

Minutes

COUNCIL

7 July 2011

Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

Councillor Mary O'Connor (Mayor)
Councillor Michael Markham (Deputy Mayor)

	<p>MEMBERS PRESENT:</p> <p>Councillors: David Allam Janet Duncan Richard Lewis Lynne Allen Beulah East John Major Bruce Baker Neil Fyfe Carol Melvin Tim Barker Janet Gardner Douglas Mills Richard Barnes Sid Garg (in part) Richard Mills Josephine Barrett Roshan Ghei John Morgan David Benson (in part) Dominic Gilham June Nelson Jonathan Bianco Raymond Graham Susan O'Brien Lindsay Bliss Paul Harmsworth David Payne Sukhpal Brar (in part) Shirley Harper-O'Neill Ray Puddifoot Wayne Bridges John Hensley Andrew Retter Mike Bull Henry Higgins John Riley Keith Burrows Patricia Jackson David Routledge Paul Buttivant Phoday Jarjussey Avtar Sandhu George Cooper Alan Kauffman Scott Seaman-Digby Judith Cooper Judy Kelly David Simmonds Philip Corthorne Peter Kemp Brian Stead Brian Crowe Mo Khursheed Michael White Peter Curling Kuldeep Lakhmana David Yarrow Catherine Dann Eddie Lavery</p>
	<p>OFFICERS PRESENT: Hugh Dunnachie, Fran Beasley, Jean Palmer, Neil Stubbings, Raj Alagh, Lloyd White, Mark Braddock and Nikki Stubbs</p>
14.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillors Dhillon, Jenkins, MacDonald and Sansarpuri.</p>
15.	<p>MINUTES (<i>Agenda Item 2</i>)</p> <p>RESOLVED: That the minutes of the meetings held on 24 February 2011 and 12 May 2011 be agreed as correct records.</p>
16.	<p>DECLARATIONS OF INTEREST (<i>Agenda Item 3</i>)</p> <p>Those present were advised that, with regard to the petition being debated at the Council meeting (Agenda Item 5), Planning Committee Members would not need to declare an interest on the item as it was not a planning matter. However, should the discussion expand to include planning issues, these Members would need to have regard to the issue of pre-determination. Councillor Duncan indicated that, as she was a Member of the Central and South Planning Committee, she would leave the</p>

room during the consideration of this item.

Councillor D Mills declared a personal and prejudicial interest in Agenda Item 9.5 – Motion from Councillor Riley, as the proposed HS2 route was in close proximity to his property, and left the room during the consideration thereof.

Councillor R Mills declared a personal and prejudicial interest in Agenda Item 9.5 – Motion from Councillor Riley, as he had an interest in a property that would be affected by the proposed HS2 route, and left the room during the consideration thereof.

Councillor Jarjussey declared a personal interest in Agenda Item 9.4 – Motion from Councillor Major, as he was on the CNWL Board, and stayed in the room during the consideration thereof.

17. **MAYOR'S ANNOUNCEMENTS** (*Agenda Item 4*)

It was with sadness that the Mayor advised those present that Mr Michael Craxton had passed away. Mr Craxton was a former Mayor and had been a Ward Councillor in Belmore Ward between 1971 and 1978 and in Charville Ward from 1986 to 2002. Former Councillor, Mr Bernie Franklin, had also passed away. Mr Franklin had been a Ward Councillor in Yeading from 1986 to 1990. Those present stood for a minute's silence.

The Mayor announced that, since the last Council meeting on 12 May 2011, she and her representatives had attended 164 events, the majority of which had been in the Borough.

It was noted that the Mayor's charities had recently been launched. The Mayor thanked those who had attended and supported the event which contributed to an increased awareness of the importance of mental health.

18. **PETITION REQUIRING COUNCIL DEBATE** (*Agenda Item 5*)

The petition organiser, Mr Dhillon, had submitted a petition with more than 2,500 signatories for Council debate. He spoke in support of the petition which was in relation to the future of the former Hayes Library site. It was noted that a further petition on this matter had been considered by Councillor Bianco, Cabinet Member for Finance, Property and Business Services at a Petition Hearing on 6 July 2011.

Councillor Puddifoot moved the motion which was tabled at the meeting. This was seconded by Councillor Bianco. Following debate (Councillors Allen, Jarjussey and Khursheed), the motion was put to the vote and agreed.

