



HILLINGDON  
LONDON



# Council

## To all Members of the Council

**Date:** THURSDAY, 11 JULY 2024

**Time:** 7.30 PM

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

**Meeting  
Details:** The public and press are welcome  
to attend and observe the meeting.

For safety and accessibility, security measures will be conducted, including searches of individuals and their belongings. Attendees must also provide satisfactory proof of identity upon arrival. Refusal to comply with these requirements will result in non-admittance.

This meeting may be broadcast on the Council's YouTube channel. You can also view this agenda online at [www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

**Published:** Wednesday, 3 July 2024

**Contact:** Lloyd White, Head of  
Democratic Services

**Email:** [democratic@hillington.gov.uk](mailto:democratic@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

# Useful information for residents and visitors

## *Watching & recording this meeting*

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# Agenda

## **Prayers**

To be said by the Reverend Canon Andy Thompson.

- 1** Apologies for Absence
- 2** Minutes 1 - 26  
To receive the minutes of the meetings of the Council held on 22 February and 9 May 2024.
- 3** Declarations of Interest  
To note any declarations of interest in any matter before the Council
- 4** Mayor's Announcements
- 5** Public Question Time 27 - 28  
To take questions submitted by members of the public in accordance with Council Procedure Rule 10.
- 6** Report of the Head of Democratic Services 29 - 72
- 7** Members' Questions 73 - 74  
To take questions submitted by Members in accordance with Council Procedure Rule 11
- 8** Motions 75 - 76  
To consider Motions submitted by Members in accordance with Council Procedure Rule 12

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## Minutes

### COUNCIL

22 February 2024

Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge UB8 1UW

Councillor Shehryar Ahmad-Wallana (Mayor)  
Councillor Colleen Sullivan (Deputy Mayor)

	<p><b>MEMBERS PRESENT:</b></p> <table border="0"> <tr> <td>Councillors: Naser Abby</td> <td>Scott Farley</td> <td>Gursharan Mand</td> </tr> <tr> <td>Kaushik Banerjee</td> <td>Janet Gardner</td> <td>Stuart Mathers</td> </tr> <tr> <td>Labina Basit</td> <td>Elizabeth Garelick</td> <td>Douglas Mills</td> </tr> <tr> <td>Adam Bennett</td> <td>Narinder Garg</td> <td>Richard Mills</td> </tr> <tr> <td>Kishan Bhatt</td> <td>Tony Gill</td> <td>Peter Money</td> </tr> <tr> <td>Jonathan Bianco</td> <td>Martin Goddard</td> <td>June Nelson</td> </tr> <tr> <td>Wayne Bridges</td> <td>Ekta Gohil</td> <td>Barry Nelson-West</td> </tr> <tr> <td>Tony Burles</td> <td>Becky Haggard OBE</td> <td>Susan O'Brien</td> </tr> <tr> <td>Keith Burrows</td> <td>Henry Higgins</td> <td>Jane Palmer</td> </tr> <tr> <td>Reeta Chamdal</td> <td>Mohammed Islam</td> <td>Sital Punja</td> </tr> <tr> <td>Farhad Choubedar</td> <td>Rita Judge</td> <td>John Riley</td> </tr> <tr> <td>Philip Corthorne</td> <td>Kamal Preet Kaur</td> <td>Raju Sansarpuri</td> </tr> <tr> <td>Peter Curling</td> <td>Kuldeep Lakhmana</td> <td>Jagjit Singh</td> </tr> <tr> <td>Darran Davies</td> <td>Eddie Lavery</td> <td>Peter Smallwood</td> </tr> <tr> <td>Nick Denys</td> <td>Richard Lewis</td> <td>Jan Sweeting</td> </tr> <tr> <td>Ian Edwards</td> <td>Heena Makwana</td> <td>Steve Tuckwell MP</td> </tr> </table>	Councillors: Naser Abby	Scott Farley	Gursharan Mand	Kaushik Banerjee	Janet Gardner	Stuart Mathers	Labina Basit	Elizabeth Garelick	Douglas Mills	Adam Bennett	Narinder Garg	Richard Mills	Kishan Bhatt	Tony Gill	Peter Money	Jonathan Bianco	Martin Goddard	June Nelson	Wayne Bridges	Ekta Gohil	Barry Nelson-West	Tony Burles	Becky Haggard OBE	Susan O'Brien	Keith Burrows	Henry Higgins	Jane Palmer	Reeta Chamdal	Mohammed Islam	Sital Punja	Farhad Choubedar	Rita Judge	John Riley	Philip Corthorne	Kamal Preet Kaur	Raju Sansarpuri	Peter Curling	Kuldeep Lakhmana	Jagjit Singh	Darran Davies	Eddie Lavery	Peter Smallwood	Nick Denys	Richard Lewis	Jan Sweeting	Ian Edwards	Heena Makwana	Steve Tuckwell MP
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	<p><b>OFFICERS PRESENT:</b> Andy Evans, Dan Kennedy, Sandra Taylor, Glen Egan, Andy Goodwin, Iain Watters, Lloyd White, Mark Braddock, Morgan Einon, Alice Pringault and Nikki O'Halloran</p>																																																
<p>43.</p>	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillors Dhot, Roy Chamdal and Chapman.</p>																																																
<p>44.</p>	<p><b>MINUTES</b> (<i>Agenda Item 2</i>)</p> <p>It was agreed that an amendment be included in relation to Agenda Item 7.5 to reflect the fact that Councillor Curling had informed the meeting that the Freedom of the Borough events held in 2018 and 2022 had both been similar in nature and had included three course meals.</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 18 January 2024, as amended, be agreed as correct record.</p>																																																
<p>45.</p>	<p><b>DECLARATIONS OF INTEREST</b> (<i>Agenda Item 3</i>)</p> <p>There were no declarations of interest in any matters coming before the Council.</p>																																																

46.	<p><b>MAYOR'S ANNOUNCEMENTS</b> (<i>Agenda Item 4</i>)</p> <p>The Mayor advised that he had welcomed a number of local groups to the Parlour since the last Council meeting and had also attended a number of events around the Borough. He noted that the annual Battle of Britian Bunker event would be taking place on 27 February 2024 and invited Members to sponsor him for the Whittington Walk which would take place on 10 March 2024.</p> <p>The Mayor thanked his Mayoresses for their continued support during his mayoralty.</p>
47.	<p><b>REPORT OF THE HEAD OF DEMOCRATIC SERVICES</b> (<i>Agenda Item 5</i>)</p> <p><b>i) Urgent Implementation of Decisions</b></p> <p>The recent urgent decisions taken were noted.</p> <p><b>ii) Political Groups on the Council and Calculation of Political Balance</b></p> <p>Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:</p> <p><b>RESOLVED: That the alteration of the Political Balance of the Council as a result of Councillor Basit no longer being a member of the Labour Group, be noted.</b></p> <p><b>iii) Members' Allowances 2024/25</b></p> <p>Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:</p> <p><b>RESOLVED: That:</b></p> <ul style="list-style-type: none"> <li><b>a) the current Members' Allowances Scheme be revoked as of 31 March 2024 and the new Scheme for 2024/25, as shown in the Appendix to the report, be approved for implementation from 1 April 2024.</b></li> <li><b>b) the Head of Democratic Services be authorised to increase the level of Members' allowances in line with any subsequent annual pay award to staff for 2024/25. Such increase to also be applied to the separate allowance paid to the Mayor and Deputy Mayor.</b></li> </ul> <p>At this point, the meeting was adjourned for a short time following a disturbance in the Council Chamber.</p>
48.	<p><b>GENERAL FUND REVENUE BUDGET, HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME 2024 / 2025</b> (<i>Agenda Item 6</i>)</p> <p>Councillor R Mills moved, and Councillor Davies 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.</p> <p><b>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.</b></p>

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:

**Proposal to be moved:**

- a) **That 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 15 February 2024, 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 15 February 2024, subject to the following amendments;**
- d) **In relation to the Housing Revenue Account Revenue Budget, the proposals are based on the budget proposals approved by Cabinet on 15 February 2024, subject to the following amendments;**
- e) **In relation to the Housing Revenue Account Capital Budget, the proposals are based on the budget proposals approved by Cabinet on 15 February 2024, subject to the following amendments;**

**Supporting Information for the above proposals:**

**Council Tax Levels and Medium-Term Impact**

The following amendments to Cabinet's budget proposals have been developed in the context of the cost-of-living crisis, with the amendment including the creation of a Local Household Support Fund and reductions in a number of the proposed uplifts to fees and charges and a number of additional service priorities being funded by additional savings proposals, with the most material being digitalisation of Hillingdon People and carrying out a BID Review of the Communications Team.

Amendments to the Capital Programme outlined later in this document would result in a minor increase in prudential borrowing of £17k for invest to save schemes, increasing prudential borrowing to £63,099k over the next five years to 2028/29, with amendments based on commercial opportunities.

These budget amendments include increasing General Balances by £503k, with £500k of this funded by a transfer from Member-led Earmarked Reserves and increases the total balances on reserves in 2024/25 by £3k to £38,887k. With an increased investment in the HRA aimed at increasing Housing Stock numbers to secure an additional £150k per annum benefit from 2026/27 by reducing the pressure on Looked After Children's budgets from a lack of General Needs properties, with this benefit to increase General Balances by a further £450k by 2028/29. A further proposal based on running heritage sites on a trust basis is forecast to increase the contribution to General Balances by £1,260k by 2027/28.

## Changes to 2024/25 Revenue Budget

Specific amendments to the 2024/25 budget proposals have been developed and set out in table 1 below. These proposals include:

### Reserves

**Earmarked Reserve Repurposing:** It is proposed that Earmarked Reserves controlled by Members are reduced by £700k, with £500k of this being contributed to General Balances to accelerate the rate at which the Council will meet the minimum reserves level, with a further £200k being used to create a new Digital Disaster Reserve to enable the Council to quickly respond to any new and emerging issues that could arise from the new Digital Strategy.

### Services to Residents

**Scale Back the Street Cleaning Saving:** With a 2023/24 saving of £400k, this budget amendment proposes reducing the saving by £144k to increase the number of street cleaning operatives by 4 to continue to offer a more personalised service and maintain a presence on the high streets.

**Local Household Support Fund:** With the Government set to close the nationally funded Household Support Fund, it is proposed that £110k is set aside to support households facing financial difficulty with the purchase of white good and school uniforms to offset the impact of the fund closing on 31 March 2024.

**Reverse the Fortnightly Garden Waste Collections in Winter Months saving:** The budget amendment includes the reversal of this saving a cost of £105k to ensure that residents have a consistent service throughout the year on all waste services, including garden waste.

**Remove the increase proposed for 1<sup>st</sup> permits:** To support Local Residents during the cost-of-living crisis following the introduction of charges for 1<sup>st</sup> permits, it is proposed that the uplift in this charge for 2024/25 is reversed from the budget proposals at a minor cost of £5k.

**Make Tennis Courts free to book:** To support families during the cost-of-living crisis and support local residents with their physical and mental wellbeing, it is proposed that Council tennis courts are made free to use through an online booking system. To support this bid, it is also proposed that one site is used as a commercial tennis site, with a capital investment of £250k required to build a club house, with year 1 forecast to breakeven, with the income forecast to cover both the lost fees and charges income and the capital financing cost associated with the borrowing required to build the clubhouse.

**Introduce a Landlord Licensing Scheme:** A breakeven proposal is included to introduce a Landlord Licensing Scheme aimed at improving standards within the private rented sector, with the investment to be offset through fees and charges. Ultimately it is anticipated that this will also support the physical and mental wellbeing of residents, whilst also reducing demand on the Council's own housing stock in the Housing Revenue Account (HRA).

**Introduce Regulatory Officer for Houses in Multiple Occupation (HMOs):** Employing an officer to monitor HMOs and reduce the negative impact of HMOs on



neighbours and costs on the Council. Including waste management, anti-social behaviour and energy meter disputes information to tenants. This officer will also investigate the feasibility of a HMO landlord standards registration. The cost of this officer will be charged back through HMO application fees through the full cost recovery model. This post will contribute to future council savings through early prevention.

### Finance & Corporate Items

**Set up a Trust to run the Council's heritage sites:** With the Council now running the Battle of Britain Bunker on a Trust basis, it is proposed that this approach is broadened across other heritage sites, with the year 1 impact forecast to be a £19k saving, with this forecast to increase to £1,260k by 2027/28, with this additional benefit in later years to be used to increase General Balances.

**Capital Financing Impact from Updates to the Capital Programme:** With two invest to save additions proposed to be added to the capital programme, the capital financing impact is forecast to add £17k to 2024/25, with this cost ultimately being over recovered by the saving proposals.

**Transformation – Investment in cross cutting bid writing team:** It is proposed that the Council invest in a team with the primary focus of securing additional funding from external sources, with one officer focused on General Fund activities and another focused on supporting the Schools Budget Safety Valve Agreement. The officer focused on the General Fund is expected to generate income sufficient to cover the expenditure in year 1 but is expected to exceed this level of the medium-term. The post supporting the DSG can be funded from capital receipts under Government direction, with a view to the team becoming self-financing and generating a net benefit for the Council from 2025/26 onwards.

**Savings Proposals:** The budget amendment includes a number of savings proposals including the repurposing of Hillingdon People to a more digital offer to make a saving against the printing and distribution costs saving £156k, a BID review of the communications team to save £100k, a reduction in the Mayor's Expenses budget of £9k, with proposals to lease out a site as a café in Ruislip generating £15k and a further proposal to lease out an area of the Civic Centre to the Home Officer for a further £15k, with these saving initiatives reducing spend by £292k per annum.

**Table 1: Changes to 2023/24 General Fund Revenue Budget**

	2024/25 £'000	2024/25 £'000
<b>Council Tax Requirement based on Cabinet Proposals</b>		<b>145,751</b>
<b>Earmarked Reserve Repurposing</b>		<b>0</b>
Create a Digital Disaster Reserve	200	
Transfer Earmarked Reserves to General Balances	500	
Reduce the Balance on Member Driven Earmarked Reserves	(700)	
<b>Services to Residents</b>		<b>294</b>
Scale back the Street Cleansing saving	144	
Local Household Support Fund Scheme	110	
Local Household Support Fund Scheme - Centralise Council Functions	(60)	

Reverse the Fortnightly Garden Waste Collections in Winter Months saving	105	
Remove the increase proposed for 1 <sup>st</sup> permits	5	
Make Tennis Courts free to book	20	
Commercialise One Tennis Court Site	(30)	
Introduce a Landlord Licensing Scheme	100	
Generate Fees & Charges from the Landlord Licensing Scheme	(100)	
Introduce Regulatory Officer for HMOs	60	
Increase HMO Licence Fee	(60)	
<b>Finance &amp; Corporate items</b>		<b>(2)</b>
Set up a Trust to run the Council's heritage sites	(19)	
Capital Financing Impact from Updates to the Capital Programme	17	
Transformation: Investment in cross cutting bid writing teams	60	
Transformation: Funding Obtained from Bid Writing	(60)	
Transformation: Investment in DSG bid writing team	60	
Transformation Capitalisation Funding	(60)	
<b>Savings Proposals</b>		<b>(1,041)</b>
Repurposing of Hillingdon People	(156)	
BID Review of Communications	(100)	
Reduction to Mayors Expenses Budget	(9)	
Generate Income from the Middlesex Suite	0	
Generate Lease Income from a Café by Cow Byre, Ruislip	(15)	
Generate Lease Income from the Home Office in the Civic	(15)	
<b>General Balances</b>		<b>(3)</b>
<b>Increase in General Balances</b>	(3)	
<b>Change in Council Tax Requirement</b>		0
<b>Council Tax Requirement based on Labour Group Proposals</b>		<b>145,751</b>

### Changes to the General Fund Capital Programme

There are two proposed changes to the General Fund Capital Programme, with both these being invest to save additions, with the details being:

**Cow Byre Café Development:** It is proposed that a café is introduced on a vacant site by the Cow Byre site in Ruislip, with an investment of £150k required to deliver the site. The lease income from the site will generate £15k per annum, more than covering the £6k capital financing cost and generating an ongoing net benefit for the General Fund.

**Build Club House at one Tennis Court Site for Commercial Offer:** It is proposed that the Council changes one of the tennis court sites to operate on a commercial basis, with an investment of £250k being required to build a club house for the operating to run the venue from, which can also include a café and shop. The investment is expected to breakeven in year 1, with the lease income of £30k covering both the capital financing costs and also funding the removal of the tennis court booking fee. The investment will further support the physical and mental

wellbeing of residents, offering a pay-as-you-go tennis offer in the borough, for adults and children, with an increased children's offer in school holidays.

