



HILLINGDON
LONDON



Council

To all Members of the Council

Date: THURSDAY, 4 NOVEMBER
2010

Time: 7.30 PM

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

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

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Agenda

Prayers

To be said by Reverend Adrian Guthrie

- 1** Apologies for Absence
- 2** Minutes 1 - 12
To receive the minutes of the meeting held on 9 September 2010
- 3** Declarations of Interest
To note any declarations of interest in any matter before the Council
- 4** Mayor's Announcements
- 5** Public Question Time 13 - 16
To take questions submitted by members of the public in accordance with Council Procedure Rule 10.
- 6** Report of the Head of Democratic Services 17 - 30
- 7** Petitions to the Council 31 - 42
To consider the adoption of a Petitions Scheme as recommended by Cabinet.
- 8** Members' Questions 43 - 44
To take questions submitted by Members in accordance with Council Procedure Rule 11
- 9** Motions 45 - 46
To consider Motions submitted by Members in accordance with Council Procedure Rule 12

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Agenda Item 2

Minutes

COUNCIL

9 September 2010

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



Councillor David Yarrow (Mayor)
Councillor Mary O'Connor (Deputy Mayor)

	MEMBERS PRESENT: Councillors: David Allam Lynne Allen Bruce Baker Tim Barker Josephine Barrett David Benson Jonathan Bianco Lindsay Bliss Sukhpa Brar Wayne Bridges Mike Bull Keith Burrows Paul Buttivant George Cooper Judith Cooper Philip Corthorne Brian Crowe Peter Curling Catherine Dann Jazz Dhillon Janet Duncan Beulah East Neil Fyfe Janet Gardner Roshan Ghei Dominic Gilham Raymond Graham Paul Harmsworth Shirley Harper-O'Neill John Hensley Henry Higgins Patricia Jackson Phoday Jarjussey Sandra Jenkins Alan Kauffman Judy Kelly Peter Kemp Mo Khursheed Kuldeep Lakhmana Eddie Lavery Richard Lewis Anita MacDonald John Major Carol Melvin Douglas Mills Richard Mills John Morgan June Nelson Susan O'Brien Ray Puddifoot John Riley David Routledge Avtar Sandhu Robin Sansarpuri Scott Seaman-Digby David Simmonds Michael White		
	OFFICERS PRESENT: Hugh Dunnachie, Fran Beasley, Christopher Neale, Chris Spencer, Jean Palmer, Brian Doughty, Raj Alagh, Lloyd White, Morgan Einon and Nikki Stubbs		
	PRAYERS Prayers were said by Reverend Adrian Guthrie.		
24.	APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>) Apologies for absence were received from Councillors Barnes, Garg, Markham, Payne, Retter and Stead.		
25.	MINUTES (<i>Agenda Item 2</i>) RESOLVED: That, subject to the amendment of the second sentence of the second paragraph of item 19 to read: “73 of these events...”, the minutes of the meeting held on 1 July 2010 be agreed as a correct record.		

26.	<p>DECLARATIONS OF INTEREST (<i>Agenda Item 3</i>)</p> <p>Councillor Puddifoot declared a personal interest in Agenda Item 9.2, and remained in the room during the consideration thereof.</p> <p>Councillors D Mills and R Mills declared a personal interest in Agenda Item 9.2, and remained in the room during the consideration thereof. They both also declared a personal and prejudicial interest in the amendment to Agenda Item 9.2 and left the room during the consideration thereof.</p> <p>Councillor Allen declared a personal interest in Agenda Item 6.i, as she was a member of the Hillingdon Homes Board, and remained in the room during the consideration thereof.</p>
27.	<p>MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 4</i>)</p> <p>The Mayor advised that he had met with Mr Joseph Bernard Brown who has served as Mayor of Hillingdon in 1969 – Mr Brown was the earliest serving surviving ex-Mayor of Hillingdon. The Mayor had lunch with Mr Brown and his daughter at the beginning of August 2010 and had presented him with the Hillingdon Borough crest.</p> <p>To mark the 70th anniversary of the Battle of Britain, the Mayor had attended a commemorative service at the Battle of Britain Operations Room in Uxbridge. This was followed by a wreath laying service and the unveiling of the new Spitfire and Hurricane Gate Guardians. The Mayor also attended a remembrance service at the Polish War Memorial where a Spitfire had flown overhead. The Duke of Kent had also attended this service.</p> <p>Members were advised that the Mayor's Charity Race Night was being held at the Battle of Britain Club in Uxbridge at 7.30pm on Friday 24 September 2010. Everyone was welcome.</p> <p>The Council was advised that the number of events that had been attended by the Mayor, the Deputy Mayor and past Mayors on the Mayor's behalf totalled 129. 121 of these events were within the Borough with the remaining 8 being outside of Hillingdon.</p>
28.	<p>PUBLIC QUESTION TIME (<i>Agenda Item 5</i>)</p> <p>5.1 QUESTION FROM PENNY RUTHERFORD TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY – COUNCILLOR DOUGLAS MILLS</p> <p>"The agenda of the Cabinet meeting in March 2009 which discussed implementation of the Sustainable Communities Act listed the following local organisations which would be consulted (in lieu of forming a newly constituted Local Panel) for the purposes of the Act:</p> <ul style="list-style-type: none"> • Streets Ahead • Street Champions • Other representative Forums such as Connecting Communities BME forum, Older People's Assembly, Assembly for People with Physical or Sensory Disabilities, the Inter-Faith Network, the Youth Council and others • Neighbourhood Watch

- Police SNT Panels
- Developing links from the Hillingdon Residents' Survey
- The Chrysalis Programme and Councillor Ward Budgets.

Given that local Residents' Associations:

- Probably represent a greater number of residents than any other local organisation
- Have demonstrated the ability to make constructive suggestions in many areas relating to Civic life,
- Comprise a wide range of people with varying knowledge and skills in different areas
- Consistently demonstrate an interest in and commitment to improving and maintaining sustainable life in the local area
- Function in a more consultative way than Street Champions which the Council include on their list,

Will the Council make a commitment to including local residents' Associations in their consultations for the Sustainable Communities Act, if not, why not and what criteria are used in making this decision?"

Councillor D Mills responded that the Council recognised the commitment and the valuable role of Residents' Associations but advised that the Sustainable Communities Act was not necessarily the best vehicle or most effective way of meeting the needs of residents. However, the Council would make use of the Act where it did meet residents' needs. For example, the changes in planning policy regarding garden grabbing developments, the RIPA regulations prohibiting the Council from 'spying' on residents regarding issues like catchment areas for school places, and the continued collection of refuse on a weekly basis.

Councillor D Mills was supportive of localism and confident that residents were always put at the heart of everything the Council did. Consideration would be given to any ideas or proposals that were submitted by groups of residents across the Borough but it was noted that the Council would not always agree with these ideas.

Residents' Associations were thought to have a huge part to play in improving engagement with residents. Whilst consultation with residents was considered to be extremely important, Councillor D Mills stressed that the Council's Leader, Cabinet and supporting Members had been elected to be responsible for making the decisions.

5.2 QUESTION FROM TONY ELLIS TO THE CABINET MEMBER FOR IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY – COUNCILLOR DOUGLAS MILLS

"At a recent meeting of chairmen/officers of Residents' Associations from the north of the Borough, there was a general consensus that there is no consistency in the way that officers of the Council consult with Residents' Associations. Some are consulted on a regular basis and others rarely, if at all.

Recent examples are:

- None of us was involved in the formulation of the draft Core Strategy document

- Not all of us were invited to the officers' presentation on the Core Strategy
- Hard copies of the Core Strategy were not made available until we protested at a higher level
- By the time hard copies were available, we had less than 4 weeks to consult with our residents. Requests to extend the consultation period were refused by officers.
- The Rights of Way Improvement Plan consultation was not sent to Residents' Associations
- Changes to parking regulations consultations are not sent to the affected Residents' Associations

Residents' Associations represent many thousands of the Borough's residents and are mandated to protect their interests. This irregular or lack of consultation makes our work very difficult and we feel the many Council officers do not value our opinions.

Assuming that the Leader of the Council agrees that Residents' Associations should be involved in all public consultations, will he instruct the Chief Executive to ensure that his officers consult all of us in future?"

Councillor D Mills reiterated that Residents' Associations played a valuable role and, as such, had been invited to comment on the Core Strategy. Furthermore, a Residents' Planning Forum meeting had been held in June 2010. On this occasion, the Council had provided the Residents' Associations with a hard copy of the document rather than a CD-ROM. However, the cost associated with printing and distributing hard copy versions was prohibitive so should not be considered the 'norm'. Residents' Associations had also been invited to a drop in session in July 2010.

A revised version of the Core Strategy would be considered by Cabinet at its meeting on 18 November 2010 and residents would then be afforded a further opportunity to provide comments over a six week consultation period.

It was noted that the Council published changes to parking regulations in the media and the relevant Ward Councillors were also made aware of the changes and encouraged to submit their views. Councillor D Mills advised that the Council welcomed feedback from residents and Residents' Associations but stressed that there was a distinction between who made the decisions and who made comments. He went on to state that the Council needed Residents' Associations to be proactive in commenting and that consideration was given to all suggestions. However, the Council, through the appropriate Cabinet Member (in consultation with the Leader), would decide whether or not these suggestions were actioned.

29. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 6*)

(i) CONSTITUTION – DELEGATIONS RELATING TO HILLINGDON HOMES

Councillor G Cooper moved the recommendation as set out on the Order of Business. This was seconded by Councillor O'Brien. The motion was then put to the vote and agreed.

RESOLVED: That the constitutional amendments, as set out in Appendix A to these minutes, be approved and the Head of Democratic Services, in conjunction with the Leader of the Council, be authorised to make any further minor amendments that may be required in relation to the transfer of Hillingdon

Homes.

(ii) MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES

Councillor G Cooper moved the recommendation as set out on the Order of Business with the addition that Councillor Gilham replace Councillor Bull on the Central and South Planning Committee. This was seconded by Councillor O'Brien. The motion was then put to the vote and agreed.

