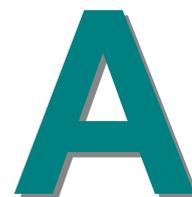




HILLINGDON
LONDON



Council

To all Members of the Council

Date: THURSDAY, 14 JULY 2022

Time: 7.30 PM

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

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

View the agenda online at
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Alternatively, use a smart phone camera
and scan the code shown below:



Published: Wednesday, 6 July 2022

Contact: Lloyd White, Head of
Democratic Services

Tel: 01895 556743

Email: lwhite@hillington.gov.uk

Putting our residents first

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

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Agenda

Prayers

To be said by Pastor Tunde Balogun.

- 1 Apologies for Absence
- 2 Minutes 1 - 32
To receive the minutes of the meetings held on 24 February and 12 May 2022 (*attached*).
- 3 Declarations of Interest
To note any declarations of interest in any matter before the Council
- 4 Mayor's Announcements
- 5 Report of the Head of Democratic Services 33 - 38
- 6 Confirmation of Article 4 Direction to Remove Permitted Development Rights in Parts of the Borough 39 - 86
- 7 Members' Questions 87 - 88
To take questions submitted by Members in accordance with Council Procedure Rule 11
- 8 Motions 89 - 90
To consider Motions submitted by Members in accordance with Council Procedure Rule 12

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Minutes

COUNCIL

24 February 2022

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

Councillor Roy Chamdal (Mayor)
Councillor Becky Haggar (Deputy Mayor)

	<p>MEMBERS PRESENT:</p> <p>Councillors: Shehryar Ahmad-Wallana Ian Edwards Richard Mills Lynne Allen Tony Eginton Peter Money Simon Arnold Scott Farley John Morgan Teji Barnes Duncan Flynn June Nelson Jonathan Bianco Janet Gardner Susan O'Brien Mohinder Birah Martin Goddard John Oswell Lindsay Bliss John Hensley Jane Palmer Wayne Bridges Henry Higgins Kerri Prince Nicola Brightman Vanessa Hurhangee Sir Ray Puddifoot MBE Keith Burrows Allan Kauffman John Riley Farhad Choubedar Eddie Lavery Paula Rodrigues Judith Cooper Richard Lewis David Simmonds CBE Philip Corthorne Heena Makwana Jagjit Singh Peter Curling Michael Markham Colleen Sullivan Nick Denys Stuart Mathers Jan Sweeting Alan Deville Carol Melvin Steve Tuckwell Jas Dhot Ali Milani David Yarrow Janet Duncan Douglas Mills</p>
	<p>OFFICERS PRESENT: Paul Whaymand, Perry Scott, Raj Alagh, Lloyd White, Mark Braddock, Sue Albu and Nikki O'Halloran</p>
54.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillors Chapman, Davies, Dhillon, Graham, Lakhmana, Morse, Radia, Sansarpuri, Seaman Digby and Stead.</p>
55.	<p>MINUTES (<i>Agenda Item 2</i>)</p> <p>RESOLVED: That the minutes of the two meetings held on 13 January 2022 be agreed as correct records.</p>
56.	<p>DECLARATIONS OF INTEREST (<i>Agenda Item 3</i>)</p> <p>There were no declarations of interest in any matters before the Council.</p>
57.	<p>MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 4</i>)</p> <p>The Mayor noted that he had found his role incredibly rewarding over the last nine months and had been astounded by the public's generosity. Since the last Council meeting, the Mayor had attended the opening of new children's playgrounds and had</p>

recently been holding citizenship ceremonies on a weekly basis. He also praised the staff at Hillingdon Hospital who had treated him on a recent visit.

The Mayor had awarded the Civic Medal to Mr Bob Beeston who was the third person to have been awarded the medal since 2011. Mr Beeston had been a Scout for 80 years.

Councillor Sir Ray Puddifoot MBE, Hillingdon Council's Armed Forces Champion, had been awarded the Knight's Cross of the Order of Merit of the Republic of Poland and the Gold Medal of Polish Armed Forces. The Mayor congratulated Sir Ray who had received the awards from the President of Poland and the Polish Ambassador to recognise his exceptional and sustained contribution to the memory of those members of the Polish Armed Forces who had fought with British Forces throughout the war.

It was recognised that this would be the last Council meeting that some Councillors would be attending and the last Council meeting that the Mayor would be chairing. He thanked the outgoing Councillors for their service and hoped that their replacements would work as hard as they had.

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

On behalf of Members, Councillor Edwards thanked officers for the wonderful work that they had done to clear up the Borough after Storm Eunice had passed through.

(i) Members' Allowances 2022/23

Councillor Edwards moved the recommendations as set out on the Order of Business. The motion was seconded by Councillor Bianco and it was:

RESOLVED: That the current Members' Allowances Scheme be revoked as of 31 March 2022 and the new Scheme for 2022/23 be approved for implementation from 1 April 2022 as shown in Minute Annex A.

ii) Programme of Meetings 2022/23

Councillor Edwards moved the recommendation, which was seconded by Councillor Bianco, and it was:

RESOLVED: That the timetable of meetings for 2022/23 as set out in Annex B to the minutes, be approved and the Head of Democratic Services in consultation with the Chief Whip of the Majority Party be authorised to make any amendments that may be required throughout the course of the year.

iii) Waiver of 6 Month Councillor Attendance Rule

Councillor Edwards moved the recommendation, which was seconded by Councillor Bianco, and it was:

RESOLVED: That, pursuant to Section 85(1) of the Local Government Act 1972, Councillor Graham's non-attendance at meetings of the authority due to ill health, be approved for a period ending on 5 May 2022.

59. **GENERAL FUND REVENUE BUDGET, HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME 2022 / 2023** (*Agenda Item 6*)

Councillor Flynn moved, and Councillor Choubedar seconded, the suspension of Council procedure rule 14.4 to allow unlimited speaking time for the mover and seconder of the motion and the principal speaker / mover and seconder of the amendment from the Labour Group.

RESOLVED: That the mover and seconder of the budget motion and the principal speaker / mover and seconder of the principal amendment from the Labour Group be allowed unlimited speaking time on this item.

Councillor Goddard moved, and Councillor Edwards seconded, the budget recommendations as set out on the Order of Business.

Councillor Mathers moved, and Councillor Curling seconded, the following amendment:

That:

- a) **the Cabinet be invited to consider the Labour Group's amendments to the Cabinet's budget proposals set out in the Council Tax Resolution and report back to the Council.**
- b) **in relation to the General Fund Revenue Budget, the proposals are based on the budget proposals approved by Cabinet on 17 February 2022, subject to the following amendments:**
- c) **In relation to the General Fund Capital Budget, the proposals are based on the budget proposals approved by Cabinet on 17 February 2022, subject to the following amendments:**
- d) **In relation to the Housing Revenue Account Budget, the proposals are based on the budget proposals approved by Cabinet on 17 February 2022, subject to the following amendments to the HRA Revenue Budget and Capital Programme:**

Council Tax Levels and Medium-Term Impact

- 1 The following amendments to Cabinet's budget proposals have been developed in the context of an immediate cost of living crisis facing residents and freeze of the Hillingdon element of Council Tax at 2021/22 levels. This freeze is to be financed from reserves in the short term, with a review of capital programme commitments and energy efficiency savings to fund this measure on a sustainable basis.

Table 1: Change to 2022/23 Council Tax

	Cabinet Proposals	Change	Labour Group Proposals
Council Tax Base (Band D) (£'000)	103,840	0	103,840
2021/22 Band D Council Tax	£1,239.72	£0.00	£1,239.72
Increase in Council Tax	0.90%	-0.90%	0.00%
Increase in Social Care Precept	1.00%	0.00%	1.00%

2022/23 Band D Council Tax	£1,263.28	-£11.16	£1,252.12
Council Tax Requirement (£'000)	131,179	(1,159)	130,020

- 2 Amendments to the capital programme outlined later in this document would result in a reduction of £800k in annual financing costs by 2026/27, with a further £580k savings anticipated from a 33% reduction in energy costs stemming from Carbon Reduction measures – including energy efficiency. By 2026/27 these measures would be sufficient to replace funding forgone through the 2022/23 Council Tax freeze and therefore not increase the headline £5,680k budget gap presented in the Cabinet’s budget proposals.
- 3 It is proposed to deploy £3,022k from General Balances to finance the Council Tax freeze in the period before capital and energy savings come onstream, reflecting the immediate cost of living pressures faced by residents. This approach would leave £23,574k General Reserves available to manage emerging risks and pressures. The following table summarises the medium-term impact of the Labour Group’s proposals.

Table 2: Funding Strategy

	2022/2 3 £'000	2023/2 4 £'000	2024/2 5 £'000	2025/2 6 £'000	2026/2 7 £'000
General Balances per Cabinet Proposals	26,579	26,579	26,579	26,579	26,579
Impact of 0.9% Council Tax Change	1,159	1,212	1,260	1,311	1,363
Capital Financing Saving	0	(160)	(320)	(560)	(800)
Energy Efficiency Savings	0	(150)	(290)	(440)	(580)
Net Impact on Budget Requirement	1,159	902	650	311	(17)
General Balances per Labour Group Proposals	25,420	24,518	23,868	23,557	23,574
Change in General Balances	(1,159)	(2,061)	(2,711)	(3,022)	(3,005)

- 4 The following sections of this document outline further proposed amendments to the 2022/23 budget, alongside capital programme changes intended to support housing delivery in the borough and ultimately fund the proposed Council Tax freeze.

Changes to 2022/23 General Fund Revenue Budget

- 5 In addition to the headline change in Council Tax and associated deployment of balances, specific amendments to the 2022/23 have also been developed and set out in table 3 below. These proposals include:
- 6 Pandemic Recovery: additional investment of £250k per annum in new initiatives to support community resilience following the COVID-19 pandemic and £100k per annum on increase mental health support targeted at under 16s. These measures would be funded from capacity within the Public Health Grant and therefore not impact on the Council Tax Requirement.
- 7 Services to Residents: Proposals to reinvest the planned £250k savings arising from the BID Review of Libraries within the service, alongside £100k additional

support for Community Safety and Policing and £80k to pause proposed uplifts in Cremation Fees for 2022/23 would increase the Council Tax Requirement by £430k.

- 8 Social Care: Proposed invest-to-save measures around Youth Services and Early Intervention Outreach to reduce future demand for Children’s Services, and Education Psychology to manage demand for SEND services would be initially funded from a combination of Earmarked Reserves and Capital Receipts earmarked for pump-priming transformation measures. In addition, to these self-financing investments a sum of £25k would be set aside to provide additional support for Care Leavers.
- 9 Savings Proposals: In order to fund the £455k increase investment outlined above, savings of £180k for scaling back publication of Hillingdon People and undertaking a review of communications would be accompanied by a further £275k BID Reviews.
- 10 In addition, table 3 outlines the in-year impact of the wider strategy on Council Tax.

Table 3: 2022/23 Revenue Budget

	2022/23 £'000	2022/23 £'000
Council Tax Requirement based on Cabinet Proposals		131,179
<u>Pandemic Recovery</u>		0
Public Health Initiatives to support COVID-19 Resilience	250	
Mental Health Support for Under 16s	100	
Allocation of Public Health Grant Uplift	(350)	
<u>Services to Residents</u>		430
Reinvestment of Libraries BID Review Savings	250	
Investment in Community Safety and Policing	100	
Reduction in Crematorium Fees	80	
Review of ASBET Service	0	
<u>Social Care</u>		25
Universal Youth Services and Early Intervention Outreach	150	
Investment in Education Psychology	70	
Application of Transformation Funding	(220)	
Support for Care Leavers	25	
<u>Savings Proposals</u>		(455)
Reduce Production of Hillingdon People	(80)	
BID Review of Communications	(100)	
Further BID Reviews	(275)	
<u>Funding for Council Tax Proposal</u>		(1,159)
Release from General Balances	(1,159)	
Council Tax Requirement based on Labour Group Proposals		130,020
Change in Council Tax Requirement		(1,159)

Changes to the General Fund Capital Programme

- 11 The following changes are proposed to the General Fund Capital Programme, which result in a £15,000k uplift in investment in delivery of housing through

Hillingdon First Limited and a net £15,000k reduction in other commitments. It is expected that increased housing investment would be self-financing through delivery of commercially viable projects, thereby enabling a reduction of £800k in capital financing costs by 2026/27 as a result of reduced borrowing for other purposes.

Table 4: Capital Programme Changes

	2021/22 £'000	2022/23 £'000	2023/24 onwards £'000	Total £'000
Prudential Borrowing based on Cabinet Proposals	33,888	42,478	45,380	121,746
<u>Review of Capital Programme</u>				
Yiewsley and Cowley facilities	0	1,000	4,000	5,000
Civic Centre Project	0	(2,000)	(8,000)	(10,000)
Highways Structural Works	0	(1,100)	(4,400)	(5,500)
Chrysalis	0	(400)	(1,600)	(2,000)
General Contingency	0	(500)	(2,000)	(2,500)
<u>Reprioritisation of Youth Capital</u>				
Reallocated Youth Capital	0	(650)	(600)	(1,250)
Youth Bus for Outreach	0	250	0	250
Broader Youth Capital Programme	0	400	600	1,000
<u>Increasing Housing Supply</u>				
Housing Company Financing	0	5,000	10,000	15,000
<u>Other Programme Changes</u>				
Water Fountains for Parks	0	40	0	40
Solar Panel Installations	0	200	0	200
Battle of Britain Bunker	0	(240)	0	(240)
Prudential Borrowing based on Labour Group Proposals	33,888	44,478	43,380	121,746
Change in Prudential Borrowing	0	2,000	(2,000)	0

- 12 Review of Capital Programme: Proposals for £5,000k investment for new community facilities in Yiewsley and Cowley have been included, alongside scaling back planned investment in the Civic Centre site by £10,000k and £10,000k reductions across wider spending plans.
- 13 Reprioritisation of Youth Capital: Ensuring that existing capital budgets can be applied to support a wider range of groups and setting aside funds for an additional Youth Bus to support the invest-to-save proposal on outreach.
- 14 Increased Housing Supply: Increasing proposed investment through Hillingdon First Limited, building upon the successful proof of concept for the company and continuing to apply robust commercial appraisal on potential developments.
- 15 Other Programme Changes: Seeking to apply an element of funding earmarked for the Battle of Britain Bunker to provision of water fountains in parks and initial measures to increase use of solar panels on Council Assets. This change in focus would be enabled by exploring alternative options for the ongoing

ownership and management of the bunker.

Changes to 2022/23 Housing Revenue Account Budget

- 16 Additional investment of £260k Estate Wardens and £100k Burglar Alarms for Council Tenants are proposed in relation to the Housing Revenue Account from the 2022/23 financial year. These measures will be funded by reducing the direct contribution from rental income to finance the capital programme by £360k, resulting in a marginal increase in the HRA Capital Financing Requirement from £165,040k to £165,400k in 2022/23.
- 17 Investment in Burglar Alarms is proposed as a one-off initiative for 2022/23, while Estate Wardens will be introduced with a view to increasing engagement with tenants and therefore enabling preventative action which could ultimately reduce costs across the HRA – including in the areas of repairs and maintenance.

Table 5: HRA Budget Changes

	2022/23 £'000	2022/23 £'000
Capital Financing Requirement based on Cabinet Proposals		165,040
Reduced revenue contribution to capital programme to create budget for HRA Estate Wardens	260	
Investment in Burglar Alarms	100	
Capital Financing Requirement based on Cabinet Proposals		165,400
Change in Capital Financing Requirement		360

Those speaking against the amendment (Councillors Bianco, Corthorne, Edwards, Goddard, D Mills, R Mills, Simmonds and Yarrow) believed that the numbers did not add up and the proposals threw away the margin of safety through the high risk use of general balances. Speaking against the amendment, Members believed that it would be unwise to cut £10m from the Civic Centre works as these were needed to ensure that the building remained thermally efficient. It was also stated that pumping more money into Hillingdon First Limited would not provide exponential returns as there were only a limited number of opportunities each year. Concern was expressed that the amendment would see the end of the Chrysalis Programme which had proved to be a popular scheme that put residents first.

Whilst speaking against the amendment, Members noted that, given the current situation with regard to escalating energy costs, the proposed associated savings would be unachievable. However, the energy saving measures proposed by the administration would lead to reduced costs.

Those speaking in support of the amendment (Councillors Curling, Eginton, Gardner, Prince, and Sweeting) noted that the amendment would freeze Council Tax whilst also enabling the Council to invest in things like the youth services and community safety. The amendment would also provide for action to enable the Council to meet its climate change targets. Other proposals within the amendment included further investment in renewable energy, highways, ASBIT, heritage sites and Hillingdon First Limited and the provision of an educational psychologist.

Members speaking in support of the amendment noted that its proposals would see libraries being used as community hubs. They would also see the introduction of community estate managers to prevent housing related issues from escalating and

becoming more costly and an investment in mental health services for the under 16s. They maintained that the amendment had been fully costed and balanced over a five year period and would help residents with the cost of living crisis currently being experienced.