**Table 2: Capital Programme Changes**

	Project Budget £'000	Grants and Contributions £'000	CIL £'000	Capital Receipts £'000	Prudential Borrowing £'000
<b>Capital Programme</b>	<b>377,109</b>	<b>145,380</b>	<b>23,463</b>	<b>103,950</b>	<b>104,316</b>
Cow Byre site, Ruislip Café Development	150				150
Build Club House at one Tennis Court Site for Commercial Offer	250				250
<b>Total Updates</b>	<b>400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>400</b>
<b>Revised Capital Programme</b>	<b>377,509</b>	<b>145,380</b>	<b>23,463</b>	<b>103,950</b>	<b>104,716</b>

### HRA Budget Changes

Housing Revenue Account (HRA) revenue budget amendments include a proposal to double the repairs growth in the budget proposals over a three-year period, increasing the 2024/25 growth by £350k, with this growth item to scale up to £1,000k by 2026/27, before unwinding the additional investment at £500k per annum in 2027/28 and 2028/29, with a forecast reduction in the revenue impact of repairs of £500k by year-five from the upfront investment, with the objective of the investment to be an acceleration of the work required to improve the Council's housing stock and avoid disrepair claims.

Included in the HRA Amendment is a capital proposal to increase the Council's housing stock above the current budget proposals by a net 100 homes in 2025/26 and 2026/27, effectively increasing the stock growth to compensate for the Right-To-Buy sales of 40 per annum in those two years, with a total capital investment of £35,200k. This investment will yield additional rental income of £1,031k per annum by the end of the five-year budget cycle. It is then proposed that a BID Review is carried out on both tenancy management and the repairs service, ensuring that efficiency gains from the upfront investment in repairs are maximised, securing an additional £382k saving that will support the additional capital financing cost above the rental income yield, with this saving being less than 1% of these two service areas.

The increase in the Council's housing stock will also benefit the General Fund and can be used to either support the growing homelessness pressure or address the lack of General Needs properties for Looked After Children, with an estimated benefit on the General Fund of £150k per annum by 2027/28.

**Table 3: HRA Revenue Changes**

	2024/25 £'000	2024/25 £'000	2025/26-2028/29 £'000	2025/26-2028/29 £'000
<b>HRA Planned Use of Balances</b>		<b>(101)</b>		<b>0</b>
Double the growth item in the budget for repairs work	350		0	
Repairs saving from early investment	0		(500)	
Increase the stock numbers by a net 100 in 2025/26 and 2026/27	0		(1,031)	
Capital Financing Impact	0		1,913	
Carry out a BID Review of Tenancy Management & The Repairs Service	0		(382)	
<b>HRA Planned Use of Balances from Labour Group Proposals</b>		<b>249</b>		<b>0</b>

**Table 3: HRA Capital Changes**

	2024/25 £'000	2024/25 £'000	2025/26-2028/29 £'000	2025/26-2028/29 £'000
<b>HRA Capital Budget</b>		<b>550,150</b>		<b>550,150</b>
Increase the stock numbers by 100 in the medium-term			35,200	
<b>HRA Capital Budget from Labour Group Proposals</b>		<b>550,150</b>		<b>585,350</b>

**Table 4: HRA Stock Numbers**

Tenanted Stock	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Change
Projected Opening Stock	10,253	10,295	10,518	10,603	10,714	10,694	N/A
Forecast Right-to-Buy Sales	(50)	(40)	(40)	(40)	(40)	(25)	(235)
New Units	114	300	100	100	20	20	654
Housing Regeneration voids	(22)	(37)	(66)	0	(79)	(94)	(298)
Housing Regeneration new build	0	0	91	51	79	53	274
<b>Projected Closing Stock</b>	<b>10,295</b>	<b>10,518</b>	<b>10,603</b>	<b>10,714</b>	<b>10,694</b>	<b>10,648</b>	<b>395</b>
Budget Amendment			40	40			80
<b>Revised Closing Stock</b>	<b>10,295</b>	<b>10,518</b>	<b>10,643</b>	<b>10,754</b>	<b>10,694</b>	<b>10,648</b>	<b>475</b>

Those speaking in support of the amendment suggested that the proposed budget was not fit for purpose and would result in an increase of £18m in the funding gap. The budget was becoming more of a challenge but the administration's lack of forethought and lack of ideas would lead the Council to financial ruin. The amendment provided a more pragmatic approach to the budget and would rebuild general balance reserves, which were currently under the recommended threshold.

The administration had failed to generate income from its existing assets, with only £1,100 raised from the Middlesex Suite in the previous year, and the lack of reserves would lead the authority down the path to bankruptcy. The amendment looked to support public health initiatives, retain the weekly waste collection and build more Council homes whilst remaining financially responsible. Although in July 2023 Cabinet Members had stated during a Council meeting that green waste was a vital part of waste management and that it would continue to be collected weekly, the budget proposed that green waste be collected fortnightly during the winter months.

It was suggested that the bid writing team included in the amendment would pay for itself, whilst also reducing the deficit. This initiative had been introduced in Lewisham and had unlocked significant funding in relation to things like the Pupil Premium. Transferring the Battle of Britain Bunker to a Charitable Trust would also save the Council money and secure the heritage site's future.

The Household Support Fund, which had provided help to residents with the cost of living, would shortly be coming to an end and the administration had not been

lobbying Government to stop it from disappearing. The amendment would look to freeze the increase in parking permit fees to reduce the financial impact on residents and invest in housing stock to compensate for Right To Buy sales. The administration should have been ensuring that social housing had been included in developments that were being approved by the Council. The Housing Revenue Account budget had been broken and there had been an increase in the number of residents who were unable to afford to rent a property – the Council had been depriving residents of a decent home. Affordable social housing would be key.

A BID review would also be undertaken into tenancy management and repairs to improve the Council housing stock and avoid repair costs. A landlord licensing scheme would also improve standards in the private rented sector.

It was recognised that voting for the amendment would not assume that there was agreement with everything that had been suggested, but it would ask the Cabinet to rethink its proposals.

Those speaking against the amendment suggested that it had not been properly thought through and, despite having previously expressed concern about digital exclusion, the opposition was now proposing that Hillingdon People be distributed electronically. The amendment had not included capital investment in early years nurseries or provided any capital support for Uxbridge Library. It had also included a budget for repairs when it actually needed to be looking at a budget for planned maintenance.

The amendment had included proposals that the administration had already been investigating as well as ideas that were not feasible. The Council already provided tennis courts and did not need to provide a new pavilion when the money could be better spent elsewhere. Many of the suggestions being made in the amendment should have been issues raised in the relevant Select Committee before now.

The amendment was put to a recorded vote:

Those voting for: Councillors Abby, Basit, Burles, Curling, Farley, Gardner, Garelick, Garg, Gill, Islam, Judge, Kaur, Lakhmana, Mand, Mathers, Money, Nelson, Nelson-West, Punja, Sansarpuri, Singh and Sweeting.

Those voting against: The Mayor (Councillor Ahmad-Wallana), the Deputy Mayor (Councillor Sullivan), Councillors Banerjee, Bennett, Bhatt, Bianco, Bridges, Burrows, Reeta Chamdal, Choubedar, Corthorne, Davies, Denys, Edwards, Goddard, Gohil, Haggard, Higgins, Lavery, Lewis, Makwana, D Mills, R Mills, O'Brien, Palmer, Riley, Smallwood and Tuckwell.

Those abstaining: None.

The amendment was lost.

Those speaking in support of the original motion noted that the budget had been formulated in the face of challenging worldwide and domestic issues as well as fundamental changes in public sector finance. Following the consultation on the budget in December 2023, which had received positive support overall, a few changes had been made and set out in the Cabinet report.

It had been recognised that changes might need to be made to service delivery to be

able to continue to meet increased demand. It was likely that the cost increases associated with social care would exceed the prevailing rate as the demand for these services continued to increase (social care accounted for approximately 66% of service expenditure). Although the administration had invested in front line services rather than cutting them, the reality was that there would inevitably be some cost escalation.

Work had been undertaken to maintain the savings programme by creating service efficiencies and reducing administration costs through the use of digital technology. Consideration was also being given to optimising the use of, and return from, assets. If an asset did not make a useful contribution, consideration would be given to selling it.

A Zero Based Budgeting exercise was currently being undertaken across the whole Council. It was anticipated that this process would deliver long term savings and would be refreshed in future years. Investing to save money in the future on initiatives such as the purchase of a care home would also drive down costs.

There had been a significant increase in the number of asylum seekers in the Borough (there had been more than 650 requests during the current financial year in comparison to 136 in the previous year). The Council had not been provided with additional funding to meet the associated increase in costs.

In September 2023, homelessness had been at its highest level since records began. Addressing this challenge had been the highest driver of the use of earmarked reserves during 2023/2024.

Although the proposed 2024/25 budget was balanced, there had been a slight increase in the budget gap. It was noted that this gap had been largely caused by the uncertainty in relation to the level of Government grants that would be received during that year. Despite the Department for Levelling Up, Housing and Communities identifying a reduction in local authority spending power whilst facing increasing demand for services, the Council would be receiving a reduction in Government grants next year.

It was recognised that Hillingdon's reserves had reduced during the ten years to 2018/19 when Council Tax had been frozen. However, Council Tax in Hillingdon had increased by only 15% over the last 15 years, whereas the contributions made by residents to the London Mayor had increased by more than 70% in the last eight years. Fees and charges in the Borough continued to be amongst the lowest in London and improvements had been made to leisure centres, tennis courts, playgrounds and town centres. Car parking machines had been upgraded, new housing had been built and the Council's children's services had recently been rated as "Excellent" by Ofsted.

The number of children with Education, Health and Care Plans had increased by 14% in the previous year and the Council had continued to invest in its schools. Two Family Hubs had been established in the Borough (in Uxbridge and Hayes) to put relationships at the heart of family support. These Hubs had collocated services to simplify access for residents, made integration easier and filtered out waste and duplication.

Health and social care needed to be addressed together and an early intervention approach had been adopted to encourage independent living for as long as possible.

New diagnostic equipment would be introduced and the TeleCareLine provision would be reviewed.

The Council remained committed to the 16 libraries in the Borough and had been investigating a temporary site for the library in Northwood. Residents continued to be encouraged to recycle their waste with a promotion in relation to recycling food waste and the remodelling of the site at New Years Green Lane.

With regard to bid writing, it was noted that all senior managers were already required to seek additional funds. This had resulted in securing £188m of grants over the lifetime of the MTFF.

It was suggested that the proposal provided a strong and sound budget which was forward looking and dynamic and which also preserved the administration's manifesto promises. The budget provided realistic and sensible provision that increased the level of reserves each year and would result in a smaller, simpler and smarter Council.

Those speaking against the original motion expressed concern that the administration continued to cut front line services such as bowls clubs, a garden centre tea room, children's centres, Harlington Library and free weekly green waste collection. Fees had been increased by 5% and the administration could no longer afford to pay for services as a result of its poor financial management.

A national newspaper article had recently identified Hillingdon as the most unhappy place to live whilst another had shown it to be the most NIMBY council. The budget was not resilient or strong, did not support older residents and would result in reduced resident satisfaction and reduced reserves (Hillingdon's reserves were one of the lowest in London). As well as having problems achieving savings during the current year, it was suggested that the budget had only been balanced by "selling off the family silver". The sale of these assets would be attributed to excuses such as decarbonisation and structural damage.

The proposed budget would leave the Council with an £18m deficit in five years. It was suggested that the administration should be lobbying the Government for more funding. The budget was high risk, unsustainable and not fit for purpose.

The original motion was put to a recorded vote:

Those voting for: The Mayor (Councillor Ahmad-Wallana), the Deputy Mayor (Councillor Sullivan), Councillors Banerjee, Bennett, Bhatt, Bianco, Bridges, Burrows, Reeta Chamdal, Choubedar, Corthorne, Davies, Denys, Edwards, Goddard, Gohil, Haggard, Higgins, Lavery, Lewis, Makwana, D Mills, R Mills, O'Brien, Palmer, Riley, Smallwood and Tuckwell.

Those voting against: Councillors Abby, Basit, Burles, Curling, Farley, Gardner, Garelick, Garg, Gill, Islam, Judge, Kaur, Lakhmana, Mand, Mathers, Money, Nelson, Nelson-West, Punja, Sansarpuri, Singh and Sweeting.

Those abstaining: None.

The original motion was carried and it was:

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

approved.

1. The General Fund revenue budget proposals made by Cabinet be approved, resulting in a Council Tax requirement for 2024/25 of £145,751,237;
2. Council note that, at its meeting on 18 January 2024, the Council calculated the amount of 104,668 as its Council Tax Base for the year 2024/25. This was calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its Council Tax Base for the year (*Item T in the formula in Section 31B (3) of the Local Government Finance Act 1992*);
3. The Hillingdon element of Council Tax be set at £1,392.51 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 £1,863.91 for the borough;
4. The following amounts have been calculated by the Council for the year 2024/25, in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act):

a) £966,906,538 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) £821,155,301 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) £145,751,237 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) £1,392.51 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
928.31	1,083.04	1,237.78	1,392.51
Band E	Band F	Band G	Band H
1,701.93	2,011.39	2,320.81	2,784.97

being the amounts given by multiplying the amount at 4 (d) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to



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

5. Council note that for the year 2024/25 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:

<b>The Greater London Authority Precept (£)</b>			
<b>Band A</b>	<b>Band B</b>	<b>Band C</b>	<b>Band D</b>
314.27	366.64	419.02	471.40
<b>Band E</b>	<b>Band F</b>	<b>Band G</b>	<b>Band H</b>
576.16	680.91	785.67	942.80

6. The Council has calculated the aggregate in each case of the amounts at 4 (e) and 5 above. The Council in accordance with Section 30 and 36 of the Local Government Finance Act 1992 hereby sets the Council Tax for the year 2024/25 for each category of dwelling below:

<b>Total Council Tax 2024/25 (£)</b>			
<b>Band A</b>	<b>Band B</b>	<b>Band C</b>	<b>Band D</b>
1,242.58	1,449.68	1,656.80	1,863.91
<b>Band E</b>	<b>Band F</b>	<b>Band G</b>	<b>Band H</b>
2,278.09	2,692.30	3,106.48	3,727.77

7. The Council Tax Discount for Older People be retained for 2024/25 with a 1.12% discount on Hillingdon's element of the Council Tax for those who joined the scheme on or after 1 April 2020, 2.56% for those who joined the scheme before or on 31 March 2019 and 5.47% for those who joined before or on 31 March 2018, with the scheme closed to new applicants from 1 April 2021;
8. The General Fund Capital Programme for 2024/25 to 2028/29 as set out in Appendix A8 of the report to Cabinet be approved;
9. The Housing Revenue Account budget proposals, HRA Capital Programme and housing rents set out in Appendix B of the report to cabinet be approved;
10. The proposed amendments to Fees and Charges set out in Appendix C of the report to Cabinet be approved;
11. Capital Investment Strategy, Treasury Management Strategy, Investment Strategy, Minimum Revenue Provision Statement for 2024/25 to 2028/29 as set out in Appendix D of the report to Cabinet be approved;
12. The London Borough of Hillingdon Pay Policy Statement for 2024/25 as set out in Appendix E of the report to Cabinet be approved;

	<p><b>13. Council note the Corporate Director of Finance’s comments regarding his responsibilities under the Local Government Act 2003 as set out from paragraph 154 of the Cabinet’s Budget Proposals;</b></p> <p><b>14. Council note the planned use of the Flexible Use of Capital Receipts to fund transformation activity as outlined in Appendix 6a of the report to Cabinet;</b></p> <p><b>15. Council (as set out in Schedule G of the Constitution - Budget and Policy Framework Procedure Rules) resolves that Cabinet may utilise the general reserves or balances during 2024/25 in support of functions designated to the Cabinet in line with Part 4 of the Constitution;</b></p> <p><b>16. Council confirm that the Council’s relevant basic amount of Council Tax for 2024/25 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and therefore a referendum will not be triggered.</b></p>
	<p><b>MINUTE ANNEX A</b></p>
	<p>The meeting, which commenced at 7.30 pm, closed at 10.05 pm.</p>

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 250636. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

### MEMBERS' ALLOWANCES SCHEME 2024/25

#### 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 2024/25 an allowance of **£12,481** 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. Leader of the Council	58,700.29
2. Deputy Leader of the Council	49,447.58
3. Chief Whip of Largest Party	23,725.26
4. Cabinet Member	41,351.55
5. Chairman of Select Committee	23,725.26
6. Chairman of Planning Committee	23,725.26
7. Chairman of Licensing Committee	23,725.26
8. Chairman of Standards Committee	3,343.46
9. Standards Committee Independent Person	500 (per meeting)
10. Chairman of Audit Committee*	3,180.83
11. Champion	6101.08
12. Council representative on Adoption and Permanency Panel	13,373.87
13. Cabinet Assistant	9,252.71
14. Leader of 2 <sup>nd</sup> Party	23,725.26
15. Chief Whip of 2 <sup>nd</sup> Party	6101.08
16. 2 <sup>nd</sup> Party Lead on Select 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 entitlement allowance of £500 per meeting required and attended 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 15<sup>th</sup> 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.

