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# **BOROUGH COUNCIL**

A meeting of the Borough Council will be held in the Council Chamber, Civic Centre, Lampton Road, Hounslow on Tuesday, 20th July 2010 at 7.30pm

#### **MEMBERSHIP**

The Mayor and Deputy Mayor
All other Members of the Council

#### **AGENDA**

1. Apologies for Absence, Other Announcements and Declarations of Interest from Members

#### 2. Announcements

To receive announcements (if any) from the Mayor, Leader, Members of the Executive or the Head of Paid Service

#### 3. Petitions

To receive any petitions presented by Members

4. Minutes (Pages 1 - 43)

To approve the minutes of the meetings held on 2<sup>nd</sup> March, 27<sup>th</sup> April, 24<sup>th</sup> May and 29<sup>th</sup> June 2010.

#### 5. Revision Of The Scheme Of Members Allowances

(Pages 44 - 62)

Report by the Head of Democratic Services

# 6. Appointment of Chief Executive

(Pages 63 - 64)

Report by John Kitching, Head of Human Resources and Organisational Development.

### 7. Petitions Scheme (Pages 65 - 71)

Report by the Director of Corporate Services

# 8. Response To The Further Report Of The Ombudsman On An Investigation Complaint On A Housing Matter

(Pages 72 - 82)

Report by the Borough Solicitor

#### 9. Amendment to the Constitution

(Pages 83 - 84)

Report of the Borough Solicitor

### 10. Appointments To Outside Bodies 2010/11

(Pages 85 - 91)

Report by the Head of Democratic Services

#### **Questions from Members**

# 11. Councillor Mark Bowen to ask Councillor Jagdish Sharma, Leader of the Council

One of the Labour promises made in most wards at the 2010 Local Elections was:

"Action on crime with 100 uniformed officers on the streets in this area and CCTV [closed circuit television] in crime hotspots."

Now that the Labour Group has become the administration of the Council, the wording of this pledge (as per the Council's website) is:

"Action on crime with 100 uniformed officers on the streets and CCTV in crime hotspots"

Why, in the transition from being a Political Promise to a Council Pledge, has any reference to "area" or "areas" been removed?

# 12. Councillor Lin Davies to ask Councillor Theo Dennison, Executive Member for Finance and Performance

Breaking the information down by individual promise and financial year, how much does the administration forecast that it will cost to deliver the five Labour promises, made at the recent local election, between now and May 2014?

# 13. Councillor John Todd to ask Councillor Ed Mayne, Executive Member for Community Safety and Enforcement

In one of their five promises, Labour promises to provide '100 uniformed officers' in an area; Can we be told what uniform they will be wearing, who will be employing them and if they are police officers or PCSO's (Police Community Support Officers)?

# 14. Councillor Elizabeth Hughes to ask Councillor Sachin Gupta, Executive Member for Education

Can the Lead Member for Education confirm that Hounslow will not be awarded any BSF (Building Schools for the Future) funding?

#### **Motions**

# 15. Proposed by Councillor Mark Bowen and Seconded by Councillor Adrian Lee

Further to the May 2006 Local Elections, this Council congratulates the new administration and wishes it well for the next four years. It also wishes the Labour Administration every success in implementing in full the five the promises that were made by the Labour Party at the Local Elections:

- 1. Action on crime with 100 uniformed officers on the streets in this area and CCTV in crime hotspots.
- 2. Extra cash for local schools to improve standards and new school places to give parents a better choice.
- 3. A new business partnership with local businesses and housing associations and build 2,500 affordable homes to rent or buy.
- 4. A 24/7 team of Grime busters to tackle graffiti, litter and dumped rubbish-and a direct dial telephone number for immediate action.
- 5. A fresh war on waste and a council tax cut for all residents.

# 16. Proposed by Councillor Adrian Lee and Seconded by Councillor Robert Oulds

Borough Council notes the following:

- 1. Borough Council Meetings were originally scheduled for 29 June and 20 July;
- 2. Councillors were notified on 10 June that the Mayor had "agreed that the meeting of the Council scheduled for Tuesday 29th June 2010 be now rescheduled for Tuesday 13th July 2010 in order to ensure that reports relating to significant business can be prepared in good time";
- 3. The Conservative Group was not asked for its view in advance of this decision;
- 4. A Special Meeting was arranged for 29 June on the basis that it had "become apparent that there is a requirement for the full council to meet to agree the council's annual statement of accounts for 2009-10 by the end of June."
- 5. On 24 June, Councillors received an email stating, "the Mayor has agreed that there is insufficient to justify both of the July council meetings taking place. Consequently, the meeting scheduled for Tuesday 13th July has been cancelled."
- 6. The Conservative Group was not asked for its view, despite a motion and a question having already been tabled.

Borough Council accepts, without reservation, the importance of having a provision for non-Executive Councillors to table questions at Borough Council meetings regularly and the above events have removed the opportunity for six questions to be tabled.

In future, Borough Council Meetings will only be cancelled with the agreement of the two Group Leaders or Group Whips so as best to protect the provisions available to Members as laid out in Council Procedure Rules 9 and 10.

## 17. Any Other Matters That the Mayor Considers Urgent

## 18. Date of Next Meeting

The next meeting of the Council is provisionally scheduled for 21<sup>st</sup> September 2010 and will commence at 7.30pm in the Council Chamber.

### **DECLARING INTERESTS**

Committee members are reminded that if they have a personal interest in any matter being discussed at the meeting they must declare the interest and if the interest is also a prejudicial interest then they may not take part in any discussion or vote on the matter.

Michael Frater, Interim Chief Executive, Civic Centre, Lampton Road, Hounslow, TW3 4DN

Published on Monday 13<sup>th</sup> July 2010

**AGENDA ENDS** 

# At a meeting of the Borough Council held on Tuesday, 2<sup>nd</sup> March 2010 at 7.30pm in the Council Chamber at the Hounslow Civic Centre, Lampton Road, Hounslow

**Present:** The Mayor, Councillor Paul Lynch (in the Chair)

The Deputy Mayor, Councillor Barbara Harris

**Councillors:** Caroline Andrews, Phil Andrews, Felicity Barwood, Lily Bath, Rajinder

Bath, Mark Bowen, Ruth Cadbury, Peter Carey, Mohammed Chaudhary, John Connelly, John Cooper, Andrew Dakers, Linda Davies, Samantha Davies, Sukhbir Dhaliwal, Surjit Dhaliwal, Ajmer Dhillon, Gopal Dhillon, Poonam Dhillon, Bradley Fisher, Pamela Fisher, Paul Fisher, Shirley Fisher, Mohinder Gill, Shivcharn Gill, Ajmer Grewal, Darshan Grewal, Pritam Grewal, Jon Hardy, Matthew Harmer, Sam Hearn, Peter Hills, John Howliston, Elizabeth Hughes, Gillian Hutchison, Paul Jabbal, Gurmail Lal, Adrian Lee, Amritpal Mann, Gerald McGregor, Drew

Morgan-Watts, Andrew Morgan-Watts, Linda Nakamura, Sheila O'Reilly, Robert Oulds, Peter Pitt, Barbara Reid, Sohan Sangha, Jagdish Sharma, Rebecca Stewart, Peter Thompson, John Todd, Peta Vaught, Jirwan

Virk, Beverley Williams and Allan Wilson.

# 1. Apologies for Absence, Other Announcements and Declarations of Interest from Members

Apologies for absence were received from Councillors Genevieve Hibbs and Nisar Malik. An apology for late arrival was received from Councillor Shirley Fisher.

There were no declarations of interest.

### 2. Announcements

The Mayor advised Members that the Borough's Deputy Lord Lieutenant, Lord Karan Bilimoria, would be relinquishing the post on 10th May 2010. The Mayor thanked him for his many years of service to the London Borough of Hounslow and wished him every success with his future interests, observing that he was always a very striking figure at various Council events that his presence would be missed in the future. Councillor Andrew Morgan-Watts also thanked Lord Bilimoria for his support during his own time as Mayor and wished him well for the future.

The Mayor then welcomed the new Deputy Lord Lieutenant, Mr Paul Kennerley, and advised that his first official engagement for Hounslow would be when he attended the annual meeting of the council on 25<sup>th</sup> May 2010.

Councillor Jon Hardy advised Members that Hounslow Homes had recently been recognised for its retrofitting project which aimed to reduce the carbon footprint of its building stock with

the intention of having reduced it by 80% of current levels by 2050. The organisation had been awarded £1.5 million for the creation of new local authority housing which would be built in Elmwood Avenue in Feltham.

