportionate.

As explained in the report, in addition to a statutory consultation under section 72 of the Act an informal consultation was carried out with industry representatives. These responses are set out in the appendices and Cabinet members must take these into account in deciding if the carrying out of unlicensed business activities in parks is likely to affect the quality of life in Hillingdon and whether it is proportionate to restrict this activity by a PSPO.

With regard to proportionality, the Borough Solicitor advises that the most effective means of ensuring that only licensed businesses carry out activities in its parks and open spaces is by amending the PSPO as set out in the report to enable the Council to serve fixed penalty notices or bring prosecutions for any breaches. The only other means by which the Council could restrict unlicensed activities would be to apply for civil injunctions against individual operators on a case by case basis. This would involve a lengthy process and be far more expensive than enforcing a PSPO.

*Further, section 72 of the Act requires the Council to consider “in particular the rights of freedom of expression and freedom of assembly” before amending a PSPO. The Borough Solicitor confirms that the proposed licensing scheme and PSPO do not affect these rights.*

If the Council decides to amend the scope of the PSPO the Anti-Social Behaviour (Publication of Public Spaces Protection Orders) Regulations 2014 require the Council to publish the amended order on its website and for the amended PSPO to be displayed on the locations specified in the PSPO.

## BACKGROUND PAPERS

[Cabinet report – 22 October 2020](#)

## **APPENDIX 1**

### **Hillingdon Council Code of Conduct for Outdoor Fitness Instructors and Outdoor Tennis Coaches**

#### **The purpose of the code of conduct is:**

1. To avoid conflict between those undertaking licensed fitness activities in the parks, other park users and outdoor tennis facilities.
2. To protect the park and parks tennis sites.
3. To ensure access to and use of public open space is preserved for all visitors.
4. To provide the opportunity for visitors to benefit from, enjoy and engage in fitness training in a variety of outdoor environments.
5. To work alongside a licence agreement to ensure that fitness operators and tennis coaches are complying with current health and safety regulation and best industry practice for the safety and enjoyment of all participants.
6. To ensure that all Fitness Licensed operators and sports coaches are fully insured and hold liability for participant's safety. Hillingdon Council accepts no liability for any activity related to outdoor fitness training as part of the licence.

#### **THE CODE:**

The Fitness, Sports Coach operator / licensee shall not have exclusive rights over any of the Authority's Premises and shall ensure that right of way is given to members of the general public visiting the Authority's Premises.

No large items of keeping fit equipment shall be used on the Authority's Premises other than hand held equipment e.g. jogging weights, kettlebells and resistance bands.

The Fitness, Sports Coach operator / licensee shall leave the Authority's Premises in a clean and tidy condition and be liable for any loss of or damage to any Authority's property through their direct improper use.

The Fitness, Sports Coach operator / licensee shall abide by Public Space Protection Orders.

The Licensee shall ensure that the Authority's Property is not used for the purpose of fitness training i.e. benches, tables, trees, lamp posts, bandstands, etc. To keep all pathways clear and accessible to all users.

The Fitness, Sports Coach operator / licensee shall not display, produce or distribute any sign or advertisement. The restriction of advertising applies to all boards, hoardings, flags, posters etc. displaying any organisation or company or brand name of any goods, including those of the Fitness, Sports Coach operator / licensee.

The Fitness, Sports Coach operator / licensee must ensure that no particular area of the Authority's Premises is overused to the extent that it causes unreasonable wear and tear to the fabric of the park e.g. waterlogged, obviously worn and muddy areas. A site map which names the site the Fitness, Sports Coach operator / licensee wishes to use and defines the boundaries of the proposed activities must be provided.

### **Park 'No Go' Zones:**

You are not permitted to use:

- Areas within the park where training activities have a negative impact on other park users, residents and Licensee's e.g. intrusive noise, aggressive language etc
- Areas of high pedestrian activity such as pathways, monuments and bandstands
- Areas clearly marked as sports fields, any formal garden areas and other park sensitive locations such as waterside areas, picnic areas, deck chair areas, long grass, meadow land, conservation areas etc.
- Areas closed for renovation or upgrading
- Any park structures, including trees, and furniture must not be used for training purposes

### **Park 'No Go' Activities:**

The following activities are not to be conducted by personal trainers/Group Licensee's:

- Amplified music or audio equipment, whistles and loud shouting or other intrusive noise-generating activities
- Aggressive, intimidating or unreasonably noisy training activities that interferes with the comfort of other visitors.
- Use of objects that mark out an area to imply exclusive use.

As a licence holder you agree to abide by these guidelines at all times. Non compliance to the above Code of Conduct and park regulations means you are at risk of losing your Fitness or Sports Coach license and being asked to leave the park with immediate effect.

## **APPENDIX 2**

### **License to hold fitness training and tennis coaching in Parks and Open Spaces**

#### **TERMS AND CONDITIONS**

##### **Please Note:**

These terms and conditions apply to those wishing to use London Borough of Hillingdon Parks and Open Spaces for fitness training to include the provision of commercial services such as fitness training activities and tennis coaching in parks e.g. boot camps, group exercise or fitness classes

Please also refer to our associated 'Application Form' and 'Fees and Charges' documents.

##### **Definitions**

In these terms and conditions, the following terms shall have the following meanings:

**"Application Form"** means the 'Permit to hold fitness training in Parks and Open Spaces - Application Form', to which these terms & conditions are attached.

**"Approval" and "Approved"** means the written acceptance by the Authority

**"Council"** means the London Borough of Hillingdon (abbreviated to LBH);

**"Fitness training or tennis coaching"** refers to the activity session(s) carried out by the Provider or the Licensee (as the case may be) as specified on the Application Form;

**"Licence"** means the approved application and these terms and conditions read together

**"License Period"** means the period running from the 1st April - 31st March inclusive in any year

**"Licensee"** means the individual or company to be registered as named on the Application Form;

**"Parks and Open Spaces"** means the parks, green spaces and open spaces named in the Application.

**"Permit Fee"** means the fee payable by the Licensee;

**"Registration Period"** means the period from which the agreed registration will begin and end during which the Licensee (and any Provider(s)) shall be bound to comply with these terms and conditions.

**"Park Events"** means the Council's Events department within Parks and Open Spaces;

**"Provider"** means any individual(s) responsible for delivering the agreed activity session, or otherwise engaged by the Licensee in accordance with this Registration, to include any employee or agent of the Licensee.

**"Registration"** means registration by the Council as permitted to carry out the agreed activities in LBH Parks and Open Spaces during the Registration Period and

**"Registered"** shall be interpreted accordingly;

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'Site' refers to the LBH Parks or Open Spaces, or designated areas within a Park or Green Space, as specified on the Application Form or otherwise agreed in writing between the Licensee and the Council.