## Minutes

### COUNCIL

9 May 2024



HILLINGDON  
LONDON

Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge UB8 1UW

Councillor Shehryar Ahmad-Wallana (Mayor in the Chair - agenda items 1 to 3)  
Councillor Colleen Sullivan (Deputy Mayor - agenda items 1 to 3)

Councillor Coleen Sullivan (Mayor in the Chair - agenda items 4 to 11)  
Councillor Philip Corthorne (Deputy Mayor - agenda items 4 to 11)

	<p><b>MEMBERS PRESENT:</b></p> <p>Councillors: Naser Abby                      Scott Farley                      Kelly Martin                     Kaushik Banerjee                      Janet Gardner                      Stuart Mathers                     Labina Basit                      Elizabeth Garelick                      Douglas Mills                     Adam Bennett                      Narinder Garg                      Richard Mills                     Kishan Bhatt                      Tony Gill                      June Nelson                     Jonathan Bianco                      Martin Goddard                      Barry Nelson-West                     Wayne Bridges                      Ekta Gohil                      Susan O'Brien                     Tony Burles                      Becky Haggard OBE                      Jane Palmer                     Reeta Chamdal                      Henry Higgins                      Sital Punja                     Roy Chamdal                      Mohammed Islam                      John Riley                     Farhad Choubedar                      Rita Judge                      Raju Sansarpuri                     Philip Corthorne                      Kamal Preet Kaur                      Jagjit Singh                     Darran Davies                      Kuldeep Lakhmana                      Jan Sweeting                     Nick Denys                      Eddie Lavery                      Steve Tuckwell MP                     Jas Dhot                      Heena Makwana                     Ian Edwards                      Gursharan Mand</p>
	<p><b>OFFICERS PRESENT:</b> Tony Zaman, Andy Evans, Dan Kennedy, Julie Kelly, Sandra Taylor, Glen Egan, Lloyd White, Mark Braddock, Morgan Einon, Alice Pringault and Nikki O'Halloran</p>
1.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillors Burrows, Curling, Lewis, Money and Smallwood.</p>
2.	<p><b>DECLARATIONS OF INTEREST</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest in any matter before the Council.</p>
3.	<p><b>ELECTION OF MAYOR 2024 / 2025</b> (<i>Agenda Item 3</i>)</p> <p>The Mayor gave a summary of his year in office and noted that he had been able to help promote a healthier Hillingdon during his mayoralty and that he had engaged with all sectors of the community, made speeches in multiple languages and had met with the Prince of Kent and the Duke of Gloucester. He had welcomed the opportunity to raise the profile of his charities, Halo Children's Foundation and the Al-Falah Institute, as well as raising funds for them.</p>

	<p>The Mayor thanked his Mayoresses, Mrs Amtul Woud Wallana and Miss Tooba Wallana, for the support that they had given him over the last twelve months and he also thanked his father and late mother.</p> <p>The Mayor paid tribute to the Mayoral team, past and present, and all of the Council officers who had supported his charity fundraising events whilst also providing excellent services. The Mayor was grateful to his Ward Councillor colleagues, Councillors and the Leader for affording him the opportunity to hold the position over the last year.</p> <p>Nominations were invited for a Mayor to hold office for the 2024/25 municipal year. Councillor Sullivan was nominated by Councillor Bridges and seconded by Councillor O'Brien. There were no further nominations.</p> <p><b>RESOLVED: That Councillor Colleen Sullivan be elected as Mayor for the 2024/2025 municipal year.</b></p> <p><i>The Council adjourned for robing of the new Mayor at 7.51pm and reconvened at 8.04pm.</i></p>
4.	<p><b>ACCEPTANCE OF OFFICE BY THE NEW MAYOR</b> (<i>Agenda Item 4</i>)</p> <p>The newly elected Mayor signed the declaration of acceptance of office.</p>
5.	<p><b>APPOINTMENT OF THE DEPUTY MAYOR</b> (<i>Agenda Item 5</i>)</p> <p>The Mayor informed the Council that she had appointed Councillor Philip Corthorne as Deputy Mayor.</p> <p><b>RESOLVED: That the Deputy Mayor for the 2024/2025 municipal year be noted.</b></p>
6.	<p><b>NEW MAYOR'S ANNOUNCEMENTS</b> (<i>Agenda Item 6</i>)</p> <p>The new Mayor thanked Members for electing her to the position for the new municipal year. She advised that her Mayoress would be Ms Anne Robinson and that her nominated charities for the year would be Radio Hillingdon and RB&amp;H Arts Charity. The Mayor advised that she would not be appointing a single Chaplain but would instead be seeking support from various churches during her mayoralty.</p>
7.	<p><b>VOTE OF THANKS TO THE OUTGOING MAYOR</b> (<i>Agenda Item 7</i>)</p> <p>Councillor Edwards moved a vote of thanks to the retired Mayor, Councillor Shehryar Ahmad-Wallana, and his Mayoresses, Mrs Amtul Woud Wallana and Miss Tooba Khulat Wallana. He congratulated the outgoing Mayor on the support that he had provided and the money that he had raised for his two charities over the last year.</p> <p>The vote of thanks was seconded by Councillor Lakhmana. Councillors Bianco, Roy Chamdal, Denys, Gohil, Higgins and Lavery spoke in support of the vote of thanks to the outgoing Mayor, Councillor Ahmad-Wallana.</p> <p>The Mayor (Councillor Sullivan) presented a Past Mayor's badge to Councillor Ahmad-Wallana a Past Mayoress's badge to Mrs Amtul Woud Wallana and Ms Tooba Wallana.</p>



**RESOLVED: That the vote of thanks to the outgoing Mayor, Councillor Ahmad-Wallana, be agreed.**

8. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 8*)

**8.1 APPOINTMENT OF CABINET**

The appointment by the Leader of the Council of Councillor Bianco as the Deputy Leader, and the following Members as Cabinet Members, for 2024/2025 was noted:

<b>Position/Portfolio</b>	<b>Councillor</b>
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

**8.2. RESULT OF THE BY-ELECTION AND POLITICAL BALANCE**

It was noted that Kelly Martin, the Conservative Party candidate, had been elected to represent Hillingdon East Ward at the by-election held on 2 May 2024.

**8.3 REVIEW OF COUNCIL CONSTITUTION**

Councillor Edwards moved, and Councillor Bianco seconded, the recommendations contained in the report.

Those speaking against the recommendations expressed concern that a reduction in the number of select committees would increase the workload of the remaining select committees and make effective scrutiny difficult to achieve. Whilst efforts to streamline were appreciated, the objective should be to increase productivity rather than reduce it.

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

- i) That the word 'frivolous' be removed as a reason for the Head of Democratic Services to reject questions and motions from Members and the public.
- ii) That, in relation to the section regarding Members' Enquiries and Services Requests in the Opposition Lead Protocol on Good Member and Officer Relations, the following wording be added as shown below in bold:

***“Should a Member wish for information that is not specific to their own Ward (e.g. is regarding matters affecting the whole Borough or is cross-cutting for a part of the Borough wider than a single Ward) then such a request must be made through the Group Leader with an explanation as to why such information is required.***

***Where a Member requests such factual information, that information will also be supplied to the relevant Cabinet Member, Chair and Opposition Lead of the appropriate Committee or relevant officers.”***

Those speaking in support of the amendment believed that these two small changes would strengthen the Constitution. The word 'frivolous' was thought to be too subjective and, if the administration had nothing to hide, they would have no objection to including the opposition lead in the protocol.

Those speaking against the amendment noted that the dictionary had been clear about the definition of 'frivolous' and whether or not a question or motion could be deemed frivolous would be determined by the Borough Solicitor and the Head of Democratic Services. Members were reminded that the Whips had recently been tasked with reviewing the protocol and had agreed the current procedure.

The amendment was put to the vote and lost.

The original motion was put to the vote and it was:

**RESOLVED: That the Head of Democratic Services be authorised to make the following amendments to the Constitution:**

**i) Part 2, Chapter 4, SO11: Questions submitted by Members:**

**11.4 Questions that may not be accepted**

**The Head of Democratic Services may amend or reject a question submitted on notice if it:**

- **is defamatory, frivolous or offensive;**
- **does not contain sufficient detail or information to allow for an informed and detailed answer to be given or, if local authority resources are referred to, does not provide sufficient detail to allow them to be accurately quantified;**
- **is substantially the same, similar in nature or concerning the same subject matter as a question which has been put at a meeting of the Council in the past six months; or**
- **requires the disclosure of confidential or exempt information as defined in the Access to Information Rules.**

**Part 2, Chapter 4, SO12: Motions on Notice:**

**12.3 Motions that may not be accepted**

**The Head of Democratic Services may amend or reject a Motion submitted on notice if it:**

- **is defamatory, frivolous or offensive;**
- **if approved would require unlawful action to be taken or action which would be impossible to implement;**
- **requires the disclosure of confidential or exempt information as defined in the Access to Information Rules.**

**ii) Part 3, Chapter 22: Members' Enquiries & Service Requests**

**A Member is free to submit a Member's Enquiry or service request to approach any Council Department, via the Members' Enquiry portal only, to provide such information, explanation and advice about the Department's functions as may reasonably be required in order to assist with discharging his/her role.**

**A Members' Enquiry is defined as:**

**'a clear question has been asked that requires investigation by Council Officers, or the supply of information from a Council department'. A Members Enquiry may include requests for general policy and performance information, and/or the investigation of ongoing or persistent issues including persistent fly tipping.**

**A Members' Service Request is defined as:**

**'a request for a one-off action to be taken, that requires action by an officer and not investigative activities or supply of information'. Examples of a Service Request include collection of fly tipping, removal of graffiti, street lighting issues, tree problem etc. Service Requests are location-specific.**

**All enquiries and requests must be reasonable and will be met subject to any overriding legal considerations (determined by the Monitoring Officer). If the recipient of any request considers the cost of providing the information requested or the nature of the request to be unreasonable, they will raise the matter with the relevant Corporate / Executive Director who will discuss the issue with the relevant Group Leader or, in the absence of a Group Leader, with the Member concerned.**

**A Member may raise a valid Service Request for any area within the Borough.**

**Should a Member wish to raise a Member's Enquiry, or be asked to raise one by a member of the public, concerning a matter in another Member's Ward, there is an expectation that they will refer the matter to the appropriate Ward Member(s) or / and, where appropriate, seek the agreement of the member of public to refer the matter to the appropriate Ward Member(s), unless a valid reason why this would not be appropriate is provided by the relevant Group Leader.**

**Should a Member wish for information that is not specific to their own Ward (e.g. is regarding matters affecting the whole Borough or is cross-cutting for a part of the Borough wider than a single Ward) then such a request must be made through the Group Leader with an explanation as to why such information is required.**

**Where a Member requests such factual information, that information will also be supplied to the relevant Cabinet Member, Chair of the appropriate Committee or relevant officers.**

**To assist Members in submitting Service Requests, Members' Enquiries or requests for factual information, the Council operates a portal, and all such requests must be made via this route.**

**iii) Part 2, Chapter 4, SO14: 14.3 Seconder's Speech**

**"When seconding a motion or amendment, a Member may reserve**

their speech until later in the debate. The Member may also, at the moment of seconding a motion or amendment and reserving their right to speak later, request of the Mayor that they be called to speak at the conclusion of the debate, albeit prior to those Members exercising a Right of Reply as set out in SO14.9. Such a request shall be granted by the Mayor.”

- iv) That the deletion of the former Finance and Corporate Services Select Committee and the Property, Highways and Transport Select Committee be noted and the creation of the new Corporate Resources and Infrastructure Select Committee be agreed with the following Terms of Reference:

To undertake the overview and scrutiny role in relation to the following Cabinet Member portfolio(s) and service areas:

Cabinet Member Portfolios	<ul style="list-style-type: none"> <li>• Leader of the Council</li> <li>• Cabinet Member for Corporate Services</li> <li>• Cabinet Member for Finance</li> <li>• Property, Highways &amp; Transport</li> </ul>
Relevant service areas	<ol style="list-style-type: none"> <li>1) Democratic Services</li> <li>2) Finance</li> <li>3) Procurement &amp; Commissioning</li> <li>4) Counter Fraud &amp; Business Assurance</li> <li>5) Digital &amp; Information (Customer Access, Business Intelligence, Digital, Technology, Information Governance)</li> <li>6) Strategic Partnerships</li> <li>7) Consultation &amp; engagement</li> <li>8) Corporate Communications</li> <li>9) Legal Services</li> <li>10) Human Resources</li> <li>11) Business Administration (incl. Mortuary)</li> <li>12) Transformation (BID)</li> <li>13) Operational Assets (Repairs &amp; Engineering, Planned Works, Disabled Facilities, Building safety &amp; FM)</li> <li>14) Property Services</li> <li>15) Capital Programme (inc. Major Projects)</li> <li>16) Transportation</li> <li>17) Highways</li> <li>18) Health &amp; Safety / Emergency Response</li> </ol>

**Cross cutting topics**

This Committee will also act as lead select committee on the monitoring and review of the following cross-cutting topics:

- Resident Experience
- Civic Centre, Property and built assets

This Committee will scrutinise and review the work of utility companies whose actions affect residents of the Borough.

9.	<p><b>COMMITTEE ALLOCATIONS AND MEMBERSHIP 2024 / 2025</b> (<i>Agenda Item 9</i>)</p> <p>Councillor R Mills moved, and Councillor Davies seconded, the motion as set out on the Order of Business and it was:</p> <p><b>RESOLVED: That the appointment of Committees, Sub-Committees and their memberships, as set out in Minute Annex A, be approved.</b></p>
10.	<p><b>SELECT COMMITTEES ANNUAL REPORT</b> (<i>Agenda Item 10</i>)</p> <p>The Council received a report detailing the work covered by the Select Committees in 2023/24. It was moved by Councillor Bridges, seconded by Councillor Makwana, and:</p> <p><b>RESOLVED: That the report be noted.</b></p>
11.	<p><b>STATEMENT BY THE LEADER OF THE COUNCIL</b> (<i>Agenda Item 11</i>)</p> <p>The Leader of the Council advised that inflationary pressures had continued but that the recent by-election had shown that residents still had confidence in the Hillingdon Conservatives to deliver on their promise of sound financial management and putting residents first. Of the 46 commitments that had been made by the administration, 42 had already been achieved (or were on track to be achieved) and services and facilities in Hillingdon continued to be better than those provided in neighbouring boroughs. Work continued to find a new site for HOAC, a feasibility study was being undertaken in relation to a solar farm and it was regretted that the Mayor of London would not fund the expansion of the Santander cycle scheme.</p> <p>The Leader was proud that the Council had stood up for residents in relation to the expansion of the Mayor of London’s Ultra Low Emission Scheme into outer London. Although the Council had lost the Judicial Review that it had led, the authority had spoken up about the punitive and unfair impact that the scheme would have on residents. It was hoped that the Mayor of London would not introduce the pay per mile initiative that had recently been mooted.</p> <p>Officers of the Council had contributed to many successes over the last year. The Youth Justice Service had been awarded Quality Lead status with a Child First Commendation by the Association of Youth Offending Team Managers, Children’s Services had been rated as ‘Outstanding’ in an Ofsted inspection and the Counter Fraud Team had won two awards at the Public Finance Awards. In addition, officers had secured numerous grants for various projects and Hillingdon had performed best in London with regard to the number of children being offered their first choice of primary school.</p> <p>It was recognised that local authorities were still under significant financial pressure and that, as a result, some had recently declared bankruptcy. Although Hillingdon was committed to sound financial management, no consideration had been given to cutting services. The way services were provided and the buildings used was being optimised, releasing unused estate.</p> <p>The modernisation of the Civic Centre would reduce the Council’s carbon footprint whilst also providing a more pleasant environment for staff. This project had also enabled the Council’s use of office space to be rationalised with spare space being rented out to partners (including the NHS), providing the Council with an income as well as enabling closer partnership working.</p>

	<p>Work had continued in relation to the Council’s digital transformation agenda with the shift to the provision of online services. Further work was needed including the need to reduce the number of email addresses and telephone numbers that were publicly available. This move would focus residents’ communication to specific routes and prevent failure to respond.</p> <p>In February 2024, the Financial Resilience in Local Authorities report was published and suggested that government elected at the next general election would need to review local authorities’ delivery of social care services. A fundamental review had been undertaken in Hillingdon over the last few months to pursue savings, align services and reduce duplication. £15.7m of savings had already been identified for 2024/2025 and further work was needed to help the Council become smaller whilst working smarter. The Leader thanked Council officers, the Corporate Management Team and the Chief Executive for leading the changes. He also thanked all Councillors for improving the lives of their residents.</p>
	<p><b>MINUTE ANNEX A - COMMITTEE ALLOCATIONS</b></p>
	<p>The meeting, which commenced at 7.30 pm, closed at 9.05 pm.</p>

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 [democratic@hillington.gov.uk](mailto:democratic@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

## **ORDINARY COMMITTEES 2024/25**

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

CONSERVATIVE	LABOUR
Makwana (Chair)	Sweeting (Lead)
Haggar (Vice-Chair)	Gill
Bhatt	Judge
Smallwood	

Other Co-opted voting Members (for education related items only):

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

### **CORPORATE RESOURCES AND INFRASTRUCTURE SELECT COMMITTEE: 7 (4-3)**

CONSERVATIVE	LABOUR
Riley (Chair)	Mathers (Lead)
Bennett (Vice-Chair)	Garelick
Banerjee	Garg
Choubedar	

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

CONSERVATIVE	LABOUR
Denys (Chair)	Punja (Lead)
Chamdal (Reeta) (Vice-Chair)	Burles
Corthorne	Nelson
Martin	

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

CONSERVATIVE	LABOUR
Bridges (Chair)	Farley (Lead)
Smallwood (Vice-Chair)	Gardner
Davies	Kaur
Gohil	

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

**HILLINGDON PLANNING COMMITTEE: 7 (4-3)**

CONSERVATIVE	LABOUR
Higgins (Chair)	Mand
Bennett (Vice-Chair)	Garelick
Burrows	Singh
Chamdal (Roy)	
<b>Substitutes:</b> All Members that have received appropriate planning training to be substitutes for the Planning Committee, except Cabinet members who are not to be substitutes for the Committee.	