The Mayor then concluded with the news of a tragic accident which had been featured widely in the national news media; he advised that Tommy Hollis, a small child, had recently died in hospital just before his first birthday following an accident in Turnham Green when he was struck by a falling lamp post. The Mayor said that it was "heartbreaking news and all our thoughts are with the family at this terrible time."

Members of the Council then stood in silent tribute for one minute as a mark of respect.

There were no further announcements.

#### 3. Petitions

Councillor John Connelly presented the Mayor with a petition from residents in and around Frampton Road near Hounslow Heath which had the following legend:

"We, the residents living in the area around Frampton Road, Hounslow, call upon Transport for London to provide a bus link to our area with a regular bus service being provided along the he length of Frampton Road. Residents currently have a lengthy walk to the nearest bus stop and many families are dependent on public transport to provide access to work, school, shopping, health facilities and leisure activities."

Councillor Jon Hardy presented the Mayor with a petition from residents in and around Hartham Road, Isleworth supporting a letter seeking the introduction of a controlled parking zone in the area.

Councillor Lily Bath presented the Mayor with a petition from residents using the Hounslow Social Club in Grove Road which had the following legend:

"We, the undersigned, support plans for the redevelopment of the site on which we stand. If they are refused, our club will die. We therefore ask our councillors, not council officers, to decide upon this application at a public meeting of the Sustainable Development Committee and, in making that decision, determine our future"

Councillor Ruth Cadbury presented the Mayor with a petition from the Kings Traders Committee located near the London Road which comprised signatories to a letter seeking changes to the parking arrangements in Kingsley Road.

Councillors Phil Andrews and Andrew Dakers presented the Mayor with a petition from the users of the Hounslow Multicultural Centre in Derby Road with the following legend:

"We, the undersigned, support this petition and call on the Leader and Executive of Hounslow:

• In the medium term to increase the grant level to the Centre. Wages of the staff to be paid by the Council.

- Improve signage to the Centre from the main road so that more people can access the centre's services.
- Improve priority parking arrangements for disabled visitors and volunteers at the Centre.

In the long term to work in partnership with the Hounslow Multicultural Centre to develop a longer term organisational development plan. This should enable the Centre to move to new premises as part of the next phase of regenerating Hounslow Town Centre. A new, purpose built space will help the Centre accommodate the ever increasing number of users and to develop new income streams to reduce its dependence on public sector funding and charitable donations."

There were no other petitions.

#### 4. Minutes

The minutes of the meetings held on 26<sup>th</sup> November 2009 and 26<sup>th</sup> January 2010, having been confirmed as correct records, were signed by the Mayor subject to the following clarification:

On page 10 (third paragraph), the phrase: "A restraint order had been granted and a confiscation hearing had now been scheduled to take place." to be replaced by "A restraint order had been granted and a confiscation hearing had taken place. HHJ Barnes found that the benefit figure amounted to £186,680 and confirmed that there was evidence to show that the amount far exceeded the benefit figure. The confiscation order was made in the sum of £186,680. The landlord was given 6 months to pay this amount, and the default term set was  $2\frac{1}{2}$  years."

### 5. 2010/2011 Council Budget

The Mayor explained to members that in addition to the paperwork included as part of the agenda, there were two proposed amendments to the report which had been circulated to those present. These would be debated in order of submission after the initial recommendations had been proposed and seconded. He then invited Councillor Peter Thompson, the Leader of the Council, to introduce the original report and its recommendations.

Councillor Peter Thompson proposed the recommendations on pages 29 and 30 of the report in the agenda papers and in so doing made the following points:

- The Council Tax had remained at its 2006 level which was impressive when given the
  context of rising demand for services and national tax increases, and the restructuring
  of the Council itself which had allowed for the release of millions of pounds to be spent
  on the community and improved local services including recycling, leisure facilities, and
  community safety.
- The Council had embraced strong leadership, sound financial planning and had driven through a significant improvement in efficiency in Council Services.

- Some of the many achievements of the last year included a 20% increase in spending on Children's Services and its good OFSTED (Office for Standards in Education) inspection review for the quality of care for looked after children, the cross party support for the campaign against the expansion of Heathrow Airport, an increase in the number of pensioners swimming as well as many more.
- Looking to the future, he wishes to see improved life changes for all, a borough that was safer and greener and where there was pride in the community.
- The council had listened to residents and had succeeded in doing more without taking more.
- He was pleased to have been able to make a positive difference to people's lives and so he was proud to propose for the fourth year no increase in the council tax for the Borough and therefore keep the burden of taxation on residents to a minimum.
- The Borough had had the fifth highest Council Tax in London in 2006 but now it had the 15<sup>th</sup> highest out of a total of thirty-three; council tax had been reduced in real terms by 12.7% overall in Hounslow since 2006 with inflation being taken into account with the result of the council putting money back into residents' pockets.

Councillor Gerald McGregor, Executive Member for Finance, then seconded the recommendations and made the following comments:

- He commended the Council's move to the strong delivery of services whilst meeting promises to residents to keep council tax frozen for the life of the Council.
- The budget proposals had been through a thorough consultation process
- The current Administration, though formed of two parties in coalition, had managed greater successes than the previous Labour Party Administration had achieved, providing both better services and returning money to the pockets of residents.
- He contrasted the ability of the Conservatives on the Council and the Conservative Mayor of London to freeze local taxation with the Labour Government under which national debt had spiralled out of control.
- The Council had become a customer driven, four star authority under the CPA (comprehensive performance assessment) that treated staff fairly, and whose staff in turn delivered excellent services and drove through the recent performance improvement plan (PIP); he also praised the Chief Executive and chief officers for their hard work.
- He expressed concern that the national debt problems would result in suffering for everyone in the country in the future and make the delivery of good council services increasingly difficult.
- He concluded by commending the proposals before the council.

## **Proposed Amendment One**

The initial recommendations having been proposed and seconded, the Mayor invited Councillor Peter Hills to propose his amendment which had been circulated as part of the tabled papers to all those present.

Councillor Hills proposed the amendments entitled "Proposed Amendment One" detailed on the tabled paper and in so doing made the following points:

- Local authorities across the country were proposing freezes and cuts in council tax whilst at the same time being unable to finance services from the public purse.
- Hounslow had become too reliant on the monies created by the PIP and from increased parking charges and not developed other methods to generate necessary income to deal with significant new funding problems.
- Many of the problems faced by the council in 2006 were still present such as the much needed improvements to Gunnersbury Park, the cost of Hounslow Matters Magazine which was not offset by advertising, low financial reserves and unchanged council debt levels.
- He proposed intelligent asset disposal as a way of reducing council debt and enhancing services.
- He also proposed increased commercial letting of the refurbished Annex area of the civic centre, the better use of section 106 agreements in planning matters and members being required to buy their own information technology (IT) equipment in future.
- He concluded by reading out the details of the proposal in the paperwork before commending the proposed amendment.

In response to a request for an intervention from Councillor Mark Bowen, Councillor Hills advised that the figure of £23000 identified for deletion in relation to members IT equipment came from a consultation document provided to Members suggesting an overall cost of £73000 of which £23000 was still to be found.

Councillor John Connelly seconded the proposed amendment and reserved his right to speak later in the debate.

The Mayor then invited members to debate the proposed amendment, and the following comments were made:

- Councillor Phil Andrews welcomed the members IT proposal and the increase of
  advertising in Hounslow Matters magazine but was unable to support the amendment
  because of the proposal to reduce the number of area committees from five to four, as
  he considered these bodies to be "a dynamic vehicle for change" with a proven track
  record and that any reduction in the number would work against devolution of power
  from the centre. However, he thanked Councillor Hills for the proposals.
- Councillor Andrew Dakers shared Councillor Hills' concerns at the proposal to abolish
  the area environmental improvement budget, however, he did not think that the
  proposed disposal of assets programme in the amendment was a viable method of
  making the money needed and he opposed the increase of advertising in Hounslow
  Matters magazine as this would see increased competition with struggling local
  newspapers.
- Councillor Cadbury advised that, whilst some of the proposals were sound, overall she
  and the Labour Group were unable to support the proposed amendment: she opposed
  the reduction of area committees as the current ones reflected very distinct areas of
  the borough that had genuine senses of community and she thought that there were
  better ways of reducing the costs of area committee particularly in relation to planning
  matters; nor did she think that making Hounslow Matters self funding through
  advertising was possible. She expressed the wish to hear more detail on the disposal

- of assets plan and supported the increased use of the Annex area of the Civic Centre and the retention of the environmental improvement budget.
- Councillor Adrian Lee expressed his personal regard for Councillor Hills and noted that the proposed amendment was not without worth but he questioned the political dynamics of working closely with Councillor Connelly on the proposals, which he thought led to an inconsistent approach to the budget. Nor did he think that any research had been done to see if the proposals were viable and he doubted that there was sufficient advertising available to make Hounslow Matters magazine self funding and feared that the magazine might not survive under such circumstances. He noted that it was the current Administration that had frozen council tax in its first year in office and so along with the London Borough of Hammersmith and Fulham, the council was a "trailblazer" in London. He strongly advised that asset disposal was not in itself sufficient to help the Council's financial position and stressed that new developments needed to be sustainable, and detailed the work being done to help restore the buildings in Gunnersbury Park in such a way in such a way that ensured their longer term future.