RESOLVED: That this Council notes that Cabinet will request, in writing, the individual views of the Ward Councillors for Botwell and Townfield Wards, together with the views of the MP for Hayes and Harlington on:

1. Whether they feel that the former Golden Crescent Library would be suitable by nature of the building and its location for use by a religious group.
2. Whether they support the petitioners' request that the building be sold to the Ramgarhia Sikh Association Hayes.
3. Whether the building should be placed on the open market to allow other interested parties to bid.
4. Whether they feel that in this case, the need for use by a religious group

should take precedence over the need for local housing, private or supported.

Responses are requested within one month of today's date.

Subject to receiving, in the opinion of the Leader of the Council and the Cabinet Member for Finance, Property and Business Services, reasoned individual responses, Cabinet will reconsider this matter.

If all responses are not received or are inadequate or incomplete, the Cabinet decision of 14 April 2011 will stand.

19. **AUDIT COMMITTEE ANNUAL REPORT** (*Agenda Item 6*)

It was noted that there was a typographical error in paragraph 7.4 – the Head of Audit had assumed responsibility for the Housing Benefit Fraud Team in October 2010. Councillor G Cooper moved the recommendation as set out on the Order of Business. This was seconded by Councillor Bianco. The motion was put to the vote and agreed.

RESOLVED: That the annual report be noted.

20. **REPORT OF THE HEAD OF DEMOCRATIC SERVICES** (*Agenda Item 7*)

i) MEMBERSHIP OF COUNCIL COMMITTEES 2011/12

Councillor G Cooper moved the recommendations as set out on the Order of Business. This was seconded by Councillor White.

RESOLVED: That:

- 1. Councillor Morgan be appointed to the External Services Scrutiny Committee as a replacement for Councillor R Mills; and**
- 2. Councillor Fyfe be appointed to the Central and South Planning Committee as a replacement for Councillor Buttivant.**

(ii) MEMBERSHIP OF OUTSIDE BODIES

Councillor G Cooper moved the recommendation as set out below. This was seconded by Councillor White.

RESOLVED: That Councillors Melvin and Riley be appointed to the Corporate Parenting Group as a replacement for Councillor Kelly and to an additional post.

21. **MEMBERS' QUESTIONS** (*Agenda Item 8*)

8.1 QUESTION SUBMITTED BY COUNCILLOR RETTER TO THE CABINET MEMBER FOR EDUCATION AND CHILDRENS' SERVICES – COUNCILLOR SIMMONDS

“Does the Cabinet Member responsible for education matters share my appreciation of those teaching staff who chose to work on 30 June, rather than striking, despite ongoing negotiations with government over the future arrangements for the Teachers' Pension Scheme?”

Councillor Simmonds responded that it was a shame that a small number of unions had chosen to go on strike when negotiations around teachers' pensions were ongoing with the Government. Only a small number of schools across the Borough had closed during the strike and Councillor Simmonds was appreciative for those staff that chose to work and for the support that parents had provided in some areas to ensure that the majority of schools remained open. He stated that this illustrated the Council's commitment to putting its residents first.

Councillor Retter, by way of a supplementary question, asked what future arrangements could be put in place to enable parents to keep schools open if this situation were to reoccur.

Councillor Simmonds responded that there were already many volunteers that were involved with schools and that, subject to adhering to the rules, he would support the suggestion for more parents to get involved.

8.2 QUESTION SUBMITTED BY COUNCILLOR DHILLON TO THE CABINET MEMBER FOR PLANNING, TRANSPORTATION AND RECYCLING – COUNCILLOR BURROWS

“Can the Cabinet Member for Planning, Transportation and Recycling tell us what the position is regarding Stockley and Uxbridge Golf Courses in respect of filling, overfilling and remedial works?”

As Councillor Dhillon was unable to attend the meeting, Councillor Khursheed posed the question on his behalf. Councillor Burrows responded that, when considering the two golf courses, it must be borne in mind that Uxbridge Golf Course formed part of the Colne Valley and the Green Belt and had a natural landscape form. Whereas, Stockley Park Golf Course was a former landfill site which had a landform created by soil being deposited on the site when the golf course was created approximately 20 years ago.

The Council had sought, in accordance with its adopted planning policies, to protect the amenity offered by Uxbridge Golf Course from what it had considered to be harmful remodelling operations which, if approved, would have involved extensive tipping operations. This had resulted in one dismissed appeal and another appeal which was yet to be decided.