**PENSIONS COMMITTEE: 5 (2-3)**

CONSERVATIVE	LABOUR
Chamdal (Reeta) (Chair)	Mathers
Banerjee (Vice-Chair)	Burles
Riley	
Substitutes	Substitutes
Corthorne	Islam
Higgins	

**APPOINTMENTS COMMITTEE: 3 (2-1)**

CONSERVATIVE	LABOUR
Edwards (Chair)	Curling
Bianco (Vice-Chair)	
Substitutes	Substitutes
All remaining Cabinet members - to be appointed dependent upon which Cabinet portfolio the post(s) being interviewed falls	Farley
	Mathers
	Punja
	Sweeting

**REGISTRATION & APPEALS COMMITTEE: 5 (3-2)**

CONSERVATIVE	LABOUR
Burrows (Chair)	Sweeting
Tuckwell (Vice-Chair)	Money
Makwana	
Substitutes	Substitutes
All non-Cabinet members	All Labour Members

*CABINET MEMBERS MAY BE MEMBERS OF THE TWO SUB-COMMITTEES SHOWN BELOW, BUT NO CABINET MEMBERS SHOULD SIT AS MEMBERS OF THE MAIN REGISTRATION AND APPEALS COMMITTEE*

**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.	



OTHER COMMITTEES / PANELS (Outside the overall calculation but allocated on the basis of the overall political balance.)

**STANDARDS COMMITTEE: 5 (3-2)**

CONSERVATIVE	LABOUR
Bridges (Chair)	Nelson
Denys (Vice-Chair)	Gill
Bhatt	
Substitutes	Substitutes
Davies	Mathers

Non-voting Independent Person:

Graeme Armour (until July 2026)
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**AUDIT COMMITTEE: 5 (3-2)**

Independent Co-Opted Member (non-voting):

John Chesshire (Chair)
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CONSERVATIVE	LABOUR
Denys (Proposed Vice-Chair)	Burles
Corthorne	Nelson
Higgins	
Substitutes	Substitutes
Bhatt	Farley
Lewis	

*NB: NO MEMBER OF CABINET MAY SIT ON AUDIT COMMITTEE.*

**LICENSING COMMITTEE: 10 (6-4)**

CONSERVATIVE	LABOUR
Haggar (Chair)	Farley
Davies (Vice-Chair)	Gardner
Ahmad-Wallana	Lakhmana
Chamdal (Reeta)	Nelson-West
Martin	
Smallwood	

*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 Chair of the Licensing Committee, when available.*

**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 2022):*

The membership of the Board shall comprise:

- 1) Cabinet Member for Health and Social Care (Co-Chair)
- 2) Hillingdon Health and Care Partners Managing Director (Co-Chair)
- 3) Cabinet Member for Children, Families & Education (Vice-Chair)
- 4) LBH Chief Executive
- 5) LBH Executive Director Adult Services and Health
- 6) LBH Executive Director Children and Young People's Services
- 7) LBH Director, Public Health
- 8) NWL ICS - Hillingdon Board representative
- 9) NWL ICS - nominated lead
- 10) Central and North West London NHS Foundation Trust - nominated lead
- 11) The Hillingdon Hospitals NHS Foundation Trust Chief Executive
- 12) Healthwatch Hillingdon - nominated lead
- 13) Royal Brompton and Harefield NHS Foundation Trust - nominated lead
- 14) Hillingdon GP Confederation - nominated lead

Co-Chair

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 Chair of the Board shall be the Cabinet Member for Children, Families & Education. Only one Co-Chair may chair a meeting, and this will be determined at the start of each meeting. Should both Co-Chairs be unavailable to chair, the meeting will be chaired by the Vice Chair.

## QUESTIONS FROM MEMBERS OF THE PUBLIC

### **5.1 QUESTION FROM MARK MORGAN OF KESWICK GARDENS, RUISLIP, ON BEHALF OF THE RUISLIP WOODS TRUST, TO THE CABINET MEMBER FOR RESIDENTS' SERVICES - COUNCILLOR LAVERY:**

At the Full Council Meeting on the 30<sup>th</sup> November 2023 in response to our question about the recruitment for the new Woodland Officer (the previous one was retiring in December 2023) we were told and recorded in the minutes it states "the recruitment process was currently underway". As at 27<sup>th</sup> June 2024 no replacement has been appointed so please would the Cabinet Member advise when we can expect a new Woodland Officer to be in post and whether this will be a full time position?

### **5.2 QUESTION FROM ANAND PUNJA OF ELMBRIDGE AVENUE, RUISLIP, ON BEHALF OF THE RUISLIP WOODS TRUST TO THE CABINET MEMBER FOR RESIDENTS' SERVICES - COUNCILLOR LAVERY:**

According to the National Nature Reserve Management Standards (set by Natural England), there is a statutory duty to have a management plan that must be kept up to date and be reviewed every 5 years. The current plan expired 3 years ago (2021) and therefore the Council is not complying with its statutory duty so please would the Cabinet Member disclose the plans to update, consult and publish it and within what timescales can we expect this to be completed?

### **5.3 QUESTION FROM ROBERT WAS OF EDGAR ROAD, YIEWSLEY TO THE CABINET MEMBER FOR RESIDENTS' SERVICES - COUNCILLOR LAVERY:**

Could the council please explain how it monitors the health and safety of unlicensed HMO's and how the planning process ensures that our basic infrastructure is not affected by the change of use of houses, particularly in this area.

### **5.4 QUESTION SUBMITTED BY NICKY CROWTHER OF WINNOCK ROAD, WEST DRAYTON TO THE DEPUTY LEADER OF THE COUNCIL AND CABINET MEMBER FOR PROPERTY, HIGHWAYS & TRANSPORT – COUNCILLOR BIANCO:**

ULEZ vandals continue to act with impunity in Hillingdon. They destroy traffic and pedestrian lights, and gleefully post footage online. Their actions are shocking and degrading. The results endanger pedestrians. At three sites in Hillingdon these have included schoolchildren, near Vyners High School, Whitehall Primary and Park Academy. It is time to work together to stop the vandalism.

Would the Council please consider the formation of a cross-party coalition of councillors, of the Cabinet, the MP and the police? This could be a group or a sub-committee, but it would be regardless of one's position on the ULEZ scheme itself. It would send the message loud and clear to stop, and help the police bring the perpetrators to justice. It is to support the rule of law in our peaceful borough.

Please join together to stop the vandalism.

**5.5 QUESTION SUBMITTED BY NICOLA DATE OF BREAKSPEAR ROAD, RUISLIP TO THE DEPUTY LEADER OF THE COUNCIL AND CABINET MEMBER FOR PROPERTY, HIGHWAYS & TRANSPORT – COUNCILLOR BIANCO:**

Please could I have a full explanation why the car pound that was built last year costing £49k is still not operational. I have been told by planning that it is not a planning issue.

The revenue generated from the car pound was meant to help pay towards Marshall's and a tow truck to operate at Ruislip Lido during the summer months. Currently, Hillingdon residents are paying the bill from their council tax.

## REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

### 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 that the matter is urgent and 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
14 February 2024	Minor property disposals of shops and commercial assets (1) 64-66 Byron Way, West Drayton (2) 28/28a & 29/29a High Road, Cowley and (3) 2a-2b High Street, Ruislip HA4 7AR (Special Urgency)	To meet the Council's Disposals Target for 2023-24 in support of the Council's budget strategy.	Leader of the Council, and on behalf of the Cabinet Member for Property, Highways and Transport
20 February 2024	In Sourcing of a Registered Care Home at Lowdell Close, Yiewsley to Adult Social Care – Direct Care Services (Special Urgency)	Due to the importance of securing continuity of care and the likelihood that the current provider would withdraw their service imminently.	Leader of the Council, and on behalf of the Cabinet Member for Health and Social Care and the Cabinet Member for Property, Highways and Transport
21 February 2024	Highways Structural Programme 2023-24 Allocation, Reallocation and Capital Release (Special Urgency)	To enable essential highways improvement works to be completed before the end of the financial year 2023/24 and to ensure the Council could maximise the budget it has to improve local roads.	Leader of the Council, and on behalf of the Cabinet Member for Finance and the Cabinet Member for Property, Highways and Transport
8 March 2024	Award of contract for Leasehold, Shared Ownership and Mortgaged Properties Buildings Insurance (Special Urgency)	Due to unprecedented market conditions, along with the unexpectedly protracted tendering and evaluation process as prospective insurers requested considerable information,	Deputy Leader of the Council (acting on behalf of the Leader of the Council), in conjunction with the Cabinet Member for Finance and the

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
		unforeseen to their normal requirements, in order to inform their submissions. This decision ensured the Council has complied with all statutory consultation requirements so residential assets were fully insured by 1 April 2024 and the Council could recoup the full cost of premiums from Leaseholders.	Cabinet Member for Residents' Services Transport
21 March 2024	Temporary Accommodation Leases – Longford (Special Urgency)	Due to the sharp increase in levels of homelessness and the imperative need to reduce the cost of temporary accommodation by securing more affordable, longer-term leased accommodation. This decision will support the Council in meeting its statutory responsibilities and mitigate the impact on the Council's budget.	Cabinet
28 March 2024	Voids Repair Service Contract Extension (Special Urgency)	Due to a legal challenge and the need to have compliant contractual arrangements in place through the temporary extension of existing arrangements. This decision provided continuity of service and ensured the number of void properties will be minimised, ensuring the availability of housing supply for residents.	Leader of the Council and Cabinet Member for Property, Highways and Transport
12 April 2024	Adaptions for Eden satellite of Moorcroft at Pinkwell – post 2024 (Special Urgency)	Due to delays in the Pinn River Free School project managed by the DfE, outside the Council's control. This required the release of funds to extend the satellite provision for Moorcroft Special School on the Pinkwell Primary School site by providing an additional 10 SEND secondary places. This decision will help ensure SEND provision can be provided in-Borough at the relevant time and mitigate need for more expensive out of Borough or independent provision.	Leader of the Council, in conjunction with the Cabinet Member for Children, Families and Education, and on behalf of the Cabinet Members for Finance and Property, Highways and Transport

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
12 April 2024	SEND Places Expansion - Wood End Park Academy (Special Urgency)	To provide the necessary funds to undertake the building works to provide the essential ASD / SEND places required and a tight construction programme to deliver this by the Wood End Park Academy. This will help ensure SEND provision can be provided in-Borough at the relevant time and mitigate need for more expensive out of Borough or independent provision.	Leader of the Council, in conjunction with the Cabinet Member for Children, Families and Education, and on behalf of the Cabinet Member for Finance and the Cabinet Member for Property, Highways and Transport
12 April 2024	Meadow High School Expansion (Two Sites) Project – Meadow High School (Northwood Road, Harefield) Re-Provision Delegated Award of Design and Build Contract with Capital Release (Special Urgency)	To be able to commence building works on the Harefield site in the 3rd week of April. This was to ensure the Meadow High School expansion project can be completed and provide SEND school places for the start of the relevant academic year. Any delays to the start will have an impact on the completion date and school places available. This decision will help ensure SEND provision can be provided in-Borough at the relevant time and mitigate need for more expensive out of Borough or independent provision.	Leader of the Council, in conjunction with the Cabinet Member for Children, Families and Education, and on behalf of the Cabinet Member for Finance and the Cabinet Member for Property, Highways and Transport
18 April 2024	Acquisition of Residential Accommodation in Hayes (Special Urgency)	Due to the sharp increase in levels of homelessness and the imperative need to reduce the cost of temporary accommodation by securing more affordable, longer-term leased accommodation. This opportunity to acquire a significant development will support the Council in meeting its statutory responsibilities and mitigate the impact on the Council's budget.	Cabinet
24 April 2024	HR Improvements Programme – HR, Payroll and Applicant Tracking System (Urgency)	To ensure the necessary contractual arrangements could be in place by end of April to avoid increased costs to the Council associated with the HR system product being purchased after this date.	Cabinet Member for Corporate Services and the Cabinet Member for Finance

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
21 May 2024	SPECIAL URGENCY - Platinum Jubilee Leisure Centre – Remaining Works to Completion (Special Urgency)	To minimise delay of the building works, as the programme already having been set back by the original contractor having gone into administration.	Leader of the Council, and on behalf of the Cabinet Member for Property, Highways and Transport and the Cabinet Member for Finance
23 May 2024 – Cabinet	New Pavement Licensing Regime 2024 (Special Urgency)	In order for the Council to enact the new legislation expediently and provide updated licence conditions.	Cabinet
23 May 2024 – Cabinet	Residential Property Acquisitions Programme 2024/25 (Special Urgency)	Due to the imperative need to secure affordable housing to appoint a partner organisation to accelerate the acquisition and refurbishment of housing and support the Council in meeting its statutory responsibilities and mitigate the impact on the Council's budget	Cabinet
25 June 2024	LTA Grant Funding & Award Acceptance - Tennis Courts Upgrade at Moorhall Recreation Ground, Harefield (Special Urgency)	The urgency arose out of the need to commence works by 26 June. The tennis court upgrades are fully funded by the Lawn Tennis Association following a grant to the Council.	Leader of the Council

Background Papers: Decision Notices

**ii) MOUNT VERNON CANCER CENTRE JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (MVCC JHOSC) MEMBERSHIP**

**Background**

1. Council is asked to consider appointing a Member to the Joint Health Overview and Scrutiny Committee (JHOSC) being established in relation to the Mount Vernon Cancer Centre (MVCC).

**RECOMMENDATIONS:** That Council join the MVCC JHOSC, that the Chair of the Health and Social Care Select Committee be appointed as the London Borough of Hillingdon representative to the MVCC JHOSC, and the Head of Democratic Services, in consultation with the Chief Whip of the relevant party, be given delegated authority to appoint further Members and / or substitute Members to the Committee should they be requested by the JHOSC.

**Information**



2. It is widely accepted that there is an urgent need to re-provide Mount Vernon cancer services on an acute hospital site. This has been the preferred long-term option for some time and provides the best option for patient care.
3. The dedicated staff at the MVCC have been working extremely hard over many years to maintain services despite the challenges of poor buildings and a lack of other medical facilities on the same site which has meant patients can't always be treated at MVCC and staff have had to oversee their treatment across a number of different hospitals.
4. As time goes on, this becomes more challenging and staff and patients need some certainty about what the future is for their services (in 2023/24, 1,866 MVCC patients were Borough residents). It is important that any future plans have been thoroughly tested with patients and the public before being agreed by stakeholders. Consideration now needs to be given to the provision of an assurance process to approve the business case, consultation document and plan.
5. To ensure that local Health Scrutiny Committees in the areas affected have the opportunity to scrutinise the consultation, a JHOSC is being established. It is proposed that the JHOSC be led by Hertfordshire Health Overview and Scrutiny Committee (as Hertfordshire has the largest number of patients at MVCC, around 5,549 in 2023/24).
6. Membership of the JHOSC will further strengthen the Council's own sphere of influence in respect of health scrutiny. Members on the Health and Social Care Select Committee and the Cabinet Member for Health and Social Care will be kept abreast of developments by Democratic Services.
7. Should any additional representation be required from the London Borough of Hillingdon, Council is asked to delegate authority to the Head of Democratic Services to appoint further Members or substitute Members to the Committee as required.

### **Financial Implications**

There are no financial implications arising from this report.

### **Legal Implications**

Although there are no legal implications associated with the recommendations in this report, participation in the MVCC JHOSC would ensure that the Council has a voice in the discussion about the future of the MVCC.

Background Papers: None

### iii) PAVEMENT LICENSING

#### Background

1. Council is asked to consider an amendment to the Scheme of Delegations contained in Chapter 8 of the Council Constitution related to pavement licences.
2. 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.
3. Many of the Council's constitutional procedures are required by law, whilst others are a matter of local choice. Council regularly reviews the Constitution to ensure it meets local priorities and legislative changes.