In response to an intervention from Councillor Sam Hearn about whether or not he was aware that the Hounslow Matters magazine contract had been retendered two years ago, Councillor Lee advised that the question might be better put to Councillor Hills.

- Councillor Gerald McGregor noted that whilst the refurbishment of the Civic Centre Annex area had initiated under the previous Labour Administration, it had been completed by the current Administration and he had been heavily involved in the work, and arranged for the foot washing and showering facilities to be added as well as choices in relation to decoration. He also acknowledged that the Labour Group had begun the process for winning the streets related Private Finance Initiative (PFI) and which had been completed by the current Administration who had allowed area committees to pick the priority roads. He questioned whether the environment improvement budget would be used for local initiatives at the expense of borough wide ones but expressed interest in the Intelligent Disposal of Assets proposals. However, he stressed that overall he could not support the proposed amendment to the budget.
- Councillor John Connelly accepted there were arguments in favour of keeping five area committees but noted that the ward boundaries of the council had changed since the area housing committee arrangements had been set up and it was appropriate to review the situation: he considered that four area committees of equal size, all with fifteen members, was a logical way forward and which would free up funds of £40 000. He then recalled that the Conservatives had previously declared that they intended to make Hounslow Matters magazine break even financially and had been unable to do so. Nor had they made more use of the Annex as they had promised, and he considered that these matters needed to be revisited.

In accordance with the Constitution, Councillor Robert Oulds then proposed that the proposed amendment to the motion be put to the vote, which was widely seconded. Councillor Peter Thompson declined the opportunity to sum up the debate.

The Mayor then invited members to vote on the proposed amendment and it was

#### **RESOLVED**

That the proposed amendment be not approved.

### **Proposed Amendment Two**

The Mayor invited Councillor Andrew Dakers to propose his amendment which had been circulated as part of the tabled papers to all those present.

Councillor Dakers proposed the amendments entitled "Proposed Amendment Two" detailed on the tabled paper and in so doing made the following points:

- The Liberal Democrats had broadly supported the current Administration's policy on freezing the council tax as it had previously been too high but he now considered it time for a "prudent and honest" budget.
- He supported much of the substantive motion on the budget but wished to make the amendments listed in the tabled document which he then itemised.

Councillor Dakers declined to accept any interventions during his speech.

Councillor John Howliston seconded the proposed amendments to the motion and reserved his right to speak at a later stage in the debate.

The Mayor then invited members to debate the proposed amendment, and the following comments were made:

- Councillor Ruth Cadbury called the proposals "nice and well meaning" but considered them insubstantial and more aimed at the forthcoming elections. She supported his proposal for the Cranford Agreement Bill but noted the cost had been substantially underestimated. The proposal for Gunnersbury Park also did not show the real cost and the need for an increase in council tax by more than £6 per person from 2015 to ensure sustainability; She explained that the Labour Group supported the need to restore the Gunnersbury Park and mansions and called on the Administrations of the London Boroughs of Hounslow and Ealing to meet to resolve the matter. The Group also supported the Hounslow Language Service proposals and the social care funding proposals but overall was unable to support the amendment.
- Councillor Sam Hearn stated that he agreed with much of what Councillor Cadbury said and he thought the proposals formed a very good basis for discussion; he therefore questioned why the Liberal Democrats had not introduced their ideas to scrutiny or to the budget consultation process over the last few months, and concluded that the proposals were therefore a case of electioneering rather than a legitimate addition to the budgetary debate.
- Councillor Rebecca Stewart stated that the problems of Gunnersbury Park were not to be simply resolved and that the Liberal Democrats were inconsistent by accepting that partially building on one park was acceptable whilst not in another. She also noted that the online petition about the park to which Councillor Dakers had referred contained many signatories from abroad and so did not reflect local opinion. In addition, the figures in the proposed amendment did not take into account the 2-3% inflation rate predicted for the Government and so did not add up.

- Councillor Adrian Lee commended Councillor Dakers for providing an alternative budget and criticised the Labour Group for not having done so. He then highlighted what he saw as the problems of the proposals in relation to Gunnersbury Park which was that the borrowed money was not being invested to make the future of the park and its building sustainable; it was not helping to regenerate the park and to generate new capital which was needed to ensure that it did not decline again in the future. He regretted that the proposals had not be raised earlier in the budgetary consultation process.
- Councillor Phil Andrews thought that the proposed amendments were interesting but
  as they were insufficiently considered he would not be supporting them and would
  abstain in any vote. He agreed with the principle behind the Gunnersbury Park
  proposals but he thought the suggestions in the tabled paper went too far, and that
  more research was needed. He was interested in the proposal to review the pay
  grades for senior council officers but wished to see more detail as the savings were not
  precisely quantified. He considered the proposal to increase parking charges worked
  against small businesses locally and so he did not support it.
- Councillor Robert Oulds clarified that the Administration was proposing to fund the teaching of English through the Ethnic Minorities Improvement Grant as other boroughs did. He agreed with many of Councillor Cadbury's comments on the proposed amendment but disagreed on her suggestion that the Council was failing pupils in terms of education and reminded Members that in local authority rankings, Hounslow had gone from 60<sup>th</sup> position to twelfth in relation to GCSE (General Certificate of Secondary Education) grades.
- Councillor Gerald McGregor expressed concern at overall Liberal Democrat local
  government finance arrangements and drew members attention to page 39 of the
  agenda where a diagram showed that Liberal Democrat run boroughs of Richmond
  Upon Thames and Kingston Upon Thames had the most expensive Council Tax in
  both 2006 and 2009. He feared that Councillor Daker's proposals would result in the
  council having to increase its council tax significantly.
- Councillor Barbara Reid thought that the Cranford Agreement Bill proposal might be a
  good idea but had not been fully costed nor had any discussion taken place with the
  2M group, the principal organisation behind the opposition to the expansion of
  Heathrow Airport. She advised that as such, she could not support the proposal,
  although she considered that its "heart was in the right place" and she commended all
  parties for continuing to work together on the issue of protecting the people of Cranford
  and the rest of the borough from the expansion of Heathrow.
- Councillor Lily Bath expressed concerns about the social care funding proposals as she considered them to be "risky". She also shared the concerns of local small businesses about the proposals to increase parking charges as detailed in paragraph 2.2 of the tabled paper. She also added that whilst she welcomed the gesture of £110 000 being set aside for English Language teaching she considered the figure too small and she reminded Members that following the loss of council subsidy to schools in this area, fewer teachers in this field were being taken on.
- Councillor Lin Davies clarified that the social care funding from the Care Matters Grant
  was for looked after children who would not be adversely affected by the proposals in
  the substantive motion. She also pointed out that there were various options available
  to provide teaching of English in schools besides the Hounslow Language Service.

Councillor Peter Thompson then summed up the debate on the second proposed amendment, and made the following points:

- He considered that much of the proposed amendment was not financially viable or not fully thought through.
- A fairer system for street licensing fees had been introduced last year and in some cases, the costs to stall holders had decreased.
- A ten pence for half an hours parking fee had recently been introduced so he was not convinced by the claim in the proposed amendment that local businesses would be adversely hit by other changes.
- The "real work, real jobs" proposal was very similar to the very successful future jobs scheme already operating in the borough and he questioned the suggestion in the proposed amendment to offer it only to parts of the borough.
- There was no clear business case in the proposed amendment on where the money allocated for Gunnersbury Park was to go: as the park was one of a range of important priorities for the council, it was necessary to explain why borrowing was prudent for this scheme and no others.
- The proposal to restructure the senior management of the council was not possible in the timeframe in order to make any benefit for the financial year 2010/11.
- He concluded by agreeing with Councillor Cadbury that the proposed amendment seemed most aimed at the forthcoming election campaign.

The Mayor then invited members to vote on the proposed amendment and it was

#### **RESOLVED**

That the proposed amendment be not approved.