The amendment was put to a recorded vote:

Those voting for: Councillors Allen, Birah, Bliss, Curling, Dhot, Duncan, Eginton, Farley, Gardner, Mathers, Milani, Money, Nelson, Oswell, Prince, Singh and Sweeting.

Those voting against: The Mayor (Councillor Chamdal), the Deputy Mayor (Councillor Haggar), Councillors Ahmad-Wallana, Arnold, Barnes, Bianco, Bridges, Brightman, Burrows, Choubedar, Cooper, Corthorne, Denys, Deville, Edwards, Flynn, Goddard, Hensley, Higgins, Hurhangee, Kauffman, Lavery, Lewis, Makwana, Markham, Melvin, D Mills, R Mills, Morgan, O'Brien, Palmer, Sir Ray Puddifoot, Riley, Rodrigues, Simmonds, Sullivan, Tuckwell and Yarrow.

Those abstaining: None.

The amendment was lost.

Those speaking against the original motion (Councillors Curling, Eginton, Prince and Sweeting) considered the administration to be tired and stale and expressed concern that there would be an increased deficit and an increase in borrowing. Despite being given £26.5m by HS2 to relocate HOAC by 2020, no action had yet been taken and the centre had been closed for some time.

It was suggested by those against the original motion that the administration's inaction would result in the need for a complete overhaul following the Safety Valve Agreement. The opposition stated that it was not scaremongering as, if the bail out money was not forthcoming from Department for Education, the Council would be bankrupt. Funding had been wasted on unused / unneeded primary school places and not enough had been spent on SEN places.

Those speaking in support of the original motion (Councillors Edwards, Lavery, O'Brien, Palmer and Riley) suggested that the proposed budget would benefit all of the residents of the Borough as it would see the continuation of free weekly waste collection, Hillingdon First card, Chrysalis, emissions reduction, installation of electric vehicle charging points, light column upgrades, investment in the West Drayton Leisure Centre, the continuation of educational psychologist support for schools, highways maintenance, and shopfront and town centre improvements.

In addition, it was stated that libraries would soon be reverting back to longer opening hours and a trial food waste collection service for flats had been planned. By working closely with partners, the administration had established an adult MASH and launched a 24/7 mental health hub. Fees and charges would increase in line with inflation but would remain lower than Hillingdon's neighbours.

The original motion was put to a recorded vote:

Those voting for: The Mayor (Councillor Chamdal), the Deputy Mayor (Councillor Haggar), Councillors Ahmad-Wallana, Allen, Arnold, Barnes, Bianco, Birah, Bliss, Bridges, Brightman, Burrows, Choubedar, Cooper, Corthorne, Curling, Denys, Deville, Dhot, Duncan, Edwards, Eginton, Farley, Flynn, Gardner, Goddard, Hensley, Higgins,

Hurhangee, Kauffman, Lavery, Lewis, Makwana, Markham, Mathers, Melvin, Milani, D Mills, R Mills, Money, Morgan, Nelson, O'Brien, Oswell, Palmer, Prince, Sir Ray Puddifoot, Riley, Rodrigues, Simmonds, Singh, Sullivan, Sweeting, Tuckwell and Yarrow.

Those voting against: None.

Those abstaining: None.

The original motion was unanimously carried and it was:

RESOLVED: That the Cabinet budget recommendations as set out below, be approved.

1. That the General Fund revenue budget proposals made by Cabinet be approved, resulting in a Council Tax requirement for 2022/23 of £131,178,995.
2. That it be noted that, at its meeting on 13 January 2022 the Council calculated the amount of 103,840 as its Council Tax Base for the year 2022/23. This was calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its Council Tax Base for the year (*Item T in the formula in Section 31B (3) of the Local Government Finance Act 1992*).
3. That the Hillingdon element of Council Tax be set at £1,263.28 for a Band D property. Taking into account the precept levied by the Greater London Authority, this results in an overall Band D Council Tax of £1,658.87 for the borough.
4. That the following amounts have been calculated by the Council for the year 2022/23, in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act):
 - a) £889,529,273 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A (2) (a) to (f) of the Act. (*Gross Expenditure including the amount required for additions to working balances*)
 - b) £758,350,278 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act. (*Gross Income including reserves to be used to meet Gross Expenditure*)
 - c) £131,178,995 being the amount by which the aggregate at 4 (a) above exceeds the aggregate at 4 (b) above. This is calculated by the Council in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (*Item R under Section 31B of the Act*)
 - d) £1,263.28 being the amount at 4 (c) above divided by Item T (2 above). This is, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. (*Council Tax at Band D for the Council*)

e)

The London Borough of Hillingdon Council Tax			
Band A	Band B	Band C	Band D
842.17	982.54	1,122.91	1,263.28
Band E	Band F	Band G	Band H
1,543.99	1,824.74	2,105.45	2,526.54

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

5. That it be noted that for the year 2022/23 the Greater London Authority and its functional bodies have stated the following amounts in precepts. These have been issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

The Greater London Authority Precept			
Band A	Band B	Band C	Band D
263.73	307.68	351.64	395.59
Band E	Band F	Band G	Band H
483.50	571.41	659.32	791.18

6. That the Council has calculated the aggregate in each case of the amounts at 4 (e) and 5 above. The Council in accordance with Section 30 and 36 of the Local Government Finance Act 1992 hereby sets the Council Tax for the year 2022/23 for each category of dwelling below:

Total Council Tax 2022/23			
Band A	Band B	Band C	Band D
1,105.90	1,290.22	1,474.55	1,658.87
Band E	Band F	Band G	Band H
2,027.49	2,396.15	2,764.77	3,317.72

7. That the Council Tax Discount for Older People be retained for 2022/23 with a 1.25% discount on the Hillingdon's element of the Council Tax for those who joined the scheme on or after 1 April 2020, 2.86% for those who joined the scheme before or on 31 March 2019 and 6.14% for those who joined before or on 31 March 2018.
8. That the General Fund Capital Programme for 2022/23 to 2026/27 as set out

in Appendix A8 of the background report to Cabinet be approved.

9. That the Housing Revenue Account budget proposals, HRA Capital Programme and housing rents set out in Appendix B of the background report be approved.
10. That the proposed amendments to Fees and Charges set out in Appendix C of the background report to Cabinet be approved.
11. That the Capital Investment Strategy, Treasury Management Strategy, Investment Strategy, Minimum Revenue Provision Statement for 2022/23 to 2026/27 as set out in Appendix D of the background report to Cabinet be approved.
12. That the London Borough of Hillingdon Pay Policy Statement for 2022/23 as set out in Appendix E of the background report to Cabinet be approved.
13. That the Corporate Director of Finance's comments regarding his responsibilities under the Local Government Act 2003 be noted.
14. That, in accordance with Schedule G of the Constitution - Budget and Policy Framework Procedure Rules, Cabinet may utilise the general reserves or balances during 2022/23 in support of functions designated to the Cabinet in line with Part 4 of the Constitution.
15. That it be confirmed that the Council's relevant basic amount of Council Tax for 2022/23 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and therefore a referendum will not be triggered.

ANNEX A: MEMBERS' ALLOWANCES 2022/2023

ANNEX B: PROGRAMME OF MEETINGS 2022/2023

The meeting, which commenced at 7.30 pm, closed at 10.05 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Lloyd White, Head of Democratic Services on 01895 556743. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

MEMBERS' ALLOWANCES SCHEME 2022/23

1. Introduction

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

2. Basic Allowance

For 2022/23 an allowance of **£12,014** will be payable to all Councillors and will be paid in equal monthly instalments. The basic allowance includes intra borough travel and subsistence costs.

3. Special Responsibility Allowances

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

		(£)
1.	Mayor	23,725.26
2.	Deputy Mayor	9,252.71
3.	Leader of the Council	58,700.29
4.	Deputy Leader of the Council	49,447.58
5.	Chief Whip of Largest Party	23,725.26
6.	Cabinet Member	41,351.55
7.	Chairman of Scrutiny and Policy Overview Committee	23,725.26
8.	Chairman of Planning Committee	23,725.26
9.	Chairman of Licensing Committee	10,030.32
10.	Vice Chairman of Licensing Committee	6,686.93
11.	Chairman of Standards Committee	3,343.46
12.	Standards Committee Independent Person	1,674.73
13.	Chairman of Audit Committee*	3,180.83
14.	Champion	6101.08
15.	Council representative on Adoption and Permanency Panel	13,373.87
16.	Cabinet Assistant	9,252.71
17.	Leader of 2 nd Party	23,725.26
18.	Deputy Leader of 2 nd Party	6101.08
19.	Chief Whip of 2 nd Party	6101.08
20.	2 nd Party Lead on Scrutiny and Policy Overview Committee	6101.08
21.	Party Lead on Planning Committee	6101.08

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

4. Limit on Payment of Special Responsibility Allowances

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

5. Renunciation

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

6. Part-Year Entitlements

- (a) This paragraph regulates Councillors' entitlement to allowances where the scheme is amended during the year or where an individual ceases to be a Councillor or accepts or relinquishes a position of special responsibility.
- (b) If an amendment to this scheme is made during the year to which it refers and changes the amount which a Councillor may claim in basic allowances the annual entitlement shall be calculated using the following method: -

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

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

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

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

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

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

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

8. Dependent / Carers Allowance

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

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

9. Co-optees' Allowances

Where a co-optee and non-Councillor is the Chairman of the Audit Committee, an annual entitlement allowance of £3,180.83 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. Where a co-optee is an Independent Person on the Standards Committee an annual entitlement allowance of £1,674.73 may be paid. Where a co-optee is one of the three statutory education co-optees on the Executive Scrutiny Committee, an annual entitlement allowance of £445.80 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. These allowances will cover expenses, such as travel and subsistence, related to the duties of the postholder.

10. Claims and Payments

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

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

11. Withholding Members' Allowances

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

12. Records of Allowances and Publicity

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

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

13. Independent Remuneration Panel

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

PROGRAMME OF MEETINGS 2022/23

2022

2023

MEETING (start time)	May	June	July	August	Sep't	October	Nov'	December	January	February	March	April	May
Council (7.30pm)	12 (AGM)		14		22		17		12	23			11 (AGM)
Whips Meeting (6pm)			12		20		15		10	21			9
Cabinet (7pm)	19	16	7		1	13	10	15	5	16	23	20	4
Petition Hearings with the Cabinet Member for Public Safety and Transport (7pm)		1	13	10	7	6	2	7	4	1	8	13	10
Petition Hearings with the Cabinet Member for Environment, Housing and Regeneration (7pm)					29		16		3		22		
Borough Planning Committee (6pm)	24	21	12	2	7	4	1	8	17	14	9	5	9
Major Applications Planning Committee (6pm)	18	23	26	23	15	11	9	14	18	22	29	25	18
Pensions Committee (5pm)		9	-		28	-		6	-		22		
Audit Committee (5.10pm)			27		29	-	15		31			27	
Health & Wellbeing Board (2.30pm)		14			13		29				7		
Licensing Committee (10am)			6			4			25			4	
Licensing Sub-Committee (10am) (dates tbc)													
Public Safety and Transport Select Committee (SC) (7pm)		8	28		20	18	16		3	9	7	6	
Families, Health and Wellbeing SC (7pm)		28	20		21	25	29		4	2	14	18	
Corporate Parenting Panel (5.30pm)	25		28				2		24				24
Environment, Housing and Regeneration SC (7pm)		15	21		8	19	24		19	15	15	12	
Corporate, Finance and Property SC (7.30pm)		7	13		6	20	23		11	8	1	19	
External Services SC (6.30pm)		22	19		14	12	22		26	21	21	26	
Standards Committee (7pm)		29		31				1		28			
Hillingdon SACRE (5.30pm)		15					3				28		

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Minutes

ANNUAL COUNCIL

12 May 2022

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



HILLINGDON
LONDON

Councillor Roy Chamdal (Mayor in the Chair - agenda items 1 to 4)

Councillor Becky Haggart (Deputy Mayor - agenda items 1 to 4)

Councillor Becky Haggart (Mayor in the Chair - agenda items 5 to 12)

Councillor Shehryar Ahmad-Wallana (Deputy Mayor - agenda items 5 to 12)

	<p>MEMBERS PRESENT: Councillors: Naser Abby Shehryar Ahmad-Wallana Kaushik Banerjee Labina Basit Adam Bennett Kishan Bhatt Jonathan Bianco Wayne Bridges Tony Burles Keith Burrows Reeta Chamdal Alan Chapman Farhad Choubedar Philip Corthorne Peter Curling Darran Davies Nick Denys</p> <p>Jas Dhot Peter Smallwood Ian Edwards Scott Farley Janet Gardner Elizabeth Garelick Narinder Garg Tony Gill Martin Goddard Ekta Gohil Henry Higgins Mohammed Islam Rita Judge Dhot Kamal Preet Kaur Kuldeep Lakhmana Eddie Lavery Heena Makwana</p> <p>Gursharan Mand Stuart Mathers Douglas Mills Richard Mills Peter Money June Nelson Barry Nelson-West Susan O'Brien Jane Palmer Sital Punja John Riley Raju Sansarpuri Jagjit Singh Colleen Sullivan Jan Sweeting Steve Tuckwell</p>
	<p>OFFICERS PRESENT: Tony Zaman, Glen Egan, Lloyd White, Mark Braddock, Morgan Einon, Sue Abu, James Jones and Nikki O'Halloran</p>
1.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillor Richard Lewis.</p>
2.	<p>DECLARATIONS OF INTEREST (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
3.	<p>ELECTION RESULTS 2022, POLITICAL GROUPS ON THE COUNCIL AND CALCULATION OF POLITICAL BALANCE (<i>Agenda Item 3</i>)</p> <p>As a result of the Borough Council elections held on 5 May 2022, two political groups had been formed: the Conservative Group with Councillor Ian Edwards as Group Leader and the Labour Group with Councillor Peter Curling as Group Leader. It was moved by Councillor Edwards and seconded by Councillor Bianco and:</p> <p>RESOLVED: That the election results, the formation of political groups and the</p>

	subsequent political balance of the Council be noted.
4.	<p>ELECTION OF MAYOR 2022/2023 (<i>Agenda Item 4</i>)</p> <p>The Mayor had been honoured to have been appointed as the first citizen of the Borough as Covid restrictions had eased. He provided the Council with some brief highlights of his Mayoral year and the support that had been afforded his two charities: Domestic Abuse Survivors and Navratri Garba.</p> <p>The Mayor thanked Members for electing him as the first citizen as well as the Council team for supporting him, his parents for making him the person he had become, and his Escort, Miss Evangeline Chamdal, and the Mayoress, Councillor Reeta Chamdal, for their unwavering support.</p> <p>Nominations were invited for a Mayor to hold office for the 2022/23 municipal year. Councillor Haggar was nominated by Councillor Denys and seconded by Councillor Edwards. There were no further nominations.</p> <p>RESOLVED: That Councillor Becky Haggar be elected as Mayor for the 2022/2023 municipal year.</p> <p><i>The Council adjourned for robing of the new Mayor at 7.54pm and reconvened at 8.04pm.</i></p>
5.	<p>ACCEPTANCE OF OFFICE BY THE MAYOR (<i>Agenda Item 5</i>)</p> <p>The newly elected Mayor signed the declaration of acceptance of office.</p>
6.	<p>APPOINTMENT OF DEPUTY MAYOR (<i>Agenda Item 6</i>)</p> <p>The Mayor informed the Council that she had appointed Councillor Shehryar Ahmad-Wallana as Deputy Mayor.</p> <p>RESOLVED: That the Deputy Mayor for the year be noted.</p>
7.	<p>NEW MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 7</i>)</p> <p>The new Mayor thanked those present for electing her. She advised that her husband, Mr Marios Kaikitis, would be her Consort and her daughters, Miss Pollyanna Haggar and Miss Ellie May Haggar, would also be her Consorts. The Mayor noted that her nominated charities for the year would be the Daniella Logan Foundation and the Magical Marvellous Picture House and that Reverend Tunde Balogun had been appointed as Chaplain for the year.</p>
8.	<p>VOTE OF THANKS TO OUTGOING MAYOR (<i>Agenda Item 8</i>)</p> <p>Councillor Edwards moved a vote of thanks to the retired Mayor, Councillor Roy Chamdal, his Mayoress, Councillor Reeta Chamdal, and his Escort, Miss Evangeline Chamdal. The Leader advised that he would be recommending that Cabinet donate the £25k received from textile recycling in the Borough to the Mayor's charities.</p> <p>The vote of thanks was seconded by Councillor Curling. Councillors Bianco, Lakhmana, R Mills and Palmer spoke in support of the vote of thanks to the outgoing Mayor, Councillor Roy Chamdal.</p>

The Mayor (Councillor Haggar) presented a Past Mayor's badge to Councillor Roy Chamdal, a Past Mayoress' badge to Councillor Reeta Chamdal and a Past Escort's badge to Miss Evangeline Chamdal.

RESOLVED: That the vote of thanks to the outgoing Mayor, Councillor Roy Chamdal, be agreed.

9. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 9*)

9.1 APPOINTMENT OF THE LEADER OF THE COUNCIL

Nominations were invited for the position of Leader of the Council for the next four years. Councillor Bianco moved, and Councillor R. Mills seconded, the nomination of Councillor Edwards. There were no further nominations and it was:

RESOLVED: That Councillor Edwards be appointed as Leader of the Council for the next four year period (until the Annual Meeting immediately following the next ordinary election of Councillors).