**RECOMMENDATION: That Chapter 8 (Licensing Decisions) of the Council's Constitution be amended to provide delegated authority to the Corporate Director of Place to grant, refuse, revoke, consider an internal appeal and enforce all matters relating to pavement licenses.**

#### Information

4. The relevant provisions of the Levelling Up and Regeneration Act 2023 (LURA), which came into effect 31 March 2024, replace the pavement licensing provisions contained within the previous Business and Planning Act 2020 (BPA).
5. The BPA was initially brought in as an emergency piece of legislation in July 2020 in response to the COVID pandemic, and permitted a quicker, cheaper, and streamlined service for premises such as pubs, restaurants, and cafes to apply to place tables, chairs and other relevant furniture outside their premises on the pavement.
6. Full details about the new pavement licensing regime under the LURA were set out in the report to the Cabinet meeting on 23 May 2024. At this meeting, Cabinet also made it clear that the needs of non-smokers to be able to use the seating provided, without interference from smoke, would be prioritised over provision of space for smokers.
7. Interim delegations have been put in place to allow relevant officers to be able to discharge these new statutory responsibilities upon the new legislation coming into effect on 31 March. However, there is a requirement to make these delegations official and permanent, which is achieved through updating the necessary section of Council's Constitution relating to Licensing decisions (Chapter 8), and which is the purpose of this report.
8. The Corporate Director, who it is proposed be delegated the authority to make all the relevant decisions required, may then sub-delegate these functions, as appropriate, to authorised Licensing Officers in the Officer Scheme of

Delegations. Specific proposed changes to the text of the Constitution to be approved by Council, are shown in the Appendix, below.

### Financial Implications

There are no financial implications arising from this report.

### Legal Implications

Many of the Council's constitutional procedures are required by law, whilst others are a matter of local choice. Council regularly reviews the Constitution to ensure it meets local priorities and legislative changes. Changes to the Constitution require approval of full Council.

Background papers: ['New Pavement Licensing Regime' Cabinet Report, 23 May 2024](#)

## Appendix

### Chapter 8 – Licensing Decisions, Council Constitution

Street Trading functions			
	CABINET	SUB-COMMITTEE	OFFICER
<del>Under Part 1 of the Business and Planning Act – Coronavirus measures To grant or refuse an application for a Pavement Licence. Where a Licence is granted, this is to be for an initial period of 4 months. Subsequent extensions will also be for a 4 month period, with the maximum period of any initial licence and extensions being 12 months.</del>		<del>Any decision to revoke a Pavement Licence is to be taken by officers acting in consultation with the Chair / Vice Chair of the Licensing Sub Committee.  Approved by Full Council 16 July 2020</del>	<del>✗</del>
To grant, refuse, revoke, consider an internal appeal and enforce all matters relating to pavement licenses under the provisions in the Levelling-up and Regeneration Act 2023			✓

#### iv) CORPORATE RESOURCES AND INFRASTRUCTURE SELECT COMMITTEE TERMS OF REFERENCE - COMPLAINTS

##### Background

1. Council is asked to consider an amendment to the Terms of reference of the Corporate Resources and Infrastructure Select Committee with regard to responsibility for complaints.
2. 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.
3. Many of the Council's constitutional procedures are required by law, whilst others are a matter of local choice. Council regularly reviews the Constitution to ensure it meets local priorities and legislative changes.

**RECOMMENDATION: That the Terms of Reference of the Corporate Resources and Infrastructure Select Committee be updated to reflect its role as the "Member Responsible for Complaints".**

##### Background – Complaints Monitoring

4. In February 2024, the Local Government and Social Care Ombudsman and the Housing Ombudsman Service issued new and revised Complaint Handling Codes, requesting that all Local Authorities/social housing landlords begin to comply with them from 1 April 2024.
5. Cabinet at its meeting on 27 June 2024, considered the new Codes and agreed some minor changes to the Council's Corporate Complaints Policy to ensure compliance.
6. One change advised by the Ombudsman was to formally establish a "*Member Responsible for Complaints*". This role would formally undertake scrutiny and oversight of the handling of complaints at a senior Member/Board level.
7. As it is a well-established role for the Council's Select Committees to monitor and scrutinise the Council's complaints performance annually, Cabinet, agreed to recommended to Council updating the Terms of Reference of the Corporate Resources & Infrastructure Select Committee to designate it collectively as the "Member Responsible for Complaints". The Committee's Terms of Reference are set out in Chapter 6 of the Council's Constitution.

##### Financial Implications

There are no financial implications arising from this report.

## Legal Implications

Many of the Council's constitutional procedures are required by law, whilst others are a matter of local choice. Council regularly reviews the Constitution to ensure it meets local priorities and legislative changes. Changes to the Constitution require approval of full Council. There is a legal duty to comply with the new Codes from the Ombudsman.

Background papers: [Cabinet report/decision – 27 June 2024](#)

### v) LOCAL DEVELOPMENT SCHEME 2024

#### Background

1. Cabinet on 21 March 2024 resolved to recommend to Council the adoption of a revised Local Development Scheme (LDS) for the Council, which sets out timescales for the production of forthcoming Local Plan documents. The Cabinet report can be found at item 7 here: [London Borough of Hillingdon - Agenda for CABINET on Thursday, 21st March, 2024, 7.00 pm](#) or upon request to Democratic Services.

**RECOMMENDATION: That the revised draft Local Development Scheme be adopted.**

2. Cabinet also delegated authority to the Director of Planning, Regeneration and Environment, in consultation with the Cabinet Member for Residents' Services, to make any necessary editorial amendments and minor changes to the Local Development Scheme, prior to consideration by Full Council. However, no editorial amendments or minor changes have been necessary.

#### Information

3. The LDS is a project plan for the production of the Local Plan (the "Plan") and other planning policy documents. It sets out the documents that the Council intends to produce and the timescale for their production. In order to be considered legally compliant in accordance with the Planning and Compulsory Purchase Act 2004, the Council's Local Development Documents ("LDDs") should be in general conformity with the LDS. This means that they should be listed in the LDS and prepared in accordance with the timescales set out in the document.
4. The Council's current LDS was adopted in 2021 and is now considered to be out of date. Under the provisions of the Planning and Compulsory Purchase Act 2004 (as amended) the Council is required to publish an up-to-date LDS setting out the timetable for the production of LDDs. In the absence of evidence that the necessary steps are being taken to prepare an up-to-date version, there is a risk that the forthcoming Local Plan review, will not be found to be 'legally compliant' at examination. This could result in a suspension of the examination process and a delay in the adoption of the Plan.

## **Financial Implications**

5. There are no additional costs associated with the publication of the revised LDS for the Council. The Local Plan cost of £998k is funded via £200k from the existing base budget and £798k from Earmarked Reserves.

## **Legal Implications**

6. The Council is required to prepare a LDS in accordance with the requirements of section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). Amongst other requirements the LDS must specify the LDDs which are to be Development Plan Documents (“DPDs”). The Planning and Compulsory Purchase Act 2004 (as amended) requires the LDS to be revised at such times as the Local Planning Authority considers appropriate.
7. Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended) requires LDDs to be prepared in accordance with the LDS. As such it is vital that the LDS is updated to ensure the Council's Local Plan can be found legally compliant in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and relevant supporting legislation.
8. Section 24 of the Planning and Compulsory Purchase Act 2004 (as amended) requires all LDDs both at the stage of preparation and at adoption, to be in general conformity with The London Plan 2021.
9. Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires a resolution of the Council resolving that the LDS is to have effect and must specify the date from which the LDS is to have effect.

Background Papers: None.

## **Appendix**

### **Local Development Scheme - Draft 2024**

#### **Introduction**

- 1.1 The planning system is plan-led whereby planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. A Local Planning Authorities’ Local Plan forms the key part of the Development Plan and sets policies for their area.
- 1.2 The Local Development Scheme sets out the documents that the Council intends to produce to form its Development Plan and a timetable for production. Local Planning Authorities must produce a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).

## **Hillingdon's existing planning policy framework**

1.3 The adopted Development Plan for Hillingdon consists of the following documents:

- The Local Plan Part 1: Strategic Policies (November 2012)
- The Local Plan Part 2: Development Management Policies (January 2020)
- The Local Plan Part 2: Site Allocations (January 2020)
- The West London Waste Plan (July 2015)
- The London Plan (March 2021)

1.4 The Development Plan is supported by the following Supplementary Planning Documents (SPD):

- Planning Obligations SPD (July 2014)
- Accessible Hillingdon SPD (September 2017)
- RAF Uxbridge SPD (January 2009)

1.5 SPDs do not form part of the statutory Development Plan for Hillingdon. As such, the programme for future SPDs is not identified in this LDS.

## **Hillingdon's future planning policy framework**

1.6 Hillingdon's Local Plan currently comprises three separate documents:

- Local Plan Part 1: Strategic Policies (November 2012)
- Local Plan Part 2: Development Managements Policies (January 2020)
- Local Plan Part 2: Site Allocations and Designations (January 2020)

The Council proposes to update the Local Plan. The Local Plan applies to the whole of the London Borough of Hillingdon. The review of the Local Plan will combine the Strategic Policies and the Development Management Policies documents of the Local Plan into a single document and will produce a new Site Allocations document. All Local Plan document will be updated to reflect the most recent National Planning Policy Framework and the London Plan (2021).

1.7 The proposed Local Plan will comprise:

- Strategic and Development Management Policies
- Site Allocations

1.8 The review commenced in 2023 and is programmed to complete by mid-2026. The timetable is set out below.

## **The West London Waste Plan**

The West London Waste Plan (WLWP) was adopted in July 2015. The WLWP is a joint plan between six London boroughs (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames). The Old Oak and Park Royal Development Corporation (OPDC) was officially created in April 2015 and also adopted the WLWP.

The Council has signed a Memorandum of Understanding (MoU) which agrees between the West London Local Planning Authorities to co-operate in the effective

production of an updated West London Waste Plan. It also commits the basic level of resourcing to facilitate the start of this process. The Council is currently waiting for other members of the West London Local Planning Authorities to agree the MoU and allow work to commence, including appointing a technical consultant and formalising a timetable.

Indicatively, a baseline report is expected prior to the end of 2024, which would then be subject to a Regulation 18 Draft Consultation in 2025. Agreement from Cabinet would be required to undertake this consultation and represent the next formal stage of the process.

### Neighbourhood plans

1.9 There are no adopted Neighbourhood Plans or formally registered Neighbourhood Forums in Hillingdon.

### Monitoring and review

1.10 The Local Development Scheme will be monitored and updated as necessary, in accordance with the timescales set out in Hillingdon's Authority Monitoring Report.

### Indicative timetable for Local Plan documents currently being prepared for review.

Document	Evidence gathering & Preparation	Regulation 18 Consultation	Regulation 19 Consultation	Submission to the Secretary of State	Examination	Adoption
Hillingdon Local Plan	2023 to March 2024	April to June 2024	March to April 2025	May to June 2025	July 2025 to May 2026	July 2026
Strategic & Development Mgt Policies						
Site Allocations						



## vi) PROCUREMENT AND COMMISSIONING

### Background

1. Members are asked to consider some changes to the Contract & Procurement Standing Orders which have not been subject to any significant review since 2017. Whilst a series of smaller amendments have been made since that date, specifically to thresholds and approval processes, there was a need for a broader review to ensure they remain fit for purpose and support effective decision making across the Council.
2. 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.
3. Many of the Council's constitutional procedures are required by law, whilst others are a matter of local choice. Council regularly reviews the Constitution to ensure it meets local priorities and legislative changes.

### RECOMMENDATIONS: That:

**a) the changes to the Procurement Standing Orders (Chapter 18 of the Council Constitution) as set out in the body of this report, be approved.**

**b) the Cabinet Scheme of Delegations (Chapter 5) and Responsibilities and Delegations to Officers (Chapter 12) be updated to vary capital release approval to align with the changes to procurement changes, as set out in the report.**

### Procurement Standing Orders

4. This review, undertaken by the Director of Procurement in consultation with officers from Legal, Finance, Democratic Services and with regard to benchmarking against other boroughs, proposes changes which fall under several themes:
  - Clarity around officer obligations in Contract and Procurement procedures where there is considered to be existing ambiguity.
  - Updates that address some of the proposals in the 2023 Select Committee Review into Procurement.
  - Updates seeking to improve the efficiency and effectiveness of Councils processes and decision-making.
  - Technical updates owing to changes or future changes in legislation, technology and / or processes.

### Proposed Changes - In summary

5. The following summary sets out the proposed high-level changes. A further detailed description of changes is set out in Appendix A and a tracked version of changes in Appendix B.

- Approval thresholds (for contract award, contract variation and waivers) have been updated as follows, removing the '*informal written cabinet member approval*' for £25k – £100k that previously was provided through Expenditure Approval Form:

£0 –£99,999	Corporate Director using designated Financial System
£100,000 - £749,999	Formal democratic decision by the relevant Cabinet Member and the Leader of the Council or Cabinet Member for Finance
£750,000 or greater	Formal democratic decision by the Cabinet

- Provision has been made for the implementation of The Procurement Act 2023 when it goes live on 28th October 2024. This will allow officers to better understand implications of the Act prior to making further detailed and relevant changes in 2025.
- Minimum Tendering Requirement have been updated making them more proportionate, providing reference to frameworks, allowing evidence of quotes via screen shot and enabling lower value quotations to be received on email as follows:

Total Value	Minimum Tendering Requirement	Authority to Commence & Evidence Required	Award Criteria / Method of Publication
£0 – £99,999	3 written quotations from viable suppliers or 'mini competition' from compliant Framework. Where possible at least two quotations should be sought from local suppliers. OR where a Direct Award this should be through a compliant framework (see SO4.1c)	Budget Holder. Evidence of quotes should be retained for auditability and purpose of raising requisition. Screenshots of online prices will be considered for this value OR if Direct Award evidence should be presented with Purchase Requisition of why this represents appropriate route to award including Value for Money	Bids up to £24,999 may be sought on email with officers awarding to lowest cost unless there is a clear and unambiguous reason to select a higher priced quote.  Bids between £25,000 and £99,999 must be sought on the Councils nominated eProcurement system with Officers awarding to Most Advantageous Quote
£100,000 & above	Formal tender process, compliant with all necessary regulations, thresholds and best practice OR where a Direct Award this should be through a compliant framework (see SO4.1c)	Budget Holder, Head of Service & Director. Evidence of formal tender process including evaluation should be retained for purpose of audit and writing formal reports OR if Direct Award evidence should be included in formal report of why this represents appropriate route to award including Value for Money	Tender must be issued on the Councils nominated e-Procurement system with Officers evaluating as set out in the tender documents.

- The route for approval of agency and / or temporary workers has been clarified so that when officers use a recruitment agent, other than the councils

nominated supplier, they will be treated as any other service provision and require a quotation / tender process.

- The element of Standing Orders relating to schools has been updated to reflect their autonomy but also reflecting the ultimate financial and legal liability to the council, specifically for higher value spend.
- Those allowed to sign contracts up to £100k has been extended to include other Approved officers as this is currently completed by Director of Procurement and Corporate Director of Finance. Further detail is provided around all aspects of contracting to improve control and management of the Councils commercial, legal and reputational risk. This includes use of non-standard terms and conditions and minimum requirements for what should be included in a contract
- Clarity is offered on contract extensions and how the step change from one approval band to another should be managed. This has historically, been a point of ambiguity.
- New sections have been added for Concession Contracts and Contract Management. The previous set of Standing Orders were silent on both of these.
- More clarity has been included on Exemptions and Waivers to Standing Orders

### Implementation

6. If these recommended changes are approved and to the extent it is possible, changes will be implemented immediately following approval. Where that is not possible, due to processes already being under way, it is expected that full migration to the updated Standing Orders will be completed within 12 weeks of approval.

### Future Changes

7. Although these changes represent a much-needed update to Standing Orders, the implementation of the Procurement Act on October 28<sup>th</sup> this year will result in significant changes to ways of working and obligations on the Council. Some councils are proposing to make updates in advance of go live but with significant level of information awaited on how the new act will operate in practice the Director of Procurement does not believe that is feasible at this time. Therefore, it is proposed to further update Standing Orders in February and July 2025 to reflect the incremental development and understand of the new regs.

### **Capital release monies approval.**

8. The proposed constitutional changes on procurement would permit Corporate Directors to accept tenders up to £99,999. The payment for these services or works will be through either revenue or capital expenditure.
9. Currently, Corporate Directors can authorise revenue expenditure within an approved contract and budget at any value, but they cannot release capital expenditure without additional formal democratic approval. It is, therefore, proposed to align contract and expenditure authorisations at the Corporate

Director level by allowing them to release capital expenditure between £0 - £99,999 within an approved contract or budget. The delegation of capital release authority will only be exercised by Corporate Directors in respect of self-contained projects or initiatives between £0 - £99,999, rather than stages or elements of larger projects. Capital expenditure £100k + would still require existing Cabinet Member or Cabinet democratic approval. This change to capital release procedures will streamline internal processes and ensure procurement approvals are in full alignment with all expenditure approvals. Minor wording changes to both the Cabinet Scheme of Delegations and Officer Delegations in the Constitution will be required as proposed in Appendix B.