#### **Substantive Motion**

The Mayor then invited debate on the substantive motion as detailed in the agenda papers. During the discussion, the following points were made:

- Councillor John Connelly argued that the statement that a 0% increase in Council Tax helped all residents was wrong: residents did not just pay council tax to the borough but also fees and charges for burial and cremation, hall hire, leisure costs, etc and he noted that the charges for these services had increased significantly in the last few years, but affected a smaller number of the public. He also argued that there had been cuts in services including council opening times. He acknowledged that local schools had done well but considered this to be in spite of the council rather than because of it, and he concluded by criticising the increase in "self promotion".
- Councillor Jagdish Sharma supported the views of Councillor Connelly and criticised
  the current Administration for increasing the Members Scheme of Allowances
  significantly in 2007. He acknowledged that the PIP had produced significant savings
  but he argued that there had been no corresponding increase in performance, partly
  due to the loss of nearly 400 experienced staff. He argued that the Council had been
  unwise to shed staff before improving its ICT systems and as a result staff were unable
  to cope with residents demands for services; the public complained to councillors
  frequently about being unable to get responses or get access to officers by telephone.

Nor did he think the council's published ten priorities met the needs of residents, who were concerned about potholes in the road and the weaknesses of the new recycling service, which whilst a good thing was adversely affected by the poor quality of the collection arrangements. He was pleased that many of the current Administration's initial budgetary proposals had been removed during the scrutiny process. He thanked the Government for providing £5 million for area based grants but criticised the council for accepting Government monies and using them merely to keep services running rather than improving them – and he questioned what the Administration would do when these grants were cut in future. He concluded by thanking the Labour Government for its significant spending on Education.

Councillor Sharma declined to accept any interventions during his speech.

- Councillor Phil Andrews reminded members that he had declared at a previous meeting of the council that he considered that the Community Group had not be involved in the budgetary process; He then thanked Councillor Peter Thompson for having gone to a great deal of trouble since then to involve him and his Group in the budget proposals and paid tribute to Councillor Thompson for his commitment to freezing the council tax, which the Community Group supported, and which he noted other groups were also now supporting; however, he wished to see more than this policy delivered and aspired to greater devolution of power from the centre of the council. As a result, he would not be able to support the budget proposals, and would abstain at the vote, although he welcomed much in them including the £300 000 increase for the voluntary sector, which was considerably better than the Labour Group had done in the past.
- Councillor Adrian Lee regretted that it had not been possible for Councillor Andrews to sit round a table with the rest of the Administration to resolve his differences, as he had in the past. However, he himself was pleased that the budget before the council today was one where the Administration had kept true to its principles and delivered a council tax freeze over the life of the council without "swingeing cuts to services". He disagreed with Councillor Connelly's analysis of the problems suffered by poorer residents as the council tax, being a property based tax, took no account of people's income and so higher council taxes meant the poor paid disproportionately more. He criticised the Labour Group for not providing a proposed alternative budget. He paid tributes to Councillors Thompson, McGregor and Bowen for their leadership and drive to make significant changes for the better in the council over the last four years, and improved the council's professionalism within itself and in its partnership work and he concluded by commending the legacy of the last four years.
- Councillor Ruth Cadbury thanked Councillor Andrews for his "honesty and independence". She then stated that if the Labour Group had decided to propose an alternative budget, it would not have chosen to start from the council's current position: she criticised the Administration for leaving staff suffering from cuts in numbers meaning that there were not enough people to answer the telephone to the public, direct service cuts to the Hounslow Language Service, etc. She welcomed the proposed growth in the Children's Services budget but considered that it was not enough but she could not support the other cuts detailed in the report, including one of £1 million in highways maintenance. She also criticised the Council's approach its parking enforcement regime and its ICT equipment support for Members.

Councillor Cadbury declined to accept any interventions during her speech.

 Councillor Andrew Dakers argued that the Administration's proposed budget would adversely affect front line services but also criticised the Labour Group for not having proposed an alternative to it. He still considered that his proposal for a Cranford Bill in Parliament would be workable and reminded Members that it was a Labour Government that was supported the expansion of Heathrow Airport.

At this point, Councillor Dakers accepted an intervention from Councillor Peter Thompson: in response to the question, Councillor Dakers confirmed that he fully understood that the motion under debate was the substantive one proposed in the report by the Administration rather than his own or the policies of the Labour Party.

- Councillor Dakers then continued that he wished to see any cost reductions falling
  equally across the borough and not isolated to particular areas eg Gunnersbury Park.
  He regretted that the time for consideration by the budget scrutiny process was spent
  on reviewing proposals already made rather than generating new ones. He stated that
  the Liberal Democrats were concerned at what they saw as income inequality between
  the public and private sectors and he wished to see limits on pay differentials as
  occurred in such organisations as the Royal Navy and the John Lewis Partnership.
- Councillor Barbara Reid expressed her pride that the actions of the Administration had seen recycling in Hounslow nearly double from its initial starting point of 17% prior to the introduction of the new recycling process. In addition, graffiti in the borough had been halved and Hounslow was one of only three local authorities in the country to have been awarded a PFI for much needed highways improvements. She concluded by asking members to alert her to examples where consultation on the planting of trees had not occurred if they were aware of any.
- Councillor Mark Bowen stated that the policies of the Administration were popular with residents. He had spoken to many residents and found that the freezing of the Council Tax and the success in planning enforcement were appreciated, and he asked Councillor Jagdish Sharma to give him the reference numbers of the complaints to which he referred in his earlier speech.

At this point, Councillor Bowen accepted an intervention from Councillor Ruth Cadbury who asked if he planned to fund an effective councillors complaints system. In response, Councillor Bowen argued that the Borough had seen the biggest turnaround in its complaints processes in the country and branded her question nonsensical.

expressed strong concerns about the PIP process which had provided millions of pounds for reinvestment by the council giving a return of over £50 for every £5 spent on it. He pointed out that the Labour Group had intended to find savings of £3.3 million over ten years, whereas the current Administration had found £50 million in three years. He also criticised Councillor Cadbury's comments on the provision of ICT for Members and asked if Labour Members were therefore intending to return the computers and other equipment that they had been provided. He considered that it was better that every member should be given a computer and that they should use it effectively to support their residents. He concluded by saying that the current

Administration had changed the borough beyond all recognition and it was now successful and a popular place to live. He called it the "best borough in London" and expressed his pride at the achievements of the last four years.

Councillor Thompson then proposed, and it was agreed, that the question be now put, and consequently the Mayor then invited members to vote on the recommendations in the report and it was

#### **RESOLVED**

That the proposed amendment be not approved.

The Mayor then advised members that as no budget had been agreed and there were no further motions for consideration, he was adjourning the meeting for a period of thirty minutes in order to allow for a new budgetary motion to be developed. He invited the leaders of each of the party groups represented on the Council to join him in the Mayor's Parlour to discuss the matter.

The Mayor also proposed, and it was unanimously agreed, that the council's standing orders be suspended to allow the meeting to continue until such time as a council budget had been approved.

The meeting then stood adjourned for thirty minutes from 9.40pm.

The meeting readjourned at 10.10pm.

#### **New Motion**

The Mayor advised Members that a new motion was to be proposed, and he invited Councillor Thompson to do so.

Councillor Peter Thompson proposed a new motion namely that the recommendations on pages 29 and 30 of the report in the agenda papers be approved along with an additional £250000 for community projects to be funded from capital or revenue balances.

Councillor Phil Andrew then seconded the proposal and reserved his right to speak on it until later in the debate.

The Mayor then invited members to debate the proposed motion, and the following comments were made:

- Councillor Ruth Cadbury commented that Councillor Phil Andrews had not taken a long time to come to an agreement and asked if he would personally be selecting where the additional funds would be allocated.
- Councillor Matt Harmer expressed concerns over the proposal and asked where the money for the additional £250000 was to come from and where it was going to be spent. He advised that the Labour Group would oppose the motion.
- Councillor John Connelly wished that Councillors Phil Andrews and Peter Thompson had been able to agree their proposals prior to the meeting so that the time of Members was not wasted. He also considered that the result of the change to the

- original motion was likely to be nil as whoever won the council election in May would adjust the budget as they saw fit.
- Councillor Samantha Davies argued that the new proposals would still result in a freeze in Council Tax which was something that the previous Labour Administration had never done and had instead placed increasing burdens of local taxpayers.

Councillor Robert Oulds then proposed, and it was agreed, that the question be now put, and consequently the Mayor invited members to vote on the recommendations in the report. A recorded vote was requested.