9.2 APPOINTMENT OF THE CABINET

The appointment by the Leader of the Council of Councillor Bianco as the Deputy Leader and the following Members as Cabinet Members for 2022/2023, was noted:

Position/Portfolio	Councillor
Deputy Leader, Property, Highways & Transport	Bianco
Finance	Goddard
Children, Families & Education	O'Brien
Health and Social Care	Palmer
Residents' Services	Lavery
Corporate Services	D. Mills

9.3 MEMBERS' ALLOWANCES 2022/2023

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That the following changes be made to the Scheme of Members' Allowances 2022/23 (the Basic Allowance and all other SRAs to remain as agreed at the February Council meeting):

	Special Responsibility Allowances:	(£)	Proposed Change
1.	Mayor	23,725.26	Mayoral allowances be removed from the Scheme and incorporated into the overall Mayoral budget.
2.	Deputy Mayor	9,252.71	See above
9.	Chairman of Licensing Committee	23,725.26	In recognition of the increasing role and responsibility of this position, SRA be increased to the same amount as a Planning / Select Committee Chairman
10.	Vice Chairman of Licensing Committee	6,686.93	Delete SRA
12.	Standards	£500 SRA	

	Committee Independent Person	per meeting	
18.	Deputy Leader of 2nd Party	6,101.08	Delete SRA
21.	Party Lead on Planning Committee	6,101.08	Delete SRA

9.4 REVIEW OF COUNCIL CONSTITUTION

It was noted that Paragraph 2.4 vii), should read '(20 signatures local, 100 borough-wide)' (not 200). Subject to this amendment, Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That the remodelled Constitution of the London Borough of Hillingdon be adopted with immediate effect, subject to:

- 1) the proposed amendment to Standing Order 15 in the Council Procedure Rules regarding Adjournment debates which, in accordance with Council SO 26.2, will stand adjourned to be considered at the next ordinary Council meeting; and
- 2) the updated Petition Scheme, where changes to the validity of petitions, will come into effect from 1 July 2022.

9.5 COUNCIL APPOINTMENTS TO OUTSIDE BODIES

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That the Council appoint representatives to those bodies indicated in Minute Annex A and the Head of Democratic Services, in consultation with the Chief Whips of the political Groups, be authorised to make the appropriate appointments.

9.6 APPOINTMENT OF STATUTORY OFFICERS

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That:

- a) Mr Andy Evans be appointed to the role of Section 151 Officer of the Council upon departure of the current S151 Officer; and
- b) Mr Glen Egan be appointed as interim Monitoring Officer of the Council w.e.f 21 May 2021.

10. COMMITTEE ALLOCATIONS AND MEMBERSHIP 2022/2023 *(Agenda Item 10)*

Councillor R Mills moved, and Councillor Davies seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That the appointment of Committees, Sub-Committees and their memberships, as set out in Minute Annex B, be approved.

11. SELECT COMMITTEES' ANNUAL REPORT *(Agenda Item 11)*

The Council received a report of the work covered by the Select Committees in 2021/22. It was moved by Councillor Bridges, seconded by Councillor Denys, and:

RESOLVED: That the report be noted.

12. **STATEMENT BY THE LEADER OF THE COUNCIL** (*Agenda Item 12*)

The Leader of the Council advised that the recent Borough elections had resulted in the appointment of Conservative administrations in both Hillingdon and Harrow for the next four years. The Council would be open to working with other like-minded authorities and would be exploring opportunities.

The administration's sound financial management had put the Council in a stable position with a good level of balances. However, it would be important to ensure that these balances were protected and not used to address underlying cost pressures.

Although there had been a reduction in the number of Elected Members from 65 to 53 and a £300k saving on Member support, additional savings would still need to be identified from across the Council.

Inflation had been impacted by the Russian invasion of Ukraine and had been increasing much faster than anticipated and unemployment levels were expected to increase to 5½% by 2025. As residents were feeling the financial squeeze, the Council would not be increasing fees and charges and had instead been looking at its expenditure. Officers had been looking to identify additional savings whilst continuing to provide services such as weekly waste and recycling collections, looking after vulnerable residents and maintaining the roads, parks and open spaces in the Borough. Consideration was now being given to modernising pay scales with a review of senior and middle management and thought was being given to improving residents' electronic access to services.

During the purdah period, the Council had secured Broadwater Lake in Harefield for the relocation of Hillingdon Outdoor Activities Centre (HOAC). It was anticipated that the new Centre would exceed all expectations. The development of the Borough's fifth leisure centre was on track to be opened in the summer of 2024 and additional SEN (Special Educational Needs) school places were also being secured in Hillingdon. Other work included the development of Cranford Park as a destination, the regeneration of Hayes and the furtherance of the Council's climate change pledge which would be expedited.

The Leader stated that the Conservative Administration would provide strong leadership to the Council and make the changes necessary to ensure that Hillingdon remained a desirable place to live and work. The Labour Group would provide challenge to the programme and service delivery and the Cabinet Members would deliver outstanding results. He was confident that sound financial management would help the Council to emerge more efficient from the current financial squeeze whilst continuing to put residents first.

MINUTE ANNEX A - OUTSIDE BODY APPOINTMENTS

MINUTE ANNEX B - COMMITTEE ALLOCATIONS

The meeting, which commenced at 7.30 pm, closed at 8.48 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Lloyd White, Head of Democratic Services on 01895 556743. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

Section A – Organisations to which the Council will continue to appoint representatives:

ORGANISATION	SUPPORTING INFORMATION
BID BOARD OF DIRECTORS (INTU)	Is in receipt of significant funding from LBH and has benefits to LBH
BRUNEL UNIVERSITY LIAISON GROUP	Is in receipt of significant funding from LBH and has benefits to LBH
CENTRAL AND NORTHWEST LONDON NHS FOUNDATION TRUST	Is in receipt of significant funding from LBH
FOSTERING & PERMANENCE PANEL	Statutory requirement for the Council to be a member
HEATHROW COMMUNITY ENGAGEMENT BOARD	Significant local interest and has benefits to LBH
HILLINGDON DOMESTIC ABUSE STEERING EXECUTIVE	Statutory requirement for the Council to be a member
HILLINGDON FIRST LIMITED SHAREHOLDER COMMITTEE	Statutory requirement for the Council to be a member
HILLINGDON HOSPITAL NHS FOUNDATION TRUST COUNCIL OF GOVERNORS	Is in receipt of significant funding from LBH and has benefits to LBH
HILLINGDON SAFER NEIGHBOURHOOD BOARD (SNB)	Benefits to LBH and statutory requirement for the Council to be a member
HILLINGDON STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)	Is in receipt of significant funding from LBH and statutory requirement for the Council to be a member
LHC (Formerly London Housing Consortium)	Membership of this joint committee will cease in 2023
LOCAL AUTHORITIES' AIRCRAFT NOISE COUNCIL	Is in receipt of significant funding from LBH
LOCAL GOVERNMENT ASSOCIATION (LGA)	Is in receipt of significant funding from LBH, benefits to LBH, statutory requirement for the Council to be a member & national organisation.
LONDON COUNCILS: 1. ARTS, CULTURE, TOURISM, SPORT & LEISURE LEAD MEMBER 2. CHILDREN & YOUNG PEOPLE / SAFEGUARDING AND SCHOOLS LEAD MEMBER	Is in receipt of significant funding from LBH, Pan-London membership, Benefits to LBH & statutory requirement for the Council to be a member

ORGANISATION	SUPPORTING INFORMATION
3. CRIME AND PUBLIC PROTECTION LEAD MEMBER 4. ECONOMIC DEVELOPMENT / BUSINESS LEAD MEMBER 5. FINANCE & CORPORATE SERVICES LEAD MEMBER 6. GRANTS COMMITTEE (ASSOCIATED JOINT COMMITTEE) 7. GREATER LONDON EMPLOYMENT FORUM 8. HEALTH, SOCIAL CARE AND ADULT SERVICES LEAD MEMBER 9. HOUSING AND REGENERATION LEAD MEMBER 10. LEADERS' COMMITTEE (S101 JOINT COMMITTEE) 11. PLANNING / INFRASTRUCTURE / DEVELOPMENT LEAD MEMBER 12. SKILLS & EMPLOYMENT LEAD MEMBER 13. TRANSPORT & ENVIRONMENT COMMITTEE (formerly Transport Committee for London (Associated S101 Joint Committee))	
LONDON LGPS CIV LTD	Is in receipt of significant funding from LBH, Pan-London membership & statutory requirement for the Council to be a member
LONDON ROAD SAFETY COUNCIL	Is in receipt of significant funding from LBH & pan-London membership
NORTHWEST LONDON JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE	Pan-Area membership, benefits to LBH Council appointed to this outside body in 2021
SOUTHWEST MIDDLESEX CREMATORIUM BOARD	Pan-Area membership & benefits to LBH
THE POLISH AIRFORCE MEMORIAL COMMITTEE	Significant local interest
WEST LONDON WASTE AUTHORITY	Is in receipt of significant funding from LBH & statutory requirement for the Council to be a member

COMMITTEE MEMBERSHIP 2022/2023

ORDINARY COMMITTEES

FINANCE AND CORPORATE SERVICES SELECT COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Riley (Proposed Chairman)	Mathers (Lead)
Lewis (Proposed Vice-Chairman)	Garg
Banerjee	Mand
Bhatt	

HEALTH AND SOCIAL CARE SELECT COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Denys (Proposed Chairman)	Nelson (Lead)
Corthorne (Proposed Vice-Chairman)	Basit
Chamdal (Reeta)	Burles
Chapman	

RESIDENTS' SERVICES SELECT COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Bridges (Proposed Chairman)	Farley (Lead)
Sullivan (Proposed Vice-Chairman)	Gardner
Gohil	Punja
Smallwood	

PROPERTY, HIGHWAYS AND TRANSPORT SELECT COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Burrows (Proposed Chairman)	Money (Lead)
Chapman (Proposed Vice-Chairman)	Kaur
Ahmad-Wallana	Garelick
Bennett	

CHILDREN, FAMILIES AND EDUCATION SELECT COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Makwana (Proposed Chairman)	Sweeting (Lead)
Chamdal (Roy) (Proposed Vice-Chairman)	Gill
Bhatt	Judge Dhot
Smallwood	

Other Voting Members (for education related items only):

Parent Governor (2-5)	Vacant
Church of England Diocesan Representative	Vacant
Roman Catholic Diocesan representative	Anthony Little

SUBSTITUTES FOR SELECT COMMITTEES ARE ALL COUNCILLORS EXCEPT THOSE IN THE CABINET

COMMITTEE MEMBERSHIP 2022/2023

MAJOR APPLICATION PLANNING COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Tuckwell (Proposed Chairman)	Dhot
Higgins (Proposed Vice-Chairman)	Garelick
Bennett	Gill
Davies	

BOROUGH PLANNING COMMITTEE: 7 (4-3)

CONSERVATIVE	LABOUR
Higgins (Proposed Chairman)	Sansarpuri
Tuckwell (Proposed Vice-Chairman)	Mand
Choubedar	Singh
Gohil	

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

PENSIONS COMMITTEE: 5 (2-3)

CONSERVATIVE	LABOUR
Banerjee	Mathers (Proposed Chairman)
Goddard	Burles (Proposed Vice-Chairman)
	Islam
Substitutes	Substitutes
Ahmad-Wallana	Abby
Higgins	

APPOINTMENTS COMMITTEE: 5 (3-2)

CONSERVATIVE	LABOUR
Edwards (Proposed Chairman)	Curling
Bianco (Proposed Vice-Chairman)	Mathers
O'Brien	
Substitutes	Substitutes
All remaining Cabinet members	Farley
	Money
	Sweeting

COMMITTEE MEMBERSHIP 2022/2023

REGISTRATION & APPEALS COMMITTEE: 5 (3-2)

CONSERVATIVE	LABOUR
Burrows (Proposed Chairman)	Money
Riley (Proposed Vice-Chairman)	Sweeting
Corthorne	
Substitutes	Substitutes
All Cabinet members	All Labour Members except Group Leader, Deputy Leader and Chief Whip

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

OTHER COMMITTEES / PANELS

(OUTSIDE THE OVERALL CALCULATION BUT ALLOCATED ON THE BASIS OF OVERALL POLITICAL BALANCE

STANDARDS COMMITTEE: 5 (3-2)

CONSERVATIVE	LABOUR
Riley (Proposed Chairman)	Gill
Bridges (Proposed Vice-Chairman)	Nelson
Denys	
Substitutes	Substitutes
Tuckwell	Mathers

Non-voting Independent Person:

To be appointed at next Council

AUDIT COMMITTEE: 5 (3-2)

Independent Member:

John Chesshire (Chairman)

CONSERVATIVE	LABOUR
Lewis (Proposed Vice Chairman)	Burles
Chamdal (Reeta)	Abby
Denys	
Substitutes	Substitutes
Bhatt	Mathers
Riley	

NO MEMBER OF CABINET MAY SIT ON AUDIT COMMITTEE.

COMMITTEE MEMBERSHIP 2022/2023

LICENSING COMMITTEE: 10 (6-4)

CONSERVATIVE	LABOUR
Chamdal (Roy) (Proposed Chairman)	Farley
Davies (Proposed Vice-Chairman)	Gardner
Ahmad-Wallana	Lakhmana
Choubedar	Nelson-West
Lewis	
Sullivan	

N.B. NO SUBSTITUTES ALLOWED FOR LICENSING COMMITTEE

LICENSING SUB-COMMITTEE (2-1)

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

APPOINTMENTS SUB-COMMITTEE: 3 (2-1)

CONSERVATIVE	LABOUR
Bianco	Curling
Edwards	
Substitutes	Substitutes
All remaining Cabinet members	Mathers

APPEALS SUB-COMMITTEE (SENIOR OFFICER): 3 (2-1)

CONSERVATIVE	LABOUR
Membership to be appointed by Group Leaders as required.	

GRIEVANCE SUB-COMMITTEE (SENIOR OFFICER): 3 (2-1)

CONSERVATIVE	LABOUR
Membership to be appointed by Group Leaders as required.	

COMMITTEE MEMBERSHIP 2022/2023

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

(as amended at full Council July 2021):

The membership of the Board shall comprise:

- 1) Cabinet Member for Health and Social Care - Co-Chairman
- 2) Cabinet Member for Children, Families & Education
- 3) LBH Chief Executive
- 4) LBH Corporate Director, Social Care and Health
- 5) LBH Director, Public Health
- 6) Hillingdon Health and Care Partners Managing Director - Co-Chairman
- 7) NWL CCG - Hillingdon Board representative
- 8) NWL CCG - nominated lead
- 9) Central and Northwest London NHS Foundation Trust - nominated lead
- 10) The Hillingdon Hospitals NHS Foundation Trust Chief Executive
- 11) Healthwatch Hillingdon - nominated lead
- 12) Royal Brompton and Harefield NHS Foundation Trust - nominated lead
- 13) Hillingdon GP Confederation - nominated lead

Co-Chairmen

The Board shall be co-chaired by the Cabinet Member for Health and Social Care and the Managing Director of Hillingdon Health and Care Partners. The Vice Chairman of the Board shall be the Cabinet Member for Children, Families & Education. Only one Co-Chairman may chair a meeting, and this will be determined at the start of each meeting. Should both Co-Chairmen be unavailable to chair, the meeting will be chaired by the Vice Chairman.

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

5.1 URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5-day scrutiny call-in period, provided the decision is deemed urgent and agreement is given from the Chairman of the relevant Select Committee to waive the scrutiny call-in period. All such decisions are to be reported for information only to the next full Council meeting.
2. Since last reported to Council, the following decisions have been made using urgency procedures:

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
31 May 2022	Contract awards for Rough Sleeper Services	To ensure the Council could make timely decisions in respect of services to support rough sleepers in the Borough.	Leader of the Council, in conjunction with the Cabinet Member for Residents' Services
19 May 2022	Relocation Of Brookfield Adult Education Centre to the Civic Centre with associated Capital Release	Due to the imperative to release the Brookfield site to be used for SEN placements for the next academic year.	Leader of the Council, and on behalf of the Cabinet Member for Property, Highways & Transport and Cabinet Member for Finance
13 April 2022	Ruislip Lido Area – Outcome of formal consultation for a possible seasonal Parking Management Scheme Zone RL4	To give adequate notice to residents on the new seasonal parking arrangements prior to the holiday season	Leader of the Council, and on behalf of the Cabinet Member for Public Safety and Transport
5 April 2022	Consultancy Contract Award for the Planned Expansion of Meadow High School	To meet the planned project timeline and lead in times in order to be on site by September 2022.	Leader of the Council, in conjunction with the Cabinet Member for Property and Infrastructure and the Cabinet Member for Families, Education & Wellbeing
23 March 2022	New Allocations for the Ward Budget Scheme - March 2022	To approve ward councillors ward budget proposals prior to the end of the financial year (elections)	Leader of the Council, in conjunction with the Cabinet Member for Corporate Services & Transformation

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
17 March 2022	Cranford Park Restoration Heritage Lottery Project - Acceptance of Additional Award from the Lottery Fund, Acceptance of Leading Tender, Authorisation of Capital Release and Acceptance of Variation in Design Team Fees	To secure external funding within the necessary timescales and avoid further inflation costs for the project.	Leader of the Council, in conjunction with the Cabinet Member for Environment, Housing and Regeneration, and on behalf of the Cabinet Member for Finance and Cabinet Member for Property & Infrastructure
21 February 2022	Appointment of the Contractor and Associated Capital Release - New Build Dwellings at Former Maple & Poplar Day Centre Site	To ensure that the Council would not lose Greater London Authority funding that required a start on site to have been made by 31 March 2022.	Leader of the Council, in conjunction with the Cabinet Member for Property and Infrastructure and Cabinet Member for Finance

Background Papers: Decision Notices

5.2 CHANGES TO COMMITTEE MEMBERSHIPS 2022/23

RECOMMENDATION: That the following changes to committee memberships for 2022/2023 be approved:

- (proposed by the Labour Group): **Health and Social Care Select Committee – Councillor Nelson-West to replace Councillor Basit.**
- (proposed by the Conservative Group): **Licensing Committee – Councillors Reeta Chamdal and Smallwood to replace Councillors Choubedar and Lewis.**

5.3 REVIEW OF COUNCIL CONSTITUTION

1. Background

1.1 The Constitution of the London Borough of Hillingdon sets out how the Council is governed and operates, the various roles of the elected Members, how decisions are made and the procedures which are followed to ensure that everything the Council does is efficient, transparent, accountable, done with integrity and engages residents in the way it does business.