### **Financial Implications**

- 10 There are no direct financial implications arising from the recommended changes to the Council Constitution. All decisions to incur new expenditure whether exercised through democratic approvals or delegated officer authority are subject to the requirement to secure Value for Money in working towards the Council's objectives and obligations.
- 11 The Council's Oracle Cloud platform provides the primary control mechanism through which appropriate officers are required to review and approve / reject request for new expenditure prior to any commitments being entered into. All expenditure incurred by the Council is subject to retrospective review and scrutiny through budget monitoring processes which complement transactional controls within the Oracle Cloud platform.

### **Legal Implications**

- 12 Legal Services confirm that there are no specific legal implications arising from this report and that further legal advice will be given, as necessary, as the Procurement Act 2023 is brought into force.

Background Papers: None.

## Appendix A - Detailed changes

### SO1 – Compliance

- 1.1 - UK's exit from the EU there has been changes to the Public Procurement regulations and this is captured in this change. Further similar changes are mirrored across the document to reflect the updates to the law.
- 1.6 – Removal of the wording “*For the avoidance of doubt, this does not mean sourcing and placement of contracts*” has been removed and reflects the need for service areas, on occasion and at lower values and risk, to lead their own sourcing activity.
- 1.7 - The update from £50,000 to £100,000 now aligns with thresholds in the new Oracle Financial system which requires democratic approval to establish Contract Purchase Order on the system. Officers will not be able to raise PO's above a total value of £100k without a specific CPA. This increase in threshold also reflects the capacity of team to manage a contract register for spend between £50k and £100k.
- 1.11 - New legislation referred to as “The Procurement Act”, which governs Public Sector procurement will come into force on 28<sup>th</sup> October '24. This will represent a significant and material change to how Procurement is undertaken across the Public Sector. The inclusion of this section offers some future proofing of the Standing Orders so that learning can taken place during the first 6-12 months of legislation before a formal update is made to Standing Orders. Procurement will updated Standard Operating Procedures during that time to reflect changes that cease to be covered by this version of Standing Orders.

### SO4 – Minimum Tendering Requirements

#### 4.1a

- *Total Value* – Value bands have been increased to produce a more proportionate level of tendering requirement. Previously it was 5 written quotes which was creating more work than value created. This has now been reduced so “£0-£99,999” requires 3 written quotations.
- *Minimum Tendering Requirement* – As per the above, this is more proportionate and now builds in a requirement to seek quotations from local suppliers where possible, contributing to the Select Committee aspirations on engaging with local business. Values above £100k continues to require a full tender process.
- *Authority to Commence and Evidence required* – This is an addition to Standing Orders and has been included to ensure that approval is in place to proceed with a quotation / tender and thus avoiding abortive work. It also sets out expectations of evidence required of having completed the process including the addition of accepting screenshots of online pricing for lower level spend.
- *Award Criteria / Method of Publication* – A new addition to Standing Orders, this sets out the method by which quotes should be sought and way in which bids should be evaluated. Quotes at £0-£24,999 can now be sought by email

but should be awarded to lowest cost unless “clear and unambiguous” reason to select higher price. In order to retain appropriate governance, quotes between £25,000 and £99,999 should be sought on Council e-Procurement system and awarded to ‘most advantageous quote’ where this is a mix of cost and quality. For tender above £100k this is through the Council e-Procurement system and evaluated as per the stipulations of the tender documents.

- 4.1b A minor change to reflect the delegation of approval to Director of Procurement, reflecting the relatively minor point in question and limited effect on value and overall outcomes.
- 4.1c Direct Awards from compliant frameworks are used widely in the public sector and represent a compliant, pragmatic and prudent way of awarding contracts. Previously, the governance has been unclear so this now strengthens and makes clear the obligations on officers and approval process.
- 4.4 Moved to new section (SO11), specifically setting out conditions for a waiver
- 4.5 Increase to £100k (from £50k) level reflects the point at which Procurement should be ‘consulted’ on tender process. Previously this said Procurement should run all procedures above £50k which is not possible on existing resource. Other elements removed due to repetition.

#### SO5 – Custody, Receipt & Opening of Tenders

The changes and deletion to the section reflect the fact that tenders are now run very differently than when these procedure rules were initially put in place. The mandated use of electronic tendering mean there is no longer any paper copies submitted and when bids are submitted electronically they are fully auditable with respect to submission times and opening records.

The only element to be retained with some changes reflects the fact that late bids are still occasionally submitted. For reasons of expediency, acceptance of late quotation and tenders will now be subject to approval of the Director of Procurement but only in ‘exceptional circumstances with supporting written evidence’.

#### SO6 – Acceptance of tender and approval of them

- 6.1 Two items have been included. Firstly the requirement to review financial viability of suppliers before contracting. This is similar to one removed in item 6.2. And secondly a requirement to ensure sufficient budget exists for the approval that is being requested.
- 6.2 With the exception of Repetition of 6.2 (e) which is now included in 6.1, this is a repetition of 6.3 and therefore has been deleted.
- 6.3 This change reflects the alignment of council process to the new Oracle Financial system. In the past, Officers had an ‘Expenditure Approval Form’ with multiple levels of Officer approvals before proceeding informally to Members for sign off. This was a time consuming manual process with no alignment to the finance system. The new approach will see Officers approve up to £100k

in accordance with the Scheme of Delegations. All spend above £100k will continue to progress through Democratic Services for formal approval but the level at which Members can sign off those formal reports will increase to £750,000.

New wording added at 6.3 (b) to reflect new section on waivers and extensions and similar removed from 6.3 (e). This will contribute to the outcomes of the Select Committee review which had concerns over the 'roll over' of contracts beyond term.

- 6.4 The updates to this section reflect the challenges of governance surrounding the recruitment and commissioning of interim resource – both 'individual temporary workers' and those who are considered 'consultants'. As there are no simple or common definitions of each, these changes reflect the impact of IR35 Intermediaries legislation, the existing contractual provision in place through HR teams and the broader principles of the Standing Order in terms of evidencing value and providing visibility to Members.

The additions provide three routes for officers:

- 1) Use of existing the Councils nominated and approved agency provider to recruit.
- 2) Use of a non contracted recruitment agency – which should be subject to the requirements to tender OR seek waiver.
- 3) Appointment of consultants outside of IR35 legislation – which should be subject to the requirements to tender OR seek waiver.

The principle contained within existing SO's of a report to cabinet is also carried forward but required monthly and only for consultants and / or those outside of IR35

### SO7 – Execution of Contracts

- 7.1 The requirement for a signed contract above £10k and up to £100k is proposed to be supplemented with an option to utilise Standard Purchase Order terms through the new Oracle Finance system. This is a more pragmatic way of managing contracting at lower levels of spend. Given contracts will now be tendered and completed by service areas the contract signing has also been delegated to Approved officers. There is no proposed changes for contracts above £100k.
- 7.4 Confirmation of which terms and conditions should be used and contents of a contract are now set out in 7.4 with approvals required for use of Supplier Terms or Framework Terms. The preference remains to utilise LBH standard terms and as such Standing Orders make these easiest to contract against.
- 7.5 This ensures that Officers who are contracting on behalf of the Council and often where Procurement are not directly involved understand as a minimum what the contract should contain. This plugs a gap in existing SO's.
- 7.6 The change here reflects the Council preference to use e-signature system for signing but wet signatures remain a common industry standard and therefore remains an option to officers.

## S08 – Permitted Contract Extensions and Variations

- 8.1 Extensions can only be extended where the express provision exists to do so. If that provision does not exist a request to extend should be managed through the waiver process (SO13).
- 8.2 Extensions now align with the approval process for original contract award decisions, simplifying the process and moving away from Expenditure Approval Forms which have previously been used for the decisions.
- 8.4 This addition sets out the parameters and requirement to utilise a contract variation clause clearing up previous ambiguity on the step change in approvals required between each threshold.
- 8.5 One of the themes emerging from Select Committee review of Procurement was the governance and value for money concerns materialising from very long-standing supplier relationships. The inclusion of this clause makes it explicit to officers that any contract over 10 years must go to Cabinet for approval, regardless of previous delegations.

## S09 – Purchase Order, Contract Purchase Agreement & Procurement Card

These represent small technical changes based on the implementation of the new Oracle Finance system

## S010 – Local Authority Maintained School Procurement

Under the proposed changes to this section delegated authority still sits with schools to undertake Procurement as required but it strengthens the obligations on them to run compliantly and in compliance with “all relevant best practice”. Previously, the Council would counter-sign procurements over £100k but this has now been extended to £180k “except where the process has been undertaken by experience professional specialist support OR has used a compliant framework.” Moving forward the Council will require upfront visibility on how these higher threshold projects will be delivered to offer assurance on value for money and compliance.

## S011 – Concession Contracts

This section is a new addition to the Standing Orders and is included based on the ongoing need for governance surrounding concession contracts. Previously there has been no mention of concession contracts despite them being in use across the council (e.g. annual panto at The Compass, Street Furniture contract with JC Decaux etc) In short the new SO sets out what a concession contract is, how they should be managed by Officers and the approval process for their acceptance.

## S012 – Concession Contracts

Contract Management has previously not been covered in Standing Order and this update sets out the requirement to have a named officer responsible for contract management above £100k and the extent of contract management duties.



## S013 – Exemptions and waivers

- 13.1 This section adds to the previous list of exemptions and clarifies others. Exemptions now include levys, payments and taxes that are required on a statutory basis. Any spend connected with pensions or wholly owned subsidiaries of the Council (e.g. Hillingdon First). Exemptions are also in place for specific payments directed by courts or tribunal services or where there is an exemption based on other statute (e.g. self-directed support and individual budgets)
- 13.3 The updates to this section draw together elements from across the original standing orders to offer clarity on situations when a waiver can be provided although it is not intended to be complete.
- 13.4 The inclusion of new wording in this section ensures that officers understand the significance of a waiver and their responsibilities in justifying why it should be agreed.
- 13.5 Importantly this section now offer clarity on the fact that waivers can only be provided for rules established by the Council. The Council (Members or Officers) do not have the authority to waive statutory requirements under the Public Contract regulations unless the rules themselves allow for a waiver.
- 13.6 The approval thresholds are set out to mirror the approval levels for contract award and contract variations.

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# Chapter 18 – Rules on procurement

These rules, also known as the Procurement Standing Orders (SOs), set out how the Council procures goods, services and agency or consultancy staff, when required. The rules seek to ensure corporate compliance and that best value is achieved in the Council's commercial transactions with third parties.

## SO 1 - Compliance

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

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

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

- a) These Standing Orders
- b) The Public Contracts Regulations 2015
- c) [The Public Procurement \(Amendment Etc.\) \(EU Exit\) Regulations 2020](#) ~~EU directives and regulations~~ or other applicable statutory regulation being in force in the United Kingdom
- d) The Council's Financial Regulations and Standing Orders,
- e) Corporate Procurement Strategy and any Procurement Standard Operating Procedures issued under paragraph 1.2.

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

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

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

1.5 Corporate & Executive Directors, Directors, Deputy Directors and Heads of Service shall ensure that all officers who procure goods, works or services comply with these Standing Orders and the Procurement Standard Operating Procedures. Only officers who are

deemed to be qualified and competent by the Head-Director of Procurement, in conjunction with the appropriate Corporate/ Executive Director, may procure goods, works or services. These officers are to be identified within each Department's individual Scheme of Delegations, and known as "Approved Officers". The Head of Procurement and each Corporate / Executive Director shall maintain a register of Approved Officers.

- 1.6 An Approved Officer shall be designated for all contracts, irrespective of value, and be competent in managing the supply of goods, works or services as appropriate. ~~For the avoidance of doubt, this does not mean sourcing and placement of contracts.~~
- 1.7 The Head-Director of Procurement shall be responsible for maintaining a register of all contracts where the total contract value is £~~50,000~~100,000 or greater.
- 1.8 No contract shall be procured unless written approval is obtained in accordance with the Scheme of Delegations. Such written approval will confirm there is adequate provision within the appropriate capital or revenue budgets or other financial provision, i.e. grant funding.
- 1.9 Pursuant to paragraph 1.8, before obtaining written approval, Approved Officers shall consult the Register of Contracts to ascertain if the Council has a contract for the goods, works or services required. If such a contract is in existence, the Approved Officer shall use the appropriate contract in force, and not procure another.
- 1.10 It shall be the duty of every officer of the Council placing contracts or committing expenditure to obtain and demonstrate value for money, and that the goods, works and services are fit for the intended purpose.
- 1.11 These Procurement Standing Orders (SOs) will remain in place as the Council transitions from the Public Procurement Regulations 2020 to the Procurement Act 2023. For all Procurement engagement completed or formally commenced prior to 27<sup>th</sup> October 2024, these Standing Orders will remain applicable for the period of those contracts or Frameworks. For all Procurement Engagement starting on or after 28<sup>th</sup> October '24 and to the extent that it is possible within the new regulations these Standing Orders will continue to apply. Where adherence to Standing Orders is not possible, owing to divergence from old to new Regulations, Officers will adhere to the guidance in place from Cabinet Office and take necessary advice from Procurement and Legal teams.

## **SO 2 - Ethics & Probity**

- 2.1 Officers shall preserve the highest standards of honesty, integrity, impartiality and objectivity. This includes compliance with the Employees' Code of Conduct.
- 2.2 Pursuant to paragraph 2.1, breaches of compliance will be referred to the Chief Finance Officer and the Head of Procurement in the first instance, who in conjunction with the Head of Business Assurance, will authorise any investigation. The outcome of any investigation may be referred to the Head of Human Resources to determine if disciplinary action should be taken, in accordance with the Employee's Code of Conduct.

- 2.3 In accordance with Section 117 of the Local Government Act 1972, The Head of Legal Services shall maintain a record of any officer who has a pecuniary interest in a contract with the Council, and notify in writing their Head of Service where, in the course of their work, have a personal financial or non-financial interest.
- 2.4 Any officer procuring goods, works or services must declare gifts and hospitality received or offered, in accordance with the Employees' Code of Conduct.

### **S0 3 - Decision-making process**

#### 3.1 Member authority

The Council's executive decision-making process set out in Part 2, [Chapter 5](#) requires for more significant contract decisions to be determined by the Cabinet or a Cabinet Member(s) to provide for Member oversight and accountability when using public monies. It is the prerogative of the Cabinet or Cabinet Member to decide to accept - or not accept - any tender recommended by Officers.

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

#### 3.2 Planning ahead

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

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

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

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

Any tender decision identified on the Forward Plan shall require a formal tender summary report to be prepared providing full tender evaluation information, using the sign-off procedures and templates approved by Democratic Services. For tender decisions to a particular meeting of the full Cabinet, officers should adhere to the report deadlines set

out by Democratic Services. For tender decisions to a Cabinet Member(s), officers should ensure they are taken within the month notified.

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

In exceptional circumstances to speed-up the democratic decision-making process, Special Urgency or Urgency procedures may be invoked to the relevant body authorised to make the decision (Leader of the Council/Cabinet Member or the Cabinet) but only with the prior agreement of the Leader of the Council via the relevant Corporate / Executive Director. Such procedures are set out in Chapter 17 - Rules on Access to Information. For transparency, ordinarily all Cabinet and Cabinet Member decisions to accept (or not accept) a particular tender are made public immediately following the decision, including the name of the successful tenderer / organisation and the value of the contract.

