

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5 day call-in provided there is agreement from the Chief Executive and the Chairman of the Executive Scrutiny Committee to waive this. All such decisions are to be reported for information only to the next full Council meeting.
2. Recently the following decisions have been made using the urgency procedures:

Date of Decision	Nature of Decision	Decision-Maker
12/09/2014	Tender - Maintenance and repair of fire alarm systems, fire fighting equipment and emergency lighting in housing and corporate properties.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
12/09/2014	Capital Release - HRA Works to Stock Programme 2014/15 - Careline Maintenance.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
25/09/2014	Capital Release - Primary Schools Capital Programme Phase 1 - further monies to progress projects at school sites.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
25/09/2014	Capital Release - HRA Works to Stock Repair and Maintenance of Fire Alarm systems, fire fighting equipment and emergency lighting.	Cabinet Member for Finance, Property & Business Services (Special Urgency)
25/09/2014	Hillingdon's response to the High Speed 2 Property Consultation 2014.	Cabinet (Urgency)
25/09/2014	Purchase of energy supplies for a number of corporate sites and the Council's CCTV, social housing and street lighting services.	Cabinet (Urgency)
25/09/2014	New Clubhouses for Cowley and Bessingby & Deane Park Bowls Clubs.	Cabinet (Urgency)
26/09/2014	Tender - Consultancy support for the West London Waste Plan: Submission, Examination and	Leader of the Council. Cabinet Member for Planning, Transportation & Recycling

Date of Decision	Nature of Decision	Decision-Maker
	Adoption stages.	(Special Urgency)
06/10/2014	Tender & Capital Release - Secondary School Capital Programme - Northwood Secondary School - Professional Services.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
08/10/2014	Capital Release (no. 6) Highways Programme 2014/15 - various roads across the Borough.	Cabinet Member for Finance, Property & Business Services (Special Urgency)
16/10/2014	Capital Release - Private Sector Renewal Grant (no. 6) for two properties in West Drayton to secure additional nomination rights for homeless families.	Cabinet Member for Finance, Property & Business Services (Special Urgency)
22/10/2014	Single Action Tender - Refurbishment of Kings College Running Track & Infield Drainage Works.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
24/10/2014	Tender and Capital Release - Primary School Expansion Programme - Cherry Lane School, library relocation & decanting of a modular unit from the Newport Road Depot, award of professional services contract & capital release.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)

BACKGROUND PAPERS: Decision Notices

(ii) MEMBERSHIP OF COUNCIL COMMITTEES 2014/2015

RECOMMENDATIONS: That

- a) **Mr Rajiv P Vyas be appointed as independent Chairman of the Audit Committee for the remainder of the Municipal Year.**
- b) **The current Licensing Sub-Committees (North and South) be abolished and replaced with a single Licensing Sub-Committee consisting of three Members (2 Con' and 1 Lab') selected on a rota basis from the membership of the Licensing Committee. The meetings of the Sub-Committee to be chaired by either the Chairman or Vice-Chairman of the Licensing Committee.**
- c) **The SRA for the Chairman of Licensing Sub-Committee be replaced with a SRA of £6,000 for the Vice - Chairman of the Licensing Committee.**
- d) **Substitute members of the three Planning Committees be drawn from the members of the Planning Committees *and* those Members who have undertaken formal Planning Committee training provided by the Council.**

e) **That, upon the recommendation of the Conservative Group the following changes be made to Committee Memberships 2014/15:**

- **Hillingdon Domestic Violence Forum - Councillor Haggar to replace Councillor Barnes (with Councillor Barnes becoming a nominated substitute)**
- **Social Services, Housing and Public Health Policy Overview Committee - Councillor Davis to replace Councillor J.Cooper.** (N.B this will require the Members of the Committee to stand and elect a new Chairman - proposed nomination to be Councillor Bridges with Councillor Barnes as proposed Vice-Chairman)
- **Central and South Planning Committee - Councillor Yarrow to replace Councillor Hensley.** (N.B this will require the Members of the Committee to stand and elect a new Chairman - proposed nomination to be Councillor Edwards with Councillor Yarrow as proposed Vice-Chairman)
- **North Planning Committee - Councillor Duducu to replace Councillor Yarrow and Councillor Melvin to replace Councillor Higgins.**
- **Major Applications Planning Committee - Councillor Yarrow to replace Councillor Hensley and Councillor Melvin to replace Councillor Higgins.** (N.B this will require the Members of the Committee to stand and elect a new Vice-Chairman - proposed nomination to be Councillor Edwards)
- **Audit Committee - In addition to the appointment of a new Independent Chairman as recommended in a) above, it is proposed that Councillor Lewis replace Councillor G.Cooper as Vice Chairman.** (N.B this will require the Members of the Committee to stand and formally elect Councillor Lewis as Vice-Chairman)

f) **That, upon the recommendation of the Labour Group the following changes be made to Committee Memberships 2014/15:**

- **Social Services, Housing and Public Health Policy Overview Committee - Councillor Khatra to fill one vacancy.**
- **Licensing Committee - Councillor Dhillon to fill one vacancy.**

Background Information - Audit Committee

1. Following the resignation of the former independent Chairman of the Audit Committee w.e.f the AGM in June 2014, Council is asked to consider the recommendation of the Audit Committee for the appointment of a new Chairman.
2. In accordance with government guidance such a person should only be considered for the position if he or she;
 - has not been a Member or an officer of the local authority / public body within five years before the date of the appointment
 - is not a Member or an officer of that or any other relevant authority
 - is not a relative or a close friend of a Member or an officer of the body / authority
 - has been approved by a majority of the Members of the Council