RESOLVED: That:

- **RELATE – Councillor Routledge to replace Councillor Seaman-Digby;**
- **Hillingdon Asian Women's Group Committee – appoint Councillor Harper-O'Neill;**
- **Uxbridge United Welfare Trusts – reappoint Mrs Gerda Driver for a further four years (to end on 31 August 2014);**
- **DASH – Councillor Harper-O'Neill to replace Councillor Kemp;**
- **Central & South Planning Committee – Councillor Gilham to replace Councillor Bull;**
- **Local Authorities' Aircraft Noise Council – Councillor Nelson to replace Councillor Duncan;**
- **North Planning Committee – Councillor Dhillon to replace Councillor MacDonald; and**
- **Corporate Services and Partnerships Policy Overview Committee – Councillor MacDonald to replace Councillor Dhillon.**

(iii) SCHEME OF MEMBERS' ALLOWANCES 2010/11

Councillor G Cooper moved the recommendation as set out on the Order of Business. This was seconded by Councillor O'Brien. Following debate (Councillor Puddifoot), the motion was put to the vote and agreed.

RESOLVED: That the allowance paid to the vice-chairman of the Standards Committee be increased to £1,560 pa and the Scheme of Members Allowances be amended accordingly.

(iv) REQUEST FOR LEAVE OF ABSENCE

It was noted that Councillor Garg had withdrawn his request for leave of absence.

30. AUDIT COMMITTEE 2009 / 10 (Agenda Item 7)

Councillor G Cooper moved the recommendation as set out on the Order of Business. This was seconded by Councillor Bianco. The motion was then put to the vote and agreed.

RESOLVED: That Council notes the annual report and work of the Audit Committee.

31. **MEMBERS' QUESTIONS** (*Agenda Item 8*)

8.1 QUESTION SUBMITTED BY COUNCILLOR WHITE TO THE CABINET MEMBER FOR EDUCATION AND CHILDRENS' SERVICES – COUNCILLOR SIMMONDS

“Can the Cabinet Member for Education & Children's Services please update us on the GCSE results?”

Councillor Simmonds responded that there had been a continued improvement in the GCSE results from schools in the Borough. Although the results were provisional, it was noted that the number of students gaining 5 A*-C GCSEs (including English and Maths) had increased from 54% to 58% and the number of students gaining 5 A*-C GCSEs (in any subject) had increased from 71% to 80%.

Councillor Simmonds stated that he disagreed with a recent article in the Times newspaper which had suggested that private sector schools were best placed to improve education results and was pleased to report that Hillingdon schools had performed very well. Councillor Simmonds praised the work undertaken by the staff in the School Improvement Service and requested that the Director of Education and Children's Services put plans in place to improve results at schools that had not performed as well as hoped.

Councillor White, by way of a supplementary question, asked how children taking other qualifications had performed, particularly looked after children. Councillor Simmonds advised that the final A Level exam results for the Borough had not yet been published but that all Councillors would receive a breakdown of these figures when published. With regards to looked after children, Councillor Simmonds advised that improvements had been made and that he had asked the Deputy Director of Education and Children's Services to provide a detailed brief (to include information regarding children with disabilities) for Members at the next Members' Seminar.

8.2 QUESTION SUBMITTED BY COUNCILLOR HARMSWORTH TO THE CABINET MEMBER FOR FINANCE AND BUSINESS SERVICES – COUNCILLOR BIANCO

“Why wasn't the Pool Petitioners' meeting postponed, considering one Ward Councillor was unconscious and another tending to him?”

Councillor Bianco assumed that the question referred to the Cabinet Member Petition Hearing held on 11 August 2010 concerning Yiewsley Pool. As Chairman of the meeting in question, Councillor Bianco confirmed that it had been convened and conducted completely in accordance with the provisions of the Council Constitution, where adjournments of meetings, although not common occurrences, were fully catered for, for whatever reason.

Councillor Bianco believed that the question implied that, in reconvening the meeting, he had been either insensitive to the situation regarding his fellow Councillor or that in some way the decision he reached was flawed because the Members in question were unable to attend the re-convened meeting in the Council Chamber.

Councillor Bianco stated that neither of these was the case and any such implication was impudent. Naturally, his first priority was to ensure that the wellbeing of his fellow human being was being taken care of and that the situation was not life threatening.

Councillor Bianco stated that it was fortunate that there were two Councillors present that had trained as nurses and were able to give first aid and look after the Councillor until the ambulance arrived.

Once it was established that the situation was not life threatening, Councillor Bianco considered the merits of a full adjournment but felt that the importance of the matter that was under discussion was such that it was crucial that the meeting proceed so that a decision could be made and the matter brought to a conclusion rather than drag on into a further meeting on a different night. He believed that this was particularly relevant as the pool had already been closed to the public at the time.

Whilst it was not appropriate to discuss the actual decision taken, Councillor Bianco wanted to assure Members that, in making his decision on the petition, he had taken into account all the views expressed at the meeting including those of the Ward Councillors which had been expressed to the meeting prior to it being temporarily adjourned.

Finally, Councillor Bianco stated how very pleased he was to see Councillor Kemp in the Chamber looking so well and, he trusted, fully recovered.

Councillor Harmsworth, by way of a supplementary question, asked if it was not in fact the case that Councillor Bianco had not cared about Councillor Kemp's, or anyone else's, situation on the night of the meeting. Councillor Bianco advised that he had given a number of residents the opportunity to speak at the meeting and that it was obvious that those present were not in favour of the closure of Yiewsley Pool. He went on to suggest that those residents that were pleased with the new facilities at Botwell Leisure Centre and Uxbridge Pool had not attended the Petition Hearing to give their support for the closure of Yiewsley Pool.

Councillor Bianco stated that he was sorry that the residents were not happy with the decision that had been made but that the decision had been made in line with the Council's Constitution and was thought to be the best course of action.

8.3 QUESTION SUBMITTED BY COUNCILLOR MACDONALD TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS

“Is Southlands going to be included on the LDF?”

Councillor Burrows stated that Councillor MacDonald had been present at the Members Seminar on the subject but had not raised this issue then. He also stated that she had not raised this through the consultation. Southlands was a listed Grade II building owned by the Council and situated in West Drayton Green Conservation Area. It was in use as an Arts Centre.

Although there were no specific proposals relating to this building at the present time, the LDF draft Core Strategy did include a policy (policy HE1), supported by Map 7.1, to protect and enhance Hillingdon's unique historic environment. This policy included listed buildings and conservation areas and also Scheduled Ancient Monuments, Registered Parks and Gardens, Locally Listed Buildings, Areas of Special Local Character, and Archaeological Priority Zones and Areas.

In addition to the above, Southlands' listed and conservation area status meant that it was also subject to legislation and national policies relating to its protection and

	<p>enhancement. The building was protected in the same way that any other listed building would be.</p> <p>There was no supplementary question.</p>
32.	<p>MOTIONS (<i>Agenda Item 9</i>)</p> <p>9.1 MOTION FROM COUNCILLOR EAST</p> <p>Councillor East moved the following motion:</p> <p>“As part of the Healthy Hillingdon Strategy to protect and encourage healthy eating habits from the earliest age this Council proposes to introduce policies close to parks, playgrounds, schools, youth centres and facilities for young people to:</p> <ul style="list-style-type: none"> (i) reduce planning permissions for new hot fast food outlets (ii) not grant licenses to mobile food outlets <p>Work on the first policy to be developed within the context of the emerging Local Development Framework and planning policies but have reference to the Council’s work on obesity and health. Work on the second policy to be developed in conjunction with the first by Streetscene Enforcement.”</p> <p>The motion was seconded by Councillor MacDonald. Following debate (Councillors Corthorne, Major and Simmonds), and on being put to the vote, the motion was lost.</p> <p>9.2 MOTION FROM COUNCILLOR HARMSWORTH</p> <p>Councillor Harmsworth moved the following motion:</p> <p>“That this Council notifies the Secretary of State for Transport that it broadly supports the recommendations of Lord Mawhinney’s report, ‘High Speed Rail Access to Heathrow’.</p> <p>However, the Council wishes to state its opposition to any major hub development within, or adjoining Hillingdon, not only for both environmental and budgetary reasons, but because it will have a major disruptive effect outside of the Yiewsley and West Drayton area impacting on the Green Belt.”</p> <p>The motion was seconded by Councillor MacDonald. Councillor Puddifoot moved an amendment as follows:</p> <p><i>The first paragraph to remain unchanged. The second paragraph to be replaced by:</i></p> <p><i>That the Secretary of State for Transport be congratulated on lifting the threat of the devastating effect on the people of the Borough of the last Labour Government proposal for a 3rd Runway at Heathrow Airport.</i></p> <p><i>That the Council notes the concern of some residents caused by unsubstantiated rumours of a major hub development in West Drayton and thanks him for confirmation given to the Leader of the Council by the Minister of State for Transport at their recent meeting that no such proposal is being considered.</i></p> <p><i>That the Council notes that, whilst supportive of the case for High Speed Rail, that there is still a considerable amount of work to be undertaken on reviewing possible</i></p>

	<p><i>route options, It does not support the Chiltern line option and requests that the review be dealt with in a more strategic and resident and environmentally friendly manner that the “great clunking fist” approach of the previous Government.</i></p> <p>The amendment was seconded by Councillor Burrows.</p> <p>Following debate (Councillors Duncan, Harmsworth, MacDonald, Major and Simmonds), the amendment was put to the vote and agreed. The substantive motion was then put to the vote and agreed.</p> <p>RESOLVED: That:</p> <ol style="list-style-type: none"> 1. this Council notifies the Secretary of State for Transport that it broadly supports the recommendations of Lord Mawhinney’s report, ‘High Speed Rail Access to Heathrow’. 2. the Secretary of State for Transport be congratulated on lifting the threat of the devastating effect on the people of the Borough of the last Labour Government proposal for a 3rd Runway at Heathrow Airport. 3. the Council notes the concern of some residents caused by unsubstantiated rumours of a major hub development in West Drayton and thanks him for confirmation given to the Leader of the Council by the Minister of State for Transport at their recent meeting that no such proposal is being considered. 4. the Council notes that, whilst supportive of the case for High Speed Rail, that there is still a considerable amount of work to be undertaken on reviewing possible route options, It does not support the Chiltern line option and requests that the review be dealt with in a more strategic and resident and environmentally friendly manner that the “great clunking fist” approach of the previous Government.
	CONSTITUTIONAL AMENDMENTS
	<p>The meeting, which commenced at 7.30 pm, closed at 8.35 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 556743. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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CONSTITUTIONAL AMENDMENTS

ARTICLE 7 – THE CABINET (EXECUTIVE)

(Changes shown are either underlined (indicating same or similar wording contained in the Constitution pre-Hillingdon Homes) or ~~crossed through~~)