1.2 Members will recall that the Annual meeting of full Council on 12 May 2022, approved the contents of a revised and updated Constitution with the exception of a proposed amendment to Standing Order 15 in the Council Procedure Rules regarding Adjournment debates which, in accordance with Council SO 26.2, stood adjourned to be considered at the next ordinary Council meeting.

RECOMMENDATION: That the proposed amendment to Standing Order 15 in the Council Procedure Rules regarding Adjournment Debates be approved.

2. Proposed Amendment

2.1 As a part of the remodelled Constitution, the following change to the Council Procedure Rules, regarding the Adjournment Debate provision was proposed and approved. However, the proposal stood adjourned until the next ordinary Council meeting to be formally approved. This is because any amendments to the Council Procedure Rules require this (Chapter 4).

2.2 Proposed changes to SO 15 - Adjournment Debate

15.1 Number and Scope

At each ordinary Council Meeting ~~provision shall be made to hold the~~ Mayor may permit not more than two adjournments debates on pressing issues for which the Council has a responsibility, or which affect the Borough. It will not be the intention of an adjournment debate to seek a decision of Council ~~nor to replace the purpose of Select Committees.~~

15.2 Right to Raise an Issue

The right to raise propose an issue for debate shall be open to non-Cabinet Councillors, ~~selected by ballot~~ subject to notification to the Head of Democratic Services not later than midday, 7 working days before the day of the meeting. ~~Each non-Cabinet Councillor can select one issue per ordinary Council meeting and notify the Head of Democratic Services accordingly.~~ The Mayor shall determine if the matter is appropriate for debate or should be considered by other means.

15.3 Length of Debate and Speeches

Each debate will be of up to fifteen minutes duration and there shall be up to five speakers with each speech not exceeding three minutes.

3 FINANCIAL IMPLICATIONS

There are no direct financial implications arising directly out of this report.

4 LEGAL IMPLICATIONS

4.1 The Borough Solicitor has checked the proposed amendments to the Constitution and confirms that they are compliant not only with the provisions of the Local Government Act 2000 and Regulations issued and Statutory Guidance made pursuant to it.

BACKGROUND PAPERS: None

5.4 STANDARDS COMMITTEE – APPOINTMENT OF INDEPENDENT PERSON

SUMMARY

1. In July 2012, Council adopted a new ethical framework in accordance with the Localism Act 2011 [the Act]. The Act made a number of significant changes to the previous ethical framework for Members and Co-opted members of local authorities, which came into force on 1 July 2012, including the adoption of a new Code of Conduct and the appointment of an 'Independent Person'.
2. Council first appointed an Independent Person in July 2013 for a three-year period and re-appointed the same person in July 2016 and 2019. However, in 2019 Council also decided that three consecutive terms should be the maximum and that, therefore a new person would be appointed in July 2022.
3. Members are, therefore, asked to give consideration to the recommended appointment of a replacement Independent Person for the next four-year period to bring it into line with the electoral cycle of the Council.

RECOMMENDATION: That Mr Graeme Armour be appointed as the Standards Committee Independent Person for a four-year period to July 2026.

BACKGROUND INFORMATION

Independent Person

4. The Act envisaged a new role for an Independent Person and stated that there must be provision for the appointment by an authority of at least one Independent Person whose views are to be sought and taken into account in relation to the conduct of a Member or co-opted member of the authority. The retained Independent Person would not be a member of the Standards Committee, but provision would be made for Standards Committee Members to consult with him/her in the event that a formal complaint against a Hillingdon Member or co-opted member is considered by the Committee.
5. The Act requires that the appointment of an Independent Person be made after the position has been advertised to the general public. Accordingly, the Monitoring Officer invited, through advert, expressions of Interest for the role of Independent Person. Following a shortlisting procedure, the Standards Committee gave consideration to prospective candidates for the role at the meeting on 29 June.

Recommendation

6. The Standards Committee are recommending the appointment of Mr Graeme Armour. Mr Armour has a keen interest in local politics having served for 35 years in the Royal Marines (RM) where his leadership and commitment to the RM Commando Values and Standards of Excellence, Integrity, Self-Discipline and Humility, were rewarded by promotions, culminating in Colonel. In 2017, he

was awarded the Long Service and Good Conduct Medal.

7. As a Commanding Officer Mr Armour investigated, and passed judgment upon, service personnel accused of failing to maintain those standards/breaking military law. Mr Armour regarded this as a solemn responsibility and not one undertaken lightly.
8. Upon retirement in July 2021, Mr Armour started work as Programme Director in London North-West NHS Trust, at Northwick Park Hospital where he is responsible for several multi-million-pound programmes, such as the Outpatient Recovery Plan.
9. The Standards Committee believe that Mr Armour has the integrity, the experience, and the commitment to add real value in this role on the Standards Committee.

FINANCIAL IMPLICATIONS

10. There are no specific financial implications arising from this report. The position of Independent Person carries a Special Responsibility Allowance of £500 paid per meeting required and attended.

LEGAL IMPLICATIONS

11. The legal implications are contained in the body of the report.

Background Papers: None

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CONFIRMATION OF ARTICLE 4 DIRECTION TO REMOVE PERMITTED DEVELOPMENT RIGHTS IN PARTS OF BOROUGH

Reporting Officer: Corporate Director of Place

Summary

1. On 26 July 2021, the Council utilised its powers under the Town and Country (General Permitted Development) Order 2015 (as amended) to make three non-immediate Article 4 directions, which proposed to remove the permitted development rights identified in Classes AA, AB and ZA of Part 20 of Schedule 2 of the same order in select parts of the borough.
2. Article 4 directions in relation to Classes AA and AB withdraw the permitted development right to construct new dwellinghouses immediately above the topmost storey on a detached or terraced building used for Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) or as a betting office, pay day loan shop or laundrette. The Article 4 direction in relation to Class ZA withdraws the permitted development right to demolish buildings forming a purpose-built detached block of flats or comprising office B1(a), research and development falling within Class B1(b) or an industrial process falling in Class B1(c) in order to construct new dwellinghouses (Class C3).
3. On 20 September 2021, the Council utilised the same powers to make a non-immediate Article 4 direction proposing the removal of permitted development rights identified in Class MA of Part 3 of Schedule 2 in in select parts of the borough. This would remove the permitted development right allowing for the change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) to Class C3 (dwellinghouses).
4. These Article 4 directions were made in response to new permitted development rights proposed by the Government, to ensure the Council could control and protect the most important areas of economic activity with the Borough, including industrial areas and high streets. These permitted development rights would remain in place for the majority of the Borough. For further justification behind the original decisions to make the Article 4 directions in certain locations, please see the original Council Reports (Appendix 1 and 2). The directions and maps showing the Article 4 directions that need to be confirmed have been included as Appendices 3-6.
5. These Article 4 directions were made on a non-immediate basis, which required a 12-month notification period from when it is made until it can come into effect. This period is required to avoid the possibility of compensation claims being made against the Council. The procedure for implementing a non-immediate Article 4 direction includes a consultation, which has been undertaken. The responses to this consultation have been summarised and included as Appendices 7 and 8.
6. Council is now being asked to review these representations and confirm that they wish to implement the Article 4 direction. If confirmed. the Article 4 directions in relation to Classes AA, AB and ZA would come into force on 30 July 2022. The Article 4 direction in relation to Class MA would come into force on 24 September 2022.

RECOMMENDATIONS: That:

- a) **Following a review of all representations received, the Article 4 directions made on 26 July 2021 in relation to Classes AA, AB and ZA of Part 20 of the Schedule 2 of the Town and Country (General Permitted Development) Order 2015 (as amended), be confirmed.**
- b) **Following a review of all representations received, the Article 4 direction made on 20 September 2021 in relation to Class MA of Part 3 of Schedule 2 of the Town and Country (General Permitted Development) Order 2015 (as amended), be confirmed.**
- c) **The Planning Services Manager be instructed to complete the relevant procedures associated with confirming Article 4 directions as outlined in Schedule 3 of the Town and Country (General Permitted Development) Order 2015 (as amended), in order to ensure they come into force in line with recommendations 1 and 2.**
- d) **If the Secretary of State makes a direction to cancel or modify any of the aforementioned Article 4 directions, the Planning Services Manager be authorised to undertake all consequential amendments and procedures.**

Reasons for recommendation

7. Officers have reviewed the consultation responses and summarised these as Appendices 7 and 8.
8. In relation to Classes AA, AB and ZA, 11 consultation responses were submitted, of which 3 were no comments. 6 of the consultation responses were supportive of the Article 4 directions, comprising a mixture of individual residents, resident groups and public bodies (incl. Greater London Authority and Transport for London). 2 of the consultation responses were submitted by representatives of landowners who were unsupportive of the proposals, which included requests to have their land removed from the Article 4 direction. Responses from officers have been provided in the summary table to address the issues raised. It should be noted that the Council does not have the powers to modify the boundaries for the proposed Article 4 directions, only cancel the Article 4 directions completely. The Secretary of State retains powers to modify a proposed Article 4 direction. It is not considered that this representation presents new information that would warrant the Council cancelling the proposed Article 4 directions.
9. In relation to Classes MA, 2 consultation responses were submitted. The representations were submitted by a resident and a resident group. Both of the responses were supportive of the proposed Article 4 direction. It is therefore not considered that these representations present new information that would warrant the Council cancelling the proposed Article 4 directions.
10. Recommendation d) (above) has been included as the Secretary of State retains the ability to cancel or modify the Article 4 directions at any time before or after its confirmation. Subject to the Secretary of State undertaking this procedure in a lawful manner, there is no capacity for the local planning authority to appeal this decision. It should be noted that on 11 May 2022, representatives of the Department for Levelling Up, Housing and Communities contacted the local planning authority to request additional evidence to demonstrate that the national tests set out in Paragraph 53 of the NPPF (2021) has been

met. Officers met with these representatives on 26 May 2022 to clarify the extent of the Article 4 directions and the further evidence being sought. Officers provided the requested additional evidence on 15 June 2022.

11. It should be noted that the Council is not confirming the previously proposed non-immediate Article 4 directions in relation to Classes O and PA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order. The subsequent introduction of the Class MA permitted development by the Government meant that the ability to use these permitted development rights expired on 31st July 2021. Therefore, the need for the Article 4 directions has ceased.

Alternative options considered / risk management

12. The Council have the option of cancelling an Article 4 direction and not taking it forward. It should be noted that the Council does not have the powers to modify the boundaries for the proposed Article 4 directions, only cancel the Article 4 directions completely. It is not considered that the representations submitted presents new information that would warrant the Council cancelling the proposed Article 4 directions. It is also not considered that new information has arisen generally that would overturn the previously stated need for the directions, which is outlined in previous reports.

What will be the effect of the recommendations?

13. The recommendations will allow the Council to bring into force the previously agreed Article 4 directions following the 12-month notification period. The permitted development rights described will therefore be removed in select parts of the Borough and require the submission of a full planning application.
14. The recommendations also allow the Planning Services Manager to make necessary changes in the event that the Secretary of State intervenes in the Article 4 directions.

Consultation Carried Out or Required

15. A consultation was undertaken for the Article 4 direction in relation to Classes AA, AB and ZA between 30 September and 31 October 2020. A second consultation was undertaken with new directions, plans and notices between 29 July and 26 August 2021. The need for republication of the directions, plans and notices arose to ensure that they follow the procedure outlined within Schedule 3 of the Order. A summary of the representations and officer responses to both consultations are included as Appendix 7. It is not considered that the representations present new information that would warrant the Council cancelling the proposed Article 4 directions.
16. A consultation was undertaken for the Article 4 direction in relation to Class MA was carried out between 23 September and 21 October 2021. A summary of the representations and officer responses to both consultations are included as Appendix 8. It is not considered that the representation presents new information that would warrant the Council cancelling the proposed Article 4 directions.

Financial Implications

17. This report is seeking approval to make Article 4 Directions to restrict the scope of permitted development rights in specific strategic areas as outlined in Appendix 1. National policy prevents a blanket approach being applied and instead must focus on specific areas. In doing so, it is possible to retain commercial areas throughout the borough to drive economic development and strengthen business districts. There are limited direct costs associated with the recommendations to this report, an estimated £500 for public notices will be managed within existing Planning and Regeneration revenue budgets.
18. Wider financial implications to note which cannot be quantified at present:
 - The composition of the current tax base is likely to change in response to an increase of commercial to residential conversions, meaning a reduction in Business Rates and an increase in Council Tax. Although the Article 4 Direction aims to prevent such conversion in specific strategic areas, further analysis will be required to evaluate the impact on the tax base over time across the borough.
 - An increase in conversions will remove the applicability of the Section 106 Contribution (S106) and Community Infrastructure Levy (CIL) which will have some bearing on the maximisation of the income available to the Local Planning Authority. As there are fewer issues that can be considered with permitted development rights, there is no scope for planning obligations to be used to mitigate their harm. This includes external financial contributions for affordable housing, public open space, air quality, carbon emissions and construction training programmes. S106 and CIL are pivotal funding streams for infrastructure development within the borough, the cost of which will fall to the local taxpayer if these funding streams are reduced. The Article 4 Direction is therefore instrumental in retaining funding within the identified strategic areas and further analysis will be required to evaluate the impact across the rest of the borough.

Legal Implications

- 19 Under Article 4 of the General Permitted Development Order 2015 the Council or the Secretary of State may withdraw specified permitted development rights either in relation to specific sites or across the Borough. An Article 4 direction may only be made where it is limited to situations where it is necessary to avoid wholly unacceptable adverse impacts, be based on robust evidence and apply to the smallest geographical area possible. The potential harm that the Direction is intended to address should be clearly identified and the Council must show strong justification for the withdrawal of permitted development rights relating to cases where prior approval powers are available to control permitted development.
- 20 The right to compensation is detailed within the report.
- 21 Schedule 3 to the General Permitted Development Order 2015 (as amended) sets out the process that must be followed prior to making an Article 4 direction, including a minimum consultation period of 21 days and the placing of notices on affected sites for a 6-week period. In addition, the proposed direction must also be sent to the Secretary of State.
- 22 As the making of an Article 4 direction is a Non-Executive function under section 13 of the Local Government Act 2000, it is for the Full Council to decide whether to make any Article 4 directions.

Background Papers - Appendices – available on-line:

- Appendix 1: Council Report – 10th September 2020 – Proposing Article 4 directions in relation to Classes AA, AB and ZA of Part 20 of Schedule 2.
- Appendix 2: Council Report – 9th September 2021 – Proposing Article 4 directions in relation to Class MA of Part 3 of Schedule 2.
- Appendix 3: Article 4 Direction and Map – Class ZA
- Appendix 4: Article 4 Direction and Map – Class AA
- Appendix 5: Article 4 Direction and Map – Class AB
- Appendix 6: Article 4 Direction and Map – Class MA
- Appendix 7: Summary of Consultation Responses Classes AA, AB and ZA
- Appendix 8: Summary of Consultation Responses Classes MA

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PROPOSED AND REVISED ARTICLE 4 DIRECTIONS TO PROTECT EMPLOYMENT LAND IN THE LONDON BOROUGH OF HILLINGDON

Reporting Officer: Head of Democratic Services

Summary

On 2 September 2020 the Leader of the Council and Cabinet Member for Planning and Transportation recommended to Council the proposed and revised Article 4 directions as detailed in the report below. As the making of an Article 4 direction is a Non-Executive function under section 13 of the Local Government Act 2000, it is for the Full Council to decide whether to make any Article 4 directions.

