

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. Since the 7 September 2017 Council meeting, the following decisions have been made using urgency procedures:

| Date of Decision | Decision Type / Nature of Decision | Decision-Maker |
|------------------|--|--|
| 04/09/2017 | Transport for London (TfL) Local Implementation Plan (LIP) 2017/18 | Leader of the Council and Cabinet Member for Finance, Property & Business Services |
| 07/09/2017 | School Governing Body Constitution - Instrument of Government - Abbotsfield School change of name to Oak Wood School | Leader of the Council and Cabinet Member for Education & Children's Services |
| 07/09/2017 | Acceptance of Tender for Unattended Mobile CCTV System and Cameras | Leader of the Council and Cabinet Member for Community, Commerce & Regeneration |
| 18/09/2017 | Housing Revenue Account Works to Stock Programme 2017/18 - Fire safety works to building fabric of Rabbs Mill House, Uxbridge and Fitzgerald House, Glenister House and Wellings House, Hayes and associated Capital Release (Release No. 27). | Leader of the Council and Cabinet Member for Finance, Property & Business Services |
| 20/09/2017 | Housing Revenue Account New General Needs Housing Stock 2017/18 (Housing Buy Back Scheme) Release No. 3. | Leader of the Council and Cabinet Member for Finance, Property & Business Services |
| 22/09/2017 | Housing Revenue Account New General Needs Housing Stock 2017/18 (Housing Buy Back Scheme) Release No. 4. | Leader of the Council and Cabinet Member for Finance, Property & Business Services |
| 22/09/2017 | CCTV Programme 2017/18: CCTV Mobile Camera Expansion | Leader of the Council and Cabinet Member for Finance, Property & Business Services |

| Date of Decision | Decision Type / Nature of Decision | Decision-Maker |
|------------------|--|---|
| 22/09/2017 | Acquisition of the Former British Legion Site, Station Road, West Drayton for Affordable Housing and Associated Capital Release - PART II | Leader of the Council and Cabinet Member for Finance, Property & Business Services |
| 25/09/2017 | The Housing Infrastructure Fund | Leader of the Council / Cabinet Members for Finance, Property & Business Services / Social Services, Housing, Health and Wellbeing / Planning, Transportation & Recycling |
| 28/09/2017 | School Capital Programme Update and waiver of call-in on delegated authority regarding the School Condition Programme Phase 2 | Cabinet |
| 29/09/2017 | Appointment of contractor for roofing and drainage improvement works at Grange Park Infant and Junior Schools and associated Capital Release | Leader of the Council and Cabinet Member for Finance, Property & Business Services |

BACKGROUND PAPERS: Decision Notices

(ii) MEMBERSHIP OF COUNCIL COMMITTEES 2017/2018

RECOMMENDATIONS: That

- a) Council appoint a new, independent Chairman of the Audit Committee for the remainder of the Municipal Year upon the recommendation of the Audit Committee (*to follow*)
- b) That, upon the recommendation of the Labour Group, the following change be made to Committee Memberships 2017/18:
 - Residents' and Environmental Services Policy Overview Committee - Councillor Allen to replace Councillor Dhot.

Background Information - Audit Committee

1. A vacancy has arisen for the role of independent Chairman of the Audit Committee. Council is asked to consider the recommendation of the Audit Committee for the appointment of a new Chairman. The Committee will be meeting on 31 October to consider the appointment and, therefore, a recommendation is *to follow*.
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 position of independent Chairman currently attracts a Special Responsibility Allowance of £2,975.49p.a.

(iii) REVIEW OF COUNCIL CONSTITUTION - PENSIONS BOARD

RECOMMENDATION: That the changes to the operation of the Pensions Board, as set out in paragraph 8 of this report, be approved.

Information

1. On 6 November 2014 Council approved the establishment of a Hillingdon Local Pension Board, in accordance with the Public Services Pensions Act 2013.
2. The Terms of Reference of the Pensions Board currently read as follows:
 - (i) The Pensions Board will be chaired by an elected Member of the Council and will meet quarterly in the month following Pensions Committee.
 - (ii) Reports to the Board will either reflect decisions taken by Pensions Committee or be reports for noting already seen by Pensions Committee.
 - (iii) The role of the Board will be 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;
 - (iv) 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.
 - (v) To secure the effective and efficient governance and administration of the LGPS for the London Borough of Hillingdon Pension Fund.
 - (vi) 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. (NB: Being a member of the LGPS is not seen as a conflict of interest.)
3. The main purpose of the Board is to assist the Administering Authority in its role as a scheme manager of the Pension Scheme. Such assistance is described under two key headings to:
 - i) Secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme and;
 - ii) To ensure the effective and efficient governance and administration of the Scheme.
4. The Board is not a Council committee and was established to assist the Council as an Administering Authority of a Local Government Pension Scheme to ensure effective and efficient governance and administration; in this role it is required to scrutinise the role of the Pensions Committee in its function to carry out the funding strategy and investment strategy, on behalf of the employers of

the scheme and scheme members. This means a level of independence is required for the Board from the elected Members in carrying out this role.

5. All Pension Board members are required to be conversant with the rules of the scheme and have a knowledge of the law relating to pensions. To ensure compliance with this CIPFA have a knowledge and Skills framework to identify training needs for the Board. Some of the current board members have not fully engaged in the training requirements.
6. The membership of the Board currently comprises:
 - 3 elected Members (2 Con' & 1 Lab') as employer representatives
 - 3 employee/scheme member representatives (one of the positions is currently vacant due to retirement).
7. The membership requirements for pension boards are:
 - Membership must consist of an equal number of scheme member representative and employer representatives.
 - There must be a minimum of 4 people on the board.
 - The people designated as employer representatives must have the capacity to represent employers and those designated as employee representatives must have capacity to represent scheme members.
 - No officer or elected Member responsible for discharge of duties in relation to the pension fund can sit on the pension board.

A study of pension board structures across London shows that the majority of councils have 4 members in total - 2 employer and 2 employee representatives. Only 3 boroughs have all employer reps as councillors and a third of boroughs have no councillor members at all. The majority of funds have Admitted Body representation on their board as employer representatives.

8. The Board has now been in operation for over two years and it is recommended that the following changes be made to improve the overall effectiveness of the Board which is not officially a Council Committee as defined in the Local Government Act 1972 and has no corporate status or decision making powers:
 - The membership of the Board be amended to comprise 2 employer and 2 employee representatives with no Councillors automatically appointed to sit on the Board;
 - Applications for the employer representatives will be invited from a) the Council (Members will be entitled to apply for this position should they so wish) and b) all other employer bodies contributing to the fund - 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;
 - The requirement for a Councillor to Chair the meetings of the Board be removed and the terms of reference be amended accordingly;
 - The frequency of the meetings be determined by the Board and the terms of reference be amended accordingly.

Legal Implications.

The Borough Solicitor confirms that it is lawful for full Council to agree the proposed changes to the Pensions Board as outlined in paragraph 8 above.

BACKGROUND PAPERS: None