

## 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 scrutiny call-in period, provided the decision is deemed urgent and agreement is given from the Chair of the relevant Select Committee that the matter is urgent and to waive the scrutiny call-in period. All such decisions are to be reported for information only to the next full Council meeting.
2. Since last reported to Council, the following decisions have been made using urgency procedures:

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
12/2/25	Housing Revenue Account New General Needs Housing Stock (Housing Buy-Back Scheme) - 2024/25	The decision involved the Council purchasing properties under two grant funding programs with tight deadlines and implications. Officers needed to claim a £2.5 million payment by 14th February and complete the purchase of 7 properties by 31st March 2025 to secure the external grants.	Leader of the Council, and on behalf of the Cabinet Member for Finance & Transformation, the Cabinet Member for Corporate Services & Property, and the Cabinet Member for Planning, Housing & Growth
7/2/25	Meadow High School Expansion (two sites project at Royal Lane, Uxbridge and Northwood Road, Harefield)	This is an important SEND schools project that has been delayed due to the administration of the contractor in September 2024. The Council has been proactive in seeking a solution since and this decision recovers lost time and critically delivers the required school places at the relevant sites and for the relevant term-times.	Leader of the Council, in conjunction with the Cabinet Member for Corporate Services & Property, the Cabinet Member for Children, Families & Education, and on behalf of the Cabinet Member for Finance & Transformation
29/1/25	Botwell Green Sports and Leisure Centre Photo Voltaic (PV) Panels Installation	To utilise the grant funding from the Sports England Swimming Pool Support Fund by March 2025, given that further tendering would result in insufficient time to complete the works within the required timescales. Additionally, the project will reduce costs and is funded by an external grant.	Deputy Leader of the Council and Cabinet Member for Corporate Services & Property, in conjunction with the Cabinet Member for Community & Environment, and on behalf of the Cabinet Member for Finance & Transformation

Background Papers: Decision Notices

## **ii) AMENDMENT TO CABINET PORTFOLIOS**

### **Background**

1. Chapter 5 of the Council Constitution sets out the rules surrounding Executive decision making in the authority and includes the provision for the Leader to appoint and dismiss Cabinet Members and to amend their portfolios and delegations on a temporary or permanent basis.
2. The Leader has notified the Head of Democratic Services of a minor amendment to the delegations of the Cabinet Member for Corporate Services & Property so that this portfolio will be the sole decision-maker in respect of agreeing property rent reviews, including decisions relating to rent free periods for tenants undertaking capital works. Currently, such decisions are also taken in conjunction with the Leader of the Council.
3. Such changes are to be reported to Members for information and, therefore, Council is asked to note this change in portfolios.

## **iii) APPOINTMENT OF STATUTORY OFFICER**

### **Background**

1. The Head of Paid Service (Chief Executive), the Section 151 Officer (Corporate Director of Finance) and the Monitoring Officer are the Council's three Statutory Officers. These roles are key to ensuring lawfulness, fairness, probity and general good governance that supports the Council in achieving its aims. It is important that they work effectively together yet maintain appropriate independence and that the roles are undertaken by adequately skilled and experienced staff supported by appropriate resources.

### **RECOMMENDATIONS: That:**

- a) **Mr Lloyd White be appointed to the statutory role of Monitoring Officer of the Council.**
- b) **It be noted that Mr Daniel Toohey has been appointed to the post of interim Head of Legal Services and that the Head of Democratic Services be authorised to make any necessary alterations to the roles and responsibilities of the above posts contained in the Constitution.**

### **Information**

#### **Monitoring Officer**

2. The appointment of a Monitoring Officer is a statutory requirement under Section 5 of the Local Government & Housing Act 1989. The Monitoring Officer's role and responsibilities are also defined within the Council's Constitution. These include ensuring lawfulness and fairness of decision making, receiving reports, conducting investigations, ensuring access to information, advising whether executive decisions are within the budget and policy framework and maintaining the Constitution.

3. Following the departure from the authority of the permanent Head of Legal Services Solicitor and Monitoring Officer, Mr Egan, in October 2024, Council appointed the interim Head of Legal Services, Mr Dickinson, to the role. Mr Dickinson has now departed the authority and Council are asked to consider a further appointment to the role.
4. It is proposed that Council appoint Lloyd White to the role of Monitoring Officer. Mr White is the Council's Head of Democratic Services, Returning Officer and Proper Officer for Births, Deaths and Marriages and has been the Deputy Monitoring Officer for 17 years. He has considerable experience in the role and requirements of a Monitoring Officer and his appointment will ensure continuity in the statutory role within establishment resources.
5. Mr White will appoint a Deputy Monitoring officer, namely the new interim Head of Legal Services, Mr Daniel Toohey, to ensure the Council and the Monitoring Officer continue to benefit from high quality and experienced legal advice and guidance.

### **Financial Implications**

6. The cost of these appointments will be contained within existing budgets.

### **Legal Implications**

7. The appointment of a Monitoring Officer is a statutory requirement whose appointment is reserved to Full Council.

Background papers: none

## **iv) MEMBERS' ALLOWANCES 2025/26**

1. The Council is required to undertake an annual re-adoption of its Allowances Scheme and, in doing so give due regard to the recommendations made by the report of the Independent Panel on the Remuneration of Councillors in London.