RECOMMENDATIONS: That:

- a) **The Head of Planning, Transportation and Regeneration be instructed to make and modify non-immediate Article 4 directions (with an intended implementation date of September 2021) to remove permitted development rights for new residential development in designated employment and industrial areas as set out in the report.**
- b) **The Head of Planning, Transportation and Regeneration be authorised to prepare the Article 4 direction and instructed to carry out all necessary consequential arrangements to give effect to the terms of Recommendation 1 which shall include publishing the making of the direction, notifying affected property owners/occupiers and the Secretary of State and seeking representations on the making of the direction.**

Reasons for recommendation

To protect key employment land in the Borough from changes to planning regulations which would allow for some offices and light industrial buildings with protected employment areas to be replaced or extended by residential uses without planning permission. This has significant potential to undermine the remaining employment function of these areas by reducing overall floorspace and is highly likely to impact negatively on those operations which are not compatible with residential amenity. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 states that approval to make an Article 4 Direction is not a Cabinet function and, therefore, must be carried out by full Council or another appropriate Council Committee.

Alternative options considered / risk management

Members could take the view that the Council's ability to refuse inappropriate prior approvals through the identified determination criteria may be sufficient to prevent potentially harmful development proposals (notwithstanding applicant rights of appeal against such decisions). Alternatively, Members could seek to apply the Article 4 Directions to the Borough as a whole, however, officers would strongly caution such an approach given the need to present strong evidence to justify Article 4 Directions. The Article 4 Direction would have to be agreed by the Secretary of State and the Government has previously refused to agree Council wide Article 4 directions seeking to give blanket protection.

What will be the effect of the recommendation?

It will enable the Council to determine whether an Article 4 Direction should be created. With respect to wider local resident impacts the key implication will be to enable the Council to maintain the right amount of employment floor-space to ensure a prosperous Borough. It is not considered that this will be to the detriment of those residents who would favour additional housing, as the Council will meet its strategic housing targets through allocated housing sites.

Consultation Carried Out or Required

If an Article 4 Direction is implemented then there would need to be extensive consultation within the areas identified for inclusion within the Article 4 Direction.

SUPPORTING INFORMATION

The Government is introducing a new suite of permitted development rights from 1 September 2020 which will allow for new homes to be built in place of or on top of existing commercial buildings without the need for full planning permission. To prevent the rights applying within Hillingdon's protected industrial and employment areas it is proposed that the Council should introduce a series of Article 4 Directions to protect employment land designated in the Local Plan. Revisions to existing Article 4 Directions protecting employment land are also proposed to extend the types of development to which they can apply.

Background

1. From 1 September 2020 the Government will enact new statutory instruments which will remove the need for planning permission for up to 2 two additional storeys on existing commercial buildings where these provide new homes, as well as for the demolition of vacant commercial, industrial and residential blocks to be replaced by new residential units. These new permitted development rights are intended to incentivise these types of development by providing greater certainty to developers. A further set of rights which also allow for the upward extension of existing residential buildings will also be enacted at the same time, but these are not currently included within the proposed Article 4 directions.
2. The new permitted development rights which will be subject to the Article 4 directions proposed by this report are as follows:
 - Part 20 - Class ZA - Demolition of Buildings (C3 purpose built blocks of flats and detached buildings falling with use classes B1a, B1b and B1c) and Construction of New Dwellinghouses
 - Part 20 - Class AA - New Dwellinghouses on Detached Buildings in Commercial (A1, A2, A3 and B1(a) or as a betting office, pay day loan shop or launderette) or Mixed use
 - Part 20 - Class AB - New Dwellinghouses on Terraced Buildings in Commercial (A1, A2, A3 and B1(a) or as a betting office, pay day loan shop or launderette) or Mixed use
3. The need for planning permission under these new rights will be replaced by a system of 'prior approval' which only allows the Council to consider a narrow suite of issues when considering whether or not to allow the proposed development. These include:
 - transport and highways impacts;
 - contamination risks;
 - flooding risks;
 - the design/ external appearance of the building;

- provision of adequate daylight;
 - impact on the amenity of neighbouring premises;
 - impacts of noise from any commercial premises on the intended occupiers;
 - impact on business and new residents of the introduction or increase in residential use in the area;
 - impact on heritage and archaeology; and
 - plans for landscaping;
4. Unlike previous permitted development provisions, these are not time limited and will apply to all B1 uses and detached blocks of flats in the Borough.
5. In addition to proposing these new Article 4 directions, it is also recommended that modifications are made to two of the Council's existing Article 4 directions which were also introduced to protect strategic industrial land within the Borough in 2017. At present the Council has a Direction in place that removes Class P rights for changes of use from light industrial (B1c) to residential in designated industrial locations and Class O rights for changes of use from office (B1a) to residential in key office locations. It is proposed to extend these directions so that these rights are removed from all designated employment areas, to ensure they are consistent with the proposed new Article 4 Directions.
6. In terms of process, to prevent a right to compensation, these Article 4 Directions must be advertised at least 12 months in advance of it becoming operational. These new rights are being introduced very quickly, with just over a month from their announcement to their implementation on 1st September 2020. Consequently, whilst we have sought to propose this new Article 4 Direction to full Council at the earliest opportunity, there will be a period when these rights will be available to landowners before the Article 4 Direction comes into force. However, this time period will be slightly less than the full 12 months as a landowner will not be able to start implementing these rights immediately, as they would first need a prior approval consent which could take up to 56 days. Some significant areas of the Borough, such as those with 3km of an aerodrome and conservation areas, will already be excluded from some of these permitted development rights. Furthermore, permitted development rights have been excluded for buildings constructed after 31st December 1989 and which exceed certain size thresholds. However, it is critical that the Council seeks to progress its proposed and revised Article 4 Directions as quickly as possible.

Proposed New Article 4 Directions

Part 20 - Class ZA - Demolition of Buildings and Construction of New Dwellinghouses

Area to be covered (see also Appendix 1):

a. Strategic Industrial Locations

Uxbridge Industrial Area
 Hayes Industrial Area
 Stonefield Way, South Ruislip
 North Uxbridge Industrial Estates

b. Locally Significant Employment Locations

Summerhouse Lane / Salamander Quay, Harefield
 Stockley Park
 Odyssey Business Park, Ruislip

- c. Locally Significant Industrial Sites**
Packet Boat Lane, Cowley
Braintree Road Industrial Area, South Ruislip
Covert Farm, Heathrow
- d. Hotel and Office Growth Locations**
Uxbridge Town Centre
- e. Office Growth Locations**
Stockley Park (Also Locally Significant Employment Location)
- f. Hayes Opportunity Area**

Part 20 Class AA - New Dwellinghouses on Detached Buildings in Commercial (A1, A2, A3 and B1(a)) or Mixed use

Part 20 - Class AB - New Dwellinghouses on Terraced Buildings in Commercial (A1, A2, A3 and B1(a)) or Mixed use

Areas to be covered (See also Appendices 2 and 3):

- a. Strategic Industrial Locations**
Uxbridge Industrial Area
Hayes Industrial Area
Stonefield Way, South Ruislip
North Uxbridge Industrial Estates
- b. Locally Significant Employment Locations**
Salamander Quay, Harefield
Stockley Park
Odyssey Business Park, Ruislip
- c. Locally Significant Industrial Sites**
Packet Boat Lane, Cowley
Braintree Road Industrial Area, South Ruislip
Covert Farm, Heathrow

Justification

7. Hillingdon has approximately 350 hectares of designated employment land which is mainly focused on the industrial and commercial areas of the Hayes-West Drayton corridor, Uxbridge, Heathrow and South Ruislip. This includes a number of regionally important Strategic Industrial Locations (SILs) designated through the London Plan totalling around 220 hectares in size. SILs are London's main reservoir of land for industrial and logistics and are safeguarded to accommodate activities which, by virtue of their scale, noise, odours, dust, emissions, hours of operation and vehicular movements, would otherwise create tensions with other land uses, particularly residential development. In addition to SILs, the Local Plan also identifies smaller industrial areas, referred to as Locally Significant Sites (LSIS). Again these have been created to accommodate industrial and logistical uses that are not compatible with more sensitive land uses, particularly residential development.

8. In terms of existing office provision, Uxbridge has an office stock of around 200,000 sqm; the fourth largest concentration in outer London. It is a key centre for the office market in West London. A number of operators have their headquarters or European headquarters in Uxbridge which has cluster strengths of pharmaceuticals and IT companies, business support services and food sectors. Stockley Park is also an important contributor to the local economic prestige of the Borough through its provision of high quality offices. With 175,000 sq.m of office stock, it is the largest concentration of office space in Outer London. The Park is home to IT, pharmaceutical and communications sector businesses as well as many other blue chip companies. Two other locally significant business parks have also been identified in the Local Plan in South Ruislip (Odyssey Business Park) and Harefield (Summerhouse Lane / Salamander Quay).
9. The Council views these areas as its main reservoirs of employment land and a key objective underpinning the Local Plan is to retain the employment uses in these locations as the best quality employment land in the Borough. Policies E1 and E2 of the Local Plan Part 1 identify that the Council will accommodate new jobs during the Plan period by protecting Strategic Industrial Locations and Locally Significant Employment and Industrial Sites, as well as identifying Office Growth Locations. This is supported by policies in the current and emerging London Plan which seek the consolidation of existing office clusters and the retention of industrial capacity at a Borough wide level.
10. In addition to these established employment areas, the Hayes Opportunity Area is identified in the new London Plan as an area of significant growth potential for at least a 1,000 new jobs. Its boundary is the same as that of the Hayes Housing Zone as identified in the Local Plan Part 2. As a key growth area, the Local Plan has already identified those employment areas suitable for release to residential-led development through a series of site allocations. Consequently, the Council considers the protection of the remaining employment land within the Hayes town centre and the surrounding industrial areas as vital for bringing forward the employment growth anticipated within the Opportunity Area.
11. Evidence prepared in support of the new London Plan provides the most recent detailed analysis of industrial and office capacity in the Borough (London Industrial Land Supply and Economy Study, GLA 2016). It identifies a vacancy rate within the Council's designated industrial areas of 7%, indicating a good balance of supply and demand on par with other Boroughs in the sub-region and below the indicative London-wide frictional rate of 8%. There is also evidence presented that Hillingdon has already lost a significantly higher proportion of industrial land than its strategic benchmark indicating the vulnerability of such land to changes of use within the existing framework of planning policies and permitted development rights. Noting the critical importance of these remaining locations to the effective functioning of London's economy, it is vital that they remain safeguarded areas for specific uses. Failure to do so will result in new residential development being located in inappropriate environments and the displacement of noise-sensitive uses to undesirable locations. It is also considered vital to the ongoing economic prosperity of the Borough that the employment function of its designated employment areas are not further undermined by either the unchecked loss of employment land or the introduction of uses with sensitive amenity requirements under the Part 20, Class ZA, AA and AB permitted development rights. Scope will remain outside of these designated areas to allow for changes of use to residential to occur in more appropriate locations.
12. It is recognised that the prior approval process allows for consideration of the impacts of noise on the intended occupiers and the impact of on business from an increase in residential use.

However, the prior approval process would not allow for wider consideration of the impact of the loss or sterilisation of employment land on the wider economy, which is a key component of the recently adopted Local Plan Part 2 policies. The introduction of an Article 4 Direction to retain the ability to assess the full impact of the loss of employment land in designated employment areas is therefore considered to be critical to ensuring the successful implementation of the Council's Local Plan and the effective function of London's economy

Revised Article 4 Directions

Part 3 - Class O - Conversion of B1(a) Offices to C3 Dwellinghouses

Areas to be covered (see also Appendix 4)

Currently applies to:

a. Office Growth Locations

Uxbridge Town Centre
Stockley Park

b. Heathrow Perimeter

To be modified to include:

c. Strategic Industrial Locations

Uxbridge Industrial Area
Hayes Industrial Area
Stonefield Way, South Ruislip
North Uxbridge Industrial Estates

d. Locally Significant Employment Locations

Summerhouse Lane / Salamander Quay, Harefield
Stockley Park
Odyssey Business Park, Ruislip

e. Locally Significant Industrial Sites

Packet Boat Lane, Cowley
Braintree Road Industrial Area, South Ruislip
Covert Farm, Heathrow

f. Hayes Opportunity Area

Justification

13. In terms of the loss of offices to residential, the Council has approved the loss of just over 107,000sqm of office floorspace through the existing prior approval process since it was introduced in 2014. Of this, 17,000sqm has been approved since the Council introduced its Class O Article 4 Direction in November 2017. Whilst the majority of this loss has been from non-designated sites, the Council has continued to lose office floorspace within industrial areas which were not included within the original Article 4 Direction. This includes 1,800sqm from within the Covert Farm LSIL near Heathrow and 1,600sqm from Cowley Business Park in the Uxbridge Industrial Estate SIL. The Council has concerns both about the further loss of such high quality employment land and the potential reverse sensitivity issues arising the

conversion of offices in these locations to residential. Whilst the co-location of noise generating industrial uses and office floorspace is typically considered acceptable, the introduction of residential floorspace is incompatible with industrial uses and has an adverse effect on their productivity and ability to grow. Consequently, it is now proposed to modify and adopt a new Article 4 Direction for Class O development to include all of the Borough's designated industrial areas.

Part 3 - Class PA – Conversion of B1(c) Light Industrial to C3 Dwellinghouses

Areas to be covered (see also Appendix 5)

Currently applies to:

- a. Strategic Industrial Locations**
Uxbridge Industrial Area
Part of the Hayes Industrial Area
North Uxbridge Industrial Estate
- b. Locally Significant Employment Location**
Stockley Park
- c. Heathrow Perimeter**
Part of the Bath Road
- d. Locally Significant Industrial Location**
Packet Boat Lane, Cowley

To be modified to include:

- e. Strategic Industrial Locations**
All of the Hayes Industrial Area
Stonefield Way, South Ruislip
- f. Locally Significant Employment Locations**
Summerhouse Lane / Salamander Quay, Harefield
Odyssey Business Park, Ruislip
- g. Locally Significant Industrial Sites**
Braintree Road Industrial Area, South Ruislip
Covert Farm, Heathrow

Justification

14. The Council's existing Article 4 Direction for Class PA permitted development rights does not cover all of the Borough's designated industrial land, including the Stonefield Way Strategic Industrial Location. Given the economic importance of these areas as outlined above and to ensure consistency of protection, it is proposed to modify the existing Article 4 Direction to extend it to all areas designated to accommodate industrial uses.

Next Steps

15. The process for making and confirming a non-immediate Article 4 Direction and indicative timetable is as follows:

September 2020

Stage 1 - The Council decides whether to go ahead and introduce a Direction setting a date in the Notice for when the Direction will come into force which must be at least 28 days and no more than 2 years after representations can first be made. The Article 4 Directions are then duly sealed. The Council must give a minimum of 12 months' notice of its intention to introduce or modify an Article 4 Direction and consequently the Direction cannot be confirmed or implemented until September 2021 (Stage 4) - it will remain in draft form until this point.

September/ October 2020

Stage 2 – Publication/Consultation stage. The Council:-

- 1) publishes the notice of the Direction;
- 2) formally consults with general members of the public and the owners and occupiers of every part of the land within the area or site to which the Direction relates over a period of at least 21 days; and
- 3) places notices up on the relevant sites for 6 weeks;

September 2020

Stage 3 – On the same day that notice is given under Stage 2 above, the Council refers its decision to the Secretary of State who has wide powers to modify or cancel a Direction;

September 2021

Stage 4 – Confirmation Stage - The Council cannot confirm the Direction until after a period of at least 28 days from publication/service of the Notice. Once a Direction has been confirmed, the Council must give notice of the confirmation in the same way as it gave notice of the initial Direction, and must specify the date that the Direction comes into force. A copy of the Direction as confirmed must also be sent to the Secretary of State.

Financial Implications

16. The report above outlines the suite of new permitted development rights that came into force from the 1 September 2020 and which allow new homes to be built on top of or in place of existing commercial buildings. The report recommends a series of Article 4 Directions to protect employment land.
17. The wider implications of this change and any specific impact on the Council Collection Fund for both Business Rates and Council Tax is impossible to quantify at this stage. Such impacts might arise from a change or a reduction in the number of commercial operations that could be charged Business Rates being replaced by residential units where Council Tax could be applied.
18. There are some limited direct costs associated with the advertising of the new arrangements that have been estimated at £3k and can be managed from existing Residents Services budgets.

Legal Implications

19. Under Article 4 of the General Permitted Development Order 2015 the Council or the Secretary of State may withdraw specified permitted development rights either in relation to specific sites or across the Borough. An Article 4 Direction may only be made where it is necessary to protect local amenity or the wellbeing of the area. The potential harm that the Direction is intended to address should be clearly identified and the Council must show strong justification for the withdrawal of permitted development rights relating to cases where prior approval powers are available to control permitted development.
20. The report sets out that there are a number of important employment sites in Hillingdon and the Council must be able to show that there is a need to protect these employment sites from permitted development.
21. The right to compensation has been accurately set out in the report.
22. Schedule 3 to the General Permitted Development Order 2015 sets out the process that must be followed prior to making an Article 4 direction, including a minimum consultation period of 21 days and the placing of notices on affected sites for a 6 week period. In addition, the proposed direction must also be sent to the Secretary of State.
23. As the making of an Article 4 direction is a Non-Executive function under section 13 of the Local Government Act 2000, it is for the Full Council to decide whether to make any Article 4 directions.