Councillor Burrows advised that the gas line re-instatement works that had occurred this year at Uxbridge Golf Course had not involved anything other than very limited top soil being brought to the site which was required as part of the re-instatement works.

With regard to Stockley Park Golf course, it was well known that a former operator had obtained planning permission for remodelling works. This planning permission had then been breached and immediate enforcement action taken which had stopped unauthorised tipping. However, the golf course operator then went out of business and the new golf course operator had indicated a willingness to work with the Council to address the previous operators tipping issues. The new operator was advised by Council officers that, given the artificial nature of both the old and new landforms at the golf course, a landscape led approach of new tree planting should be adopted.

The key planning issue that needed to be addressed at the Stockley Park Golf Course was the lack of tree planting over the area subject to filling works. This approach was

supported in discussions that Council officers had with the Environment Agency (EA). Officers had been advised that there was no benefit in moving newly deposited earth material around the golf course and that the EA was happy that the deposited material was not adversely affecting watercourses. It was noted that, due to the way the club was run by the new operator, Stockley Park Golf Course had seen a large increase in membership in recent months.

A planning application was lodged at the start of this year but had not yet been considered by the Planning Committee as the Environment Agency had asked that leachate issues be fully investigated before the Council determined the planning application (*leachate is any liquid that, in passing through matter, extracts solutes, suspended solids or any other component of the material through which it has passed*). There had always been leachate issues at the golf course and Council officers had extensive experience of these issues at the golf course. The course had been subject to leachate monitoring since it opened, hence officers knew that this was not a problem. Nonetheless, until relevant technical reports were signed off by the Environment Agency, the planning application would not be considered by the Planning Committee.

Councillor Khursheed, by way of a supplementary question, asked what the financial cost would be to local Council Tax payers.

Councillor Burrows advised that he would forward a response to this supplementary question to Councillors Khursheed and Dhillon and ensure that it was appended to the minutes of the meeting.

WRITTEN RESPONSE TO THE SUPPLEMENTARY QUESTION FROM COUNCILLOR BURROWS:

Councillor Burrows advised that National Grid's pipeline works affected 4 golf holes at Uxbridge Golf Course and that National Grid had paid money to Mack Trading to restore the golf course. At Stockley Park Golf Course, the new operator had submitted a planning application for restoration works to the Golf Course. It was the new operator's (Cube/Picasso) intention to carry out the proposed works at its own expense.

Following the deposition of material by the previous operator at the Golf Course, Councillor Burrows stated that the Council had subsequently engaged external consultants to both survey the changes to the Golf Course and to undertake detailed soil analysis testing (the soil testing was comprehensive and it had not identified any hazardous material that would require removal from the Golf Course). The total cost of all work completed by the consultants was approximately £15k including VAT.

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

9.5 MOTION FROM COUNCILLOR RILEY

Councillor Riley moved the following motion:

“That this Council welcomes the Mayor of London's support for our argument that the proposed HS2 route through this Borough will cause significant environmental and social disadvantages and that Hillingdon residents gain no benefit from HS2.

Furthermore, Council asks Cabinet, in its formal reply to the Department of Transport consultation on HS2, to highlight the weakness of the current business case for HS2

and the fact that the cost will, as a minimum, be equal to £51m for each constituency.

Council therefore reaffirms its full opposition to HS2 and its strong support of the creation of "Hillingdon Against HS2" by local residents and the formation of the 51M group of local authorities."

The motion was seconded by Councillor Crowe. Following debate (Councillor Simmonds), Councillor Harmsworth moved an amendment as follows:

2nd paragraph: to delete everything after "...on HS2, to highlight..." and add:

"the alternative provision of following the existing track into Euston before going underground and coming up at Waterloo which would allow trains from all over Southern England to pass through London directly to the North whilst massively increasing the capacity of both stations. The problems of existing plans to have HS2 loop into W. London is then resolved by having an interchange between Crossrail One at Tottenham Court Road for Heathrow with the trains running between Euston and Waterloo. This will have the additional benefits of an extra 25 trains per hour and none of the disruption to communities along the length of the existing proposals."