## 1. REGISTRATION

1.1 Licensee must be Registered with the Council in order to carry out fitness training, tennis coaching in tennis parks or small-group activity sessions in LBH Parks and Open Spaces.

1.2 In order for the Council to consider an application for a permit, the Licensee must complete and submit an Application Form together with the following:

1.2.1 Where the Licensee is an individual:

- a) Copy of a site map clearly showing proposed site/area of use for the Fitness training or tennis coaching;
- b) Copy of the Licensee's emergency procedures relating to the proposed Fitness training, tennis coaching and an emergency plan which explains how an emergency would be dealt with. This must include, though is not restricted to, details regarding first aid cover, line of management, named person responsible for calling the emergency services, evacuation process, identified access and egress points for emergency vehicles and details of closest Hospital with A&E services;
- c) Copy of the Licensee's risk assessment relating to the proposed Fitness training, tennis coaching highlighting potential areas of risk for consideration to include, though not restricted to; unforeseen illness, slips, trips and falls, adverse weather conditions (heat/sun/cold/rain), antisocial behaviour, presence of glass/litter/dog mess, presence of pests/disease;
- d) Copy of the Licensee's Child Protection Policy and DBS Certification where applicable (please refer to current DBS guidance), for all activities specifically engaging minors under the age of 18;
- e) Details of all activities and procedures surrounding those activities, where minors will be attending in the absence of their parents/guardians;
- f) The name of the individual responsible for delivering the agreed activity session(s);
- g) Digital photograph of the named Provider;
- h) Evidence of REPS Level 3 fitness qualification where applicable;
- i) Evidence to demonstrate compliance with the insurance requirements as set out in clause 6 below.

1.2.2 Where the Licensee is a Company it must supply:



- a) All of the documents and information listed in clause 1.2.1 (a), (b), (c) (d) and (e) above;
- b) A list of all named individuals responsible for delivering the agreed activity session(s). Should the details change during the Registration Period, the Licensee must update Park Events accordingly within one week of such change;
- c) Digital company logo;
- d) Confirmation that all providers will hold a REPS Level 3 fitness qualifications where applicable;
- e) Evidence to demonstrate compliance with the insurance requirements as set out in clause 6 below. All Providers to be covered by such insurance

1.3 The completed Application Form together with the documents and information listed in clause 1.2 must be submitted in accordance with the timescales below:

Type of Registration	Timescale
Repeat applications/renewals with no changes to the current provision or activities;	No later than 28 days prior to the proposed Registration Period commencement date.
New applications or where there are alterations to pre- existing or on-going arrangements (such as changes to days, attendance etc).	At least 10 weeks prior to the proposed Registration Period commencement date

1.4 The Council shall be under no obligation to accept an application from a Licensee to be registered.

1.5 Upon Registration the Council will provide the Licensee with a registration number which the Licensee or its Provider(s) must hold at all times whilst carrying out Fitness training or tennis coaching and produce upon request by any officer or agent of the Council. It is the Registrant's responsibility to ensure that its Providers hold the registration number issued at all times whilst carrying out Fitness training or tennis coaching sessions under this Agreement.

1.6 Following Registration, the Licensee or its Providers may carry out Fitness training or tennis coaching sessions as per the specifics detailed on the Application Form. Any variations to which (such as changes to the specified Site or times/dates of activity sessions) must be agreed in writing between the Licensee and the Sport and Physical Activity Team.

1.7 The Licensee acknowledges that:

- a) Registration does not guarantee that the Site will be open or that there will be space to carry out Fitness training or tennis coaching sessions;
- b) Registration does not grant the Licensee priority over any other lawful user of the Site and;
- c) Any sports pitch bookings or events hires will take priority over Fitness training sessions, and the Licensee or its Provider(s) shall postpone their activities or relocate within the defined Site, if a conflict of interest occurs.

## 2. LICENSEE OBLIGATIONS

2.1 The Licensee shall, and shall ensure that its Provider(s), employees or agents shall, at all times exercise the rights and duties under this Agreement in a proper and responsible way, and ensure that Fitness training or tennis coaching session(s) proceed smoothly and safely, and do not interfere with other users of the Site, neighbours or local traffic.

2.2 The Licensee shall, and shall ensure that its Provider(s), observe and perform all reasonable requirements of the Council relating to this Agreement.

2.3 The Licensee shall comply with the PSPO's.

2.4 The Licensee shall utilise the Site in such a way as to allow for easy access and evacuation in the event of an emergency.

2.5 The Licensee must confirm to the Council, and supply evidence upon request, that all Provider(s) are properly qualified to carry out the proposed activities.

2.6 The Licensee will report any incidents, accidents or health and safety issues to the Sport and Physical Activity Team as soon as is reasonably practicable and will complete the relevant accident/incident forms as required.

2.7 The Licensee shall not take to, store at or set up any infrastructure or furniture (including but not limited to tables and gazebos) at the Site without the prior written consent of the Council.

2.8 The Licensee shall not affix or install any equipment at the Site. Any equipment used must be removed after each activity session. The Licensee shall ensure that their activity, or equipment used, shall not cause damage to the ground, buildings, fences, furniture, plants or wildlife on the Site. If damage occurs, the Registrant will be liable to the Council for the full cost of any repairs or reinstatement works.

2.9 The Licensee must not light fires on the Site, without the prior written consent of the Council

2.10 The Licensee shall adhere to Wildlife and Countryside legislation including The Wildlife and Countryside Act 1981 and The Countryside and Rights of Way Act 2000 (CRoW Act 2000).

2.11 The Licensee is not permitted to bring vehicles onto the Site, without the prior written consent of the Council.

2.12 The Licensee must remove any equipment and rubbish and leave the Site in the same condition as it was found, at the end of each Fitness training or tennis coaching session(s). Failure to comply could result in the Licensee being charged for the cost of any required reinstatement works and cleaning services in order to return the Site to its original condition.

2.13 The Licensee must not use any designated sports pitches unless these have been hired through the Council's Sport and Physical Activity team.

2.14 The Licensee is not permitted to advertise its Fitness training or tennis coaching by way of posters or flyers in the Parks and Open Spaces, Park and Green Spaces' notice boards, fencing, railings or trees unless specific written permission has been granted by the Council in this respect.

2.15 The Licensee shall not 'fly post' (i.e. display posters or banners on any lamp-post, street railings, shop windows, etc or anything else which the Council deems to be 'fly posting').

2.16 The Licensee will adhere to the Byelaws relating to Open Spaces in LBH at all times, unless otherwise authorised by the Council in writing.

### **3. LICENSING AND ENVIRONMENTAL HEALTH**

3.1 A licence is necessary for some forms of public entertainment. The Licensee must not sell alcoholic drinks or carry out any other licensable activities unless authorised by the Council to do so. Where a licence is granted to the Licensee to carry out any activity for which a licence is required in relation to the proposed Fitness training or tennis coaching session(s), the Licensee must supply a copy to the Council not less than 28 days prior to the Registration Period commencement date.