Cabinet Member for Social Services, Health and Housing

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - care services for adults and older people,
 - transport and travel for social services clients,
 - services for clients with disabilities,
 - mental health services,
 - local authority health services, other than public health,
 - alcohol, drugs and substance abuse services – in consultation with the Cabinet Member for Education and Children's Services,
 - HIV/AIDs services,
 - Health Promotion,
 - working with the NHS,
 - housing need for the Borough,
 - housing maintenance,
 - stock refurbishment,
 - housing development programme,
 - council shops,
 - homelessness duties,
 - management of the housing stock,
 - conditions of tenancies,
 - rent setting,
 - housing revenue account budget,
 - housing benefit scheme,
 - home ownership,
 - social housing grant,
 - private sector housing grants,
 - new homes initiatives,
 - maximising the use of empty homes.
2. To consider monthly reports on sensitive services and those with significant budget implications, e.g. placements in residential homes.
3. To provide link contact between the Council and the Joint Health and Social Care Executive.
4. To provide link contact between the Council and the Primary Care Trust.
5. To approve proposals for naming and re-naming of housing schemes and developments.
6. Jointly with the Cabinet Member for Finance and Business Services authorise the grant of extension of leasehold interests in properties where the Council is freeholder and to consider requests from leaseholders of Council properties for loft conversions.
7. To approve systems for consultation with tenants and lessees.
8. ~~To act as the Council's representative for purposes of the Management Agreement with Hillingdon Homes~~ and to approve housing management arrangements and methods of procurement.
9. ~~To recommend to the Cabinet the approval of the annual delivery plan of the Hillingdon Homes.~~
10. To approve programmes for stock investment and confirmation of adjustments to the programme.

PART THREE – SCHEME OF DELEGATIONS TO OFFICERS

Delegations to the Head of Housing Services Deputy Director of Adult Social Care Health and Housing

1. To exercise the Council's regulatory and enforcement functions in relation to housing in the area under any enactment including:-
 - (i) taking all steps in connection with the issue or withdrawal of notices, orders or other documents which the Council is authorised or required to serve.
 - (ii) selecting the most effective means of enforcement whether by agreement, works in default, prosecution or otherwise.
 - (iii) authorising officers to act in matters arising under any such enactments.
2. To authorise payments of improvement grants, home insulation grants and creditors' accounts in accordance with regulations.
3. To assess housing rents in accordance with Council policy.
4. To operate the building society support lending scheme on behalf of the Council.
5. To exercise the Council's statutory discretion in connection with improvement grants.
6. To exercise the Council's functions in deciding whether or not applicants for housing assistance are intentionally homeless and therefore ineligible for such assistance.
7. To act on behalf of the Council in agreeing the terms for the sale of any interest in land where the Council is obliged by the Right to Buy legislation to sell or has discretion to sell to secure tenants under the Housing Legislation subject to obtaining the appropriate statutory consents.
8. To assess, agree and authorise the payments of compensation including home loss and disturbance payments and claims regarding the acquisition of or depreciation in interests or rights in land relating to non-Council tenants.
9. To approve the making of Housing Act advances in accordance with the Council's scheme and to secure recovery of all sums owing to the Council thereunder including where appropriate the exercise of rights of sale, to vary the rate of interest charged on Housing Act advances and to effect the discharge of mortgages.
10. To enter into agreements with tenant management organisations.
11. To operate the housing, community charge and Council tax benefit scheme.
12. To approve re-housing in accordance with current policies and appropriate legislation.
13. To authorise refunds of rent in appropriate cases.
14. To exercise the Council's functions regarding the restoration of gas, electricity and water services for tenants.
15. In relation to residential property to grant secure tenancies (including joint tenancies), licences, wayleaves and other occupational rights and to do all that is necessary to ensure compliance with the terms of such rights once agreed
16. To approve and take steps to institute eviction proceedings in appropriate cases.
17. To take all steps to comply with the Council's obligations arising under Tenancy Agreements and Leases which it has granted.
18. To be responsible for the general management, repairs and maintenance of and investment in Council Housing Stock.

QUESTIONS FROM MEMBERS OF THE PUBLIC

5.1 QUESTION FROM IAN MOULES, ST JOHN'S CLOSE, UXBRIDGE TO THE CABINET MEMBER FOR EDUCATION AND CHILDREN'S SERVICES – COUNCILLOR SIMMONDS

After his visit to the Whitehall schools on Monday 18 October, what does Councillor Simmonds see as the key obstacles to expanding Whitehall Infant School and Whitehall Junior School while maintaining the excellent educational standards and meeting legal requirements, and what strategies do the local authority have in place to address these obstacles?

Personal Statement

I recognise that the Local Authority has a statutory duty to supply school places for all its children of school age, and that the increase in the birth rate and lower migration has led to a need for more school places within the Borough, especially South of the A40. I also recognise that this is not likely to be a short-term issue and there will be a need to build more classrooms.

However there is not only one way of delivering this need. My concern is that the local authority's policy is being determined by what is seen as the easiest option rather than the one that is most educationally beneficial. The Local Authority should take the opportunity to consider how best to provide a balanced provision across the Borough to meet the needs of all our children.

The Whitehall schools might on the face of it have some scope for expansion. However when you examine issues more closely then the picture is far more complex. There is not sufficient space to accommodate the extra children without constructing new buildings. This creates the problem that while the schools might be accommodating more children, there will be less space for them to play. The Whitehall schools site is already 'confined' and this problem will be exacerbated further by the construction of a children's centre at the end of the schools' field.

Further increasing the size of the Whitehall schools without a corresponding increase in the surrounding primary schools unbalances the provision of school places within Uxbridge and Cowley. Within Uxbridge, if Whitehall increased to four forms they would educate more children than the other three closest schools combined. And if you include Cowley St Laurence, then the Whitehall schools will educate four ninths of the children within that area. This is a significant distortion for primary education.

Therefore I would urge the Local Authority to take a more strategic look at how it could provide the education across the Borough, and in the meantime consider other arrangements for accommodating the extra children at this time.

5.2 QUESTION FROM PETER JAMES, THE GREENWAY, UXBRIDGE TO THE CABINET MEMBER FOR EDUCATION AND CHILDREN'S SERVICES – COUNCILLOR SIMMONDS

Would the Leader of the Council or Councillor Simmonds please tell the Council why an agreement between Council Officers and the Whitehall Schools on the location and boundary of the Children's Centre on Whitehall School playing field is not being honoured and why the Director of Education and Children's Services chose the afternoon of 22nd of October to inform the Headteachers of Whitehall Infant School and Whitehall Junior School that work would be commencing on site on the morning of 23rd October.

Personal Statement

A council Officer originally spoke to Whitehall Infant School Governing Body in early 2009 about locating a Children's Centre on Whitehall School site. The Governing Body were supportive of the Children's Centre and agreed in principle. Exact locations were not discussed but the impression given by officers that the building would be placed in the wild area in the corner of the field.

A planning application was submitted by the Local Authority in April 2009 but the governing bodies of both Junior School and Infant School were not consulted or informed about this application. The original plan showed the Children's Centre being mainly on open field and only a small section in the wild area in the corner. Following several meetings with the school and Officers revised plans were drawn up showing the building being moved 3-4 meters into the wild area, however over two thirds was still shown on open green playing field. This revised application was not agreed by the schools but submitted and the application was approved by Officers on 15th February 2010.

The schools requested and obtained a meeting with the Deputy Director of Education and Children's Services and the Extended Schools Coordinator which was held on 26th April 2010. Following this productive meeting assurances were given by Officers and a revised location for the building was agreed as was a revised boundary between school and Children's Centre. There were also productive discussions on the relocation of the path from the Children's Centre and the school.

Following this meeting revised plans which are supported by the schools were drawn up. These revised plans were submitted to the July Central and South Planning Committee, but were withdrawn on the night. Opportunities to submit revised plans in August, September and October have not been taken.

On the afternoon of 22nd October the Director of Education and Children's Services met with the Headteachers of Whitehall Infant and Whitehall Junior School to inform them that work will commence on site on 23rd October using the plans approved on 15th February. He chose the Afternoon before half term to inform the schools when he must have know about this decision at least two weeks in advance (to organise and arrange contractors).

5.3 QUESTION FROM MR BUTLER AND MISS JEFFRIES OF BYRON WAY, WEST DRAYTON TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH AND HOUSING – COUNCILLOR CORTHORNE

Would it not have been better for Hillingdon Homes to have applied for and gained planning permission for the whole Glebe estate, and then spread the works over a longer period, by doing one section of the works at a time, for example fencing the whole estate at the same time, thus enabling better discounts for parts and labour etc., hopefully lowering the costs to leaseholders and the council, rather than the expensive, disorganised, and to the residents, disruptive way that these works have been proceeding on these two blocks at present?

Background Statement

The Glebe Estate Initiative is a project to replace existing asbestos roofing to sheds, demolishing garages, fencing communal grassed areas, and renewing play areas, along with some cosmetic alterations to the blocks of flats in the Glebe Estate, that Hillingdon Homes have come up with, after some minimal consultation with residents and children who went to a couple of fun days and residents who bothered to return a questionnaire. Planning permission was granted for works to blocks 10 to 42 Byron Way and 108 to 142 Coleridge Way on the 17th February 2010. Works were supposed to have started in early spring 2010, but were not started until 9th August this year. With regards to the Play areas, one planning application was granted on the 24/2/2010 and was built, two were withdrawn on the 21/9/2010 for reasons unknown to me. I assume the delay to the start of the works on the Byron Way and Coleridge Way blocks, was due to the Election this year, although the date of this Election was known well in advance.

The estimated costs at 27th Nov 2009 for each of the blocks that have already been granted planning permission were £63,331.95, a part of which is an estimated cost of £11,744.35 to replace the 15 communal bulkhead lights in each block, with 40 bulkhead lights per block, supposedly to save on electricity, with each Leaseholder having to contribute an estimated £4,972.90 towards the total cost of the works to each block. As there are 19 blocks on the estate, this would amount to a total cost for the works of £1,203,307.05 at Nov 2009 estimated figures. This does not include the cost of demolishing garages, building new Play areas, the new Caretakers Store, and the erecting of new street lighting, which I assume is either fully or partially covered by the grant that was given to Hillingdon Homes for this purpose. In 2009 Hillingdon Homes applied for planning permission to do building works on blocks 10 to 42 Byron Way and 108 to 142 Coleridge Way, as part of the Glebe Estate Initiative. To date, Hillingdon Homes do not appear to have applied for planning permission for the other blocks on the estate.