3rd paragraph: to add the words "as currently proposed" after "...its full opposition to HS2..." so that it read:

"Council therefore reaffirms its full opposition to HS2 as currently proposed and its strong support of the creation of "Hillingdon Against HS2" by local residents and the formation of the 51M group of local authorities."

The amended motion was seconded by Councillor Curling. Following debate (Councillors Barnes, Crowe and Puddifoot), the amendment was put to the vote and lost. Following further debate (Burrows, Kauffman, O'Brien and Puddifoot), the original motion was put to the vote and unanimously agreed.

RESOLVED: That this Council welcomes the Mayor of London's support for our argument that the proposed HS2 route through this Borough will cause significant environmental and social disadvantages and that Hillingdon residents gain no benefit from HS2.

Furthermore, Council asks Cabinet, in its formal reply to the Department of Transport consultation on HS2, to highlight the weakness of the current business case for HS2 and the fact that the cost will, as a minimum, be equal to £51m for each constituency.

Council therefore reaffirms its full opposition to HS2 and its strong support of the creation of "Hillingdon Against HS2" by local residents and the formation of the 51M group of local authorities.

9.1 MOTION FROM COUNCILLOR DUNCAN

Councillor Duncan moved the following motion:

"That this Council is committed to preserving Hillingdon's Green Belt and open spaces and upgrading them wherever possible. It is with concern therefore that we note paragraph 9.45 of the Pre-Submission Core Strategy stating:

"The Council recognises that the capacity of existing school sites is becoming

increasingly limited and that these exceptional circumstances may necessitate the release of greenfield sites through the production of the Site Allocations DPD.”

Should it become accepted policy to allow school development on greenfield sites it will start the erosion of the Borough’s green areas.

There is a large amount of land proposed for release from industrial and commercial use and other land within the developed area available for development. Cabinet is urged to particularly examine this paragraph with a view to identifying school sites within the developed area as soon as possible in order to give confidence that there will be sufficient school places for Hillingdon children and that this will not be done at the expense of our greenfield heritage.”

The motion was seconded by Councillor East. Following debate (Councillors D Mills, Puddifoot, Simmonds and Yarrow) the motion was put to the vote and lost.

9.3 MOTION FROM COUNCILLOR PUDDIFOOT

Councillor Puddifoot moved the following motion:

“That this Council notes the contents of the Localism Bill concerning the abolition of the current ethical regime and the opportunity afforded to local Councils to adopt their own Members’ Code of Conduct. Council confirms its commitment to maintaining and upholding the highest standards of moral and ethical behaviour amongst elected Members.

Council recognises the important role that political parties have to play in ensuring these standards are maintained but acknowledges that the primary responsibility in respect of their public office lies with the Council of which they are a member, as political parties may not be able to act expeditiously when an issue arises.

Council notes the work currently being undertaken by the Standards Committee in this regard and expresses its desire to ensure that, when a new local Code is proposed for adoption by the Committee, anomalies in the current Code are rectified, such as ensuring the Code may apply to Members when they are acting in their private capacity and that behaviour which results in an official police caution (as opposed to a criminal conviction) may be considered as a potential breach of the Code.”

The motion was seconded by Councillor Khursheed. Following debate (Councillors Corthorne and Harmsworth), the motion was put to a recorded vote.

Those voting for: The Mayor (Councillor O’Connor), the Deputy Mayor (Councillor Markham), Councillors Allam, Allen, Baker, Barker, Barnes, Barrett, Benson, Bianco, Bliss, Brar, Bridges, Bull, Burrows, Buttivant, G Cooper, J Cooper, Corthorne, Crowe, Curling, Dann, Duncan, East, Fyfe, Gardner, Ghei, Gilham, Graham, Harmsworth, Harper-O’Neill, Hensley, Higgins, Jackson, Jarjussey, Kauffman, Kelly, Kemp, Khursheed, Lakhmana, Lavery, Lewis, Major, Melvin, D Mills, R Mills, Morgan, Nelson, O’Brien, Payne, Puddifoot, Retter, Riley, Routledge, Sandhu, Seaman-Digby, Simmonds, Stead, White and Yarrow.

Those voting against: None.

Those abstaining: None.

RESOLVED: That this Council notes the contents of the Localism Bill

concerning the abolition of the current ethical regime and the opportunity afforded to local Councils to adopt their own Members' Code of Conduct. Council confirms its commitment to maintaining and upholding the highest standards of moral and ethical behaviour amongst elected Members.