3.2 The Licensee is not permitted to play music without the prior written consent of Sport and Physical Activity team. Where the proposed activities involve public performances and/or broadcast of musical works, the Licensee will be responsible for applying for Performing Right Society (PRS) [www.prs.co.uk](http://www.prs.co.uk) and/or Phonographic Performance License (PPL) <http://www.ppluk.com> licences as required.

3.3 The Licensee is not permitted to bring any traders or concessions onto the Site without the prior written consent of Sport and Physical Activity team.

3.4 The Licensee is not permitted to bring animals onto the Site, unless specific written permission has been granted by the Council in this respect.

#### **4. ASSESSMENT AND MONITORING**

- 4.1 The Council at their discretion, may carry out assessments of the agreed site, or of the Licensee and/or its Providers' ability to provide the agreed activity, throughout the Registration Period.
- 4.2 The Licensee may be required to present to the Council details of attendance figures and an analysis of users' profiles i.e. Gender, Age, Disability, Ethnic Origin, Post-code.
- 4.3 The Licensee is required to keep a record of any complaints made to him/her concerning or in connection with any Fitness training or tennis coaching session(s) under this Agreement and must immediately notify Sport and Physical Activity team of any such complaint and keep the record of complaints available for inspection.

#### **5. PERMIT FEE AND PAYMENT**

- 5.1 The Permit Fee payable by the Licensee shall be in line with the 'Permit to hold fitness training and tennis coaching activities in Parks and Open Spaces - Fees and Charges Document'
- 5.2 Fees and Charges will be reviewed at the beginning of each financial year.
- 5.3 Once the Licensee's application has been approved, the Licensee will receive written confirmation of the Permit Fee and payment plan.

#### **6. INSURANCE AND LIABILITY**

- 6.1 The Licensee shall, throughout the Registration Period maintain public liability insurance of not less than five million pounds (£5,000,000). Failure to do so will result in cancellation of this Agreement.
- 6.2 The Licensee shall be liable for and indemnify and keep indemnified the Council against all liabilities, damages, costs, losses, claims, demands or proceedings whatsoever, whether in tort or contract or otherwise arising from or in connection with this Agreement, or caused by a breach by the Licensee or its Provider(s), its employees and agents of the terms and conditions of this Agreement.
- 6.3 The Council accepts no liability to the Licensee, Provider or to any third party for any costs, claims, damages or losses other than for personal injury or death caused by the Council's negligence.

## 7. TERMINATION AND CANCELLATION

7.1 The Council may revoke the Licensee's Registration and terminate this Agreement with immediate effect where the Licensee and/or its Provider(s):

- a) is in breach of its obligations under this Agreement and, where the breach is capable of remedy, fails to remedy such breach within 7 calendar days of receipt of written notice to remedy the breach;
- b) becomes incapable for any reason of efficiently performing as a competent and qualified Licensee and/or Provider;
- c) acts in any way that is likely to bring the Council into disrepute or damage its reputation or interests.

7.2 The Council may terminate this Agreement for convenience by giving 7 calendar days written notice.

7.3 The Council terminates this Agreement under clause 7.1 the Licensee shall not be entitled to receive any refund of the Permit Fee.

7.4 Where the Council terminates this Agreement under clause 7.2, the Council shall reimburse the Permit Fee on a pro-rata basis for the remaining duration of the Registration Period.

7.5 Should the Licensee wish to cancel the Agreement, 28 days' written notice must be provided to Council. The Licensee will not be entitled to refund of any portion of the Permit Fees paid.

7.6 For the avoidance of doubt, following termination of this Agreement by either party, the Licensee, and its Providers' Registration will lapse.

## 8. GENERAL PROVISIONS

8.1 This Agreement contains the entire understanding and agreement between the parties and supersedes all prior representations, documents, negotiations or understandings. The Licensee acknowledges that it has not entered into this Agreement in reliance upon any representation by the Council or anyone acting on its behalf.

8.2 Pursuant to the Freedom of Information Act 2000 the Council is subject to certain legal obligations in relation to public disclosure of information. The Licensee shall cooperate with and assist the Council with any requests for disclosure which the Council receives under the Freedom of Information Act 2000 which relate to this Agreement.

8.3 Nothing in this Agreement shall be taken to confer any benefit on any person who is not a party to it and the parties hereby agree that the Contracts (Rights of Third Parties) Act 1999 does not apply hereto.

8.4 Nothing in these terms and conditions shall fetter the Council in the exercise or discharge of its functions, powers and duties as a local authority (including, without limitation, the power to close all or part of any Park or Open Space either on a permanent or temporary basis).

8.5 Nothing in this Agreement shall create any tenancy in favour of the Licensee.

8.6 In the event that any dispute arises between the parties in connection with this Agreement, the parties shall, in the first instance, use their reasonable endeavours to resolve it amicably between themselves. Disputes remaining unresolved following such endeavours shall, if the parties agree be referred to non-binding mediation. In the event that the parties do not agree to non-binding mediation or if the dispute remains unresolved, the dispute shall be referred to the exclusive jurisdiction of the Courts of England.

8.7 This Agreement shall be governed by and construed in accordance with English Law and the Council and the Licensee hereby submit to the exclusive jurisdiction of the English Courts.

## APPENDIX 3

### Outdoor Operators Consultation Responses

#### 12 responses received

#### 1. As an outdoor fitness operator using Hillingdon council's parks and open spaces, do you agree to the introduction of a licence scheme?

Agree: 11

Disagree: 1

#### Comments:

- I think it is important to regulate who are using the parks and make sure all trainers are qualified and insured.
- I'm offering a service to people mainly with disabilities (but others who may be interested too). My aim is to promote positive mental wellbeing and flexibility and movement for those who suffer with mental health, cerebral palsy and other movement issues. I'm offering them a service outdoors as they may not be able to travel to a gym in their area. Open space and parks would be their ONLY opportunity to access these places with the use of my service my service without care staff who are not fully trained/qualified to help promote this area in their lives. I do not charge the people much myself as I understand their allowances may not allow them to access my service. If I were to have to pay to use the open space which is promoted by central government (especially during lockdown), then there would be no point trying to re-instate this service again. A service that the guys I helped loved.
- It makes sense to have a formal arrangement.
- To make sure the students are getting the best coaching.
- Important to ensure all providers have appropriate safe for practice policies in place.
- I am a qualified, insured Tai Chi instructor, and normally teach a weekly class. I get paid for those classes and the students are offered the class as part of their pre-paid membership.
- I think there are fitness instructors using the parks who may not have the correct insurance a qualifications.
- I haven't operated in council parks because I could not get a license. A bit late to the show guys, this would have been great back in the summer.