Background Papers: Hillingdon Local Plan; London Plan 2016 and Intend to Publish London Plan 2019; London Industrial Land Supply and Economy Study 2015 -

https://www.london.gov.uk/sites/default/files/industrial_land_supply_and_economy2015.pdf.

Appendices (attached):

Appendix 1 Plan of Areas to be covered by Class ZA Article 4 Direction

Appendix 2 Plan of Areas to covered by Class AA Article 4 Direction

Appendix 3 Plan of Areas to be covered by Class AB Article 4 Direction

Appendix 4 Plan of Areas to be covered by modified Class O Article 4 Direction

Appendix 5 Plan of Areas to be covered by modified Class PA Article 4 Direction

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PROPOSED ARTICLE 4 DIRECTION TO REMOVE PERMITTED DEVELOPMENT RIGHT FOR COMMERCIAL, BUSINESS AND SERVICE USES TO RESIDENTIAL IN SPECIFIC LOCATIONS.

Reporting Officer: Assistant Director of Planning and Regeneration

Summary

1. On 1 September 2021, the Government brought into effect a new Permitted Development Right (PDR) to allow the change of use from commercial, business and service uses to residential units, without the need for planning permission. The Council has the capacity to introduce an Article 4 direction to remove such a PDR, where there is robust evidence that the PDR would otherwise have a wholly unacceptable adverse impact. The making of an Article 4 direction is a Non-Executive function under section 13 of the Local Government Act 2000 and it is, therefore, for the full Council to decide whether to make this direction.

RECOMMENDATIONS: That:

- a) **The Assistant Director of Planning and Regeneration be instructed to make a non-immediate Article 4 direction (with an indicative implementation date of September 2022) to remove the Part 3 Class MA permitted development right in limited geographical areas, as set out in Paragraph 6 of the report and mapped on Appendix 1.**
- b) **The Assistant Director of Planning and Regeneration be authorised to prepare the Article 4 direction and instructed to carry out all necessary consequential arrangements to give effect to the terms of Recommendation 1, which shall include publishing the making of the direction, seeking representations on the making of the direction and notifying affected property owners/occupiers and the Secretary of State, as well as submitting any further evidence if necessary.**

Reasons for recommendation

2. The primary reasons are to protect key employment floorspace in strategic locations and maintain the viability and vitality of key shopping areas in the London Borough of Hillingdon. This expansion of permitted development rights by the Government has the capacity to cause wholly unacceptable adverse impacts in select parts of the Borough if left unregulated. The use of an Article 4 direction is therefore in conformity with national policy. The full rationale for introducing a new Article 4 direction is contained within the 'Supporting Information' section.

Alternative options considered / risk management

3. Officers considered the possibility of a borough-wide Article 4 direction, on the basis that there will be harmful impacts of the PDR which extend beyond the areas show in Appendix 1. These impacts are identified within the 'Additional Considerations' section and are issues that will affect all local planning authorities. However, the Secretary of State has made it clear through public announcements and recent changes to national policy that Article 4 directions must only be taken forward on the smallest geographical area. Therefore, a borough-wide Article 4 direction would likely lead to an objection from the Secretary of State and abortive costs.

4. The Council could choose not to introduce an Article 4 direction. However, this would not address the wholly unacceptable adverse impacts on local residents and businesses that are outlined within the 'Supporting Information' section. This option has therefore been discounted.

What will be the effect of the recommendation?

5. The introduction of an Article 4 direction will mean that a planning application for relevant changes of use will still be required in specific areas. This means the Council will retain its capacity to insist on mitigation where there would otherwise be adverse impacts from development or refuse the scheme completely. This will continue to ensure that local residents and businesses are put first. The Council will continue to meet its strategic housing targets through approving schemes that accord with its Development Plan, whilst a review of the Local Plan will look to identify further strategic sites.

Consultation Carried Out or Required

6. If the decision to proceed with an Article 4 Direction is made, then there would need to be a consultation exercise within the specific areas identified, in accordance with Schedule 3 to the General Permitted Development Order 2015 (as amended).

Financial Implications

7. This report is seeking approval to make an Article 4 Direction to restrict the scope of permitted development rights in specific strategic areas as outlined in Appendix 1. National policy prevents a blanket approach being applied and instead must focus on specific areas. In doing so, it is possible to retain commercial areas throughout the Borough to drive economic development and strengthen business districts. There are limited direct costs associated with the recommendations to this report, an estimated £500 for public notices will be managed within existing Planning and Regeneration revenue budgets.
8. Wider financial implications to note which cannot be quantified at present:
 - The composition of the current tax base is likely to change in response to an increase of commercial to residential conversions, meaning a reduction in Business Rates and an increase in Council Tax. Although the Article 4 Direction aims to prevent such conversion in specific strategic areas, further analysis will be required to evaluate the impact on the tax base over time across the Borough.
 - An increase in conversions will remove the applicability of the Section 106 Contribution (S106) and Community Infrastructure Levy (CIL) which will have some bearing on the maximisation of the income available to the Local Planning Authority. As there are fewer issues that can be considered with permitted development rights, there is no scope for planning obligations to be used to mitigate their harm. This includes external financial contributions for affordable housing, public open space, air quality, carbon emissions and construction training programmes. S106 and CIL are pivotal funding streams for infrastructure development within the Borough, the cost of which will fall to the local taxpayer if these funding streams are reduced. The Article 4 Direction is therefore instrumental in retaining funding within the identified strategic areas and further analysis will be required to evaluate the impact across the rest of the Borough.

Legal Implications

9. Under Article 4 of the General Permitted Development Order 2015 the Council or the Secretary of State may withdraw specified permitted development rights either in relation to specific sites or across the Borough. An Article 4 Direction may only be made where it is necessary to protect local amenity or the wellbeing of the area. The potential harm that the Direction is intended to address should be clearly identified and the Council must show strong justification for the withdrawal of permitted development rights relating to cases where prior approval powers are available to control permitted development.
10. The right to compensation has been accurately set out in the report.
11. Schedule 3 to the General Permitted Development Order 2015 (as amended) sets out the process that must be followed prior to making an Article 4 direction, including a minimum consultation period of 21 days and the placing of notices on affected sites for a 6 week period. In addition, the proposed direction must also be sent to the Secretary of State.
12. As the making of an Article 4 direction is a Non-Executive function under section 13 of the Local Government Act 2000, it is for the Full Council to decide whether to make any Article 4 directions.

SUPPORTING INFORMATION

13. The Government is introducing a new Permitted Development Right (PDR) that comes into effect on 1 September 2021. The PDR removes the requirement for a full planning application to be submitted, instead implementing a prior approval process which restricts the matters that the local planning authority can consider.
14. The permitted development allows for the changes of use from all those covered within Use Class E to residential. Use Class E is a new use class that was introduced on the 1st September 2020, with the aim of amalgamating several use classes into one. It covers the following parts of the previous Use Class Order:
 - Class A1 (shops).
 - Class A2 (financial and professional services).
 - Class A3 (food and drink).
 - Class B1 (business).
 - Class D1(a) (non-residential institutions – medical or health services).
 - Class D1(b) (non-residential institutions – crèche, day nursery or day centre).
 - Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink.
15. The PDR has restrictions attached to it, including:
 - A maximum floor area of 1,500m².
 - A vacancy period of 3 months prior to submission. There is no requirement for marketing.
 - Been in a use within Use Class E for at least 2 years.
 - Does not apply to a listed building.
16. The PDR also includes the following conditions attached to it that are assessed as part of the prior approval process:

- If occurring in a conservation area, the impact of converting the ground floor on the character and sustainability of the conservation area.
 - In an industrial area, the impact on intended occupiers of the residential units on being in this type of area.
 - Where a registered nurse or health centre, the impact on the local provision of the type of services lost.
 - Other matters typical for PDRs (permitted development rights), including transport, contamination, flooding, noise and now, fire safety, minimum size for the new residential units and adequate natural light.
17. The PDR will come into effect from 1 September 2021. In the case of conversions from B1(a) office floorspace only, if an Article 4 direction is already in place at this date, the PDR will be delayed for a year, to allow for transitional arrangements to be made. The Council does already have such an Article 4 direction in place covering Uxbridge Town Centre and Stockley Park. Consequently, this will be extended for a further 12 months. However, it should be noted that this would not apply to any of the other E class uses listed above which will benefit from the new PDR from 1 September 2021.

Scope of Article 4 Direction

18. The proposed areas to be covered by the Article 4 direction have been mapped and included as Appendix 1. All the areas mapped cover strategic areas only that are designated within the adopted Development Plan. These can be described as:
- Office & Hotel Growth Location (Uxbridge)
 - Locally Significant Employment Locations (Incl. Stockley Park)
 - Hayes Opportunity Area
 - Strategic Industrial Locations
 - Locally Significant Industrial Sites
 - Primary and Secondary Shopping Areas in Town Centres
 - Local Centres
 - Local Parades
19. Please note that, whilst the Local Parades are identified within the Development Plan, their exact extent has not previously been mapped. The Local Parades are included within Appendix 1. The Local Parades have also been mapped separately within Appendix 2 to allow readers of the report to understand the full extent of the proposed Article 4 area. The addresses listed outline where the Local Parade can be found, rather than its extent. The extent of the proposed Article 4 direction is the area covered in orange.

Rationale for a New Article 4 Direction

20. The Council submitted a consultation response to the Government in January 2021 which raised concerns with the proposed PDR. Many of these issues are still apparent in the final published version. Officers are therefore proposing the introduction of an Article 4 direction for the new Class MA, which would restrict the operation of the new PDR in parts of the Borough. It should be noted that the Government made amendments to the National Planning Policy Framework in July 2021 to highlight that this type of Article 4 should be limited to where it is necessary to avoid wholly unacceptable adverse impacts. Paragraph 53 was also amended to clarify that Article 4s must apply to the smallest geographical area possible.

21. The Article 4 is therefore not proposed to be borough-wide and has been limited to certain strategic parts of the Borough. The rationale and evidence for the Article 4 changes slightly for different areas and therefore it has been disaggregated below.

Office Areas

22. There are three types of protected office areas within the London Borough of Hillingdon, which are designated as Office Growth Locations, Locally Significant Employment Locations, and the Hayes Opportunity Area. These include Uxbridge and Stockley Park. These areas all have policies that support the provision and retention of predominantly office floorspace, but also light industrial buildings and research and development facilities where appropriate.
23. The need for this floorspace is generated by the Borough's distinctive role in the sub-regional and London economies, largely because of the presence of Heathrow Airport and a disproportionately high number of head offices, which operate out of Uxbridge and Stockley Park in particular. The Council already approved the loss of just over 107,000sqm of office floorspace through the existing prior approval process between its introduction in 2014 and March 2020. Most of these approvals came prior to the Council introducing its office to residential Article 4 direction in November 2017. The loss predominantly consisted of low-grade stock to begin with, however increasingly prior approvals were being submitted on higher-grade stock and buildings that were occupied.
24. The loss of office floorspace through prior approvals led to the vacancy rate falling to just 2.6% in 2018. This will likely have fallen further in the period between 2018 and the start of the COVID-19 Pandemic, as there were further notable losses of office floorspace through prior approvals in this period. The vacancy rate of 2.6% in 2018 was cited as a potential obstacle to the expansion of businesses and new start-ups in the Borough, in the evidence underpinning the West London Affordable Workspace Study.
25. Much has been written about the impact of the COVID-19 Pandemic on demand for office floorspace, with working from home becoming the norm for many office workers during this period. To date, different companies have announced different views on working from home moving forward. This includes companies indicating that workers are performing productively at home and will continue to be encouraged to do so, to concerns about social isolation, poor collaboration, and training issues for junior staff. However, the consensus appears to be that offices will be re-shaped rather than removed, with most employers shifting to a balance between home and office working. This will have as big an impact on the size, quality, and locational preferences of office workspace as it will on overall demand, with Grade A office floorspace in attractive locations remaining popular.
26. Notwithstanding the impacts of the pandemic, prime office rents in Uxbridge and business parks in the vicinity of Heathrow were both averaging £35 per square foot in Q3 of 2020. Uxbridge has also recently been ranked 13th out of 48 south-eastern office locations in terms of digital and physical connectivity, as part of Knight Frank's connectivity analysis (2021). Uxbridge is therefore well placed to play a part in London's role as a global innovation hub in the future.
27. In the absence of an Article 4 direction, the loss of office floorspace could return to the levels seen prior to November 2017. This would see many existing and new businesses displaced to the wider Thames Valley Area, including to less sustainable out of town centre locations. Furthermore, businesses would be drawn to other areas which did implement a direction and

offer policy to support new and retained office floorspace. This would pose a significant threat to the status of the Stockley Park and Uxbridge office market in particular, which could experience further erosion of their critical mass, despite both being identified as areas of strategic importance in the new London Plan (2021). The implementation of an Article 4 direction would allow the Council to apply its policy criteria for determining which offices should be retained or re-purposed, with the more easily lettable space in sustainable locations retained. The protection of these identified areas would also retain space for those businesses displaced from less sustainable locations in the Borough, which will not be covered by the Article 4 direction.

28. In addition to being a sequentially preferable location for new jobs, the Hayes Opportunity Area has been identified as an area for significant growth due to the introduction of Crossrail and the availability of surplus industrial land. However, as a series of existing industrial areas, the success of the Opportunity Area is reliant on a plan-led approach which allows the Council to incorporate transport, public realm, and other infrastructure improvements within a new development. The Council has identified the extent of these interventions in both the Development Infrastructure Funding Study (2017) and the Hayes Movement Study (2021). Crucially this includes delivering and funding these developments through S106 and CIL (Community Infrastructure Levy) payments. Under a prior approval application, the matters that can be considered are restricted and would remove the Council's ability to undertake these essential place-making interventions.

Industrial Areas

29. There are two types of protected industrial areas within the London Borough of Hillingdon, which are designated as Strategic Industrial Land (SIL) and Locally Significance Industrial Sites (LSIS). They are large, designated brownfield sites located near to key roads that accommodate activities which - by virtue of their scale, noise, odours, dust, emissions, hours of operation and/or vehicular movements – would otherwise raise tensions with more sensitive land uses. These are deliberately kept separate from residential units, so that these essential economic activities can operate and grow as required. Whilst the uses here are predominantly heavy industry, there are light industrial and historic offices amongst them which could be converted under the new PDR.
30. The introduction of residential units in these locations would prevent these industrial uses from operating at their full potential and growing into this space when required. It would also create an unhealthy environment for new residents, noting that many of these industrial uses are permitted to operate without restrictions to mitigate their impacts on residential properties, which would not previously have been allowed in such areas. If these protected areas are undermined, these industrial uses will be less likely to expand in their current location and increase the probability of them being displaced to less developed parts of the Borough (including Green Belt) or create new areas for industrial uses.

Town Centres

31. There are a range of designated town centres in the London Borough of Hillingdon, from the metropolitan town centre of Uxbridge to local centres like Harefield and Ickenham. These areas contain identifiable shop frontages that make up a high street, with a critical mass of footfall to sustain businesses and services. They are supported by public transport and public realm investment, which seeks to decrease the dependence on cars and make them attractive locations for walking and cycling.

32. The Council's consultation response, as well as many others, raised concerns about the potential for the new PDR to create sporadic and unplanned losses to shop fronts along the high street. As well as reducing space for new businesses and services, this would also create undesirable breaks in the active shop frontages and introduce residential units and associated paraphernalia (e.g. bins) in their place. This would then have a knock-on effect on the sustainability of the remaining businesses, with the loss of each individual shop, office or business reducing footfall for the remaining units and eroding their viability. Once these units have been converted and sold as residential units, there are significant barriers to having them restored to the viable commercial and business uses.
33. There is an obvious need to reshape these high streets as the recovery from the COVID-19 pandemic gets underway. To a significant extent, this will see changes in how businesses operate on the high street and units being occupied more flexibly between different uses within Use Class E. Without the introduction of an Article 4, the expectation is that existing commercial floorspace will be lost to residential in an uncoordinated and piecemeal manner, ahead of any consideration of the future needs of businesses or the role of such centres in the local economic recovery.
34. It is important to note that for the large town centres, the whole centre will not be covered by the Article 4 direction. The large town centres are split up into three components, the the primary and secondary area and the undesignated remaining periphery. Paragraph 53 of the new NPPF (National Planning Policy Framework) indicates that an Article 4 covering the whole of a town centre is unlikely to be supported by the Secretary of State. On this basis, the proposed Article 4 would cover the primary and secondary shopping areas in these larger town centres, omitting the peripheral area. This may facilitate the modest shrinking of the edges of some high streets, with undesignated units at the ends of the town centre targeted, but it will allow the retention of a retail core. However, for the much smaller local centres, the whole area will be designated. This is to reflect the fact that they are already very limited areas and do not have designated primary and shopping areas. They were historically designated without any peripheral area and contain only the area that would be identifiable as 'the high street' to residents.