Council recognises the important role that political parties have to play in ensuring these standards are maintained but acknowledges that the primary responsibility in respect of their public office lies with the Council of which they are a member, as political parties may not be able to act expeditiously when an issue arises.

Council notes the work currently being undertaken by the Standards Committee in this regard and expresses its desire to ensure that, when a new local Code is proposed for adoption by the Committee, anomalies in the current Code are rectified, such as ensuring the Code may apply to Members when they are acting in their private capacity and that behaviour which results in an official police caution (as opposed to a criminal conviction) may be considered as a potential breach of the Code.

9.2 MOTION FROM COUNCILLOR CURLING

Councillor Curling moved the following motion:

"That this Council notes the recent guidelines from the Government regarding Local Councils' being encouraged not to use tax payers money to produce newspapers and similar publications.

Council therefore requests that Cabinet review the Council's corporate communications strategy and shows its commitment to put residents first by ceasing the publication of "Hillingdon People" and the in-house staff publication "Team Hillingdon".

The motion was seconded by Councillor Khursheed. Councillor Seaman-Digby moved the following amendment:

2nd paragraph: delete and replace with:

'That this Council notes the recent Cabinet decision on this matter and congratulates officers on the efficiencies made to the Communications service, saving in excess of £550k from staff restructuring, realigning the service to better meet corporate objectives and reducing the volumes of printed material across the Council. Furthermore, the recent residents' survey results showed that 70% of residents feel well informed by the Council and gave the award winning Hillingdon People as their preferred choice of media for finding out about Council services.'

The amended motion was seconded by Councillor R Mills. Following debate (Councillors Barnes, Curling and Harmsworth), the amendment was put to the vote and agreed. The substantive motion was then put to the vote and agreed.

RESOLVED: That this Council notes the recent guidelines from the Government regarding Local Councils' being encouraged not to use tax payers money to produce newspapers and similar publications.

The Council also notes the recent Cabinet decision on this matter and congratulates officers on the efficiencies made to the Communications service, saving in excess of £550k from staff restructuring, realigning the service to

better meet corporate objectives and reducing the volumes of printed material across the Council. Furthermore, the recent residents' survey results showed that 70% of residents feel well informed by the Council and gave the award winning Hillingdon People as their preferred choice of media for finding out about Council services.

9.4 MOTION FROM COUNCILLOR MAJOR

Councillor Major moved the following motion:

“That this Council notes that Central and North West London NHS Foundation Trust (CNWL) recently arbitrarily imposed an upper limit of 4 continence pads per patient per day, despite the fact that service users had been assessed as needing 5 or more. This was done without consultation with users or carers or without discussions with statutory partner organisations, such as the Council.

Letters were sent without prior warning to 1,970 users and caused considerable dismay amongst carers, many of whom survive at little above crisis level on a day to day basis. Arbitrary actions such as this can cause families whose plight is constantly at a critical level to go into crisis and in such a way to impact on other agencies such as the Council.

We therefore ask officers of the Council to enter into discussion with officers of CNWL to formulate protocols so that such decisions are never again taken in isolation or without consultation. These protocols should include referring such instances to the Council's External Services Scrutiny Committee.”

The motion was seconded by Councillor Lakhmana. Following debate (Councillors Allen, Baker, Corthorne and Jarjussey), the motion was put to a recorded vote.

Those voting for: Councillors Allam, Allen, Bliss, Curling, Duncan, East, Gardner, Ghei, Harmsworth, Jarjussey, Khursheed, Lakhmana, Major, Nelson and Sandhu.

Those voting against: The Mayor (Councillor O'Connor), the Deputy Mayor (Councillor Markham), Councillors Baker, Barker, Barnes, Barrett, Benson, Bianco, Brar, Bridges, Bull, Burrows, Buttivant, G Cooper, J Cooper, Corthorne, Crowe, Dann, Fyfe, Gilham, Graham, Harper-O'Neill, Hensley, Higgins, Jackson, Kauffman, Kelly, Kemp, Lavery, Lewis, Melvin, D Mills, R Mills, Morgan, O'Brien, Payne, Puddifoot, Retter, Riley, Routledge, Seaman-Digby, Simmonds, Stead, White and Yarrow.

Those abstaining: None.

The motion was lost.

The meeting, which commenced at 7.30 pm, closed at 9.58 pm.