**2. As an outdoor fitness operator do you agree to the following Hillingdon Council annual fees and charges structure for a single training session and group classes?**

There is a discount for fitness operators who are Hillingdon residents.

Please Note that fees and charges do not apply to 1-to-1 or personal training sessions

	Single group training activity session	Group Classes	
		<£6 per class or 6 sessions per week	<£11 per class or 7 + sessions per week
Non Resident	£50	£545	£1090
Resident	£45	£490	£981

Agree: 4

Disagree: 8

Comments

- I agree with charging and having a structure depending on the amount of classes however I feel the difference between charging £6 and £11 is too great. I teach 3 classes a week charging £6 per class - This structure means I won't be able to increase my prices without doubling my licence fee.
- I would only be running 1 to 1 sessions or personal training sessions, so this charge would not apply to me if it were to go ahead? If I were to run a class it would be once a week so £6 per class would depend if there was a time limit on it.
- Yes, I agree as long as the situation was monitored and instructors not complying were checked and stopped as I feel a lot of people that set up will not get the proper permissions.
- How will this be policed to ensure there is transparency for all?
- I feel that £45 for one session is a bit high. When I run classes the maximum I would pay for a hall is £30 and the average is £25. I prefer that people book directly with me and pay me and I hire the space. I usually charge £7/£8 per session but average yoga charges in this area are £10 per session.
- The courts haven't got any toilet provisions, they are not cleaned especially in autumn, the nets are maintained and they are no flood lights for the winter months.
- I'm happy to pay for the use of the facility, however if there are multiple providers I may not be able to get a court and essentially would be paying for nothing.
- I do not get paid for the outdoor sessions in the park. I have got to know the students over the past 11 years, we are all friends, so the sessions are held on an informal basis. We meet when the weather allows, and the numbers range from 5 to 15 people. I do not charge for these sessions, so I do not think it is fair to charge me. I do not fully understand the fees, and would appreciate a clarification. What does "group classes £6 per class or 6 sessions per



week mean? We only meet once a week. So does that mean I get charged £6 per class? as well as £490?

- This is a lot of money for myself. I would have to bring the amount of classes down to 6 from 8. Its a big jump up to £981.
- Maybe simplify it slightly, 0-3 classes per week, 4-6 classes per week and 7+ = £X per year. Not sure why the per class fee matters to the council?
- Some clarity would need to be given as to what is charged for what, is it annual or per session, as what is outlined is unclear
- The fee structure would depend on the sport or activity in question, each site would have pros and cons so bespoke pricing may need to be used . Factors such as the level of coaching (coaches qualifications) the facilities for the public and the operator - ie, is there a toilet, water fountain etc for the operators to use

### 3. Please give your comments to the proposed Outdoor Fitness Operator and Parks Tennis Coaches [Terms and Conditions](#) and [Code of Conduct](#)

Agree: 12

Disagree: 0

#### Comments

- It states that pathways are not to be used. I assume that means to do exercises on not to travel from one area to another?
- I agree to the T's & C's of the council.
- All is fair and clear. My only thing would be not allowed to play music. I would do this in a reasonable manor as background noise, rather than a "rave"! I have the required PPLS
- I agree with the conditions in the attachment
- I will agree if toilets and flood lights and cleaning of the courts are added to the T&C
- Have you thought about adding some benefits to the scheme i.e. providers have access to 2 tennis courts at all times to book, or a priority booking window
- In general, I agree, but I just want to explain our situation. These Tai Chi sessions are purely social gatherings, where we practise together. They started because of the pandemic when the gyms shut. Many of the group who come are afraid of going back to the gym because quite a few have underlying health conditions.
- Read
- All looks straight forward
- All seems standard practice terms and conditions
- See above - Sites like Hillingdon court park would need a toilet - perhaps use of the toilet at the bowls club - or new toilet being built with entrance (using the old visitors changing room at the bowls club (tennis court side) without a toilet and hand washing / drinking water facility it is hard to run a sustainable programme as coaches could not operate there for more than 2 hours in a row. Toilets are also essential for young children.

- 4. There will be an online registration process for outdoor fitness operators to complete. Once completed and checked by Hillingdon Council a photo ID badge will be issued to the recipient. The photo ID badge will need to worn or be visible by the operator during fitness sessions in parks and green spaces.**

**Do you agree with this registration process?**

Agree: 11

Disagree: 1

Comments

- I would like to know how the council intend to make sure all providers using the parks are registered?
- It would be good to be able to be identified by the ID for others observing and the client staff who are working in the park to be aware of who you are.
- How will this be monitored? Will an employee of Hillingdon council go round at 7pm when most bootcamps set up?
- I feel an outdoor fitness class space would be a real benefit. A hardstanding (rubberised) surface with a cover for all weathers. I have a design thought out. The sort of space for yoga classes, keep fit, boot camps etc. Also, other activities such as choirs, children's activities etc. I would definitely use such a space twice a week throughout the year - maybe more in summer. I have been running my meditation sessions in Cowley Rec. and the members have really felt the benefit.
- What is the difference between you and the LTA as I am already registered with them?
- Can multiple ID badges be used per organisation? i.e can I register with the council and one of my colleagues run the session that I organise?
- Like other forms of ID I think it unnecessary to have them on show. Was long as it can be produced when asked for by a council official that should be ok. I will have difficulty have an ID round my neck when I am conducting a fitness class.
- Hillingdon could be a hub for tennis and tennis related activities if there is some small investment in basic health and safety requirements (as mentioned above - toilets, hand washing facility , bad weather shelter)

- 5. All outdoor fitness operators that are successfully registered with Hillingdon Council will have their sessions promoted through the council website.**

Do you agree with the promotion of registered instructors on the Council website.

Agree: 10

Disagree: 2

Comments

- I think this would be great to advertise on the Council website. It would also be nice if the licensees were allowed to advertise using 1 banner at the park they work in.

