

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)

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

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

enhancement. The building was protected in the same way that any other listed building would be.

There was no supplementary question.

32. **MOTIONS** (*Agenda Item 9*)

9.1 MOTION FROM COUNCILLOR EAST

Councillor East moved the following motion:

“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:

- (i) reduce planning permissions for new hot fast food outlets
- (ii) not grant licenses to mobile food outlets

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.”

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.

9.2 MOTION FROM COUNCILLOR HARMSWORTH

Councillor Harmsworth moved the following motion:

“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’.

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.”

The motion was seconded by Councillor MacDonald. Councillor Puddifoot moved an amendment as follows:

The first paragraph to remain unchanged. The second paragraph to be replaced by:

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.

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.

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

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.

The amendment was seconded by Councillor Burrows.

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.

RESOLVED: That:

- 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

The meeting, which commenced at 7.30 pm, closed at 8.35 pm.

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.