Local Parades

35. The Council currently has 51 designated local parades across the Borough, which were reviewed as part of the Local Plan: Part 2 (2020). These are parades of shops that fulfil a convenience shopping function. They are too small to be designated as local town centres but range from 4 to 54 units. These parades are protected to meet the day to day shopping and service needs of local residents, minimise the need to travel by car or public transport and address wider social, inclusion and accessibility objectives. As outlined in the Council's consultation response, the loss of these local shops and facilities would disproportionately impact on those with mobility issues or restricted travel options.
36. In a Borough that is as dispersed as the London Borough of Hillingdon, Local Parades are essential for delivering the concept of a '15-minute neighbourhood'. This is an aspirational model of urban living that has become common in major cities around the world, based on the notion that people should be able to meet most, if not all, of their needs within a 15-minute walk or bike ride from their home. The model promotes health and wellbeing through more active travel and encourages people to engage with their local community. Importantly, it also

reduces the need to travel by private vehicles, which in turn reduces traffic congestion, carbon emissions and air pollution.

37. The rationale for protecting the local parades is therefore similar to that for town centres, as far as they currently provide a sustainable environment for residents to access businesses and services, only at a more localised scale. Officers therefore propose that an Article 4 direction is also prepared for all these local parades.
38. Please note that the Local Parades have been mapped separately within Appendix 2 to allow readers of the report to understand the full extent of the proposed Article 4 area. The addresses listed outline where the Local Parade can be found, rather than its extent. The full extent of the proposed Article 4 direction is the area covered in orange.

Monitoring Areas

39. The designations referred to above are based on the Local Plan: Part 2 (2020), which was only adopted in January 2020. The Planning Policy Team are undertaking a review of the Local Plan, which may involve changes to these boundaries. Any boundary changes will need to be reflected in the Article 4 direction, either to reduce or expand the area covered accordingly.

Additional Considerations

40. The Council's consultation response to the Government also raised several other concerns that could arise from the new PDR. These are issues that cover the whole Borough, including:
- No scope to assess the quality of design of such proposals.
 - No requirement for affordable housing provision.
 - Poorer quality residential environments.
 - Dominance of one-bedroom units.
 - No access to amenity space.
 - No improvements to air quality or carbon emissions.
41. The only way to address these concerns would be to opt for a borough wide Article 4 direction. However, national policy is clear that Article 4 directions must apply to the smallest geographical area possible and should cover matters specific to the area. It is therefore highly unlikely that a blanket Article 4 direction across the London Borough of Hillingdon on any or all these grounds would be permitted by the Secretary of State. This approach is therefore not being advocated.

Next Steps

42. Officers are proposing to introduce a non-immediate Article 4 direction, which requires a 12-month notification period from when it is made until it can come into effect. This period is required to avoid the possibility of compensation claims being made against the Council. The procedure for implementing a non-immediate Article 4 direction includes a four-week consultation period. The responses to this consultation will then be presented to the Council, who can then confirm that they wish for Officers to proceed with implementing the Article 4 direction. An indicative timeline of the full process is outlined below:

September 2021

Stage 1 - The Council decides whether to introduce a Direction setting a date in the Notice for when it will come into force, which must be at least 28 days and no more than 2 years after representations can first be made. The Article 4 Directions are then duly sealed. The Council must give a minimum of 12 months' notice of its intention to introduce or modify an Article 4 Direction and consequently the Direction cannot be confirmed or implemented until September 2022 (Stage 3).

September/October 2021

Stage 2 – Publication/Consultation stage - The Council:

- 1) Publishes the notice of the Direction.
- 2) Formally consults with general members of the public and the owners and occupiers of every part of the land within the area or site to which the Direction relates over a period of at least 21 days (four weeks preferable).
- 3) Places notices up on the relevant sites for 6 weeks.
- 4) The Council refers its decision to the Secretary of State who has wide powers to modify or cancel a Direction.

September/October 2022

Stage 3 – Confirmation Stage - The Council cannot confirm the Direction until after a period of at least 12 months from publication/service of the Notice. Once a Direction has been confirmed, the council must give notice of the confirmation in the same way as it gave notice of the initial Direction. A copy of the Direction as confirmed must also be sent to the Secretary of State.

Appendices (available on-line and in Group Offices):

- Appendix 1 – Whole Borough Map of Areas to be Covered by Class MA Article 4 Direction
- Appendix 2 – Local Parade Maps Only Showing Areas to be Covered by Class MA Article 4 Direction

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HILLINGDON

LONDON

ARTICLE 4 DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

WHEREAS The London Borough of Hillingdon (“the Council”) being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) Order 2015, are satisfied that it is expedient that development of the descriptions set out in the Schedule below should not be carried out on the land shown on the plans appended to this Direction unless planning permission is granted on application under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

SCHEDULE

The withdrawing of permitted development rights identified in **Class ZA, Part 20 of Schedule 2**: development consisting of works for the demolition of one or other of any building comprising a single purpose-built detached block of flats, and any other single detached building, comprising premises established for office use falling within Class B1(a), for research and development falling within Class B1(b) or for an industrial process falling within Class B1(c) of the Schedule to the Town and Country Planning (Use Classes Order) 1987 or for any combination of them for the construction of either a purpose-built detached block of flats or a purpose-built detached dwellinghouse within the identified areas listed below and as indicated in green on the map attached as Appendix 1.

List of Areas to be covered:

Strategic Industrial Locations

- Uxbridge Industrial Area
- Hayes Industrial Area
- Stonefield Way, South Ruislip
- North Uxbridge Industrial Estates

Locally Significant Industrial Sites

- Packet Boat Lane, Cowley
- Braintree Road Industrial Area, South Ruislip
- Covert Farm, Heathrow

Office Growth Locations

- Stockley Park (Also Locally Significant Employment Location)

Locally Significant Employment Locations

- Summerhouse Lane / Salamander Quay, Harefield
- Stockley Park
- Odyssey Business Park, Ruislip

Hotel and Office Growth Locations

- Uxbridge Town Centre

Hayes Opportunity Area



HILLINGDON

LONDON

And being development comprised within Class ZA of the Town and Country (General Permitted Development) Order 2015 (as amended) so described and not being development comprised within any other Class.

The Article 4 Direction will come into force on **30 July 2022**

Dated this **26** day of July 2021

Made under the Common Seal of the
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HILLINGDON

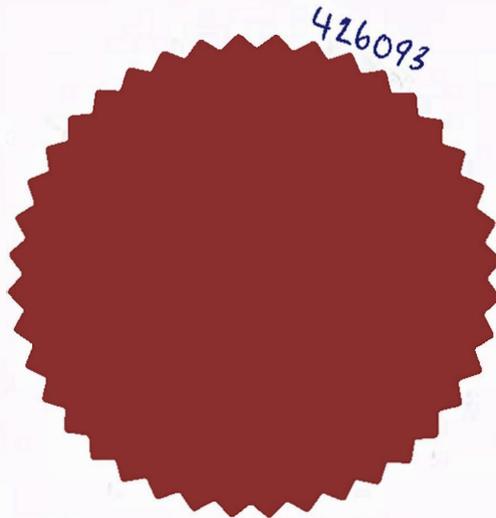
This day **26** of July 2021

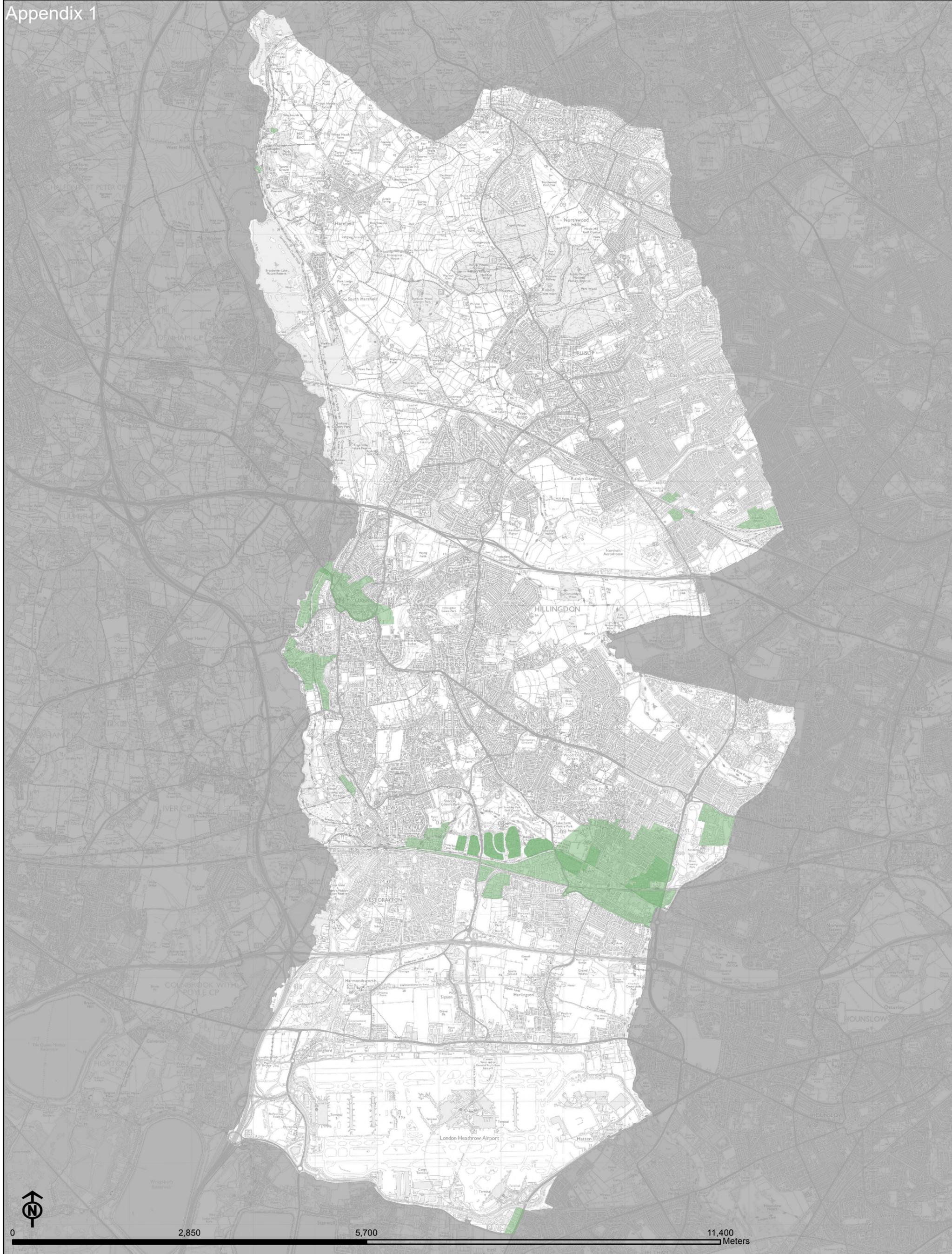
in the presence of:

MEMBER



AUTHORISED OFFICER





Part 20 - Class ZA - Demolition of Buildings and Construction of New Dwellinghouses

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HILLINGDON

LONDON

ARTICLE 4 DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

WHEREAS The London Borough of Hillingdon (“the Council”) being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) Order 2015, are satisfied that it is expedient that development of the descriptions set out in the Schedule below should not be carried out on the land shown on the plans appended to this Direction unless planning permission is granted on application under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

SCHEDULE

The withdrawing of permitted development rights identified in **Class AA, Part 20 of Schedule 2:** development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes Order) 1987 or as a betting office, pay day loan shop or laundrette within the identified areas listed below and as indicated in purple on the map attached as Appendix 2.

The withdrawing of permitted development rights identified in **Class AB, Part 20 of Schedule 2:** development consisting of works for the construction of new dwellinghouses immediately above the topmost storey on a terraced building used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes Order) 1987 or as a betting office, pay day loan shop or laundrette within the identified areas listed below and as indicated in magenta on the map attached as Appendix 3.

List of Areas to be covered:

Strategic Industrial Locations

- Uxbridge Industrial Area
- Hayes Industrial Area
- Stonefield Way, South Ruislip
- North Uxbridge Industrial Estates

Locally Significant Employment Locations

- Summerhouse Lane / Salamander Quay, Harefield
- Stockley Park
- Odyssey Business Park, Ruislip

Locally Significant Industrial Sites

- Packet Boat Lane, Cowley;
- Braintree Road Industrial Area, South Ruislip;
- Covert Farm, Heathrow;



HILLINGDON
LONDON

And being development comprised within Classes AA and AB of the Town and Country (General Permitted Development) Order 2015 (as amended) so described and not being development comprised within any other Class.

The Article 4 Direction will come into force on 30 July 2022

Dated this 26 day of July 2021

Made under the Common Seal of the
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HILLINGDON

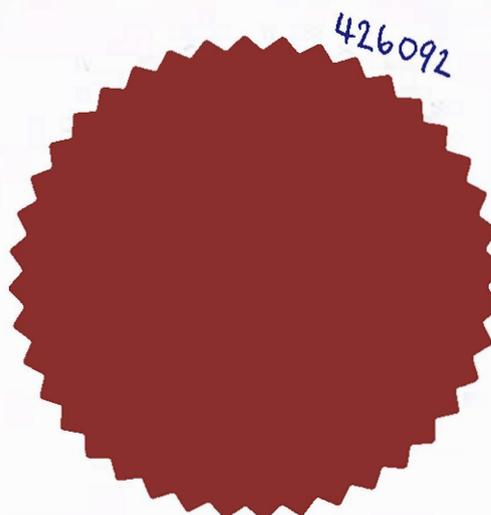
This day 26 of July 2021

in the presence of:

MEMBER



AUTHORISED OFFICER





Part 20 - Class AA - New Dwelling Houses on Detached Buildings in Commercial or Mixed use





Part 20 - Class AB - New Dwelling Houses on Terraced Buildings in Commercial or Mixed use



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ARTICLE 4 DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

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NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

SCHEDULE

The withdrawing of permitted development rights identified in **Class AA, Part 20 of Schedule 2:** development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes Order) 1987 or as a betting office, pay day loan shop or laundrette within the identified areas listed below and as indicated in purple on the map attached as Appendix 2.

The withdrawing of permitted development rights identified in **Class AB, Part 20 of Schedule 2:** development consisting of works for the construction of new dwellinghouses immediately above the topmost storey on a terraced building used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes Order) 1987 or as a betting office, pay day loan shop or laundrette within the identified areas listed below and as indicated in magenta on the map attached as Appendix 3.

List of Areas to be covered:

Strategic Industrial Locations

- Uxbridge Industrial Area
- Hayes Industrial Area
- Stonefield Way, South Ruislip
- North Uxbridge Industrial Estates

Locally Significant Employment Locations

- Summerhouse Lane / Salamander Quay, Harefield
- Stockley Park
- Odyssey Business Park, Ruislip

Locally Significant Industrial Sites

- Packet Boat Lane, Cowley;
- Braintree Road Industrial Area, South Ruislip;
- Covert Farm, Heathrow;



HILLINGDON

LONDON

And being development comprised within Classes AA and AB of the Town and Country (General Permitted Development) Order 2015 (as amended) so described and not being development comprised within any other Class.

The Article 4 Direction will come into force on 30 July 2022

Dated this 26 day of July 2021

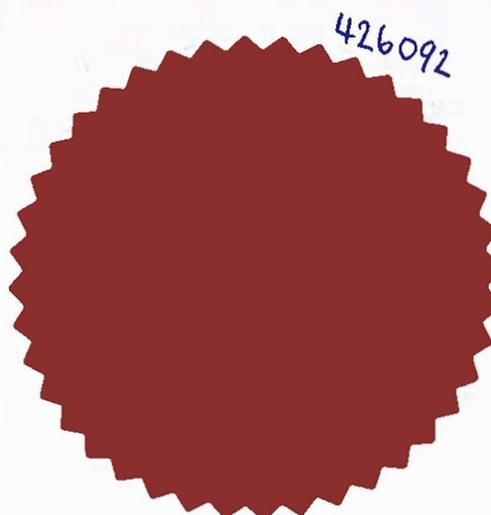
Made under the Common Seal of the
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HILLINGDON

This day 26 of July 2021

in the presence of:

MEMBER

AUTHORISED OFFICER





Part 20 - Class AA - New Dwelling Houses on Detached Buildings in Commercial or Mixed use



Part 20 - Class AB - New Dwelling Houses on Terraced Buildings in Commercial or Mixed use



HILLINGDON

LONDON

ARTICLE 4 DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

WHEREAS The London Borough of Hillingdon (“the Council”) being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) Order 2015, are satisfied that it is expedient that development of the descriptions set out in the Schedule below should not be carried out on the land shown on the plans appended to this Direction unless planning permission is granted on application under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

SCHEDULE

The withdrawing of permitted development rights identified in **Class MA, Part 3 of Schedule 2:** Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Town and Country Planning (Use Classes) Order 1987 within the identified areas listed below and as indicated in orange on the map attached as Appendix 1.

List of Areas to be covered:

Office & Hotel Growth Location
Uxbridge Town Centre

Locally Significant Employment Locations
Summerhouse Lane / Salamander Quay, Harefield;
Stockley Park; and
Odyssey Business Park, South Ruislip.