- Any help with advertisement is always welcomed by anybody trying to promote their service. If the charges were going towards this then it would make it better. At least you would be paying for a service for you as the operator.
- Yes, I agree.
- I would happily be involved in any consultations or plans for these schemes.
- I will be flooded with request and I am not willing to pay £981 a year to use courts that don't have a public toilet.
- I do not agree with this, as I do not wish the sessions to be advertised. I am running the sessions purely on a social basis, because of the pandemic when the gym shut. Many in the group were fearful of going back to the gym because of underlying health conditions. I have a question: are we allowed to continue to meet when the Government guidelines permit? And what happens if we don't apply for a permit because of the cost?
- Thanks
- Pro rata on permits would be good but I am sure that would be put in place. Also Summer permits as Winter months are unpredictable and people are more unreliable in the Winter.
- Offers promotions and trials could be incentivised for local community - with exit pathways to local clubs

### **Social Media feedback**

Feedback was also received from social media via Facebook:

*Shared this to late for our views [#londonboroughofhillington](#) forgot to ask the residents. Kids frequently playing tennis after school and weekends. Now we have to book a session council is getting. Ridiculous what next book a session to go on the swing or for a walk how bout ask the resident's first before going ahead and doing as you please because someone on your committee has decided this might be a good option. The close park has now got a booking session.*

*I have no objection, fitness classes use a great deal less area per person than a ball game pitch. Also, we're blessed with vast amounts of green land, so seeing it being used by residents in fitness classes is welcome. I know of classes that position themselves away from the more trodden areas and are thus sympathetic to others.*

## **APPENDIX 4**

### **Public Spaces Protection Order Consultation**

**This consultation period from 2 April 2021 to 30 April 2021**

#### **Introduction**

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We are consulting on a variation to the (Parks and Public Places) Public Spaces Protection Order ("the Order") 2020 for the increasing number of outdoor fitness instructors and tennis coaches using Hillingdon's parks and open spaces on a commercial basis.

There has been a significant increase in fitness instructors using local green spaces without council consent. These include tennis coaches who have been using council courts for private coaching; some of these coaches come from outside the borough.

Please see the additional condition at A (xix).

#### **Conditions in the Order which are prohibitions:**

- A.** In the restricted areas a person commits an offence if without reasonable excuse they carry out activities from which they are prohibited namely
- i. Drinking alcohol (other than in premises licensed for the sale of alcohol or at a venue where a Temporary Event Notice is in place) after having been required to stop by an authorised person**
  - ii. Being under the influence of controlled drugs and/or other psychoactive substance**
  - iii. Spitting saliva or a product from the mouth onto the ground or street furniture**
  - iv. The placing of any type of food source in a street to either feed or attract birds or vermin**
  - v. Using powered vehicles (other than on a highway or road) such as motorcycles without the express consent of the Council**
  - vi. No person or organisation shall, except with the written permission of Hillingdon Council, use parking spaces within a designated public spaces car park for the purpose of instructing learner drivers in any manoeuvres**
  - vii. Using remote controlled model vehicles and aircraft that is likely to cause nuisance from noise or cause harassment, alarm or distress to another person, without the express consent of the Council**
  - viii. Using drones and small unmanned aircraft (SUA) of any mass without the express consent of the Council (condition to apply to the parks and open spaces set out in Annex 1 to this order)**
  - ix. To encamp (with or without a vehicle) without the express consent of the Council**
  - x. Lighting or being in control or responsible for an activity involving a fire, barbecue or fireworks without the express consent of the Council**

Anti-Social Behaviour & Environment Team  
Residents Services  
[asbinvestigations@hillington.gov.uk](mailto:asbinvestigations@hillington.gov.uk)  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)  
London Borough of Hillingdon, Civic Centre, High Street Uxbridge, UB8 1UW

- xi. **Having more than four dogs in a person's sole charge, for non commercial purposes. Having more than six dogs in a person's sole charge for commercial purposes without a licence**
- xii. **Leaving the engine of a stationary or parked vehicle running.**
- xiii. **Being verbally abusive to any person or using foul language or behaving in a way which causes or is likely to cause harassment, alarm or distress to another person**
- xiv. **Being engaged in the collection or soliciting of money by way of requesting personal information that causes harassment, alarm or distress to another person**
- xv. **Being engaged in the act of begging for food or money that causes harassment, alarm or distress to another person.**
- xvi. **Urinating or defecating in a public space except in a premise designed for the purpose**
- xvii. **Use any device designed or adapted for detecting or locating any metal or mineral on or in the ground without the express consent of the Council**
- xviii. **Engage in any type of fishing or dredge or remove any material from any park or open space without the express consent of the Council**
- xix. **Engage in the instruction of outdoor fitness classes, including one to one Tennis coaching, using Hillingdon's parks and open spaces on a commercial basis without the appropriate operating licence issued by Hillingdon Council**

**Conditions in the Order which are requirements:**

- B.** In the restricted areas a person commits an offence if without reasonable excuse they fail to comply with any activity that they are required to undertake namely;
- i. **Hand over immediately any alcohol, whether in an open or closed container, when required to do so by an authorised person who believes that the person has consumed, is consuming or intends to consume alcohol in breach of the prohibition at (a)i above**
  - ii. **Leave a park at the designated closing time or when required to do so by an authorised officer, if appropriate extinguish a fire and/or barbecue or firework, removing all waste and/or associated items for safe disposal**
  - iii. **Remove forthwith dog faeces left by any dog which at the time the person is in charge of or responsible for**
  - iv. **Place a lead on a dog (which at the time the person is in charge of or responsible for) when the dog is on a pavement by a road (within 3 metres of a carriageway) or when required to do so by an authorised officer**
  - v. **Ensure that any dog (which at the time the person is in charge of or responsible for) having entered a children's play area, leaves that play area forthwith**

Anti-Social Behaviour & Environment Team  
Residents Services  
[asbinvestigations@hillington.gov.uk](mailto:asbinvestigations@hillington.gov.uk)  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)  
London Borough of Hillingdon, Civic Centre, High Street Uxbridge, UB8 1UW

- vi. **Leave the area when required to do so by an authorised officer and not return within 48 hours**
- vii. **Produce licence issued by Hillingdon Council to carry Outdoor fitness instruction, including one to one tennis coaching**

### Have your say

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Should you wish to make a representation you must do so in writing within the consultation period which shall commence on 2 April 2021 to midnight on 30 April 2021.

The Council would like to have your views and feedback on the variation of the Order. Please forward your comments to us by using the email and postal address below.

### Contact details

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If you have any questions about this consultation, contact ASB Investigations Team.

Email: [ASBInvestigations@Hillingdon.gov.uk](mailto:ASBInvestigations@Hillingdon.gov.uk)

Write to:

ASB Team (PSPO)  
2 East 08  
Civic Centre  
High Street  
Uxbridge  
UB8 1UW

## HERMITAGE PRIMARY SCHOOL - GRANT OF LEASE FOR ACADEMY CONVERSION

<b>Cabinet Member(s)</b>	Councillor Jonathan Bianco
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Property and Infrastructure
<b>Officer Contact(s)</b>	Michele Wilcox; Infrastructure, Transport & Building Services
<b>Papers with report</b>	Site Plan

### HEADLINES

<b>Summary</b>	This report seeks Cabinet approval to the granting of a 125-year lease of Hermitage Primary School as part of the process required for the school to convert to an academy. The lease will be based on the current Department for Education (DfE) template academy lease, save for amendments relevant to the individual circumstances affecting the school.
<b>Putting our Residents First</b>	This report supports the following Council objectives of: <i>Our People; Our Built Environment; Financial Management.</i>
<b>Financial Cost</b>	None
<b>Relevant Policy Overview Committee</b>	Corporate Services, Commerce & Communities Residents', Education & Environmental Services
<b>Ward(s) affected</b>	Uxbridge North

### RECOMMENDATION

**That Cabinet approves the grant of a 125-year lease of Hermitage Primary School on the main terms outlined in this report as part of the process of conversion of the school to an academy.**

#### Reasons for recommendation

1. The grant of a 125-year lease to the school is required as part of the process for the conversion of the school to an academy.
2. Under the Council's Constitution, the grant of a 125-year lease must be approved by Cabinet.