5.4 QUESTION FROM MRS SMITH OF STRATFORD ROAD, YEADING TO THE CABINET MEMBER FOR FINANCE, PROPERTY AND BUSINESS SERVICES – COUNCILLOR BIANCO

The Council has responsibilities for animal welfare and for the welfare of children. It works in partnership with the Police, the London Boroughs, the GLA, M.P.'s, and other partners and agencies across London and it has a strong voice. Will the Council make it's position absolutely clear that dog fighting and abuse of animals will not be tolerated and, that enforcement action will be taken against those engaged in these illegal, cruel and barbaric practices?

Background Statement

The Council's ANIMAL WELFARE CHARTER is ten years old this year. 2010 also marks the 175th anniversary of the legislation to ban dog fighting and badger baiting. The Charter has been updated from time to time to reflect legislative changes and working practices in the welfare of animals: in particular -The HUNTING ACT 2004 - *that made it illegal to set dogs onto wild mammals for sport.*

The illegal practice of setting dogs onto one another for entertainment has, in recent years, shown an alarming 400% rise in this cruel and barbaric abuse of animals in rural and urban areas. Young men in particular are using dogs as weapons to express their violent tendencies. They set their dogs on to other dogs, and horrific injuries and often death is sustained by these animals for the gratification of their tormenters.

Dogs are used in badger baiting in a fight to the death which is a criminal offence! And in a new phenomenon, urban foxes are being targeted. Dogs are set on to foxes in suburban streets. Sometimes foxes are captured and tied to trees, to be set upon by dogs in a fight to the death. Police forces are obliged to send data on wildlife crime incidents to the National Wildlife Crime Unit (NWCU) but some forces don't do it correctly and some don't do it at all. Thus the true picture on animal abuse and wildlife crime isn't being revealed to the public. The Animal Welfare Charter needs updating to take into account crime statistics and the up- to -date research and advice in the matter of illegal dog fighting, which are available via leading animal welfare experts and agencies, such as the RSPCA and The League Against Cruel Sports.

Dogs are being bred for dog fighting and brutalised as puppies. Often in domestic situations, where young children reside and that poses a serious risk to vulnerable children as well.

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) THE CABINET

Members will recall that Part 2, Article 7 of the Constitution concerns the appointment of the Cabinet by the Leader of the Council.

The Leader has informed the Head of Democratic Services that, with immediate effect, the number of Members on the Cabinet is to be reduced to 8 (including the Leader) and that the Cabinet portfolios are to be amended accordingly.

Details of the composition of the Cabinet and the revised portfolios is attached as Appendix A for Members' Information.

RECOMMENDATION: That

- a) the composition of the Cabinet and the Cabinet portfolios be noted;**
- b) Councillor Jenkins be thanked for her outstanding contribution to the work of the Cabinet.**

(ii) IMPLEMENTATION OF THE COUNCIL'S BUSINESS IMPROVEMENT DELIVERY PROGRAMME

Members will recall that, at the AGM in May 2010, delegation was awarded to the Head of Democratic Services, in consultation with the Leader of the Council to amend existing officer and Member delegations, job titles etc throughout the Constitution arising from the Business Improvement Delivery Programme.

Following recent structural changes and changes to the Cabinet etc as outlined above, Council is asked to confirm this delegation for any changes that might arise in the future as a result of BID proposals.

RECOMMENDATION: That the delegation as detailed above be confirmed.

(iii) AMENDMENTS TO THE COUNCIL CONSTITUTION

Council is asked to consider some minor amendments to the following sections of the Constitution, set out in full in Appendix B:

- Registration and Appeals Committee - to add in an additional term of reference to hear and determine applications for registration of Village Greens;
- Council Procedure Rules, Questions from Members of the Public - to amend the wording of the section detailing reasons why the Head of Democratic Services may reject a question;
- Council Procedure Rules, Record of Attendance – an amendment to clarify what constitutes attendance at a meeting;

- Standards Committee Procedure Rules – an amendment to the procedures to be undertaken when a complaint about an alleged breach of the Code of Conduct is received.

RECOMMENDATION: That the amendments to the Constitution, as set out in Appendix B, be approved for implementation with immediate effect, including the current Council meeting.

(iv) APPOINTMENT OF CHAMPION

Members will be aware that currently the Council has appointed the following Champions:

- Older Persons - the Leader of the Council
- Disabled People & Equalities – Councillor Kemp
- Carers - Councillor Major
- Heritage and Built Environment – Councillor Routledge

In accordance with Article 4 of the Constitution, Council is asked to consider the appointment of Councillor Sandra Jenkins as Council Champion with responsibility for the Environment under the generic Terms of Reference approved by full Council on 29 June 2006, (revised February 2009) with additional guidance approved by the Leader of the Council to reflect specific responsibilities.

RECOMMENDATION: That Councillor Jenkins be appointed Council Champion for the Environment.

London Borough of Hillingdon
Revised Cabinet Portfolios

Code:

- What's new (Green)
- What has been moved (red)
- Deleted — struck through

Members of the Cabinet:

	NAME	PORTFOLIO
1.	Councillor Ray Puddifoot	Leader of the Council
2.	Councillor David Simmonds	Deputy Leader of the Council and Cabinet Member for Education and Children's Services
3.	Councillor Philip Corthorne	Cabinet Member for Social Services, Health and Housing
4.	Councillor Henry Higgins	Cabinet Member for Culture, Sport and Leisure
5.	Councillor Douglas Mills	Cabinet Member for Improvement, Partnerships and Community Safety
6.	Councillor Jonathan Bianco	Cabinet Member for Finance, Property and Business Services
7.	Councillor Scott Seaman- Digby	Cabinet Member for Co-ordination and Central Services
8.	Councillor Keith Burrows	Cabinet Member for Planning, Transportation and Recycling

Leader of the Council

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:
 - Civic Pride
 - Heritage
 - Street names / buildings etc...
 - Democratic Services
2. To be responsible for the principal policy direction of the Council within its statutory functions.

3. To be responsible for overseeing the development of the short, medium and long term financial strategies to be recommended for adoption by the Council.
4. To represent the Council in the community and in negotiations with the Government and regional, national and international institutions and organisations, reporting to Cabinet as necessary.
5. To be responsible for the overall management structure of the Council, in consultation with the Chief Executive.
6. To identify the need for new strategies and policies for the better discharge of the Council's functions insofar as specific policies and strategies fall within the remit of other Cabinet Members or the Cabinet.
7. To be responsible for the resolution of differences of opinion between portfolio holders acting within their delegated powers and reporting to Cabinet as necessary.
8. To take responsibility for or to assign responsibility to one or more Cabinet portfolio holders for issues not specifically allocated in these delegations or involving one or more portfolio holder.
9. To exercise any executive function not otherwise allocated to either the Cabinet or any other individual Cabinet member, or to delegate such functions to another Cabinet member, a committee of the Cabinet, or to an officer.
10. To monitor the operation of the modernised decision-making structure and make recommendations to the Cabinet and Council as appropriate.
11. To authorise another Cabinet member to deputise for any other Cabinet member in that person's absence.
12. Jointly with the Cabinet Member for Finance, Property and Business Services, to make decisions on the release of monies for all capital projects.
13. To determine the flying of flags on the forecourt of the Civic Centre and agree the list of flags and dates
14. To champion the interests of Older People in the Borough. To ensure that their views are heard and taken into account by the Council. To work towards effective partnerships between Older People and our partner organisations.
15. Jointly with the Cabinet Member for Finance, Property and Business Services to authorise the commissioning of work from internal and external audit following a request from the Audit Committee.
16. The Leader may appoint any Councillor or Member of the Public living in the Borough as a Borough Advocate to protect and promote single-issue interests on behalf of the council and where appropriate with partner organisations and beyond. Such a person should hold significant experience within their agreed area of appointment.

A protocol will be agreed between the Leader of the Council and a Borough Advocate to determine their exact role and length of appointment, however such a post cannot make formal decisions (which are reserved by the Cabinet or appropriate committee) and would undertake a more defined or temporary role than either a Cabinet Assistant or Champion.
17. To resolve any dispute over the spending of Ward Budgets after consultation with other Party Group Leaders, where appropriate. To also approve spending of the Ward Budget

for the Ward represented by the Cabinet Member for Improvement, Partnerships and Community Safety.

18. In conjunction with the Chief Executive responsible for the operation of the London Borough of Hillingdon Civic Medal Award Scheme.
19. In consultation with the Mayor responsible for the operation of the London Borough of Hillingdon Volunteer Pin Scheme.
20. To agree or amend service specific policies or official codes of practices and guidance.
21. Approve arrangements for significant civic ceremonies and Borough events and also key matters concerning the Mayoralty, in consultation with relevant Officers
22. To oversee the Hillingdon Improvement Programme and authorise expenditure on it, in conjunction with the appropriate officer.
23. To approve Initiatives, oversee their operation and approve grants issued by appropriate officers.

Deputy Leader of the Council

1. To assist the Leader in the exercise of his or her functions, and to deputise in his or her absence.

Cabinet Member for Education & Children's Services

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - special needs,
 - school attendance,
 - grants and awards scheme,
 - careers service,
 - home and hospital tuition,
 - transport and travel concessions for school pupils,
 - school places,
 - raising standards of education.
 - all other education services to children.
 - the youth and community service,
 - young people's services,
 - youth centres,
 - Care services for children and families,
 - Provision of care for children,
 - child abuse,
 - juvenile justice,
 - corporate parenting,
 - Services to asylum seekers,
 - Services for children in need including children with a disability.
2. To represent or recommend to Cabinet, another Councillor to represent the Council on the Authority's Adoption and Permanency Panel and Fostering Panel.
3. To approve statements of purpose for Children's homes and establishments.

4. Jointly with the Cabinet Member for Culture, Sport and Leisure, to monitor the operation of Management Advisory Committees for projects / facilities managed by the education and youth service and to approve the establishment of any new Management Advisory Groups.
5. To approve variations to schemes for the Local Management of Schools.
6. To approve variations to constitutions of School Governing Bodies.
7. To exercise the LEA's powers of intervention including the suspension of delegated powers from a governing body in accordance with the School Standards and Framework Act 1998.
8. To receive monthly reports on the performance of schools.
9. To approve appointments of Council nominees to School Governing Bodies, within a local procedure allowing nominations from all political groups.
10. To monitor the performance of any schools where special measures have been applied.
11. To consider Ofsted reports on schools in the Borough as necessary
12. To determine school organisation proposals where no objections have been received.