Members of the Council voted as follows:

#### For the Motion:

Councillors Caroline Andrews, Phil Andrews, Felicity Barwood, Mark Bowen, Peter Carey, Linda Davies, Samantha Davies, Bradley Fisher, Pamela Fisher, Paul Fisher, Shirley Fisher, Jon Hardy, Barbara Harris, Sam Hearn, Gillian Hutchison, Paul Jabbal, Adrian Lee, Paul Lynch, Gerald McGregor, Andrew Morgan-Watts, Sheila O'Reilly, Robert Oulds, Peter Pitt, Barbara Reid, Rebecca Stewart, Peter Thompson, John Todd, Beverley Williams and Allan Wilson.

### **Against the Motion:**

Councillors Lily Bath, Rajinder Bath, Ruth Cadbury, Mohammed Chaudhary, John Connelly, John Cooper, Andrew Dakers, Sukhbir Dhaliwal, Surjit Dhaliwal, Ajmer Dhillon, Gopal Dhillon, Poonam Dhillon, Mohinder Gill, Shivcharn Gill, Ajmer Grewal, Darshan Grewal, Pritam Grewal, Matt Harmer, Peter Hills, John Howliston, Elizabeth Hughes, Gurmail Lal, Amritpal Mann, Drew Morgan-Watts, Linda Nakamura, Sohan Sangha, Jagdish Sharma and Peta Vaught.

There were no abstentions.

It was therefore

#### **RESOLVED -**

That the following recommendations all be agreed:

## Relating to Chapter 1 of the report: Revenue Budget and Council Tax 2010/11

- 1. A council tax of £1,090.65 for the Hounslow element of the council tax at Band D for 2010/11. This gives a total of £1,400.47 at Band D when the Greater London Authority precept is added, a nil increase on the previous year as recommended in (i)-(vi).
- 2. A savings package of £8.2m as detailed in paragraphs 16.1-16.2.
- 3. A growth allocation of £9.7m as detailed in paragraphs 15.1-15.6.
- 4. A general revenue balance of £6.5m as detailed in paragraphs 13.1-13.3.

### Relating to Chapter 2 of the report: Corporate Capital Strategy Proposal 2010/11

- 5. To finance schemes for progressing in 2010/11 as detailed in paragraphs 4.1-4.2.
- 6. To agree that a new Three Year Corporate Capital Strategy 2011/12-2013/14 be initiated in summer 2010 as detailed in paragraph 3.5.
- 7. To agree that all service specific funding such as specific grants be added to the capital programme when confirmation of funding is received.
- 8. To authorise the Director of Finance to make the determinations necessary under Part I of the Local Government Act 2003 to implement the proposals in the capital programme by applying usable capital receipts, and borrowing/credit arrangements to finance capital expenditure.

# Relating to Chapter 3 of the report: Treasury Management Strategy, Investment Strategy, Prudential Indicators and Minimum Revenue Provision Policy 2010/11

- 9. Council is requested to adopt the
- (i) Revised Treasury Management Policy Statement Section 2
- (ii) Revised CIPFA Code of Practice and the four new clauses Section 3 and Appendix D
- (iii) Treasury Management Annual Strategy Sections 4-19
- (iv) Annual Investment Strategy Appendix E
- (v) Prudential and Treasury Indicators Appendix F
- (vi) Statement on Minimum Revenue Provision Appendix G
- 10. Council is requested to authorise the Director of Finance to
- (i) Utilise short-term (temporary) borrowings.
- (ii) Use cash held in internal funds to offset the need to borrow externally.
- (iii) Subject to interest rates at the time of offer:
- a. Take long-term loans, as required, from the Public Works Loan Board.
- b. Take long term loans from the money market utilising any of the loan instruments available to the council as deemed most appropriate at the time of borrowing.
- (iv) Invest temporary surplus cash within constraints of normal cash flow considerations with approved counterparties.
- (v) Review and appoint external cash fund managers if appropriate when one-off lump sums are received subject to specific conditions for investment.
- (vi) Review and implement all prudent debt management functions which are required to produce advantages to the council's long term interest rate liabilities.
- (vii) Subject to available rental levels, to finance appropriate expenditure through leasing arrangements.
- (viii) Implement the Treasury Management Strategy in accordance with the Prudential Indicators.

# **Relating To The Discussion At The Meeting**

11. £250 000 be identified for community projects to be funded from capital or revenue balances.

### **ACTION BY: Director of Finance**

### 6. Housing Rent Levels And Housing Revenue Account (HRA) Budget For 2010/11

Members considered a report by Councillor Jon Hardy, Executive Member for Housing and Service Improvement

Councillor Jon Hardy proposed the motion and in so doing made the following points:

- The usual formula for identifying rent increases had been used.
- Local residents had been consulted on the proposals of an increase in the average charge by £1.30 a week.
- He also drew the attention of Members to some small reductions in some areas of charging including central heating and maintenance charges, with the maintenance charge for leaseholders being frozen.
- He added that the low inflation levels had assisted in helping this happen.

Councillor Phil Andrews seconded the report.

Councillor Matt Harmer advised that the Labour Group had been happy to support the report last year and would do so again this year.

The Mayor then invited members to vote on the report and it was therefore

#### **RESOLVED -**

That the Housing Revenue Account budgets for 2010/11, together with all the other recommendations relating to the levels of rent, fees and charges for 2010/11, as proposed in the report, be approved; and

The Management Fee for 2010/11 of £39,501,100 payable to Hounslow Homes (HH) be approved.

### **ACTION BY: Director of Community Services**

#### **Council Question**

# 7. Councillor Andrew Dakers to ask Councillor Peter Thompson, Leader of the Council

Councillor Andrew Dakers asked Councillor Peter Thompson, Leader of the Council, the following question:

"Can the Leader of the Council please set out the cost of publishing the January and February 2010 issues of Hounslow Matters magazine, as well as providing a break down of the numbers of banner advertisements that the Council has recently put up in town centres and their associated costs?"

In response, Councillor Peter Thompson advised that the cost of publishing the two issues of the magazine cost £31837 and the fifty banner advertisements cost £254 each.

Councillor Dakers declined the opportunity of asking a supplementary question.

### 8. Any Other Matters That the Mayor Considers Urgent

There was no such business.

### 9. Date of Next Meeting

It was noted that the next meeting of the Council was scheduled for Tuesday 27<sup>th</sup> April 2010 and would commence at 7.30pm in the Council Chamber.

The Mayor concluded the meeting by thanking everyone for their attendance.

The meeting concluded at 10.30pm

Mayor

MINUTES END

# At a special meeting of the Borough Council held on Tuesday, 27<sup>th</sup> April 2010 at 7.35pm in the Council Chamber at the Hounslow Civic Centre, Lampton Road, Hounslow

**Present:** The Mayor, Councillor Paul Lynch (in the Chair)

The Deputy Mayor, Councillor Barbara Harris

**Councillors:** Lily Bath, Mark Bowen, Ruth Cadbury, Peter Carey, Mohammed

Chaudhary, John Connelly, John Cooper, Andrew Dakers, Linda Davies, Sukhbir Dhaliwal, Surjit Dhaliwal, Ajmer Dhillon, Gopal Dhillon, Poonam Dhillon, Bradley Fisher, Pamela Fisher, Mohinder Gill, Shivcharn Gill, Ajmer Grewal, Pritam Grewal, Jon Hardy, Matthew Harmer, Genevieve Hibbs, Gillian Hutchison, Paul Jabbal, Gurmail Lal, Nisar Malik, Amritpal Mann, Linda Nakamura, Sheila O'Reilly, Robert Oulds, Barbara Reid, Sohan Sangha, Jagdish Sharma, Rebecca Stewart, Peter Thompson, John Todd, Peta Vaught, Jirwan Virk, Beverley Williams and Allan Wilson

# 1. Apologies for Absence, Other Announcements and Declarations of Interest from Members

Apologies for absence were received from Councillors Caroline Andrews, Phil Andrews, Felicity Barwood, Rajinder Bath, Sam Hearn, Darshan Grewal, Samantha Davies, Paul Fisher, Shirley Fisher, Adrian Lee, Gerald McGregor and Andrew Morgan-Watts,

An apology for late arrival was received from Councillor Gillian Hutchison.

Councillors Nisar Malik and John Connelly declared personal but non-prejudicial interests in that they were both members of the Hounslow-Ramallah Town Twinning Association.

Councillor Pamela Fisher advised that she had been contacted by representatives of the Association prior to the meeting but did not consider this to be a personal or prejudicial interest. Many other members advised that they had similarly been contacted. The Mayor advised that this did not form a basis for being an interest.