### **Alternative options considered.**

Decisions regarding academies are made by the Secretary of State for Education and by implication, the Council has no choice other than to progress with the transfer of the premises to the Academy Trust under a long lease. For example, The Academies Act 2010 includes provisions which:

- allow maintained schools to apply to become academies and permit the Secretary of State to issue an Academy Order requiring the local authority to cease to maintain the school.
- allow the Secretary of State to require schools that are eligible for intervention to convert into academies.
- provide for secondary, primary, and special schools to become academies.
- allow schools that apply to become academies to keep any surplus financial balance.
- deem academies to be charities.
- ensure that a converting school will continue, as an academy, to be able to occupy the land/buildings it had as a maintained school, and that the school's other assets may also transfer to the new academy for the benefit and use of the pupils of that school; and
- on request, allow the Secretary of State to make a scheme in relation to land that necessitates the transfer of such land to the proprietor of the academy.

### **Policy Overview Committee comments**

None at this stage.

## **SUPPORTING INFORMATION**

1. Hermitage Primary School applied to convert to an academy and part of the process requires a 125-year lease to be granted of the school's premises. The lease will be based on the current DfE template academy lease, save for amendments relevant to the individual circumstances affecting the school. The extent of the premises to be demised is shown edged red on the attached plan.
2. The template academy lease includes the following main terms:
  - The annual rent is to be a peppercorn for the duration of the term.
  - The academy will take on full repairing and insuring responsibilities.
  - There is no ability for the academy to assign or transfer the premises demised without consent from the Secretary of State for Education in all instances.
  - There is the ability to underlet the premises but only with the Council's consent for any term which is more than 25 years. Any such underletting is to be outside the Landlord and Tenant Act 1954, which avoids the tenant obtaining a secure business tenancy.
  - The permitted use under the lease is "for the purposes of the provision of educational services by the tenant and for community fundraising and recreational purposes which are ancillary to that use;" and

3. There are no temporary classrooms or caretaker's house on the school site which are to be excluded from the transfer.

## **Financial Implications**

There are no financial implications relating to the grant of this lease, all costs relating to officer time in preparing the lease will be met by the schools concerned. The implications of the asset transfer are described below in the Corporate Finance comments, but it does not impact upon actual costs.

## **RESIDENT BENEFIT & CONSULTATION**

### **The benefit or impact upon residents, service users and communities**

The recommendations will allow the school to convert to academy status.

### **Consultation Carried Out or Required**

The Council has been involved with the consultation processes carried out in relation to these proposals by the Department for Education (DfE).

## **CORPORATE CONSIDERATIONS**

### **Corporate Finance**

Corporate Finance has reviewed this report and concurs with the financial implications set out above, noting that all costs associated with grant of this lease will be borne by the school. The grant of this lease will result in the removal of this asset from the Council's balance sheet, however, this does not affect the General Fund or Council Taxpayer.

### **Legal**

Cabinet has before it a recommendation seeking authority to approve the grant of a 125-year lease of Hermitage Primary School on the terms outlined in this report to facilitate the conversion of the school to an academy.

The Academies Act 2010 and Education Act 2011 gives the Secretary of State various powers including the discretion to make a transfer scheme in relation to land. So, where the local authority holds a freehold or leasehold interest in land that an academy occupies, the Secretary of State may make a scheme in relation to land that essentially necessitates the transfer of such land to the proprietor of the academy.

Legal relationships granting rights for the benefit of the school, imposing conditions on and reserving obligations to both parties would be created by virtue of the leases when completed. Accordingly, any future dealings with the school in respect of the land will be regulated by such leases. The necessary legal documentation would need to be considered, negotiated and prepared by officers in Legal Services.

There are no legal impediments in proceeding with the proposed lease.

### **Education Services**

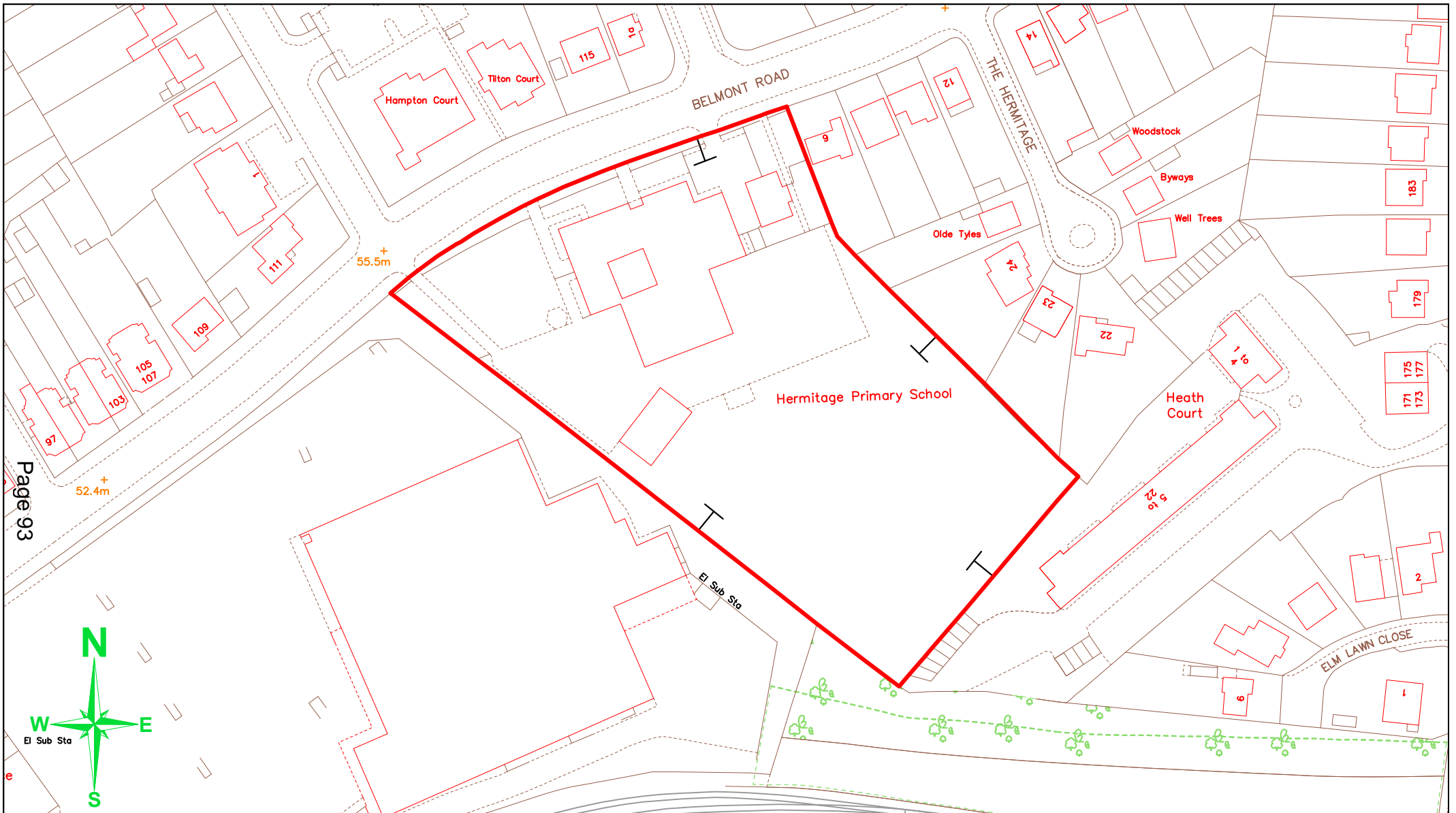
Education Services supports this report and the recommendations made.