Cabinet Member for Social Services, Health and Housing

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - housing maintenance
 - stock refurbishment
 - council shops
 - management of the housing stock,
 - housing need for the Borough,
 - housing development programme,
 - homelessness duties,
 - conditions of tenancies,
 - rent setting
 - Housing Revenue Account budget,
 - housing benefit scheme,
 - home ownership,
 - social housing grant,
 - private sector housing grants,
 - new homes initiatives,
 - maximising the use of empty homes
 - care services for adults and older people
 - services for clients with disabilities,
 - mental health services
 - local authority health services
 - **public health**
 - **drugs and substance abuse services**
 - HIV/AIDS services,
 - Health promotion,
 - Working with the NHS,

2. To consider monthly reports on sensitive services and those with significant budget implications, e.g. placements in residential homes.
3. To provide link contact between the Council and the Primary Care Trust.
4. To approve proposals for naming and re-naming of housing schemes and developments
5. Jointly with the Cabinet Member for Finance, Property and Business Services authorise the grant of extension of leasehold interests in properties where the Council is freeholder and to consider requests from leaseholders of Council properties for loft conversions.
6. To approve systems for consultation with tenants and lessees.
7. To approve housing management arrangements and methods of procurement
8. To approve programmes for stock investment and confirmation of adjustments to the programme.

Cabinet Member for Culture, Sport and Leisure

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - libraries
 - leisure services
 - cultural activities
 - sports strategy
 - development of the arts
 - adult education

Cabinet Member for Improvement, Partnerships and Community Safety

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - partnerships,
 - seeking external funding,
 - promoting harmony between different cultures and races,
 - working with local organisations, including faith groups,
 - the Chrysalis programme of environmental improvements,
 - **Street Champions & Streets Ahead**
 - **Community Engagement**
 - **Town Centre Regeneration**
 - performance improvement,
 - emergency planning,
 - community safety,
 - CCTV, including the CCTV control room,
 - ~~internal and external communications~~
2. To agree proposals for methods of partnership working, in consultation with the appropriate Cabinet Member if this relates to specific service areas, e.g. transport.
3. In consultation with the Cabinet Member for the appropriate service area, to promote effective partnerships between the Council and all other bodies and agencies affecting the community.

4. To represent the Council on the Uxbridge Initiative and similar town centre partnerships.
5. To oversee proposed arrangements with public and other bodies for the delivery of partnership initiatives and to develop successful partnerships with the other private, public and voluntary agencies which affect the Borough.
6. To take the lead for the Council on civil emergencies and on the response to disasters.
7. To provide a link between the Council and the Community Trust.
8. To oversee the Council's performance management arrangements and to receive regular reports on the extent of achievement of targets and performance indicators for all service areas.
9. To make recommendations to the Cabinet on areas for service reviews, in conjunction with the Leader.
10. In consultation with the Cabinet member for the service portfolio area, to make recommendations to Cabinet in respect of services where the in-house provision is to be subject to competition.
11. Within the overall budget approved by the Cabinet and Council, to approve the inclusion of individual projects in the Chrysalis Programme, where appropriate taking into consideration any recommendations of the Environmental Improvements Panel, and to also approve specific alleygating schemes and alleygating policies and procedures.

To approve the inclusion of individual projects in the Chrysalis Programme which are for security works in parks and open spaces jointly with the Cabinet Member for Finance, Business and Property Services.

12. To be responsible for developing awareness throughout the Council and Borough of community safety.
13. To develop partnership working with the community, the Police, probation service, health service and other stakeholders to develop solutions to community safety concerns.
14. To monitor the implementation of the community safety strategy, including the achievement of targets in the strategy.

15. Responsible for ~~corporate communications~~ and consultation arrangements.

16. To approve the spending of Ward Budgets.
17. To sign off all approved expenditure on external support, agency and consultancy advice for the Business Improvement Delivery programme.
18. To oversee the Member Development Programme and agree associated seminars and training.

Cabinet Member for Finance, Property and Business Services

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - financial controls,
 - monitoring of the overall revenue and capital budgets
 - economic regeneration,

- progressing regeneration through external funding,
- examining ways of boosting local employment,
- IT policy,
- e-Government agenda,
- risk management
- facilities management
- major construction projects
- **animals,**
- **trading standards,**
- **mortuaries,**
- **crematoria,**
- **cemeteries,**
- **burial grounds,**
- **weights and measures,**
- **environmental health,**
- **consumer protection,**
- **Imported Food office, Heathrow,**
- **Health Control Unit, Heathrow,**
- **Licensing (other than that delegated to committees)**
- **fleet and passenger services**
- **transport and travel for social services clients,**
- land and property holdings,
- the management of industrial and business units,
- **management of meeting halls**
- **reservoirs,**
- **land drainage,**
- **parks,**
- **open spaces,**
- **woodlands,**
- **allotments,**
- **other amenity land,**
- **provision and management of trees,**
- **Colne Valley Park**
- **Land Charges**

2. To recommend, in consultation with other appropriate portfolio holders, to the Cabinet the priorities for the inclusion of projects in the Council's capital maintenance programme.
3. In pursuance of the Council's objectives and on the recommendation of the Director of Planning, Environment and Community Services, the levels of authority for decisions on land and property will be as follows:-

Property Licenses and Leases

Length	Total Amount	Authority
Under 7 years	Under 10K	Director of Planning, Environment and Community Services
Under 7 years	10k - £100k	Cabinet Member
Under 7 years	Above £100k	Cabinet
7-25 years	0k to £250k	Cabinet Member
Over 25 years	All values	Cabinet

Other property matters

Acquisition and disposal of land and property	Under £10K	Director of Planning, Environment and Community Services
	£10k - £250k	Cabinet Member
Grant of easements and wayleaves	Under £10K	Director of Planning, Environment and Community Services
	£10k - £250k	Cabinet Member

4. To approve annually a report on the performance of the property portfolio
5. To receive monthly updates of the sales programme.
6. To recommend to the Cabinet an Asset Management Policy and Plan and Capital Investment Strategy for the best use of the Council's land and property, in consultation with service portfolio holders.
7. Jointly with the Cabinet Member for Social Services, Health and Housing to authorise the grant of extension of leasehold interests in properties where the Council is freeholder and to consider requests from leaseholders of Council properties for loft conversions.
8. To report to the Cabinet on the development of information technology within the Council's organisation and the arrangements to promote e-Government in accordance with national strategies.
9. In consultation with the appropriate portfolio holder, to monitor the implementation of changes made as a result of recommendations from Internal Audit.
10. In consultation with the appropriate portfolio holder, to consider recommendations made by the External Auditor and to make recommendations to the Cabinet for service changes.
11. To approve virements between services if provided for in the budget framework.
12. To make recommendations to the Cabinet for the use of land and property, where there are competing service needs.
13. To approve terms for the appropriation between services, on the recommendation of the Director of Planning, Environment and Community Services.
14. To take the lead for the Council in health and safety at work legislation.
15. Jointly with the Leader of the Council to make decisions on the release of monies for all capital projects.
12. To be responsible for overseeing and reporting to Cabinet on major construction projects and corporate landlord matters in conjunction with the Leader.
13. Jointly with the Leader of the Council to authorise the commissioning of work from internal and external audit following a request from the Audit Committee.
14. In conjunction with the Leader, to agree rent reviews, including rent free periods for tenants undertaking capital works or determine whether the Council carries out such capital works and agree to modify any future rent accordingly.

15. **Jointly with the relevant Cabinet Member, to monitor the operation of Management Advisory Committees for projects / facilities managed by the education, youth and environmental services and to approve the establishment of any new Management Advisory Groups.**
16. **To approve lettings of public open space for funfairs, circuses and other similar events.**
17. **Jointly with the Cabinet Member for Improvement, Partnerships and Community Safety, and within the overall budget approved by the Cabinet and Council, to approve the inclusion of individual projects in the Chrysalis Programme which are for security works in parks and open spaces, where appropriate taking into consideration any recommendations of the Environmental Improvements Panel.**

Cabinet Member for Co-ordination and Central Services

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - Legal services
 - Human Resources
 - Procurement policy
 - Learning & Development
 - **Employment and Training advice**
 - **Communications**
2. To approve, on the recommendation of the Borough Solicitor, the appointment of Counsel.
3. Under the direction of the Leader of the Council, to assist in the delivery of the Council Plan and related initiatives and projects, where appropriate in consultation with other portfolio holders.
4. To be responsible for other portfolio responsibilities or specific delegations, which are agreed in advance by the Leader of the Council under existing delegations.
5. On the request of an Appropriate Delegated Officer within the meaning of the Procurement and Contract Standing Orders, to enter into negotiations, in conjunction with this officer or any other officers nominated by him/her, with those parties who have entered into contracts with the Council.

Cabinet Member for Planning, Transportation and Recycling

1. To oversee and report to the Cabinet on the Council's responsibilities and initiatives in respect of:-
 - designation of conservation areas,
 - Borough wide planning policies,
 - Planning enforcement policies,
 - highways,
 - purchase notices,
 - revocation of planning consents,
 - stop notices,
 - bus routes,
 - traffic,
 - transportation,

- parking,
 - road safety
 - building control,
 - school crossing patrols,
 - conservation,
 - promoting a high quality built environment,
 - local safety schemes.
 - **recycling,**
 - **waste strategy,**
 - **civic amenity sites,**
 - **refuse collection,**
 - **street cleansing,**
 - **trade waste.**
 - **sustainable development**
2. Within the overall budget approved by the Cabinet and Council, to approve the inclusion of individual projects in the programmes for street lighting, highway maintenance, traffic management, London Cycling Network, London Bus Priority Network, Parking Revenue Account funded schemes, (in consultation with other Cabinet Members as appropriate) within the financial limits set out in the budget framework.
 3. To receive monthly reports on numbers of parking penalty charge notices written off or cancelled by officers.
 4. To approve variations to the cost of projects funded from the parking revenue account and other schemes, within the limits set out in the overall budget framework.
 5. To approve or refuse requests for footway parking exemptions.
 6. To consider comments received as a result of public consultation on traffic management proposals, including waiting and loading restrictions, clearways, controlled parking zones, local safety schemes and to approve the final form of schemes, including approval to the conditions of use for parking permits to e.g. traders, business users, residents.
 7. To receive monthly progress reports on the completion of planning obligations (section 106) Agreements.
 8. To consider representations made on proposals for modifications to the Local Development Framework and to make recommendations to Cabinet as appropriate.
 9. To consider representations made to proposals for supplementary planning guidance and to make recommendations to Cabinet as appropriate.