There were no other apologies or declarations of interest.

#### Motion

# 2. Proposed by Councillor John Connelly and Seconded by Councillor Jagdish Sharma

The Mayor advised that, since the publication of the agenda, Councillor John Connelly, the proposer, had amended the motion to read:

"This Council welcomes the re-establishment of the Hounslow-Ramallah Town Twinning Association and agrees that the body be recognised by the Council".

The Mayor then invited Councillor Connelly to propose the revised motion.

Councillor Connelly then requested that he be allowed to circulate a letter from Ms Janet Micheal, the Mayor of Ramallah, addressed to Mr Qurashi dated 27<sup>th</sup> April 2010. The Mayor agreed to this request and a copy of the letter was subsequently circulated to those present.

Councillor Connelly then made the following points:

- Historically, after the official twinning of the London Borough of Hounslow with another town or region, it had adopted the practice of leaving the running and promotion of the link to a voluntary organisation dedicated to the purpose which was officially recognised by the Council.
- Such organisations were called town twinning associations and helped develop links without receiving council funding with the exception of occasionally using rooms in the Civic Centre to hold meetings.
- The Borough had originally twinned with Ramallah in July 1988 and the subsequent town twinning association had arranged events and exchange visits. In addition, the then Mayor at the time had hosted a concert which also featured folk singers from Ramallah.
- The town twinning association became dormant in 1995 but now there was a local
  drive to revive it: Mr Qurashi, a co-opted member of the Central Hounslow Area
  Committee had first proposed this at a meeting of the Committee in January 2009 and
  as this was met with a positive response he had created a steering committee with a
  view to re-establishing the Hounslow-Ramallah Town Twinning Association.
- The steering group had received significant support in the community including from schools and local churches and the Association had been formally recreated in February 2010.
- The new Association was non-political and was modelled on similar town twinning associations across the country.
- He commended the motion to members and asked them to support it.

The motion was then seconded by Councillor Jagdish Sharma.

The Mayor then invited members to discuss to motion and the following comments were made:

- Councillor Robert Oulds noted that the Association had been described as an "armslength" organisation to the Council and recalled that similar "arms-length" bodies in which Councillor Connelly had been involved, such as the former leisure services provide, CIP, had proven unsuccessful and damaging to the Council; he therefore sought further information on the Association, formal details of its precise relationship with the Council and what control over the body was proposed for Members. He was unprepared to recognise the Association until he had such information.
- Councillor Andrew Dakers explained that he broadly supported the motion and commended the work of the Association if it was to promote social, cultural and educational links with the hope of providing greater understanding of the problems of Ramallah which might in turn help bring solutions. However, he also had some concerns and stressed that the town twinning links should never cost the Council and therefore local tax payers any money. He also expressed the wish to see a proper

- strategy developed to capitalise on town twinning links for the benefit of the community, particularly schools.
- Councillor John Todd commended the Borough for its good record on community cohesion but questioned if it was appropriate for the council to have a "foreign policy", particularly in areas of great conflict. Nor did he think that there was widespread support throughout the borough for the revival of town twinning links, noting that whilst Councillor Sharma had seconded the proposed motion, only one Labour Member had actually joined the Association. He also noted that Councillor Connelly had been a friend of Bir Zeit University in Ramallah in May 2006 but that this relationship had since ceased. He stated that Mr Qurashi had written to the Foreign Secretary in 2008 asking him to stop what he described as war crimes in Gaza which suggested that the Association which he ran would also likely become involved in political matters. He concluded by stating that he considered the calling of a special meeting by Councillor Connelly to discuss the matter was a "dreadful waste of public money".
- Councillor Peter Thompson advised that the Conservative Group had not supported the proposals to twin with Ramallah in the late 1980s and he asked why the Council was now being asked to take sides in the politics of the Gaza Strip and Ramallah as the conflict there was a matter of international concern and fraught with difficulties. He noted that much of the information in the circulated letter from the Mayor of Ramallah was inaccurate and he regretted that her correspondents had not been clear on the truth of the situation; the Mayor of Ramallah had been led to believe that the Council was seeking to re-establish the town twinning when this was not the motion before the council – not had the relationship ever been severed. It had however lain dormant for over fifteen years as there had been no interest from either Hounslow or Ramallah, or from the community. He stressed that it was important for the Council to support all its residents, including its Jewish community, and so it could not be seen to take sides. He also criticised Councillor Connelly and those members who had requisitioned the Mayor to call the special meeting to discuss the motion for wasting council tax pavers money; the matter was far from urgent and had not been proposed at any time in the last twenty years when it easily could have been; It had not been called until nine days prior to the council elections; he suspected that there was political motive and called it a "tokenistic stunt". He called on opposition members, who had accused him of wasting council money in election leaflets, to justify the calling of a special meeting which cost in the region of £5000 to discuss the motion. He then proposed that a discussion on the future of town twinning take place after the election.
- Councillor Jon Hardy stated that having spoken to a member of the Association who had telephoned him, he concluded that the its membership was sincere and well meant but he considered that the organisation had been exploited by some unscrupulous members as an excuse to call a special meeting of the council for political ends just prior to the municipal elections; the timing of the meeting was suspect. He considered that the matter should be the subject of a full officer report for consideration by the Administration of the new council after the elections. The motion as it stood before the Council tonight did not do the matter justice and so the meeting should be deferred to allow the matter to be re-presented after the election with appropriate documentation to allow for a full and honest consideration.
- Councillor Brad Fisher described the summoning a special meeting as "scandalous";
   Councillor Connelly and Labour Party Members had criticised the Administration for what they considered to be wasting money but had themselves called an unnecessary

- special meeting of the Council; he pointed out that there had been over forty meetings of the council since the last election to which Councillor Connelly could have submitted a motion but he had not, and he asked if this was because he did not consider it important until an election had been called.
- Councillor Nisar Malik clarified that it was Mr Qurashi rather than Councillor Connelly who had initiated the proposals to re-establish the town twinning association and he believed that the appropriate procedure to bring the matter to the council had been followed; he denied that there was a political reason for calling the special meeting. He criticised Councillor Oulds for comparing the Association with CIP and said that the best way to know what the organisation was doing was to become a member, as membership was open to everybody. He then criticised the current Administration for wasting money on changing the council's branding

Councillor Thompson then sought an intervention at this point and, Councillor Malik having agreed to it, he explained that the livery change had cost nothing as old stocks of stationery bearing the older logos had been used before the new ones had been issued.

• Councillor Malik then concluded by criticising the current Administration for its waste of money in relation to the use of consultants.

Councillor Genevieve Hibbs then sought a point of clarification from the Mayor. She thought that Councillor Hardy had proposed a motion without notice to adjourn the debate on the motion to a meeting after the election. The Mayor responded by stating that it had not been seconded. Councillor Robert Oulds then seconded the motion without notice proposed by Councillor Hardy. The Mayor agreed to accept this and to seek a vote on it, but as the seconding had not been immediate, he first invited those members who had indicated that they wished to speak on Councillor Connelly's motion to do so.

However, at this stage it was noted that the thirty minutes permitted by the constitution for discussion of motions was nearing its end, and so it was proposed by Councillor Amrit Mann, seconded by Councillor Jagdish Sharma and

#### **RESOLVED -**

That the meeting be extended by an additional fifteen minutes in order to allow for the completion of the debate.

The Mayor then invited several more councillors to make their comments, as follows:

• Councillor Jagdish Sharma stated that he had supported the motion to twin with Ramallah in 1988 and that most people thought at that time that the fostering of friendship with the area would be a good thing. He regretted that there were now various members intent on "playing politics" with the issue. He thanked Mr Qurashi for raising the issue at the Central Hounslow Area Committee and reiterated that town twinning helped bring people together, which was ever more necessary in a shrinking world and said it was part of the same spirit of international brotherhood that was shown when a significant natural disaster was immediately followed by international humanitarian aid. He did not think the link with Ramallah would be used politically and so the friendship with that region should continue. He was pleased to have seconded the motion and if asked to join the Association, he would gladly do so. It was widely

- supported by the community including schools and he thought that there was something wrong with people who did not support the motion.
- Councillor Ruth Cadbury expressed support for the motion and stated that there was a need to revive the link with Ramallah, an area she had visited prior to be elected to the council and the experiences of which showed her that the people of Ramallah were like all communities all over the world; made up of differing people with different ideas and beliefs but coming together to build a successful community. Similarly, people of different faiths in Hounslow wished to see a revival of the town twinning link. She noted that the aims of the Association were not political but warned that if the motion was not passed, it would reflect badly on the Council. She concluded by wishing the Association well and advising that she would join it if asked to do so.
- Councillor Peta Vaught stated that an ordinary meeting of the council had been arranged for this date for some time and that the special meeting had been called to follow from that. She considered it laughable that the current Administration should criticise others for wasting time, as its members often spent time at council meetings criticising the Labour Administration of the period up to 2006 and she accused them of being fixated on the past with nothing to suggest for the future. She considered that anyone who opposed the motion was only doing so for political reasons and she concluded by hoping that the Conservatives would not be able to control the council after the election.