### **Infrastructure / Asset Management**

Property and Estates has authored this report.

## **BACKGROUND PAPERS**

NIL



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**PROPERTY SERVICES**  
 CIVIC CENTRE,  
 HIGH STREET  
 UXBRIDGE,  
 MIDDLESEX,  
 UB8 1UW

**TITLE**

# Hermitage Primary School Belmont Road Uxbridge

**DRG No**

**UXB 1203**

**SCALE**

**1:1250 @ A4R**

**DATE**

**13/04/2021**

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## APPROPRIATION OF LAND AT HILLINGDON COURT PARK, PARKWAY, HILLINGDON

<b>Cabinet Member(s)</b>	Councillor Jonathan Bianco
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Property & Infrastructure
<b>Officer Contact(s)</b>	Mike Paterson, Residents Services
<b>Papers with report</b>	Appendix 1 - Site Plan

### HEADLINES

<b>Summary</b>	<p>This report seeks Cabinet authority to begin the procedure for the appropriation of land from public open space to planning purposes pursuant to section 122 of the Local Government Act 1972 as amended by the Local Government Planning and Land Act 1980 section 118 schedule 23.</p> <p>The report also seeks to delegate authority to the Leader of the Council and Cabinet Member for Property &amp; Infrastructure, in consultation with the Corporate Director of Infrastructure, Transport and Building Services, to consider any consultation responses to the proposed appropriation; decide whether the land should be appropriated for planning purposes and to make all necessary decisions to give effect to the recommendations and any other decisions which are required in relation to the land.</p>
<b>Putting our Residents First</b>	This report supports the following Council objectives of: <i>Our Built Environment and Strong financial management.</i>
<b>Financial Cost</b>	Advertising Costs of £356.
<b>Relevant Policy Overview Committee</b>	Corporate Services, Commerce & Communities Policy Overview Committee
<b>Relevant Ward(s)</b>	Hillingdon East

## RECOMMENDATIONS

### That the Cabinet:

- 1. Authorises officers to give public notice of the Council's intention to appropriate the land from public open space to planning purposes pursuant to section 122 of the Local Government Act 1972 as amended by the Local Government Planning and Land Act 1980 section 118 schedule 23.**
- 2. Delegates authority to the Leader of the Council and Cabinet Member for Property and Infrastructure, in consultation with the Corporate Director of Infrastructure, Transport & Building Services, to consider any objections to the proposed appropriation; decide whether the land should be appropriated for planning purposes and to make all necessary decisions to give effect to the above recommendation and any other decisions which are required in relation to the land.**

### Reasons for recommendation

A full report on title has established that the pavilion site at Hillingdon Court Park is affected by an agreement dated 1 August 1928 between (1) The County Council of the Administrative County of Middlesex and (2) The Uxbridge Urban District Council and The Uxbridge Rural District Council, which provided that the Hillingdon Court Recreation Ground was to be laid out as public open space and thereafter maintained as such.

As the land to be sold is included within the land affected by this agreement, the Council will have to obtain a release of the pavilion site from this agreement. Legal Services recommend that this is done by appropriating the pavilion site and by advertising the proposed appropriation from public open space to planning purposes pursuant to section 122 of the Local Government Act 1972 as amended by the Local Government Planning and Land Act 1980 section 118 schedule 23.

### Alternative options considered / risk management

There is no alternative but to appropriate the land if the pavilion site is to be sold as intended within the 2021/2022 financial year.

### Democratic compliance / previous authority

Cabinet on 24<sup>th</sup> September 2020 declared this site surplus to requirement and authorised the sale of the site with planning consent for residential development.

### Policy Overview Committee comments

None at this stage.



## SUPPORTING INFORMATION

1. Cabinet on the 24<sup>th</sup> September 2020 declared the Hillingdon Court Park pavilion site surplus to requirements and authorised the sale of the site with planning consent for residential development. The site had previously been leased for use as a sports pavilion, but the building had been unused for several years following the surrender of the lease by the previous tenant. The building has subsequently fallen into substantial disrepair and is not in a condition where it can be let or repaired. The pavilion is located in Parkway which is a predominantly residential area and it backs onto Hillingdon Court Park. Planning permission has been obtained for the development of 1 x 4 bed detached house.
2. The report on title established that the pavilion site is registered in two freehold titles owned by the Council, freehold title number AGL198287 and freehold title MX102073. Title AGL198287 contains a covenant to observe restrictive covenants in a conveyance dated 2 November 1926. This title also provides that the site is affected by an agreement dated 1 August 1928 between (1) The County Council of the Administrative County of Middlesex and (2) The Uxbridge Urban District Council and The Uxbridge Rural District Council which provided that the Hillingdon Court Recreation Ground was to be laid out as public open space and thereafter maintained as such.
3. As the land to be sold is included within the land affected by the 1928 agreement, the Council will have to obtain a release of the pavilion site from this agreement. Legal Services recommend that this is done by appropriating the pavilion site and advertising the proposed appropriation from public open space to planning purposes pursuant to section 122 of the Local Government Act 1972 as amended by the Local Government Planning and Land Act 1980 section 118 schedule 23.
4. The Council will need to advertise its intention to appropriate the land pursuant to Section 122 of the 1972 Act in a local newspaper for two consecutive weeks and take any consultation responses into account before formally deciding to appropriate the land.
5. The second title, MX102073 also includes restrictive covenants which affect the pavilion site contained in a conveyance dated 10 December 1932. Legal Services recommend that the Council acquires a restrictive covenant indemnity policy as cover for the restrictive covenants affecting the pavilion site as this will be required by any buyer on completion.