PART 2 – ARTICLES

Article 8 – Council Committees and Bodies

8.03 Registration and Appeals Committee

(c) Terms of Reference

To hear and determine:

12. Under the terms of the Commons Act 2006, to consider and determine applications for registration of Village Greens.

PART 4 – RULES OF PROCEDURE

A. Council Procedure Rules

10. Questions from Members of the Public

10.5 Scope of questions

The Head of Democratic Services may reject a question if it:

- is not from a resident of the borough or a person whose principal place of work or study is within the borough;
- is not about a matter for which the local authority has a responsibility or which affects the borough;
- is defamatory, frivolous or offensive;
- 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.

22. RECORD OF ATTENDANCE

22.1 All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

22.2 For an attendance to be considered valid the Member

- must be a member of the committee, sub-committee, panel, working group etc that they are attending
- must be present for at least 50% of the items on the agenda, (excluding standard items such as 'Apologies', 'Minutes' and 'Declarations of Interest'), unless given leave to depart earlier by the Chairman of the meeting.

C. Standards Committee Procedure Rules

3. ASSESSMENT

3.1 Upon receipt of a written complaint, the Monitoring Officer will normally:

- Acknowledge receipt in writing within 3 working days, requesting any additional information that may be required to assist with the assessment of the complaint*;
- Notify the subject Member that a complaint has been made, giving details of the complainant (unless the complainant has made a request for confidentiality and the Assessment Sub-Committee has yet to determine whether to grant it), details of the sections of the Code of Conduct to which the alleged breach relates **and requesting any additional information that may be required to assist with the assessment of the complaint***;
- Notify the subject Member that a full written summary will be provided once the Assessment Sub-Committee has met to consider the complaint;
- Arrange for a meeting of the Assessment Sub-Committee to be held within 15 working days;
- Prepare a report for the Assessment Sub-Committee, summarising the complaint and giving full details of the alleged breach along with any additional information the Sub-Committee may need to assist with its deliberations.

*N.B – at this stage seeking additional information should not in anyway amount to an investigation e.g. interviewing witnesses etc, but should be a factual clarification of any ambiguities.

PETITIONS TO THE COUNCIL

Reporting Officer: Head of Democratic Services

SUMMARY

The Council's current petition procedure is a prime example of how Hillingdon's Elected Members seek to put residents at the heart of everything the Council does.

By 15 December 2010, all councils are required (under the Local Democracy, Economic Development and Construction Act 2009) to have a Petition Scheme in place for their residents, which covers electronic petitions as well as paper petitions. This scheme must be formally approved by the Council before it comes into force. The report gives details of the proposals for implementing a revised Petition Scheme in Hillingdon to meet the new requirements as detailed in the Act, widening the way we handle petitions on behalf of Hillingdon residents.

RECOMMENDATION: That, as recommended by Cabinet on 14 October 2010, Council adopt a new Petition Scheme (Appendix A) and agree the necessary Constitutional changes as set out in the report.

INFORMATION

The *Local Democracy, Economic Development and Construction Act 2009* placed a duty on principal local authorities to provide a facility for those who live, work or study in the Borough to submit petitions in hard copy format by 15 June 2010 and electronically by 15 December 2010, and to produce and publish a Petition Scheme. It also brought in some new requirements for the Council to hear petitions.

Following endorsement by Cabinet on 14 October 2010, with a minor amendment made, this report sets out a new Petition Scheme to be adopted by full Council.

Current Petition Process

Members will be aware that the Council has benefited from an effective paper petition procedure that was established in May 2002. Thousands of residents from across the Borough participate each year in this transparent, democratic process of signing petitions, which continues year-on-year to receive high praise. For example in 2009/10, 100% of residents attending were satisfied with the procedures for Petition Hearings and 95% were satisfied with the way the Petition Hearing was held.

This interaction with residents is very important in showcasing not only the Council but the important work Hillingdon's Elected Councillors do. Democratic Services seeks to provide the best possible experience for residents before, during and after they attend such meetings to participate in democratic processes.

In Hillingdon, the paper petitioning process requires 20 signatures from Borough residents (each of which must provide their name, address and signature) for it to be classed as a valid petition. For action to be taken on a petition, the subject matter must be in relation to something over which the Council has control or over which it has some influence. Over the last three years, the number of paper petitions received has been fairly stable:

PETITIONS RECEIVED	2009/2010	2008/2009	2007/2008	2006/2007
Cabinet Member	106	94	107	94
Planning	166	148	173	145
Licensing	9	1	2	2
TOTALS	281	243	285	243

It is not anticipated that the introduction of electronic petitioning will dramatically increase the total number of petitions received by the Council. As such, it is proposed that the threshold at which electronic petitions are to be considered valid is also set at 20.

Current Petition Categories

There are currently three main categories of petition received by the Council which are classed as 'Ordinary Petitions':

1. Cabinet Member petitions;
2. petitions regarding planning applications; and
3. petitions regarding licensing applications.

These categories are explained in more detail in the Petition Scheme appended to this report.

Proposals for Electronic Petitions

In terms of the move to electronic petitioning, Democratic Services is prepared and has previously invested in the technology capable of implementing this new requirement using the *modern.gov* software.

The *Local Democracy, Economic Development and Construction Act 2009* specifies that a council's electronic petitioning facility must have a moderation feature to ensure that all electronic petitions can be vetted before they go live. It should be noted that *modern.gov* includes a moderation facility and enables officers to communicate with the lead petitioner (and, if required, those who have signed the electronic petition) and keeps a log of this communication.

The pre-petitioning phase is unique to electronic petitions and is the time between the petitions being submitted for publication on the website and the Council's decision to make them available for signature. The existence of this initial step means that petition organisers can be assisted with the wording of their petitions and, where possible, made aware of alternative options for resolving the issue. This early notice of the topics of forthcoming petitions will also help officers by enabling them to better monitor and coordinate the response process.

As well as defining when an electronic petition can start, the Council will have the option to define the default and maximum electronic petition duration. It is proposed that the maximum duration of an electronic petition be set as three months.

New Petition Requirements of the Act

The Act requires that all councils produce, publicise and comply with a scheme for handling both paper and electronic petitions (the draft Scheme is attached at Appendix A). Councils must also ensure that notification of all petitions (even those that are deemed invalid) is published on the councils' website, unless the authority considers that it would be inappropriate to do so. *modern.gov* (the software that will be used by Democratic Services to facilitate electronic petitioning) is being updated by the provider so that details of all paper petitions received by the

Council can be included on the system and published on the website. Furthermore, all petitions should be deemed valid if they contain the specified number of valid signatories who live, work or study in the Borough.

In addition to having an Ordinary Petition process (which at Hillingdon covers Cabinet Member petitions, planning petitions and licensing petitions), the Act stipulates that councils are required to consider two other types of petition:

1. **Petitions requiring Council debate** – petitions containing the names, addresses and signatures of 2,500 people will be debated by the full Council.
2. **Petitions to hold Council employees to account** – petitions which call for evidence from a senior Council employee must have 1,250 signatures to trigger that action.

Petitions requiring Council debate

Where a petition is:

- signed by a specified number of people who live, work or study in the Borough;
- not a petition which requires an officer to be called to account by the Council; and
- requesting a debate;

the petition should be considered by Councillors at a full Council meeting. As the guidance has suggested that the number of people required for this type of petition be set at 1% of the Borough population, it is recommended that the threshold be set at 2,500 signatories and that only those aged over 18 can sign such petitions.

Petitions to hold Council employees to account

A petition can be signed by 1,250 people who live, work or study in the Borough (the guidance suggests 0.5% of the population) to require that a relevant officer of the Council be called to account at a public meeting of the authority (Policy Overview and Scrutiny Committee meeting). It should be noted that any such petition must give grounds for the request which must relate to the discharge of functions for which the specified officer is responsible. As there is a requirement for statutory chief officers, non-statutory chief officers and the head of paid service to be amongst those officers that can be called to account, it is recommended that only the following officers be included in those that can be asked to give evidence at such a meeting:

- Chief Executive / Head of Paid Service
- Monitoring Officer (or any officer fulfilling the statutory role)
- Section 151 Officer (or any officer fulfilling the statutory role)
- Deputy Chief Executive
- Director of Planning, Environment and Community Services
- Director of Adult Social Care, Health and Housing
- Director of Education and Children's Services
- Director of Finance and Business Services

For the purposes of addressing the concerns raised in the petition, the Committee could decide that it would be more appropriate for an alternative officer to give evidence at the meeting other than the one named in the petition. Once the relevant officer has given evidence at the public meeting, the Committee is required to forward a report or recommendations to the Council as well as to the petition organiser.

Petition Signature Thresholds

The proposed thresholds for the three types of petitions can be summarised as follows:

Type of petition (including e-petitions)	Recommended guidance - % of population	No of valid signatures required
Ordinary petitions	N/A	20
Petitions requiring Council debate	1%	2,500
Petitions to hold Council employees to account	0.5%	1,250

Members do have some flexibility in determining thresholds, whilst bearing in mind the guidance above in terms of percentages.

Review of Petition Procedures

It is proposed that the electronic petitioning facility be reviewed approximately three months after the system has gone live. This will give officers the opportunity to look at what has gone well and where improvements need to be made. A review of the new petition requirements will take place after they have been used for the first time.

Constitutional Changes Required

It should be noted that, in order to make access to the process and scheme as simple as possible, it is proposed that current detailed references to the Ordinary petitioning process be deleted from the Council's Constitution and replaced with the attached Petition Scheme (Appendix A). This Scheme would form a new section of the Constitution under Part 4 of the Constitution, Rules of Procedure K. Minor additional wording will also need to be inserted into the Constitution:

- Information relating to Petitions requiring debate at Council will need to be inserted into Article 4 (Full Council) and also the Council's Procedure Rules (Schedule A of the Constitution).
- Information relating to petitions requesting that an employee be held to account will be included in the generic Policy Overview and Scrutiny Terms of Reference found within the Procedure Rules (Schedule E of the Constitution).

Financial Implications

The costs associated with facilitating an electronic petition facility will be met from within existing budgets as the electronic petitioning facility is already available within existing software. Costs of training Democratic Services staff to use the new facility are anticipated to be minimal.