**S0 4 - ~~Invitations to Tender~~ Minimum Tendering Requirements**

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

<b>Total Value</b>	<b>Minimum <u>Tendering Requirement</u> number of quotations or tenders</b>	<b><u>Award criteria</u> Authority to Commence &amp; Evidence Required</b>	<b><u>Award Criteria / Method of Publication</u></b>
£0 - £ <del>299,999</del> <del>5,000</del>	3 <u>written quotations from viable suppliers or 'mini competition' from compliant Framework. Where possible at least two quotations should be sought from local suppliers.</u> <u>Quotations OR where a Direct Award this should be through a compliant</u>	<u>Most economically advantageous Budget Holder. Evidence of quotes should be retained for auditability and purpose of raising requisition. Screenshots of online prices will be considered for this value OR if Direct Award evidence should be presented with Purchase Requisition of why</u>	<u>Bids up to £24,999 may be sought on email with officers awarding to lowest cost unless there is a clear and unambiguous reason to select a higher priced quote.</u> <u>Bids between £25,000 and £99,999 must be sought on the Councils nominated eProcurement system with Officers awarding</u>

	<u>framework (see S04.1 c)</u>	<u>this represents appropriate route to award including Value for Money</u>	<u>to Most Advantageous Quote</u>
<del>£25,000 ————</del> <del>£100,000</del>	<del>5 Quotations</del>	<del>Most economically advantageous quotation</del>	
£100,000 & above	<u>Formal tender process, compliant with all necessary regulations, thresholds and best practice OR where a Direct Award this should be through a compliant framework (see S04.1 c) 5-Tenders</u>	<u>Most economically advantageous tender Budget Holder, Head of Service &amp; Director. Evidence of formal tender process including evaluation should be retained for purpose of audit and writing formal reports OR if Direct Award evidence should be included in formal report of why this represents appropriate route to award including Value for Money</u>	<u>Tender must be issued on the Councils nominated e-Procurement system with Officers evaluating as set out in the tender documents.</u>

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

- b) Where the award criteria is based on ~~M~~most economically a~~Advantageous t~~Tender, unless agreed by the Director of Procurement in consultation with in writing by Cabinet Member for Finance or the Leader of the Council, where appropriate. in conjunction with the Head of Procurement, Tthere will be three tiers of weighting reflecting the varied nature of services the Council procures:
- i. Goods / works and services considered to be a commodity and / or ones that are not considered to impact the strategic outcomes of the Council shall be based on a minimum 80% weighting in favour in price.
  - ii. Goods / works and services where the quality of outcome is heavily influenced by the supplier selection (e.g. consultancy and professional services) shall be based on a maximum of 80% weighting in favour of quality.
  - iii. All other requirements, where price and quality are deemed to be of equal importance when considered in the context of the Council's operating and financial environment, should be undertaken on the basis of equal cost / quality split. It is expected that the majority of requirements will fall under this tier.

c) Frameworks (those established by Hillingdon, other public organisations or Public Sector Buying Organisations) represent a compliant method by which to award

contracts. Some Frameworks require completion of a 'further competition' and these should be completed in accordance with the terms of the framework and adherence to the requirements of S04.1. Other Frameworks permit Direct Awards to a specific supplier, often presenting an expedient and commercially attractive route to contract award. The approval process remains as per S06.3 but the use of the Direct Awards need to be justified in writing with supporting evidence to justify why and how the supplier meets LBH requirements and appropriate level of benchmarking to justify Value for Money in the proposed arrangements.

- 4.2 ~~EU directives and regulations~~ The Public Procurement Regulations 2020 shall apply to the procurement of contracts with an estimated aggregate value equal to or exceeding the ~~EU~~ thresholds listed below that are in force at the time of tender, ~~as set out in the Procurement Standard Operating Procedures~~ and pursuant to paragraph 4.3:-

<b>Supply Type</b>	<b>Value</b>		
Goods and services	£181,302 or greater	Minimum 5 Tenders to be sought	Most economically advantageous tender or lowest price
Works	£4,551,413 or greater	Minimum 5 Tenders to be sought	Most economically advantageous tender or lowest price

\* The Head of Democratic Services may update the above ~~0JEU~~ figures in the Standing Orders, as and when prescribed from time to time.

- 4.3 Unless it is in the best interests of the Council, or forms part of a provision of duty of care, no requirement for goods, works or services may be sub-divided into smaller contracts with the intention of circumventing the requirements of paragraph 4.1, or ~~4.2. for the purpose of avoidance of EU statutory requirements, as stated in the Public Contracts Regulations 2015.~~

~~4.4 Pursuant to paragraph 4.1 and the requirement for obtaining best value and adequate competition, competitive tenders or quotations shall not be required if the Approved Officer is satisfied, and has obtained written agreement from the Head of Procurement and the Leader of the Council, that:~~

- ~~4.4 (i) it is not reasonably practicable or prudent in meeting the Council's objectives to obtain competitive tenders or quotations; or~~  
~~(ii) there would be no effective or genuine competition; or~~  
~~(iii) it is necessary to safeguard life or property; or~~  
~~(iv) the works, services or goods will be obtained through an approved buying consortium, or from their nominated suppliers; or~~  
~~(v) the works, services or goods will be obtained through a corporately tendered and managed contract that has been established for all officers of the Council to use, and~~  
~~(vi) all such decisions are authorised by the Head of Procurement in writing.~~

- 4.5 Before proceeding in accordance with paragraph 4.1 in relation to any expenditure, the Approved Officer shall consult the Procurement Standard Operating Procedures, to confirm



and determine how the goods, works or services should be tendered. Appropriate guidance shall also be sought from the Procurement Team.

- 4.56 Tenders for all proposed contracts with an estimated total contract value greater than £510,000 shall be conducted following consultation with the by the Procurement Team, unless otherwise instructed by the HeadDirector of Procurement. ~~All such tenders shall be published on the appropriate eTendering portal as advised by the Procurement Team.~~

## **S0 5 - Custody, Receipt & Opening of Tenders**

- 5.1 All tenders are managed through ~~capital e-sou~~the Councils preferred eTendering Portal ~~ring~~ which will contain a record of all tenders received and opened and provides auditability of tender integrity. ~~If tenders are managed manually, then procedures below will apply.~~

- 5.2 ~~The Approved Officer shall ensure that custody, opening and acceptance of tenders is in accordance with the Procurement Standard Operating Procedures.~~

### ~~5.3~~ Receipt and custody of tenders

- (a) ~~Tenders shall be returned by the tenderer to the Civic Centre. Electronic tenders shall be returned to the email address specified in the tender instructions, or uploaded to the appropriate e-tendering portal as specified.~~
- (b) ~~On receipt by the Council, tenders shall be date and time stamped on their envelope or outer wrapper. Each electronic tender received shall be electronically date stamped.~~
- (c) ~~The Mail Room Supervisor, or equivalent officer responsible for receiving mail or online documents, shall:~~
- (i) ~~provide a receipt for tenders received, on request;~~
  - (ii) ~~keep a record of the number of tenders received;~~
  - (iii) ~~after the time and date specified for their return, hand all tenders received to the officer responsible for them, and obtain a receipt / signature.~~
- (d) ~~Tenders shall be kept in secure custody until they are opened. Electronic tenders shall be stored in a secure folder.~~

### ~~5.4~~ Register of tenders

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

### ~~5.5~~ Tender opening

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

## 5.2 Late Tenders/Bids (Tenders & Quotations)

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

## **S0 6 - Acceptance of tenders and approval of them**

### 6.1 General Rules

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

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

- d) all appropriate risks have been assessed and mitigated, as required by Procurement Standard Operating Procedures.
- e) An assessment of the Contractors financial viability in accordance with Procurement Standard Operating Procedures must be carried out where the tender value exceeds £100,000 or at any value where payment is made in advance or risk of supplier failure would have detrimental impact on services to residents or the Finances of the Council
- f) That relevant and sufficient budgetary provision (whether capital or revenue) is available

## 6.2—Acceptance of tenders or quotations

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

- ~~(a) In the case of a tender or quotation which does not exceed £24,999 for which budgetary provision exists, the Approved Officer shall be authorised to accept the most satisfactory quote or tender using the designated financial system.~~
- ~~(b) In the case of a tender or quotation which is between £25,000 and £99,999 for which budgetary provision exists, the Approved Officer, with informal written acceptance provided by the relevant Cabinet Member portfolio holder and / or Leader of the Council shall be authorised to accept the most satisfactory tender.~~
- ~~(c) In the case of a tender which between £100,000 and £499,999 for which budgetary provision exists, the relevant Cabinet Member portfolio holder in conjunction with the Leader of the Council or Cabinet Member for Finance shall be authorised to accept the most satisfactory tender through the formal democratic process.~~
- ~~(d) In the case of a tender of £500,000 and above for which budgetary provision exists, the Cabinet shall be authorised to accept the most satisfactory tender through the formal democratic process.~~
- ~~(e) Additional authority may be provided for (or required) as set out in section 6.3 in order to accept tenders outside the ordinary thresholds above or for those significant in nature.~~
- ~~(e) A re-assessment of the Contractors financial stability shall be carried out where the tender value exceeds £100,000. This would normally be undertaken during the pre-qualification and/or at the tender submission stage of the process. This information should be presented in any report to the Cabinet or Cabinet Member.~~
- ~~(f) Tenders or quotations can only be accepted in accordance with the agreed award criteria i.e. most economically advantageous or lowest price.~~

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

## 6.3 Authority levels for tender or quotation acceptance

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

<u>Total Value of Contract (including any contract extensions)</u>	<u>Approval Method</u>
£0 - £ <del>2499</del> ,999	<del>Approved Officer using designated Financial System</del> * <u>Corporate Director using Oracle Financials</u>
<del>£25,000 - £99,999</del>	<del>Approved Officer with informal written acceptance from relevant Cabinet Member or Leader of the Council*</del>
£100,000 - £ <del>499,999</del> <u>750,000</u>	Formal democratic decision by the relevant Cabinet Member and the Leader of the Council or Cabinet Member for Finance *
£ <del>50</del> <u>750,000</u> or greater	Formal democratic decision by the Cabinet */**

(b) ~~Where a quotation or tender process has not been undertaken or extension is being requested beyond the scope or value of the original approval then authority levels are set out in Standing Order 11 – Exemptions and Waivers~~

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

If any such decision on any tender is to have a significant impact upon communities, people or services within 2 or more wards and/or significantly outside the approved budget (by meeting the criteria for key decisions) then it must be taken by Leader & relevant Cabinet Member or the Cabinet, dependent on value as a formal democratic decision and prior details included within the Council's Forward Plan, except if taken under urgency rules. The Council's definition of a key decision is set out in Part 2, [Chapter 5](#) of this Constitution.

~~(e)(d)~~ \*\* Tenders above £~~750500~~,000 in the absence of a regular Cabinet meeting and if decision deemed urgent by the Leader of the Council

Cabinet is the primary body where tenders over £~~75500~~k in value are considered in the ordinary course of events. In the absence of a Cabinet meeting where a decision is required that if not taken may prejudice service or project delivery or if a decision is deemed urgent by the Leader of the Council, then the Leader of the Council and relevant Cabinet Member may take a formal democratic decision on the matter, with it being reported to a subsequent Cabinet for ratification via a formal report.

~~These thresholds and authority requirements shall also apply to single tender actions, contract extensions and variations.~~

~~(d)(e)~~ In the case of a formal democratic decision required by the Leader of the Council / Cabinet Member or the Cabinet then the procedures in Standing Order 3.3 shall be followed.

#### 6.4 Agency / Temporary Workers and Consultants

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

- (a) (b)–Where there is a requirement to recruit an Individual Temporary Worker (within 'IR35 - off payroll working') as an additional resource or to fill a vacant post this should be appointed through the Councils nominated and approved temporary agency provider. Any such requests should be progressed with the HR Team and in accordance with HR policies & procedures.
- (b) (e)Where there is a requirement to recruit an Individual Temporary Worker (within 'IR35 - off payroll working') as an additional resource or to fill a vacant post and this cannot be fulfilled through the Councils nominated and approved temporary agency provider, any request to use an alternative recruitment agency must be treated as new services provision and is subject to the full Standing Orders, including but not limited to, S04.1 and S06.3.
- d) Where there is a requirement to recruit a 'consultant' (appointed outside of 'IR35 - off payroll working' legislation) who, after appropriate due diligence is deemed by the commissioning manager, to be outside of IR35 this should be treated as a new service provision (whether through a recruitment agent or direct engagement) and is subject to the full Standing Orders, including but not limited to S04.1 and S06.3.
- e) Any ambiguity as to whether roles are deemed inside or outside of IR35 should in the first instance refer to internal guidance on such matters before being referred for external opinion.
- f) A summary of all consultant engagements and/or outside of IR35 activity will be reported to Cabinet quarterly for noting only

Acceptance of tender for appointment of consultants*	<b>Any value if within establishment and budget</b>	Corporate / Executive Director	In writing
	<b>Any value outside establishment or budget</b>	Chief Executive with sign-off by the Leader of the Council	In writing
Approval of individual temporary workers*	<b>Any value if within establishment and budget</b>	Corporate / Executive Director	In writing
	<b>Any value outside establishment or budget</b>	Chief Executive with sign-off by the Leader of the Council	In writing

\*NB: If the value is £50,000 or greater these shall be reported to Cabinet for noting only.

Reference to 'consultants' within Standing Order 6.4 means small practice consultants of fewer than 3 people who are engaged by the Council against a specific brief but are assessed to fall outside of IR35 intermediaries Legislation. For engagement of larger consultancy contracts, these should be tendered in accordance with Standing Order 4 and approved in accordance with Standing Order 6. In circumstance where there is uncertainty around which process to follow further guidance should be sought from the Head of Procurement.

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

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

## **S0 7 - Execution of Contracts**

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

<p>£10,000 - £<del>4999</del>,999</p>	<p>Signed by, <del>the Head of Procurement in writing</del> <u>Approved officer -OR,</u> <u>where appropriate, through the raising of a Purchase Order on the Councils Finance system</u></p> <p><del>As set out in 9.2 for purchases below £10,000 where no formal contract is in place, purchase orders shall be considered as a form of contract.</del></p>
<p><del>£50,000 – £99,999</del></p>	<p><del>Signed by the Chief Finance Officer in writing</del></p>
<p>£100,000 or greater</p>	<p>Sealed with the Common Seal of the Council and attested by a Member of the Council and the Head of Legal Services or any other officer authorised by the Head of Legal Services and the Leader of the Council in writing.</p>

7.2 Pursuant to Standing Order 1, a record of each contract executed in accordance with paragraph 7.1, shall be entered on a Register of Contracts maintained for that purpose by the ~~Head~~Director of Procurement.

7.3 No Council officer may call off a contract for goods, works or services unless that contract is ~~in writing and~~ executed in accordance with paragraph 7.1.

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

7.4 All contracts, whether executed in writing or through the raising of a requisition on the Councils Finance System must be appropriate to the nature of the services, supplies or works to be provided and contain provisions to protect the Councils overall commercial, legal and reputational risk. Council Standard Terms and Conditions should be used as a matter of course but where a requirement to diverge from this applies, the following conditions apply:

(a) Use of Supplier Contracts – Any requirement for Officers to contract on third party supplier terms and conditions must only be done with the specific written approval of Legal Services

(b) Use of Public Sector Framework Contracts (CCS / YPO / ESPO etc) – Officer may use Framework contracts with written approval of Procurement Team

(c)(e) Use of Industry Standard templates (JCT / NEC etc) – Offices may use Industry Standard Templates with the written approval of Legal Services.

7.5 It is the requisitioners responsibility to ensure that any contract (formal written contract or Purchase Order) contains or reference **as a minimum:**

(a) a specification of requirements or required outcomes

(b) the agreed costs of the services to be delivered

(c) start and finish date of the requirements

(d) Compliance requirements (GDPR, H&S, Insurance etc)

7.6 The Councils preference is for all contracts to be issued for signature using an electronic signature software. Reference to signing or signature in S07 should be taken to mean either a physical /wet copy signature OR with reference to the use of the electronic system.

## **S08 – Permitted Contract Extensions and Variations**

8.0 Before approval is granted to extend or vary contracts, Corporate & Executive Directors and their officers shall give due consideration to all potential options that may exist to repackage goods, works and services. An appraisal of such options shall be produced and provided to the appropriate Cabinet Member for review in accordance with the provisions of Standing Order 3. Only where the Cabinet Member approves the option that a contract shall be extended or varied shall such approval be sought.

8.1 Contracts may only be extended where the express provision in the agreement exists to do so, it is compliant with the requirements of Public Contract Regulations and the appropriate approval to extend has been provided. Where no provision to extend exists this cannot be considered an extension and should be managed as an Exemption or waiver under S011. This approval shall be sought in accordance with the levels of tender acceptance contained in Standing Order 6.3.