### Financial Implications

There are no direct financial implications arising from the recommended appropriation of the land, although this will facilitate the ultimate disposal of the site. The costs from the required advertisement are estimated at £356 this will be managed from within existing approved resources. Disposal of the site is expected to secure a substantial Capital Receipt and contribute towards the funding of the Council's 2021/2022 Capital Programme.

## RESIDENT BENEFIT & CONSULTATION

### **The benefit or impact upon Hillingdon residents, service users and communities?**

The appropriation of this land will result in the land being held for planning purposes. This will facilitate the sale of the land which will then enable the proposed residential development to be brought forward.

### **Consultation carried out or required**

The Council will need to advertise its intention to appropriate the land in a local newspaper for two consecutive weeks and take any consultation responses into account before formally deciding to appropriate the land.

## CORPORATE CONSIDERATIONS

### **Corporate Finance**

Corporate Finance has reviewed this report and financial implications above, noting that the minor advertising costs will fall upon existing resources. It is anticipated that agreeing these recommendations will lead to the disposal of the site, with the expected proceeds contributing towards the Council's forecast 2021/22 Capital Receipts target.

### **Legal**

If the Council wishes to appropriate land from public open space to planning, it will need to be satisfied that the provisions of Section 123 of the Local Government Act 1972 are met and in particular that the land is no longer required for the purposes for which it was held immediately before appropriation.

The Council will also need to be satisfied that the land should be appropriated such that it becomes held for planning purposes by applying the tests set out in Section 226(1) and (1A) of the Town and Country Planning Act 1990.

Case law has established that in determining whether land is required for a particular purpose, it is legitimate to weigh up the relative importance of different needs and to exercise judgment in the public interest. In this particular case, it would seem that the area of land in question is not needed to facilitate the open space purposes of Hillingdon Court Park Pavilion. However, the decision maker will need to be satisfied that there is in fact no need for the land to be used as public open space and that in weighing up competing needs, the balance falls in favour of appropriation and a declaration that the land is surplus to requirements.

Pursuant to Section 122 (2A) of the 1972 Act the Council will need to advertise its intention to appropriate the land in a local newspaper for two consecutive weeks and take any consultation responses into account before formally deciding to appropriate the land.

Pursuant to the Green Belt Act 1938, an application will need to be made to the Secretary of State for the release of the property from being part of a green belt area.

### **Infrastructure / Asset Management**

This report has been authored by Property and Estates and Infrastructure / Asset Management comments are included within the report.

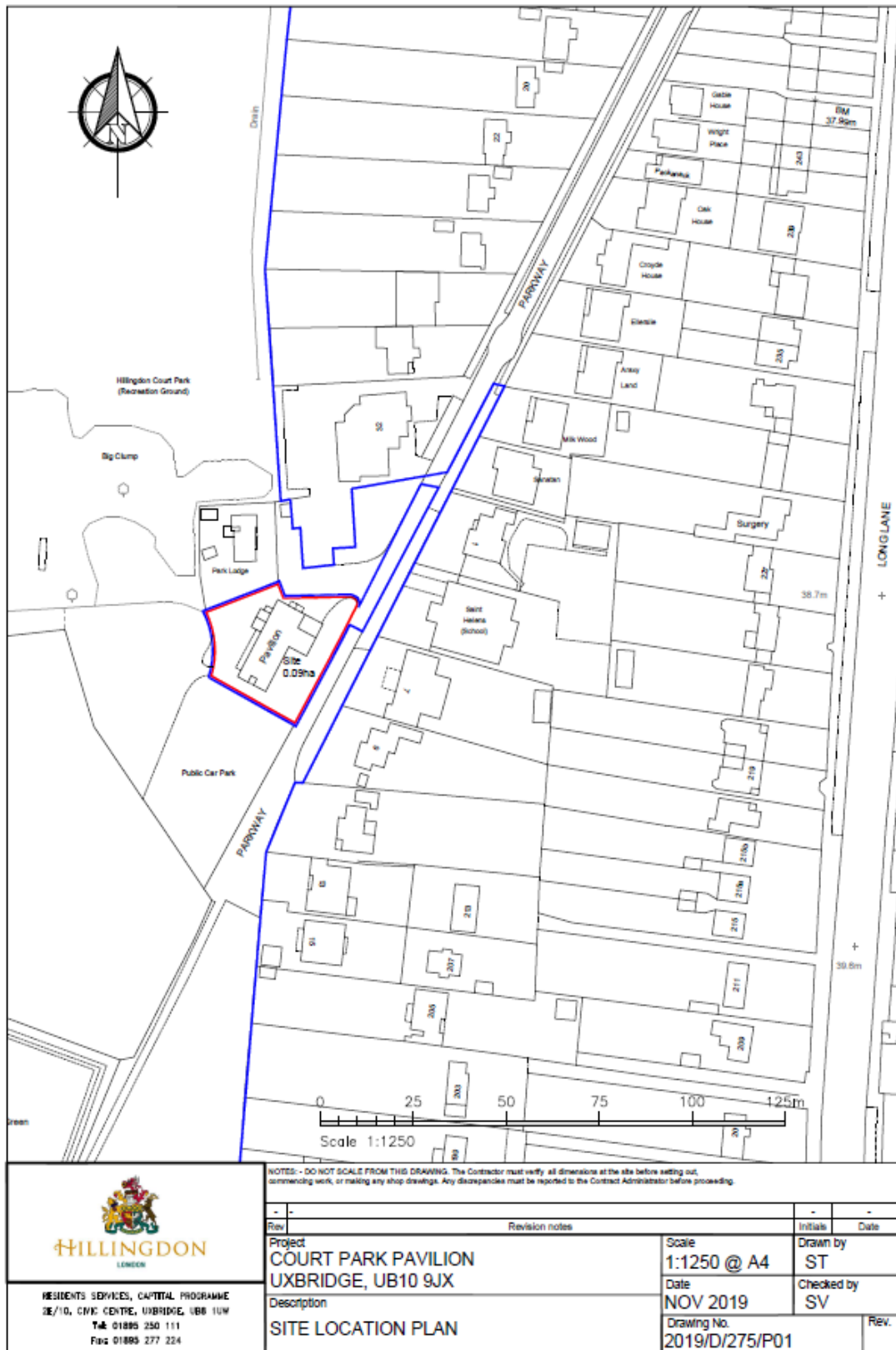
### **Comments from other relevant service areas**

Not applicable

## **BACKGROUND PAPERS**

NIL.

## Appendix 1: Site Plan Hillingdon Court Park Pavilion



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of the Local Government Act 1972 (as amended).

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of the Local Government Act 1972 (as amended).

# Agenda Item 12

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# Agenda Item 13

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