

## **PETITION REQUIRING COUNCIL DEBATE - FORMER HAYES LIBRARY, GOLDEN CRESCENT, HAYES**

*Reporting Officer: Head of Democratic Services*

### **SUMMARY**

To inform Council of a petition that has been received regarding the former Hayes Library site that requires debate. It is the first such Council-level petition under the requirements of the Local Democracy, Economic Development and Construction Act 2009.

### **RECOMMENDATIONS: That Council:**

- 1) **Notes the petition and the views of the petitioners and;**
- 2) **Agrees one of the following recommendations following debate:**
  - a) **To take no action and endorse the Cabinet's previous decision of 14 April 2011 to proceed with the sale of the former Hayes Library site, which will best achieve the local community's wider needs;**  
*OR*
  - b) **To instruct Cabinet to investigate and re-consider the matter;**  
*OR*
  - c) **To support the petition and recommend to Cabinet that it stops the sale of the former Hayes Library site and brings forward proposals for use as a community resource centre.**

### **PETITION DEBATE PROCEDURE**

The petition organiser (or their representative) will first present their petition to the Council for a maximum of 5 minutes. The petition will then be debated by Members and normal debating rules apply (i.e. for Motions) where the Member moving the recommendation is allowed 5 minutes to speak and all other speakers have 3 minutes. Amendments to the recommendation can be moved. The petition organiser and any other member of the public present cannot take part in the debate with Members.

### **BACKGROUND**

1. The former Hayes Library was closed on 19 June 2010 re-located to the state-of-the-art Botwell Leisure Centre, where it has already experienced a significant 31% increase in use by residents. New facilities and rooms now enable a variety of groups and activities to be provided by the Library. With the upcoming relocation of the One-Stop-Shop and Citizen's Advice Bureau to the same site, the Botwell Leisure Centre will boast a unique collection and integration of community services for the residents of Hayes and beyond.
2. On 13 April 2011 a petition with 451 signatures from John Mc Donnell MP, signed by Botwell Ward residents, was received. The petition objected to the Council selling off the

site of the Library in Golden Crescent stating that it was an invaluable community asset with immense historical value and urged the Council to keep the building in public ownership. The petition was received just one day before Cabinet was due to make a decision on the matter.

3. On 14 April 2011, Cabinet met and resolved to:
  - (a) Declare the former Hayes Library surplus to requirements.
  - (b) Proceed with the option to sell the former Hayes Library on a long lease at a peppercorn rent with planning permission for conversion to flats.
4. At this meeting, Cabinet noted the petition but also welcomed the significant increase in use by residents and local organisations of the new Library. Cabinet agreed that there was no service requirement for the former Library site and that the option to sell would generate a significant capital receipt that would contribute to the Council's capital programme. Amongst other things, Cabinet felt this would help fund much needed additional primary school places in the south of the Borough. Cabinet felt that declaring the former Hayes Library surplus would best achieve the community's wider needs.
5. On 29 June, this petition will be formally heard at a hearing with the Cabinet Member for Finance, Property and Business Services. The results of that hearing will be reported orally to the Council meeting.

## **THE CURRENT PETITION**

6. On 27 May 2011, a second petition on the same matter was received by Democratic Services. This petition comprised 4,046 signatures and was led by a Mr Baldev Singh Dhillon, on behalf of the Sikh Temple in Hayes. The temple has an interest to buy or lease the site. The petition states:

*"We the undersigned support the Ramgarhia Sikh Association Hayes Sikh Temple (Golden Crescent) in their endeavour to purchase the now closed Golden Crescent Library as a community resource centre open to all communities to provide facilities which will benefit young and old in Health, Education, Lifelong learning, English classes, computer classes etc... and retain the historic part of the Library building for the community use and promote community cohesion."*

7. Democratic Services confirm that in accordance with the petition rules 2,715 of the signatures were valid and of adult age. 1,331 signatures were rejected and the majority of these were people living or working outside the Borough. Since receipt of the main petition, Mr Dillon has submitted additional signatures in support.
8. Petitions of over 2,500 valid signatures require a debate at full Council (as opposed to a normal Petition Hearing). This is in accordance with the Council's Constitution which was updated in December 2010 to reflect new statutory petition rules brought about by the Local Democracy, Economic Development and Construction Act 2009. (Appendix A)

## **Financial Implications**

Should the petition be upheld, a capital receipt for the Council's Capital Receipts Programme will not be generated as a result of the non-sale of the property. Corporate Finance confirms that estimates of capital receipts available to finance the 2011/12 Capital Programme agreed

by Council on 24 February 2011 took into account the forecast receipt from the sale of this site.

## **Legal**

Under Part 5 (E) of the Council's Constitution, the Council has the power to hear and debate this petition in accordance with procedures set out.

In considering the recommendations, Council's role is to:

- a) Consider and listen to the views of the petitioners;
- b) Debate the matter in accordance with Standing Orders and;
- c) Make a decision on what action to take.

In doing the above, Council should be aware that a formal decision has already been made to sell the former Hayes Library site at the Cabinet meeting on 14 April 2011. If the Council agrees with Cabinet's previous decision then no further action need be taken. If the Council lends its support to the petitioners' request then Cabinet will need to reconsider or further investigate the matter. Additionally, the Council also has the option of recommending to Cabinet the course of action that it should take. The nature of this property matter is one where the Cabinet is the appropriate and only constitutional body that can make any final decision on the matter.

Council must have regard to the requirements of Article 13 of the Council's Constitution which sets out the seven principles that should be followed when making decisions.

**BACKGROUND PAPERS:** Cabinet decision- 14 April 2011

## Extract from the Hillingdon Petition Scheme - Part 5 (E) of the Council's Constitution

### 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 Executive<sup>1</sup> 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.

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<sup>1</sup> *The Executive is also known as the Cabinet*