The Mayor then invited Councillor Jon Hardy to clarify his proposed motion without notice. Councillor Hardy then formally did so, seeking to adjourn the debate on the motion to a meeting after the election, when it should also be the subject of a full officer report for Members consideration. Councillor Robert Oulds seconded the motion.

The Mayor then put the motion proposed by Councillor Hardy to the vote and it was

#### **RESOLVED -**

That the vote being won, the debate on the motion be adjourned to a meeting after the election, when it should also be the subject of a full officer report for Members consideration.

The discussion on the motion being adjourned and there being no other matters on the agenda, the Mayor thanked Members for their attendance and closed the meeting.

The meeting ended at 8.15pm

**MAYOR** 

MINUTES END

# At a meeting of the Borough Council held on Tuesday, 24<sup>th</sup> May 2010 at 7.30pm in the Council Chamber at the Hounslow Civic Centre, Lampton Road, Hounslow

**Present:** Councillor Paul Lynch (the Mayor in the Chair)

Councillor Barbara Harris (the Deputy Mayor)

Councillor Colin Ellar (the Mayor in the Chair after the election) Councillor Poonam Dhillon (the Deputy Mayor after the election)

**Councillors:** Mindu Bains, Alan Barber, Felicity Barwood, Lily Bath, Rajinder Bath,

Colin Botterill, Mark Bowen, Tom Bruce, Ruth Cadbury, Peter Carey, John Chatt, Melvin Collins, John Cooper, Steve Curran, Linda Davies, Samantha Davies, Theo Dennison, Ajmer Dhillon, Gopal Dhillon, Jason Ellar, Brad Fisher, Pamela Fisher, Mohinder Gill, Ajmer Grewal, Darshan Grewal, Pritam Grewal, Sachin Gupta, Matthew Harmer, Sam Hearn, David Hughes, Elizabeth Hughes, Gillian Hutchison, Paul Jabbal,

Kamaljit Kaur, Gurmail Lal, Adrian Lee, Liz Mammatt, Amritpal Mann, Ed Mayne, Gerald McGregor, Andrew Morgan-Watts, Shantanu Rajawat, Sheila O'Reilly, Robert Oulds, Barbara Reid, Sue Sampson, Sohan Sangha, Jagdish Sharma, Corinna Smart, Balvir Sond, Rebecca Stewart, Peter Thompson, John Todd, Peta Vaught, Beverley Williams and Allan

Wilson

# 1. Apologies for Absence, Other Announcements and Declarations of Interest from Members

The Mayor, Councillor Paul Lynch, opened the meeting and welcomed everyone to it and also to the council following the recent municipal elections in May.

There were no apologies for absence or declarations of interest.

The Mayor, on behalf of the council, then formally thanked Lord Karan Bilimoria for his services to the London Borough of Hounslow as the outgoing Deputy Lieutenant. The Mayor explained that the function of the Deputy Lieutenant was to act as the personal representative of Her Majesty the Queen and her chosen Lord Lieutenant in a county or area; their prime duty was to uphold the dignity of the Crown which included participation in civic, voluntary and social activities within the area and liaison with local units of the armed forces, which in both cases, Lord Bilimoria had tackled with great presence and demeanour. The Mayor also thanked him for his personal generosity in providing the Mayoralty over the years with many consumables for use at civic and charitable functions.

In response, Lord Bilimoria returned thanks and stated that it was a great honour to have served as Deputy Lieutenant for Hounslow for the last five years. He wished his successor, Mr Paul Kennerley, great success and thanked the council for the wonderful events to which he had been invited.

Members of the council showed their appreciation with a round of applause.

The Mayor then went on to express his pleasure at the appointment of Mr Kennerley and looked forward to seeing him at council events as well as other events within the borough.

The Mayor then drew members' attention to the new mace stand which was being used for the first time at the meeting; it had been designed by Mr Aaron Plank of Feltham Community College, the winner of the first Mayor's Challenge and had been subsequently built by Burgess and Company, a local manufacturing company. He thanked Mr Plank, the teachers of Feltham Community College, Burgess and Co, council officers who had been involved in organising the Mayor's Challenge, and in particular, Mr Garth Buckle, for working together so well on the project which had culminated in the new mace stand. He invited Mr Plank to be photographed with him and Members of the council showed their appreciation with a round of applause.

The Mayor expressed his hope that the Mayor's Challenge might become an annual event.

The Mayor then drew members attention to the exhibition of portraits that had been displayed outside the council chamber. He explained that all the pictures were of him as the Mayor and had been produced by students who had been working with noted artist Jason R. Bowyer N.E.A.C., R.A.S. who had a studio at the Kew Bridge Steam Museum and who ran courses for students in drawing and painting. The Mayor was honoured to be part of this initiative and also delighted to be only the second Mayor of the borough to have been captured in a portrait in the Mayoral robes.

There were no further Mayoral announcements.

# 2. The Election Of Mayor And Appointment Of The Deputy Mayor

Councillor John Chatt proposed a motion that Councillor Colin Ellar be elected as Mayor for the London Borough of Hounslow for the Municipal Year 2010/11. In doing so, he made the following points:

- Councillor Ellar had been born in Paddington and lived in County Durham, Amsterdam and Florence before living for many years in Hounslow
- He had been a musician and worked with Geno Washington and the Ram Jam Band in the 1960s.
- He was fluent in Italian, French and Dutch.
- He had taught English in Italy but met his partner of twenty years, Yvonne, in the Netherlands and they had a son, Jason, who had also been elected a councillor at the recent elections.
- Councillor Chatt also noted that "Ellar" was a Norse word for "king"

The proposal was seconded by Councillor Lily Bath who made the following comments:

- Councillor Ellar had previously been appointed to the Executive in 2000 and had become Executive Member for Economic Development.
- He had been made Deputy Leader in 2002 and was the Leader of the Council between 2004 and 2006.

- He had been the driving force behind the Feltham Town Centre Redevelopment and helped to deliver large residential developments in the Borough.
- He had also helped create a much needed 400 metre running track for residents.
- Councillor Bath concluded by noting that Councillor Ellar had helped improve the quality of life for residents in the borough.

There being no other nominations, the Mayor put the proposal to the vote and it was unanimously

#### **RESOLVED -**

That Councillor Colin Ellar be elected Mayor of the London Borough of Hounslow for the municipal year 2010/11.

Councillor Colin Ellar then signed the declaration of acceptance of the office of Mayor which was formally witnessed by Mr Mark Gilks, the Chief Executive.

Members showed their appreciation with a round of applause.

The Chief Executive then reported that, in accordance with Schedule 2 of the Local Government Act 1972, the Mayor had appointed Councillor Poonam Dhillon to be Deputy Mayor for the municipal year 2010/11.

There was then a short adjournment.

Upon reconvening the meeting, Councillor Colin Ellar took the chair as Mayor.

The Mayor invited Councillor Peter Thompson to propose a vote of thanks to Councillor Paul Lynch for his work as Mayor in 2009/10.

Councillor Peter Thompson paid tribute to Councillor Paul Lynch and in so doing, made the following comments:

- Councillor Lynch had worked incredibly hard as Mayor but had brought a sense of humour as well as "style and panache" to the office.
- The residents of the Borough held the position of Mayor in high esteem and appreciated its apolitical role and Councillor Lynch had ensured that this had continued and been developed further.
- Councillor Lynch had instigated several very high profile events during his Mayoralty
  with the awarding of the freedom of the borough to Mr Lachiman Gurung VC, Mr Tal
  Balhadur Pun VC and the Second Battalion of the Regiment of Royal Fusiliers in
  November 2009 as the highlight; this had been an event which had brought members,
  officers and residents together in a rare but extremely positive way.
- Councillor Lynch was also active in encouraging people to give up time for others less fortunate than themselves and he promoted the importance of faith and religion in local society.
- He had devotedly given his time to the borough despite a challenging year for him and his family at home; Councillor Thompson then paid tribute to the Mayoress, Prudence Lynch, for her unfailing support to the borough and to Councillor Lynch personally.