Hayes Opportunity Area

Strategic Industrial Locations
Uxbridge Industrial Estate;
Hayes Industrial Area;
Stonefield Way Industrial Estate; and
North Uxbridge Industrial Area.

Locally Significant Industrial Sites
Packet Boat Lane, Cowley;
Braitree Road Industrial Area, South Ruislip; and
Covert Farm, Heathrow.

Primary and Secondary Shopping Areas in Metropolitan Town Centres
Uxbridge

Primary and Secondary Shopping Areas in District Town Centres
Ruislip;
Eastcote;
Green Lane (Northwood)
Yiewsley - West Drayton; and
Hayes.

Primary and Secondary Shopping Areas in Minor Town Centres
Ruislip Manor;
Northwood Hills; and
Uxbridge Road, Hayes.



HILLINGDON

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Local Parades

Pield Heath Road - Colham Green;
Violet Avenue - Colham Green;
Station Road/High Street - Cowley
Dellfield Parade/The Parade - Cowley;
High Road - Cowley Peachy;
Moorfield Road - Cowley Peachy
Eastcote Village - Eastcote Village;
Harlington Road - Goulds Green;
124-152 Uxbridge Road - Hayes
Kingshill Avenue - Hayes;
Lansbury Drive - Hayes;
Bourne Circus/Gloucester Parade - Hayes;
Hayes End, 757-849 (south) 1174-1378 (not all) (north)
Uxbridge Road - Hayes;
641-693 Uxbridge Road (south) - Hayes;
Dawley Parade, Dawley Road - Hayes;
1-19 Dawley Road, Hayes Town - Hayes;
North Hyde Road/High Street - Harlington;
Redmead Road - Harlington
St Dunstons Close - Harlington;
Harmondsworth Village - Harmondsworth;
Bath Road - Harmondsworth;
Ryefield Avenue - Hillingdon;
Sutton Court Road - Hillingdon;
Crescent Parade, Long Lane/Uxbridge Road -
Hillingdon;
Royal Lane/Hillingdon Village - Hillingdon Hill;
High Road - Ickenham
Northwood High Street - Northwood
Pinner Road - Northwood;
Salisbury Road - Northwood
Howletts Lane - Ruislip;
West End Road/New Pond Parade - Ruislip Gardens;
41-47 Sipson Road - Sipson;
Field End Road - South Ruislip;
Victoria Road - South Ruislip;
Station Approach - South Ruislip;
Whitby Road - South Ruislip;
18-28 Cowley Road - Uxbridge;
98 - 118 Cowley Road - Uxbridge;
Brunel University - Uxbridge;
58-66 Swan Road - West Drayton;
Swan Road and the Green - West Drayton;
Station Road - West Drayton;
Mulberry Crescent - West Drayton;
Harmondsworth Road/Sipson Road - West Drayton;
Laurel Lane - West Drayton;
Byron Way/Coleridge Way - West Drayton;
(Station) Ickenham Road - West Ruislip;
Station Parade, Ickenham Road - West Ruislip;
Welbeck Avenue - Yeading;
Yeading Lane - Yeading; and
Falling Lane/Royal Lane - Yiewsley.

Local Centres

Harefield;
South Ruislip;
Hillingdon Heath;
North Hillingdon;
Ickenham;
Harlington; and
Willow Tree Lane, Yeading



HILLINGDON

LONDON

And being development comprised within Class MA of the Town and Country (General Permitted Development) Order 2015 (as amended) so described and not being development comprised within any other Class.

The Article 4 Direction will come into force on 24th September 2022

Dated this 20th day of September 2021

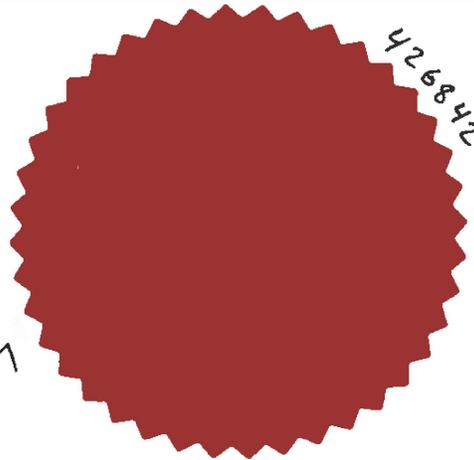
Made under the Common Seal of the MAYOR AND
BURGESSES OF THE LONDON BOROUGH OF
HILLINGDON

This day 20th of September 2021

in the presence of:

MEMBER

Alan Chapman



AUTHORISED OFFICER

J. Kelly



Part 3 - Class MA - Commercial, Business and Service Uses to Dwellinghouses



Appendix 7: Consultation Response Summaries - Classes AA, AB and ZA of Part 20 of Schedule 2

Rep #	Name	Summary of Response	Officer Response
1	Marine Management Organisation	No Comment.	Noted.
2	Resident 1	Supports the Council's policy to protect employment locations.	Support welcomed.
3	Highways England	States the protection of Employment Locations gives the opportunity for future applications to assess the impact of the proposals on the SRN. This opportunity is welcomed. They are satisfied that the outcome of this reconsultation will not materially affect the safety, reliability and / or operation of the SRN.	Noted.
4	Hayes Town Partnership	<p>Strong support for the Council's proposed Article 4 Directions and states:</p> <ul style="list-style-type: none"> • People need places to work as well as places to live but Hayes has already lost a significant proportion of its industrial land. • Climate change makes it more important than ever that jobs should be available locally and the distance of journeys to and from work should be minimised. • The coronavirus virus pandemic has reinforced the argument in favour of local jobs. • The ad hoc development of employment sites is already causing severe pressure on the local infrastructure and making it impossible to plan adequate provision. • The employment growth envisaged in the Hayes Opportunity Area will not be achievable if sites continue to be lost at the present rate. • The prior approval process does not allow for a proper assessment of the impact of a development on the local area and its infrastructure. • So-called 'mixed use developments' may involve the provision of some jobs, but they do not necessarily match the skills of those displaced from industrial sites. • High quality industrial sites must be retained so that there is a balance between employment and residential land if Hayes is to avoid becoming a dormitory suburb. 	Support welcomed.
5	Canal & River Trust	No Comment.	Noted.
6	Greater London Authority	<p>Fully supports the introduction of these Article 4 Directions and states:</p> <ul style="list-style-type: none"> • Policy E4 of the 2021 London Plan supports the use of Article 4 directions to ensure that industrial and logistics capacity is not undermined by permitted development rights. To sustain the vitality and viability of town centre locations, Policy SD9 supports targeted Article 4 Directions related to commercial to residential permitted development rights. The Mayor's strategic evidence, published recently, indicates that there is particular justification for the use of Article 4 Directions to safeguard vibrant commercial areas from the impacts of permitted development. • Considers it critical that the delivery of new homes and new jobs associated with the Hayes Opportunity Area occurs in a plan-led, managed way to ensure its full potential is realised. It is also important that the essential industrial and logistics functions of Hillingdon's strategically and locally important industrial and employment locations, are not undermined by permitted development rights. • The Mayor strongly supports the proposed Article 4 directions to avoid wholly unacceptable impacts and considers that the areas defined are the smallest geographical areas possible to achieve this objective. 	Support welcomed.

7	Transport for London	<p>TfL is broadly supportive of the proposed Article 4 directions from a strategic transport perspective. Recognise that a wide range of transport issues need to be considered and the potential need for mitigation should be addressed when introducing residential uses to employment and industrial areas that lack the necessary transport infrastructure and may not provide safe access on foot, cycle or by public transport to essential services. They state that this applies to a number of the locations that have been identified.</p>	Support welcomed.
8	Permitted Developments Investments No 7 LTD	<p>Two representations were submitted to cover Classes AA and AB separately from Class ZA, however the justification contained within both appears to be the same. The representations are submitted in relation to the Former Xerox Campus and requests that this area is removed from the proposed Article 4 direction. This site is made of three office buildings: Bridge House, Riverview House and Waterside House. All three buildings are subject to prior approvals to convert to residential, with the works to convert Bridge House already having commenced. Class AA prior approval applications have also been approved on Riverview and Waterside house since this consultation response was submitted.</p> <p>The consultation response states that, in relation to the Former Xerox Campus specifically:</p> <ul style="list-style-type: none"> • Any change of use would not lead to “<i>wholly unacceptable adverse impacts</i>”, as a change of use to residential has already been permitted; • The Proposed Article 4 Direction would have no effect on local amenity when considering the Former Xerox Campus; • LB Hillingdon has not confirmed what evidence base it has used in the preparation of the Proposed Article 4 Direction, but it is out of date with regards to the use of the Former Xerox Campus; and • There appears to have been no consideration given to drawing the smallest geographical area possible, the Former Xerox Campus would not have been included in the Appendix 1 plan if this had been the case. 	<p>Officers note the comments provided.</p> <p>Officers would disagree with the conclusions drawn in the consultation response. In particular, it should be noted that:</p> <ul style="list-style-type: none"> • The Article 4 direction in relation to Classes AA and AB does not need to demonstrate that it is preventing wholly unacceptable adverse impacts. • In relation to Riverview and Waterside House, the latest information provided to the Council is that the permissions to convert the premises from offices have not been implemented, hence why the applicant was able to utilise a prior approval under Schedule 2, Part 20, Class AA. The need for Article 4 directions therefore remains pertinent until the change of use is implemented. • The evidence for the proposed Article 4 directions is available as part of the public reports submitted to Council for consideration. <p>It should be noted that the Council does not have the powers to modify the boundaries for the proposed Article 4 directions, only cancel the Article 4 directions completely. The Secretary of State does retain powers to modify a proposed Article 4 direction.</p> <p>It is not considered that this representation presents new information that would warrant the Council cancelling the proposed Article 4 directions.</p>
9	Resident 2	<p>Supports the proposed Article 4 direction for Class ZA, particularly in relation to Hayes Industrial area and Stockley Park. States that Class ZA permitted development rights disregard good design and place making for sustainable neighbourhoods. Also has the potential to give rise to poor quality residential accommodation detrimental to the health and wellbeing of any further occupants.</p>	Support welcomed.
10	Deloitte Real Estate on behalf of Universities Superannuation Scheme	<p>Comments in relation to Units 1-16 Liddall Way Industrial Estate, Horton Road, West Drayton. Objects to the proposed Article 4 Directions to remove the permitted development rights allowed under Schedule 2 Part 3 ZA, AA and AB of the Town & Country Planning (General Permitted Development) England Order 2015, as amended.</p> <p>They acknowledge the important role that commercial, office and industrial floor space plays in the local and national economy and are pleased that the Council shares this view.</p> <p>However, also recognise need for new housing and supports flexibility, allowing new homes to come forward in employment areas. A mixture of uses in employment locations can help support the vitality and character of the wider area and support its economic performance. They outline that new opportunities for new housing should not be restricted given the context of a national housing crisis that is particularly prevalent in London and the southeast. The Council will need to plan for increases in housing targets and restricting permitted development rights will likely make achieving this revised target more challenging. It is important to note that residential development delivered through permitted development rights can lead to good quality homes which contribute to solving the housing crisis.</p> <p>Important to note that it is unlikely commercial assets would be converted to residential uses unless demand for commercial uses reduces. Employment areas are susceptible to change in line with economic circumstances and consequently require flexibility to adapt to these changes. The proposed Directions reduce this flexibility, which could stifle economic growth and risks the creation of derelict sites, should demand for the commercial use of these assets reduce in the future.</p>	<p>Officers note the comments provided.</p> <p>Officers agree that the site plays an important role in the local and national economy. It also agrees with the summary that the units are in good condition, are fully occupied and supports its designation as a Strategic Industrial Location (SIL).</p> <p>Officers recognise that the removal of permitted development rights reduce the flexibility for landowners. This was a key consideration in the deliberation of these new Article 4 directions. However, it is also considered that these Article 4 directions are necessary to avoid the wholly unacceptable adverse impacts outlined within the justification in strategically important locations such as the Liddall Way Industrial Estate.</p> <p>In regard to housing targets, Officers have considered the impact of Article 4 directions on the Council's ability to meeting housing targets and consider that it will have a sufficient number of deliverable brownfield sites to meet relevant targets with the Article 4 directions in place.</p> <p>It is not considered that this representation presents new information that would warrant the Council cancelling the proposed Article 4 directions.</p>

		Considers sites like Liddall Way Industrial Estate, present attractive and sustainable future residential opportunities, should the demand for employment floor space reduce in the future.	
11	Resident 3	Two residents are supportive of the Proposed Article 4 directions.	Support welcomed.

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Appendix 8: Consultation Response Summaries - Class MA of Part 3 of Schedule 2

Rep #	Name	Summary of Response	Officer Response
12	Resident 4	<p>Support for the proposals as believes they are necessary and instrumental to protect employment, economic activity, and their locations, high streets and other retail and service locales in order to achieve good and sustainable planning and development with balanced opportunities and communities with supporting infrastructures. States there is clear evidence now available that this course of action must be undertaken.</p> <p>There are some anomalies from the resident's perspective as to certain areas not covered (e.g. the western most part of Stockley Park, the Millington Road area) and also unnecessarily covered (e.g. the whole of High Point Village, Hayes). Recognises that they relate to the current Local Plan. States that the review of the Local Plan will provide an opportunity to remedy any omissions if followed up with further revised Directions as appropriate.</p> <p>Support of the identification of the local parades.</p> <p>States that some parades have been stated to be part of Harlington, when they should be part of Hayes.</p>	<p>Support welcomed.</p> <p>In regard to the review of the Local Plan, if new evidence indicates that boundary changes are needed then they will be proposed through the review, as the resident has identified. This new evidence would also be utilised to review the need to create a new set of boundaries for the relevant Article 4 directions.</p> <p>In relation to the parades and their stated localities, they have been aligned with the localities already established in the Local Plan: Part 2 for consistency and ease of reference.</p>
13	Northwood Residents Association	<p>Write to support the removal of these permitted development rights.</p> <p>Whilst it might be right to allow the conversion of shops to residential, they should be in positions that do not adversely affect other shops. Under the permitted development rights a shop in the centre of a parade could be converted making an unacceptable break-up of the parade. Worse if several alternate shops are converted, leaving one shop one residential one shop.</p> <p>The same applies to all types of property even if to a lesser degree.</p> <p>By removing the rights the applicant can still apply for planning permission but have to argue no unacceptable impact on their neighbours.</p> <p>In the view of the Association, the same applies to all permitted development rights. They work against those close by as their right to object to the application is removed.</p>	<p>Support welcomed.</p>

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QUESTIONS FROM MEMBERS

7.1 QUESTION SUBMITTED BY COUNCILLOR BANERJEE TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND EDUCATION - COUNCILLOR O'BRIEN:

Can the Cabinet Member please advise why the Council built a family hub at the Civic Centre and, since it has opened, how has it been working for Hillingdon families?

7.2 QUESTION SUBMITTED BY COUNCILLOR MAKWANA TO THE CABINET MEMBER FOR FINANCE - COUNCILLOR GODDARD:

Could the Cabinet Member please provide an update as to the latest financial position on the Dedicated Schools Grant?

7.3 QUESTION SUBMITTED BY COUNCILLOR SULLIVAN TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND EDUCATION - COUNCILLOR O'BRIEN:

Can the Cabinet Member please provide an update on the progress of the development of additional SEND provision for residents across the borough linked to the DSG Safety Valve agreement?

7.4 QUESTION SUBMITTED BY COUNCILLOR GOHIL TO THE LEADER OF THE COUNCIL - COUNCILLOR EDWARDS:

Would the Leader please inform Council how the Medium-Term Financial Forecast is being impacted by the high level of inflation and how the Council is responding to the unexpected rise in expenditure?

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MOTIONS

8.1 MOTION FROM COUNCILLOR BIANCO

That this Council calls upon the Mayor of London to listen closely to the returns he receives in respect of the consultation exercise on the proposed extension of the ULEZ to include the outer London Boroughs.

Whilst this Council is fully committed to decarbonisation by 2030 and have already taken many steps to reduce our carbon footprint, we are very aware that the introduction of a ULEZ scheme here would have a severely negative effect on both our residents, the businesses situated here and the staff of our partner organisations such as the NHS.

This Council asks the Mayor of London to understand that in Hillingdon, residents and businesses alike do not have the ready option of a good public transport alternative to using their cars and that distances are too great to make walking or cycling a sensible option for most.

This scheme, if implemented, would be a crippling daily tax on our poorest residents and working population, adding to the already increased costs they have with high fuel prices.

8.2 MOTION FROM COUNCILLOR CURLING

That this Council recognises the concerns raised by both local businesses and residents since the changes in the 'stop and shop' scheme came into force, which mean that it is now more difficult for residents, particularly the elderly and vulnerable, to get the 30 minutes free pay and display ticket, and completely removes the incentive for non-residents to 'stop and shop', and thereby has a negative impact on the borough's local businesses and residents.

This Council therefore calls on the Cabinet Member for Resident's Services and the Older Persons Champion, to engage with residents' groups, local business forums and elderly people's groups, to consider alternatives to this change and consult on the future of the 'stop and shop' schemes.

8.3 MOTION FROM COUNCILLOR NELSON

That this Council recognises Black History Month and its importance and significance to the vibrant cultural diversity of this Borough.

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