8.2 Approval to extend shall be sought in accordance with the following approval levels OR in accordance with any extension provision agreed at the time of the initial contract award,



<u>Value of Extension exceeds</u>	<u>Approval Method</u>
<u>£0 - £99,999</u>	<u>Corporate Director</u>
£100,000 - <del>£499,999</del> <u>£750,000</u>	Formal democratic decision by the relevant Cabinet Member and the Leader of the Council or Cabinet Member for Finance *
<del>£500</del> <u>£750</u> ,000 or greater	Formal democratic decision by the Cabinet <del>*/**</del> <u>or to the relevant Cabinet Members where so delegated by the Cabinet</u>

8.3 Any requests to vary a contract that does not have a financial implication but is considered a 'key decision' should be taken in consultation with the relevant Corporate Director and Cabinet Member in accordance with the principles established in SO3

~~8.4 Where contract spend is likely to exceed the originally approved value, in response to increased time period, scope or use, it is the Officers obligation at the earliest opportunity (and in advance of reaching that limit) to submit a report, in accordance with the values set out in SO's. Any such report should set out the reasons for the additional spend and expectations on likely future spend. For the avoidance of doubt, where an approval is initially within one band (ie a contract originally approved for £95k) and approval is sought to vary by a value of a further £50k, this should be submitted according to the total value - ie £145k and required Cabinet Member approval. Where an approval is initially for £200k but an extension of £95k is required, this can be through Corporate Director. If the extension was for £110k, it should go to Cabinet Member~~

~~8.5 All contracts with an average spend of £200k per annum or above must have formal approval from Cabinet to continue for greater than 10 years regardless of previous delegations provided~~

~~Contracts may only be varied where the express provision in the agreement exists to do so and the appropriate approval to vary the contract has been provided. This approval shall be based upon the approval required to execute the contract as contained in Standing Order 7.1.~~

~~8.1 Where any single proposed contract variation or cumulative value of agreed contract variations is likely to exceed the value originally approved then Officers should, at the earliest opportunity, seek approval to exceed the value from the relevant Cabinet Member and the Leader of the Council. If this exceeds 15% or more of the total contract value originally approved, a summary report shall be made to the Head of Procurement. Approval of the proposed contract variation shall be in accordance with Standing Order 8.2 and therefore may require either approved officer approval with informal written acceptance by the Cabinet Member, a formal Cabinet Member or Cabinet decision.~~

## **SO 9 - Purchase Orders, Contract Purchase Agreements & Government Procurement Cards**

9.1 Where ~~Officers wish to commit spending on behalf of the Council, formal contractual arrangement are in place,~~ Purchase orders shall be considered as the method of commitment with a supplier and shall be required for all goods, works and services, irrespective of value. ~~Any Purchase Order must be raised against a Contract Purchase~~



Agreement (CPA) to allow accurate reporting of spend against approval. Processes for raising requisitions and CPA's are set out in, and raised in accordance with Procurement Standard Operating Procedures, pursuant to paragraph 1.1.

9.2 No goods, works or services shall be procured without the prior establishment of a legitimate purchase order, duly approved in accordance with the Council's Financial Regulations and the Scheme of Delegations. Exemptions to this shall be approved in writing by the Chief Finance Officer ~~and Head of Procurement as appropriate.~~

9.3 Non-Invoice payments for one off payments such as grants or refunds can be made using Oracle Cloud's One Time Payment function. The function must not be used for purchasing goods or services where an invoices should always be provided. Non-Invoice payments must not be subject to VAT. One Time Payments will utilise the cost centre hierarchy for their expenditure approval.

~~9.2 For purchases below £10,000 where no formal contract is in place, purchase orders shall be considered as a form of contract and shall be required for all goods, works and services, and raised in accordance with Procurement Standard Operating Procedures, pursuant to paragraph 1.1. No goods, works or services shall be procured without the prior establishment of a legitimate purchase order, duly approved in accordance with the Council's Financial regulations and the Scheme of Delegations.~~

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

~~9.4~~ 9.3 The Council recognises the need to ensure efficient processes are used to procure lower value goods, works and services. Therefore ~~Government~~ Procurement Cards (P-Cards) may be used to procure goods, works and services as in any of the following situations:-

- a) Purchases less than £500
- b) Single purchases where the supplier will not be used again
- c) Urgent or emergency purchases where it is not possible to raise a purchase order, pursuant to paragraph 9.2

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

## **SO 10 - Local Authority Maintained School Procurement**

10.1 Delegated Authority to procure goods, works or services ~~is may be~~ awarded to Local Authority maintained schools only where they abide by the Councils Standing Orders with respect to all Procurement and contracting activity. only with the written approval of the Chief Executive, Chief Finance Officer and the Head of Procurement, and only when the application for Delegated Authority is supported by a detailed business case prepared in accordance with the Procurement Standard Operating Procedures. Breaches of compliance will result in the removal of Delegated Authority and possible disciplinary action may also be initiated.

~~10.2 Departments, Service Areas or Officers Schools~~ who have been awarded Delegated Authority shall comply with these standing orders and all relevant best practice and specifically "DFE Buying for Schools Guidance"the Procurement Standard Operating Procedures at all times. It is the Head teacher and Governing bodies responsibility to ensure that any Schools officer involved in placing contracts is suitably experienced and qualified to do so. Breaches of compliance will result in the removal of Delegated Authority, as required by the Head of Procurement, and possible disciplinary action may also be initiated.

10.3 Local authority maintained schools are required to abide by the Council's Standing Orders with respect to purchasing, tendering and contracting. Governing Bodies are also empowered under paragraph 3 of schedule 1 to the Education Act 2002 to enter into contracts, and in most cases they do so on behalf of the Local Authority as maintainer of the school. The Council has ~~therefore~~ set the following delegated authority and criteria for the acceptance, consistent with the Financing Scheme for Schools approved by Cabinet:

Value Range	Process to follow	Description	Approval
Up to £3,000	Best Value	Officers to demonstrate best value has been achieved	Headteacher
£3,001 - £10,000	Quotes	<del>Three</del> <u>Two</u> written quotes required*	Headteacher
£10,001 - £50,000	Quotes	Minimum of <del>5</del> <u>3</u> written quotes*	Governing Body
£50,001 - £100,000	<del>Tenders</del> <u>Quotes</u>	Minimum of <del>5</del> <u>3</u> <u>written</u> <u>quotes</u> <u>tenders</u> *	Governing Body
£100,000 and above	Tender	Minimum of 5 tenders	Governing Body <del>and</del> <u>Local Authority</u>
<del>£181,302</del> <u>£180,000</u> and above *	<del>Tender / OJEU</del> <u>notice</u> <u>FTS</u> <u>Notice</u>	European tender (goods/services)	Governing Body and Local Authority

\*Quotes should be invited from viable suppliers or use a 'mini competition' from compliant Framework. Where possible at least two quotations should be sought from local suppliers. Where a direct award via a compliant framework is proposed this should be undertaken with reference to Standing Order 4.1 c

10.4 Governing Bodies are required to obtain approval from the Local Authority at the outset of any procurement where the contract value is greater than £180,000 so the local authority can seek assurance on how value for money will be achieved through a compliant tender approach.

10.5 Governing Bodies are required to obtain ~~counter-signature on contracts with the Local~~

~~Authority where the value of the contract exceeds £10080,000 except where the process has been undertaken by experienced professional specialist support or has used a compliant Framework. - The only exceptions to this are:~~

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

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

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

## **S0 11 - Concession Contracts**

~~11.1 Concessions are broadly similar to "normal" contracts between contracting authorities/entities and suppliers, but with one key difference: the consideration in a concession contract consists in the right to exploit the work, or services, that are the subject of the contract, or that right to exploit together with a payment. Examples of concessions might include street furniture contracts whereby the provider has the right to use the Hillingdon land (highways and footways) to generate advertising income for themselves in return for a payment to LBH.~~

~~11.2 The transfer to the concessionaire (ie provider) of the right to exploit the works or services shall always imply an operating risk of economic nature involving the possibility that it will not recoup the investments made and the costs incurred in operating those works or services. This means that under the contract, the concessionaire should not enjoy a guarantee of breaking even on investments and costs incurred.~~

~~11.3 Concession contracts should be treated in accordance with the general principles of these Standing Orders and in particular the principles of openness, transparency, equal treatment and proportionality should apply.~~

~~11.4 The value of a concession contract is to be calculated on the basis of the total turnover of the concessionaire generated over the duration of the contract, net of VAT. Thresholds are agreed as follows:~~

<u>Initial Value of Concession</u>	<u>Approval Method</u>
<u>£0 -£250,000</u>	<u>Corporate Director</u>
<u>£250,000 - £750,000</u>	<u>Formal democratic decision by the relevant Cabinet Member and the Leader of the Council or Cabinet Member for Finance.*</u>

£750,000 or greater

Formal democratic decision by the Cabinet \*/\*\*

## **S0 12 – Contract Management**

- 12.1 Contract management is a critical part of the Procurement lifecycle to ensure value in contracts is protected and enhanced over its life. It is the Head of Service (or above) responsibility to appoint a nominated person responsible for contract management duties for all contracts in excess of £100k spend per annum.
- 12.2 Contract management duties include: checks that charging is in accordance with pricing schedules, contracts outputs and outcomes are meeting the specification, performance reporting is in place and being monitored, delivery of obligations under social value are being met, assurance to the business on compliance of suppliers with legal responsibilities including data protection, insurances and health and safety, escalating key issues of concern to relevant Head of Service and / or Director.
- 12.3 Contract Managers will be responsible for leading and collating responses to Freedom of Information requests relating to the suppliers they manage.

## **S0 13 – Exemptions and Waivers from these Rules**

- ~~11.1 In any circumstances not provided for by the preceding Standing Orders, an Approved Officer will consult with the Chief Finance Officer and the Head of Procurement, in the first instance, where an exemption is required.~~
- 13.12 These Standing Orders shall not apply to the following services or actions that are managed by separate policies and guidelines. The following will be considered exemptions:
1. Contracts for the acquisition, ~~or~~ lease or disposal of land and/or real estate (note: the exemption does not include the services to complete those transactions).
  2. Contracts which make an individual a ~~for~~ permanent or fixed term employee of the Council.
  3. Specific payment and / or directions as instructed by Courts or Tribunals.
  4. Levys, payments or taxes to public sector organisations that are required on a statutory rather than contractual basis.
  5. Any decisions relating to the management and procurement activity of the Pension Fund which will be managed according to the mandate of the Pension Committees.
  - ~~2. Any wholly owned subsidiary of the Council (Eg. Hillingdon First)~~
  - 6.
  7. Direct Payments to ~~citizens~~ residents following care assessment. ~~F,~~ for example, payments provided under Self Directed Support or individual budgets.
  - ~~3-8.~~ Residential placements sought for an individual with a registered care provider of their choice.

~~4.~~ When the Chief Executive's Emergency Contract Delegation Protocol is invoked, with the agreement of the Leader of the Council (see Annex A below for protocol). Such decisions will be reported to Cabinet for ratification.

~~9.~~  
~~5-10.~~ When the Leader of the Council deems a decision urgent under their Emergency Powers delegation. Such decisions will be reported to Cabinet for ratification.

~~13.1.23~~ Where these Standing Orders may conflict with any separate rules or guidance, and the Procurement Standard Operating Procedures, the ~~Head-Director~~ of Procurement, the Cabinet Member for Finance and the Head of Legal Services will determine which takes precedence.

~~13.3~~ Circumstances may arise where permission is required to waive one or more of the Contract Standing Orders. Waivers are reserved for exceptional circumstances and will only be approved where good and sufficient evidence has been provided. Circumstances under which a waiver may be considered are:

- ~~(i) it is not reasonably practicable or prudent in meeting the Council's objectives to obtain competitive tenders or quotations; or~~
- ~~(ii) there would be no effective or genuine competition and the proposed supplier is the only genuine provider of the goods / works or services~~
- ~~(iii) it is necessary to safeguard health, life, property or environment~~

~~13.4~~ A Waiver will not simply be granted on the grounds of convenience or because of inadequate forward planning. Any request for a waiver must be supported by sufficient level of information setting out the reason for the request, why it has arisen, the impact of not proceeding with the waiver and how any risks (financial, legal, operational or reputational) are being mitigated.

~~13.5~~ The Council can only waive the rules as established by the Council. The Council cannot waive statutory requirements and specifically the Public Contract Regulations that are not permitted within the legislation itself. A waiver to any of the Councils Standing Orders must be sought in advance of any informal agreements, contractual agreement or order placement.

~~13.6~~ Waivers will be approved as follows:

<u>Value of waiver (in the aggregate including any existing spend)</u>	<u>Approval Method</u>
<u>£0 -£99,999</u>	<u>Corporate Director using designated Financial System * with justification attached to requisition</u>
<u>£100,000 - £749,999</u>	<u>Formal democratic decision by the relevant Cabinet Member and the Leader of the Council or Cabinet Member for Finance *</u>
<u>£750,000 or greater</u>	<u>Formal democratic decision by the Cabinet */**</u>

## **ANNEX A**

### **Emergency Contract Delegation**

This power is delegated to the Chief Executive with the agreement of the Leader of the Council.

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

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

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

In such instances, these Standing Orders can be waived. Any decisions taken must be reported to a subsequent Cabinet meeting for formal ratification.

## **Chapter 5 – Executive decision-making**

Amended delegation to the Cabinet Member for Finance

3. Capital release - jointly with the relevant portfolio Cabinet Member to make decisions on the release of monies for capital projects at and exceeding £100,000 or refer such decisions to Cabinet if required for efficient project delivery.

## **Chapter 12 – Responsibilities and Delegations to Officers**

New General Delegation to Chief Executive and Corporate / Executive Directors

17. Capital release – to authorise the release of monies for capital projects up to £99,999.



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## QUESTIONS FROM MEMBERS

**7.1 QUESTION SUBMITTED BY COUNCILLOR BRIDGES TO THE CABINET MEMBER FOR FINANCE – COUNCILLOR GODDARD:**

Could the Cabinet member for Finance please explain the role which the Counter Fraud Team is playing in respect of Social Housing in the Borough?

**7.2 QUESTION SUBMITTED BY COUNCILLOR DENYS TO THE CABINET MEMBER FOR FINANCE – COUNCILLOR GODDARD:**

Could the Cabinet member for Finance please provide an update of the position of external audits on the Council's published financial statements for the financial years ended 31 March 2023 and 31 March 2024?

**7.3 QUESTION SUBMITTED BY COUNCILLOR SWEETING TO THE DEPUTY LEADER OF THE COUNCIL AND CABINET MEMBER FOR PROPERTY, HIGHWAYS & TRANSPORT – COUNCILLOR BIANCO:**

The West Drayton Station Approach is still closed to buses due to the road surface collapsing over the sunken sewer, although local councillors and residents have been lobbying both the Council and Network Rail Infrastructure Limited for years for this repair to be undertaken. On the 18<sup>th</sup> January this year it was reported to this Chamber that the work had a potential completion date of July 2024. However, this date has now slipped, and I have been advised that we now have an aspiration for the repair from Network Rail set at December 2024 with the word "HOPE" used to describe this completion date.

Given past assurances by Network Rail over this issue which have been repeatedly broken, what is the Council doing to turn "HOPE" into reality, seeing that it is now 25 months, (11<sup>th</sup> June 2022), since buses have been able to drop off and pick up residents and travellers alike from trains from the line named after our late Queen?

**7.4 QUESTION SUBMITTED BY COUNCILLOR GOHIL TO THE DEPUTY LEADER OF THE COUNCIL AND CABINET MEMBER FOR PROPERTY, HIGHWAYS & TRANSPORT – COUNCILLOR BIANCO:**

Please can the Cabinet member provide an update on the current state of construction of the new Platinum Jubilee Leisure Centre in West Drayton?

**7.5 QUESTION SUBMITTED BY COUNCILLOR REETA CHAMDAL TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE – COUNCILLOR PALMER:**

Could the Cabinet member for Health and Social Care confirm the benefits to the Council of the decision by our NHS colleagues to rent part of the Civic Centre?

**7.6 QUESTION SUBMITTED BY COUNCILLOR MAKWANA TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:**

Can the Cabinet member please update Council on the progress of the Specialist Resource Provision and Assessment Centre at Ruislip Gardens Primary School?

**7.7 QUESTION SUBMITTED BY COUNCILLOR CURLING TO THE LEADER OF THE COUNCIL - COUNCILLOR EDWARDS:**

Over the past few months there has been an increase in criminal damage to traffic signals which have caused serious accidents and congestion. This vandalism poses a number of hazards to members of the public, such as obstacles for the vision impaired, elderly and disabled to navigate, sawn metal and exposed cables in the traffic signal columns, as well as heightened risks of accidents and personal injury to both drivers and pedestrians.

Will the Leader of the Council join me in condemning the criminal activities of damaging and sawing down traffic signals, or does he agree with this criminal activity?

## MOTIONS

### 8.1 MOTION FROM COUNCILLOR EDWARDS

That Hillingdon Council welcomes the chance to continue its work with Government and we commit to use our position and influence to secure the following seven key aims that reflect the priorities of both the Council and its residents:

1. The full funding by Government of the support provided by the Council to asylum seekers that present in this borough as a consequence of it being a major port of entry as it is clearly unfair that Hillingdon's residents should shoulder the cost of this national responsibility.
2. Grant funding is provided to fully meet the increasing cost to the Council of providing care support to both adults and children.
3. The ring fence on the dedicated support grant is maintained until the deficit can be eliminated by way of an agreed action plan.
4. The ability of the Council to veto regional transport initiatives that either limit the freedom of motorists to use their local road network or that impose a charge on road use.
5. Oppose the reclassification of our green belt land and retain the existing Localism powers to over-ride planning policies that would be detrimental to character street scene of our neighbourhoods.
6. Amend national aviation policy to remove the threat of a third runway at Heathrow thereby releasing land for much needed housing and freeing existing communities from planning blight.
7. Retain the cap on council tax increase that can only be exceeded by means of approval from a residents' referendum.

### 8.2 MOTION FROM COUNCILLOR PUNJA

That this Council recognises the problems caused by unlicensed HMOs in the borough, from anti-social behaviour to poor housing conditions.

This Council is committed to ensuring good quality housing in the borough and resolves to extend licensing obligations to all properties with 3 bedrooms housing multiple unrelated occupants.

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