It should be noted that, under the new burdens principle, central Government will meet the costs of the new burdens associated with the petitions duty. It is expected that the national cost to the public sector of responding to local petitions will be approximately £4.7 million per year, decreasing over time. These costs arise from increased work for council officers, time at Council meetings and Overview and Scrutiny Committees and set up costs for electronic petitions.

The Department of Communities and Local Government (DCLG) has advised that local authorities will each receive a grant for 2010/2011 which will vary by local authority, depending on the local population. Although the figures for each Council have not yet been finalised, Hillingdon is likely to receive the grant at the end of September/beginning of October 2010

which will be paid through the Area Based Grant Allowance. It is anticipated that funding for future years will be incorporated into the Revenue Support Grant.

Consultation Carried Out or Required

Members will be made aware of the new petition rules and how e-petitioning will work in the lead up to implementation of the e-petitioning system. There has and will also be consultation with ICT and internal testing of the system using Council staff.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and is satisfied that the costs associated with the electronic petition facility will be met from existing budgets as this facility is already available within existing software. However, it should be noted that there may be training costs associated with this new facility which are anticipated to be minimal.

The Department of Communities and Local Government (DCLG) has advised that local authorities will each receive a grant for 2010/2011 which will be paid through the Area Based Grant Allowance. It is anticipated that funding for future years will be incorporated into the Revenue Support Grant.

Legal

As stated in the report the Local Democracy, Economic Development & Construction Act 2009 requires the Council to make and publicise a scheme for the consideration by the Council of both written & electronic petition. The proposals contained in this report comply with the legislation and because these changes will require changes to the Council's Constitution, the Petition Scheme must be adopted by Full Council.

There has been recent guidance from the Department of Communities and Local Government, stating that Councils need only apply the 'minimum' requirements of the Act, which is what is being proposed in this report.

BACKGROUND PAPERS

Local Democracy, Economic Development and Construction Act 2009

PETITION SCHEME

Our Promise

Hillingdon Council has a well established petition process that enjoys high resident participation and satisfaction. Democratic Services co-ordinates the Council's petition process and we promise to:

- **Value all petitions** – residents' views are important to us
 - **Give friendly advice** – how to best pursue the issue that residents have
 - **Make it easy** – lots of ways to submit a petition to us
 - **Keep you informed** – update the petition organiser about a petition's progress
 - **Let you have your say** – enable residents to speak to and directly influence Council decision-makers
-

Petitions Overview

In accordance with the *Local Democracy, Economic Development and Construction Act 2009*, the petition process allows members of the public to have direct influence on the decision making process and to raise concerns that are important to them. All petitions sent or presented to the Council will receive a written acknowledgement within five working days of receipt. This acknowledgement will set out what the Council plans to do with the petition and when the petition organiser can expect to hear from us again. We will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition. More than one petition can be received on a particular issue, whether for or against that issue.

There shall be a presumption that petitions are publicly viewable documents. With regard to paper petitions, the signature of each signatory will be deleted from the public copy but the name of each person who signed a petition will be viewable on request at the Civic Centre (except in exceptional circumstances, as decided by the Head of Democratic Services). If a petitioner wishes for their name and address to be withheld, then they must include such a request in writing with the petition for consideration by the Head of Democratic Services.

What is a petition?

Petitions can be either paper or electronic. For the purposes of this scheme, the Council will treat as a petition anything which identifies itself as a petition, or which a reasonable person would regard as a petition, and which is signed by the appropriate qualifying persons. For practical purposes, the Council has set a requirement for at least 20 valid signatories before it is treated as a valid petition. In the case of paper petitions, a valid signature will be classed as the name, address and signature of an individual that lives, works or studies in the Borough (duplicate signatories will not be counted). For electronic petitions, a valid signature will be classed as the name, address and email address of an individual that lives, works or studies in the Borough.

Where a communication contains less than 20 signatures, it will be treated as a corporate complaint or service request, whichever is appropriate, and will be passed to the appropriate department for a response. The appropriate Ward Councillors will also be notified of these petitions. If deemed appropriate by the Head of Democratic Services, a paper petition and an electronic petition that are on the same subject from the same petition organiser may be combined and the lead petitioner will be advised accordingly.

Who can submit a petition?

Anyone who lives, works or studies in the Borough, including under 18s, can sign or organise an electronic or paper petition, except for petitions requiring a full Council debate where only signatures of those over 18 years of age will be accepted.

Who should you send a paper petition to?

The Democratic Services section is responsible for receiving, managing and reporting all petitions sent to the authority. Paper petitions can be sent to:

Head of Democratic Services
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
Middlesex UB8 1UW

How will the Council respond to petitions?

The Council's response to a petition will depend on what the petition asks for and how many people have signed it, but may include one or more of the following:

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Holding an inquiry into the matter
- Undertaking research into the matter
- Considering the petition at a Petition Hearing with the relevant Cabinet Member
- Carrying out a consultation
- Holding an informal meeting with the petition organiser
- Referring the petition for consideration by one of the Council's overview and scrutiny committees
- Writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the Council will consider all the specific actions it can potentially take with regard to the issues highlighted in a petition.

If a petition is about something over which the Council has no direct control (for example the local railway or hospital), we may make representations on behalf of the community to the relevant body where appropriate. The Council works with a large number of local partners and, where possible, we will work with these partners to respond to a petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will write to the petition organiser setting out the reasons. More information is available on the services for which the Council is responsible on our website at <http://www.hillingdon.gov.uk/>.

If a petition is about something that a different Council is responsible for, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event, the Council will always notify the petition organiser of the action we have taken.

What are the guidelines for submitting a petition?

Before submitting a petition, petitioners are advised to first check with their Ward Councillors or with the Council to see if the Council is already acting on the concerns and whether the Council is the most appropriate body to receive the petition (sometimes it may be more appropriate to send the petition to another public body).

Petitions submitted to the Council must include a clear and concise statement covering the subject of the petition and should also state what action the petitioners wish the Council to take. At least 20 of the signatories to a petition will be validated by comparing the signatures, addresses or email addresses with records held by the Council.

Petitions should be accompanied by contact details for the petition organiser (including an address and, where possible, a contact telephone number and/or email address). This is the person that we will contact to explain how the petition will be responded to. The contact details of the petition organiser will not be placed on the website. If a paper petition does not identify a petition organiser, we will normally only contact the first person on the petition.

If the petition is electronic, it must be made using the Council's electronic petitioning facility available on the Council's website (www.hillingdon.gov.uk) and must include each petitioner's name, address and email address.

Electronic Petitions

Electronic petitions must follow the same guidelines as paper petitions and be submitted through the Council's website (www.hillingdon.gov.uk). The petition organiser will need to decide how long they want their petition to be open for signatories. Most petitions will run for a few weeks but the petition organiser can choose a shorter or longer timeframe, up to a maximum of 3 months.

When an electronic petition is created, it may take up to 10 working days before it is published on the Council's website. This is because we will need to check the content of the petition before it is made available for signature. If we feel that we cannot publish a petition, we will contact the petition organiser within this period to explain why. The petition organiser will then be given the opportunity to change and resubmit the petition. If this is not done within 15 working days of our contact, details of the petition and the reasons why it was not accepted will be published on the Council's website with other rejected petitions.

When a petitioner signs an electronic petition, they will be asked to provide their name, address and a valid email address. Once this information has been validated, the petitioner's signature will be added to the petition. People visiting the electronic petition on the Council's website will be able to see the petitioners' names on the list of signatories but not their contact details.

Election Period

Due to restrictions imposed in the period immediately before any election or referendum, the Council may need to deal with petitions differently. If this is the case, we will contact the petition organiser to explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will contact the petition organiser to explain the reasons.

Petitions which will not be reported

In the following circumstances, petitions will not be accepted:

- Petitions will not normally be considered if they are received within six months of another petition having already been considered by the authority on the same matter.
- Petitions will not be accepted if, in the opinion of the Head of Democratic Services they are vexatious, abusive or otherwise inappropriate or do not relate to a matter which is the responsibility of the authority, or over which the authority has some influence.
- Statutory petitions or petitions where there is already an existing right of appeal or a separate complaints procedure, e.g., staffing, disciplinary or grievance matters.
- Petitions will not be accepted if they require the disclosure of exempt or confidential information.

If a petition is deemed unacceptable, the petition organiser will be contacted with an explanation.

What will the Council do when it receives my petition?

Whether paper or electronic, a written acknowledgement will be sent to the petition organiser within five working days of receiving the petition. This acknowledgement will let the petition organiser know what we plan to do with the petition and when they can expect to hear from us again. Details of those petitions received will be available on the Council's website, except in cases where this would be inappropriate.

In addition, when an electronic petition has closed for signature, a petition acknowledgement and response will be emailed to everyone who has signed the petition and has elected to receive this information. This information will also be available on the Council's website.

If we can do what a petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition organiser will be asked if they are satisfied with the outcome and whether they would like to withdraw their petition. If the petition has enough signatures to trigger a Council debate (see below), or a senior officer giving evidence, then the acknowledgment will confirm this and tell the petition organiser when and where the meeting will take place. If the petition needs more investigation, we will tell the petition organiser what steps we plan to take.

What types of petition are there?

There are three types of petition:

3. Ordinary Petitions – these must contain the names, addresses and signatures of 20 or more petitioners. Valid ordinary petitions fall into three categories:
 - a. Cabinet Member Petitions
 - b. Planning Petitions
 - c. Licensing Petitions
4. Petitions requiring Council debate – petitions containing the names, addresses and signatures of 2,500 people will be debated by the full Council.
5. Petitions to hold Council employees to account – petitions which call for evidence from a senior Council employee must have 1,250 signatures to trigger that action.

1. Ordinary Petitions

Valid petitions must contain at least 20 signatories and will trigger a course of action to be taken. Please note that petitions which raise issues of alleged Member misconduct will be taken as complaints arising under the Local Government Act 2000 and, where appropriate, will be reported to the Council's Standards Committee.

1a. Cabinet Member Petitions

In the vast majority of cases, valid petitions will be considered by the relevant Cabinet Member at a Petition Hearing where s/he will decide what action (if any) will be taken.

A valid petition will entitle the petitioners to have their petition considered by the relevant Cabinet Member at a Petition Hearing to argue their case or promote a particular issue. Such petitions will be accompanied by an officers' report indicating the issue to be raised, the Council's powers and responsibilities for the issue raised and the options for action.