**RECOMMENDATION: That the current Members' Allowances Scheme be revoked as of 31 March 2025 and the new Scheme for 2025/26 be approved, as shown in the Appendix, for implementation from 1 April 2025.**

### **Information**

2. Before making or amending its allowances scheme, the Council is required, by virtue of Regulation 19, of the Local Authorities (Members' Allowances) (England) Regulations 2003, to have regard to the recommendations of an Independent Remuneration Panel. The Panel for London published their latest report in January 2024. The key findings of that report have been taken into account when making these recommendations. The full report can be viewed here:

<https://www.londoncouncils.gov.uk/who-we-are/about-us/financial-information/leadership-and-expenses/remuneration-councillors-london>

3. The Independent panel considered the key questions of:
  - a. how best to ensure that people from a wide range of backgrounds and with a wide range of skills are encouraged to serve as local councillors; and
  - b. how to ensure those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage.
4. Within these broad considerations there can be no doubt that financial compensation or a system of allowances plays a crucial part in making it financially possible for local people to put themselves forward to take on the onerous responsibilities involved in being a councillor and indeed to continue to serve as one.
5. For this reason, the Panel felt that it is crucial that allowances for councillors across London are pitched at an appropriate level such that they make a major contribution in ensuring diverse and effective local representation. The recent review aimed to take a step back and ensure that the recommended allowances are pitched such that they serve this crucial purpose.
6. After taking into account the amount of time commitment and work involved in being a local Councillor, the Independent Panel are recommending a Basic Allowance of **£15,960**. Currently the LBH Basic Allowance is £12,793.
7. With regard to SRA's, these are grouped in bands based on the allowance paid to the Leader of the Council. The Panel are recommending an annual payment to a Leader of a Council of **£78,052** (made up of the Basic Allowance above and a Leader's Allowance of £62,092).
8. Currently the annual payment to the Leader of the London Borough of Hillingdon is **£72,960.80** (made up of the Basic Allowance of £12,793 and the Leader's Allowance of £60,167.80)

### **Proposal**

9. No increase is proposed for the level of Basic or Special Responsibility Allowances for 2025/26 – including those of the Mayor and Deputy Mayor who are paid a similar allowance but separate from the main Scheme of Allowances.

### **FINANCIAL IMPLICATIONS**

10. Provision has been made in the 2025/26 budget for Members' Allowances, although it is important to note this is based upon current posts being held by Members. Those who occupy more than one post only receive one SRA, normally the higher. It is therefore difficult to accurately estimate the true cost until after the Annual Council meeting in May when Members are confirmed into posts receiving a SRA.

## **LEGAL IMPLICATIONS**

11. Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 requires re-adoption of the scheme by 31 March 2025. Therefore, the current scheme needs to be revoked as of 31 March 2025 and a new scheme made. If it is not, any allowances paid to Members would not comply with the law and could, therefore, be challenged.

Background Papers: Report of the Independent Panel on the Remuneration of Councillors in London, January 2024

**MEMBERS' ALLOWANCES SCHEME 2025/26****1. Introduction**

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

**2. Basic Allowance**

For 2025/26 an allowance of **£12,793** will be payable to all Councillors and will be paid in equal monthly instalments. The basic allowance includes intra borough travel and subsistence costs.

**3. Special Responsibility Allowances**

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

	<b>(£)</b>
1. Leader of the Council	60,167.80
2. Deputy Leader of the Council	50,683.77
3. Chief Whip of Largest Party	24,318.39
4. Cabinet Member	42,385.34
5. Chair of Select Committee	24,318.39
6. Chair of Planning Committee	24,318.39
7. Chair of Licensing Committee	24,318.39
8. Chair of Standards Committee	3,427.05
9. Standards Committee Independent Person	512.50 (per meeting)
10. Chair of Audit Committee*	8,000.00
11. Chair of Pensions Committee*	8,000.00
12. Champion	6,253.61
13. Council representative on Adoption and Permanency Panel	13,708.22
14. Cabinet Assistant	9,484.03
15. Leader of 2 <sup>nd</sup> Party	24,318.39
16. Chief Whip of 2 <sup>nd</sup> Party	6,253.61
17. 2 <sup>nd</sup> Party Lead on Select Committee	6,253.61

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

**4. Limit on Payment of Special Responsibility Allowances**

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

**5. Renunciation**

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

## 6. Part-Year Entitlements

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

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

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

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

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

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

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

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

## **8. Dependent / Carers Allowance**

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

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

## **9. Co-optees' Allowances**

Where a co-optee and non-Councillor is the Chair of the Audit Committee, an annual entitlement allowance of £8,000.00 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. Where a co-optee is an Independent Person on the Standards Committee an entitlement allowance of £500 per meeting required and attended may be paid. Where a co-optee is one of the three statutory education co-optees on the Executive Scrutiny Committee, an annual entitlement allowance of £445.80 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. These allowances will cover expenses, such as travel and subsistence, related to the duties of the postholder.

## **10. Claims and Payments**

- (a) All claims for out of borough travelling and subsistence and carers allowances must be submitted within two months of the date of the approved duty to which they relate, made on the standard form as used by officers and returned to the Head of Democratic Services.
- (b) Payments shall be made in respect of basic and special responsibility allowances subject to sub-paragraph (c) below in Instalments of one twelfth of the amount specified in this scheme on or before the 15<sup>th</sup> of the month direct to each Member's bank or building society account.
- (c) Where the payment of allowances in one-twelfth instalments would result in a Councillor receiving more than he or she is entitled to because of a part year effect (as defined in paragraph 9 above) the payment shall be restricted to the annual entitlement.



## **11. Withholding Members' Allowances**

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

## **12. Records of Allowances and Publicity**

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

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

## **13. Independent Remuneration Panel**

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