- has responded to an advert for the position which has been advertised in the local area
3. The Audit Committee has carried out a shortlisting and Interview process of applicants and is recommending the appointment of Mr Rajiv P Vyas of Pinner, Middlesex.
 4. The Panel were very impressed with Mr Vyas' experience, his understanding of and enthusiasm for the position of Independent Chairman. Having worked in a wide range of finance related placements, The Panel felt that his skill sets would contribute to making him an asset in the role of Chairman.
 5. Mr Vyas is a resident of the Borough and married with two children. He expressed a desire to put some of the skills gained in industry to use in a more socially responsible context and to be more actively involved in the Community at large.
 6. Mr Vyas' previous experience includes being a:
 - Member of the All-Party Parliamentary Corporate Governance Group (2011 to present)
 - Member of the City Compliance Officers' Discussion Panel (2003 to present)
 - Fellow of The Compliance Institute (FCoI)
 - Fellow of the Royal Society for the Encouragements of Arts Manufacturers and Commerce (FRSA)
 - Member of the Investment Management Association General Regulations Panel (2008-2010)
 7. Mr Vyas is currently employed in the role of Head of Risk and Regulatory Compliance at Old Mutual plc.
 8. The position of independent Chairman currently attracts a Special Responsibility Allowance of £2,845.07p.a.

iii) ESTABLISHMENT OF A LOCAL PENSION BOARD FOR LONDON BOROUGH OF HILLINGDON PENSION FUND

RECOMMENDATIONS: That the Head of Democratic Services be authorised to establish a Hillingdon Local Pension Board by 1 April 2015, in accordance with the following:

- a) **The membership of the Board to comprise of:**
 - **3 elected Members (2 Con' & 1 Lab')**
 - **3 employee/scheme member representatives - scheme members to be asked for expressions of interest and then selected at interview by the Chairman and one other Member of the Pensions Committee and a Senior Officer, on the basis of capacity and/or experience.**
- b) **The Pensions Committee be reduced to 5 Members (3 Con' and 2 Lab')**
- c) **The Investment Strategy Sub Committee be abolished and the powers**

transferred to the full Pensions Committee which will continue to meet four times per year. To enable any urgent decisions to be taken, authority be delegated to the Corporate Director of Finance, aligned with the powers already delegated to him in relation to Treasury Management. Any exercise of those powers would then be reported back to Pensions Committee.

- d) Reports to the Local Pensions Board would either reflect decisions taken by Pensions Committee or be reports for noting already seen by Pensions Committee.**
- e) Subject to guidance to be issued by the DCLG, the Pensions Board to meet quarterly in the month following Pensions Committee.**

Background Information

1. Under the draft Local Government Pension Scheme (Amendment) (Governance) Regulations 2014, the London Borough of Hillingdon, as administering authority of the Hillingdon Fund of the Local Government Pension Scheme, is required to establish a local pension board with effect from 1 April 2015. The regulation will be made under the powers conferred by the Public Sector Pensions Act 2013.
2. The draft regulations are currently subject to consultation but the expectation is that final regulations will be laid with minimal change.
3. The role of the local Pension Board as defined by sections 5 (1) and (2) of the Public Service Pensions Act 2013 is:
 - To assist London Borough of Hillingdon Administering Authority as Scheme Manager: to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS;
 - To secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator; and in such other matters as the LGPS regulations may specify.
 - To secure the effective and efficient governance and administration of the LGPS for the London Borough of Hillingdon Pension Fund.
 - To provide the Scheme Manager with such information as it requires to ensure that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.
4. The Pension Board will ensure it effectively and efficiently complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator. Additionally the Pension Board will help ensure that the London Borough of Hillingdon Pension Fund is managed and administered effectively and efficiently and complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator. The Pension Board should meet sufficiently regularly to discharge its duties and responsibilities effectively.
5. The Pensions Board is not a decision making body, rather it has a compliance and scrutiny role.

6. The draft regulations allow for the Pension Board to be combined with the Pensions Committee, subject to Secretary of State approval, however this approach is not recommended as it is neither appropriate nor does it meet the full intentions of the regulations.
7. It is for the administering authority to determine the membership of the local pension board but it must have an equal number of employer and scheme member representatives with relevant experience and the capacity to represent, with a total of at least 4, and must together form the majority of the membership.
8. An elected Member of a local authority may be appointed as an employer or scheme member representative.
9. Members of local pension boards must not have a conflict of interest. The administering authority must satisfy themselves of this and a member of the local pension board must provide information reasonably requested to enable this. Therefore Members on Pensions Committee cannot also be on the Pension Board and officers working on the Fund would similarly be barred from sitting on the Board. Being a member of the LGPS is not seen as a conflict of interests.
10. Currently the Pension Fund is governed by the Pensions Committee (PC) and the Investment Sub Committee (ISC). PC has 8 elected Members and 2 (non-voting) scheme member representatives. The ISC has 3 members who are also members of the main PC.
11. The work of the Board cannot be subsumed into Pensions Committee and likewise the Pension Board cannot take on the role of Committee due to the constraints on membership. However, much of the current work of Pensions Committee is by its nature in relation to governance, so there is an option to potentially rationalise the current arrangements.