The petitioner organiser of each petition, or their representative, may address the Petition Hearing for up to 5 minutes and may answer questions from Cabinet Member for a further 3 minutes. Ward Councillors will also be permitted to speak for up to 3 minutes on each petition relating to their Ward. Extending these time limits is at the discretion of the Cabinet Member.

Where a petition has already been heard by the Cabinet Member and a decision has been made, repeat petitions advocating the same, or similar, action will not be allowed for a period of 6 months, except in exceptional circumstances as determined by the relevant Cabinet Member. Petitions may only be heard

by the Cabinet Member on matters under the control of the Council as determined by the Head of Democratic Services on receipt. Where the Head of Democratic Services does not accept a petition, advice will be given to the petitioner on the best way to deal with their petition.

Where a petition has fewer than 20 signatures, a relevant Ward Councillor can request that the relevant Cabinet Member consider the petition at a Petition Hearing. The decision as to whether or not a petition with less than 20 signatures is considered at a Petition Hearing will rest with the relevant Cabinet Member.

Where a petition organiser meets a Cabinet Member at a Petition Hearing, either by right or where the Cabinet Member has agreed to meet them, the following procedures shall apply:

- A written report from officers must be published at least 5 clear working days before the meeting;
- The meeting shall normally take place at the Civic Centre, unless the Cabinet Member decides otherwise;
- The meeting shall be open to the public and press (subject to the Access to Information Act rules);
- The meeting shall be attended by officers from the appropriate Service Group and by a representative of Democratic Services;
- The appropriate Ward Councillors shall be informed of the date and time of the meeting and may attend and have the right to speak at the meeting for up to 3 minutes;
- The petition organiser or their nominee, where they have been either invited to attend by the Cabinet Member or where they have the right to attend, shall have the right to speak about the matter raised in the petition for a maximum of 5 minutes and the Cabinet Member may ask them questions about the petition. This time limit may be extended with the consent of the Cabinet Member;
- The Cabinet Member shall either announce their decision once they have heard the petitioner (and this decision shall be recorded and published), or they may decide that they wish to consider the matter and make a decision at a later date. Where the Cabinet Member decides to make a decision at a later date, the Member shall inform the Head of Democratic Services as soon as they have made a decision and this shall be recorded and published. There shall be no further right for a petition organiser to meet with the Cabinet Member; and
- The petition organiser will be informed of the decision in writing and where the decision is to refer this to the Cabinet or to a Cabinet Committee or to an Overview and Scrutiny Committee, the petition organiser will be kept informed of progress in considering the matter.

The relevant Cabinet Member has the power to decide whether they wish the petition to be heard at a Cabinet meeting for decision instead of being considered at a Petition Hearing. Petitions with 20 or more signatures may be presented to the Cabinet for decision where so decided by the Cabinet Member holding the appropriate portfolio relating to the matter raised in the petition. Such petitions shall be accompanied by an officers' report indicating the issue to be raised, the Council's powers and responsibilities in relation to the issue raised and the options for action. One representative of any petition may address the Cabinet for up to 5 minutes and may answer questions from Cabinet Members for a further 3 minutes.

1b. Planning Petitions

If a petition contains 20 or more signatories and is in relation to a planning application, the application will be considered at a Planning Committee meeting and the petitioner organiser (or their representative) will be invited to attend and speak for up to five minutes in relation to that matter at the meeting at which the application will be considered. The applicant (or their agent) will also get the opportunity to speak for five minutes where a valid petition has been accepted by the Council in relation to their application. Ward Councillors will be permitted to speak for up to three minutes in relation to an application if they have notified their intention to do so in advance to the Committee Chairman. Members of the Committee will also be able to ask questions of the petitioners for up to three minutes. Notification of the intention to speak and the name of the speaker must be supplied to the Head of Democratic Services at least 24 hours before the meeting. Time limits may be extended by the decision of the Committee.

All petitions in relation to Planning Committees should be received by the Head of Democratic Services no later than 48 hours prior to the meeting. Discretion to allow petitions after this deadline can only be approved by the Chairman of the relevant Planning Committee.

If the organiser of a petition would like to address a second or subsequent meeting which is to consider the issue which gives rise to their petition, they will need to organise another valid petition.

1c. Licensing Petitions

In the case of a Licensing Committee or Licensing Sub-Committee meeting, petitions may only be submitted to the Licensing Authority in advance of the meeting as relevant representations. At a meeting where a hearing is taking place, time limits will apply which allow all parties¹ an equal maximum period of time in which to exercise speaking rights.

If the organiser of a petition would like to address a second or subsequent meeting which is to consider the issue which gives rise to their petition, they will need to organise another valid petition.

2. Petitions requiring Council debate

If a petition contains more than 2,500 signatures of people aged over 18 years of age, it will be debated by the Council (unless it is a petition asking for a senior Council officer to give evidence at a public meeting). This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. In any event, petitions requiring Council debate must be received at least 10 working days before the date of the meeting.

The petition organiser (or their representative) will be given five minutes to present the petition at the meeting and the petition will then be debated by Members. The petition organiser will not be able to take part in the debate with Members. A maximum of two petitions will be allocated for discussions at any one Council meeting. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the Council's Executive² is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

3. Petitions to hold Council employees to account

A petition may ask for a relevant accountable employee to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, a petition may ask a relevant accountable employee to explain progress on an issue, or to explain the advice given to Elected Members to enable them to make a particular decision. These petitions must relate to an employee's role and not their personal circumstances or character. If a petition contains at least 1,250 signatures, the relevant accountable employee will give evidence at the next appropriate public meeting of the relevant Overview and Scrutiny Committee³

(<http://modgov.hillingdon.gov.uk/mgListCommittees.aspx?bcr=1>) providing the petition has been received at least 10 working days before this meeting. Senior officers that can be called to give evidence are as follows:

- Chief Executive / Head of Paid Service
- Monitoring Officer (or any officer fulfilling the statutory role)
- Section 151 Officer (or any officer fulfilling the statutory role)

¹An interested party, as defined under the Licensing 2003 Act, is anyone who is directly affected by activity at the licensed premises in question, such as:

- A person living in the vicinity of the premises in question
- A body representing persons living in the vicinity of the premises in question, e.g. a Residents Association.
- A person involved in a business in the vicinity
- A body representing persons involved in such business e.g. Trade Association.

Other parties include the applicant and responsible authorities, e.g. Police.

² The Executive is also known as the Cabinet

³ At Hillingdon, there are 4 Policy Overview Committees (POCs) and 2 Scrutiny Committees: Corporate Services & Partnerships POC, Education & Children's Services POC; Executive Scrutiny Committee; External Services Scrutiny Committee; Residents' & Environmental Services POC; and Social Services, Health & Housing POC. These Committees comprise Councillors who are responsible for scrutinising the work of the Council – in other words, they have the power to hold the Council's decision makers to account.

- Deputy Chief Executive
- Director of Planning, Environment and Community Services
- Director of Adult Social Care, Health and Housing
- Director of Education and Children's Services
- Director of Finance and Business Services

It should be noted that the Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance, if the named officer has changed jobs or does not hold a senior position.

The Committee may also decide to call the Member with special responsibilities to attend the meeting. Although Committee Members will ask the questions at this meeting, the petition organiser (or their representative) will be able to ask up to three questions within an allocated 15 minutes. These questions must relate directly to the content of the petition. Questions from the petition organiser or nominated person must be submitted in writing to the Democratic Services section at least ten working days before the meeting. A written acknowledgement from the Council will be sent within five working days of receipt. Questions which are considered by the Head of Democratic Services to be vexatious, abusive, inappropriate, or that require the disclosure of exempt or confidential information, will not be considered.

After the meeting, the Committee will submit a report to the Cabinet (for consideration at the next Cabinet meeting) or to the relevant portfolio holder (as a Cabinet Member Decision). The petition organiser will be sent a copy of this report.

Petitions requesting a referendum

For further information on the submission of petitions to the Council requesting a referendum, please contact the Democratic Services Team at democratic@hillingdon.gov.uk or by calling 01895 250470.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the relevant Council Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review, if the petition organiser gives a short written explanation addressed to the Petitions Officer of the reasons why the Council's response is not considered to be adequate. This request must be made within 20 working days of being notified of the authority's decision on the petition.

The relevant Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. If the Committee determines that the petition has not been dealt with properly, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Executive and arranging for the matter to be considered at a meeting of the Council. As well as being forwarded to the petition organiser, the results of the review will be published on the Council's website (unless it is considered inappropriate to do so).

Is there anything else I can do to have my say?

As a Council, we try to identify and solve problems at an early stage. We are committed to receiving feedback as this helps us to develop and review services. We recognise that petitions are just one way in which people can let us know about their concerns. Other ways that people can have their say include:

- Making a complaint using the Council's Complaints System (<http://www.hillingdon.gov.uk/index.jsp?articleid=5881>)
- Contacting your local Councillor (<http://modgov.hillingdon.gov.uk/mgMemberIndex.aspx>)
- Contacting your local MP (<http://www.hillingdon.gov.uk/index.jsp?articleid=18212>)

QUESTIONS FROM MEMBERS

8.1 QUESTION SUBMITTED BY COUNCILLOR MACDONALD TO THE CABINET MEMBER FOR SOCIAL SERVICES, HEALTH & HOUSING – COUNCILLOR CORTHORNE

Can the Cabinet Member for Social Services, Health & Housing let the Council know how many Wise Lane estate leaseholders requested a full roof replacement in the recent consultation by Hillingdon Homes, now Hillingdon Council?

8.2 QUESTION SUBMITTED BY COUNCILLOR ALLEN TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS

Could the Cabinet Member for Planning and Transportation please inform this Council why no action has been taken to move forward with the Consultation for a CPZ in Little Road, Chalfont Road and Austin Road, despite the Members for Townfield being consulted at least three times already?

8.3 QUESTION SUBMITTED BY COUNCILLOR HARMSWORTH TO THE CABINET MEMBER FOR PLANNING AND TRANSPORTATION – COUNCILLOR BURROWS

Does the Cabinet Member for Planning and Transportation have any plans to switch off all or some of the speed cameras in the Borough?

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MOTIONS

9.1 MOTION FROM COUNCILLOR CURLING:

This Council recognises that the habit of spitting in the street is both anti-social and a hazard to public health. Council therefore calls on Cabinet to set out a scheme of public information and education on the subject of spitting in public areas, and consider the introduction of a “No Spitting Zone” throughout the borough.

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