- Councillor Lynch had also represented the Council with dignity at sadder events marking such things as the deaths of those serving as part of the armed forces overseas and tragedies that had befallen local residents within the borough.
- He concluded by thanking Councillor Lynch and his wife Prudence for their hard work over the year, and also thanking Councillor Barbara Harris as Deputy Mayor for her dedication to the borough in that position.

Members showed their appreciation with a round of applause.

Councillor Felicity Barwood then seconded the vote of thanks and made the following comments:

- Councillor Lynch was a fellow ward councillor and she thanked him for a "magnificent year" as Mayor.
- She recounted the extensive variety of events that he had attended or organised and praised him for enlarging the scope of the role and for leaving "no corner of Hounslow unvisited".
- She also noted that the Mayor had been often ably abetted by his dog, Meg, who was now a well known character in the Civic Centre in her own right.
- She stated that she knew he would now appreciate the chance to see more of his family including his new grandson.
- She concluded by thanking him for his work as Mayor and for continuing to raise the profile of the Borough and she also thanked Councillor Harris for her work as Deputy Mayor.

Members again showed their appreciation with a round of applause.

Councillor Jagdish Sharma also praised Councillor Lynch for bringing both dignity and dedication to the office of Mayor, and for raising the Borough's profile with residents by tirelessly attending events and visiting local organisations. He had also had the privilege of attending some of the event with Councillor Lynch and saw how well members of the public responded to him. He concluded by wishing him well for the future.

Members showed their appreciation once more with a round of applause.

It was then unanimously

#### **RESOLVED -**

That a vote of thanks be recorded to Councillor Paul Lynch for his services as Mayor in 2009/10.

Councillor Colin Ellar, the new Mayor, congratulated Councillor Lynch and presented a gift of a past Mayor's badge to him as a memento of his Mayoral Year.

Councillor Paul Lynch, the outgoing Mayor, then responded to the vote of thanks and made the following comments:

- Whilst he had a large number of people who deserved thanks, he wanted to pay tribute to Councillor Barbara Harris, his Deputy Mayor, for her constant support and continued work in the borough where she was appreciated whereever she went.
- He also thanked his own family and in particular, his wife Prudence; he acknowledged
  that making public appearances was not something she was eager to do but she had
  selflessly attending many events and given a great deal to the role of Mayoress.
- He and his wife had made a great many new friends during the year and he was grateful for the opportunities that being Mayor had brought.
- He thanked officers for their continued help in helping to arrange the Mayoral calendar and the myriad of events that he had instigated he particularly delighted in some of the stranger ones such as the party on the Gunnersbury Roundabout or cycling whilst wearing the Mayoral robes.
- He thanked the officers in Members Services for supporting him, and paid particular tribute to Julie Davies, the Mayor's Personal Assistant for her unstinting help.
- He also thanked Bob Humphries ,the regular driver of the Mayoral car, Mr Ken Davies, the Macebearer and Mr Tamang, the Deputy Macebearer.
- He then expressed his delight at the opportunity of getting to meet so many people as part of his year as Mayor and particularly the residents of the borough all of whom were interesting to talk to and were happy to share their stories with him, which he found a singularly enjoyable part of the job.
- He was thankful for the support that he had received from Councillor Jagdish Sharma and he praised the council for putting its political differences aside when supporting the Mayoralty.
- He expressed the view that every Mayor brought different qualities to the role and helped develop the position and looked wished Councillor Ellar well for his year as the Borough's first citizen.
- He concluded by thanking everyone for helping him during his "tremendous year".

Councillor Colin Ellar, the new Mayor, then addressed the Council. He commenced by thanking Councillor Lynch for his hard work as Mayor and his support and advice in the period up to his own election as Mayor. He also thanked Councillor Harris for her good work as Deputy Mayor.

Councillor Ellar then went on to introduce the charities for whom he would be raising funds in the coming year, namely:

- The Princess Alice Hospice in Esher, a charity that provided palliative care to adult
  patients and who also gave support to their families and friends across a large part of
  Surrey, South West London and Middlesex including Hounslow. The Mayor had
  previously worked as a volunteer driver for the organisation and had been deeply
  impressed by the quality of the work that it did.
- ASIA, a non-governmental organisation that provided support for health and educational projects and also helped to preserve Tibetan culture. The Mayor had known the founders of this worthwhile organisation which did so much for the people of Tibet, including relief work after the recent devastating earthquakes there.

The Mayor then invited members, officers and members of the public to contact him about how they might help him support these organisations.

# 3. The Election Of The Leader And Notification Of Appointment Of The Deputy Leader And The Executive

Councillor Ruth Cadbury proposed a motion that Councillor Jagdish Sharma be elected as Leader of the London Borough of Hounslow for the life of the Council (2010-2014).

In doing so, Councilor Cadbury made the following points:

- Councillor Sharma was incredibly well qualified to be Leader of the Council having had a long career in public service as a councillor and former headteacher.
- He had been a councillor in Hounslow for many years and had been elected as the first Asian Mayor in the country in 1979, a fact celebrated both in Britain and across the Commonwealth.
- He had held many significant and senior roles in the Council including Whip, Deputy Leader, Leader of the Opposition and many portfolios as chairs of various committees and later as Executive Member.
- He had been instrumental in the building of the Chiswick new swimming pool and the Brentford Fountain Leisure Centre.
- He had also had a long and distinguished career in Education culminating in being a headteacher in Southall.
- She concluded by saying that she was pleased and honoured to nominate him as Leader of the Council

Members showed their appreciation with a round of applause.

Councillor Raj Bath then seconded the motion and made the following comments:

- Councillor Sharma had a strong sense of public duty which was illustrated by his having been a magistrate for 35 years since 1975 as well as having been a commissioner of taxes for 24 years.
- He had been awarded an MBE for his local government service in 1995 and awarded the Freedom of the Borough in 2000.
- He was a tireless school governor and the trustee of many worthwhile organisations including an elderly day centre.
- He was fluent in many languages and was a loved and respected community leader who was appreciated by all sides of the political spectrum.
- He concluded by wishing him success as Leader of the Council.

Members again showed their appreciation with a round of applause.

Councillor Mark Bowen, the Leader of the Conservative Group, gave a short speech in which he opened by congratulating Councillor Ellar on being re-elected to the Council and on becoming Mayor, and then by congratulating all members on their recent election to the Council. He then made the following points:

• He paid tribute to Councillor Peter Thompson, the previous Leader of the Council, for his huge contribution to the borough and his passionate support for its residents.

- The Conservative Group would be supporting the nomination of Councillor Sharma as Leader of the Council and he wished him great success, as well as noting his impressive length of service as a councillor.
- He applauded Councillor Sharma's dedication to his ward, the borough and its residents.
- He then explained that the Conservative Group on the Council would support Councillor Sharma and his Administration in the challenging years ahead, when difficult decisions were necessary and where there were no alternatives; they intended to be a responsible opposition.
- He also hoped that the new Administration would build on the success of the old one and not turn its back on the improvements that had been made across the borough for all residents.
- He concluded by wishing Councillor Sharma, Councillor Cadbury and the new Executive well and looked forward to working effectively with them where appropriate.

Members showed their appreciation with a round of applause.

There being no other nominations, the Mayor put the proposal to the vote and it was unanimously

#### **RESOLVED -**

That Councillor Jagdish Sharma be elected Leader of the London Borough of Hounslow for the life of the Council (2010-14).

Councillor Jagdish Sharma then signed the declaration of acceptance of the office of Leader which was formally witnessed by Mr Mark Gilks, the Chief Executive.

Members showed their appreciation with a round of applause.

Councillor Sharma then returned thanks and in so doing he made the following comments:

- He recalled that when he joined the council 36 years ago, Councillor Alf King was the Leader and Councillor Tony Baron was the Leader of the Conservative Group, and he paid tribute to both and their ability to work together for the benefit of residents.
- He then thanked Councillor Mark Bowen for his comments and, in noting them, he
  hoped that they too could work together in these challenging times fo, the good of the
  people of Hounslow.
- He also thanked previous Council Leaders including Councillors John Chatt and Colin Ellar.
- He then gave his commisserations to the good candidates of all parties that had not been elected in May.
- He thanked Councillors Ruth Cadbury and Raj Bath for their kind words in their speeches.

Councillor Sharma, as Leader, then confirmed that Councillor Ruth Cadbury would be the Deputy Leader of the Council, and the following members were to form the Executive with the portfolios as detailed:

- Councillor Lily Bath Executive Member for Children, Youth and Families
- Councillor Rajinder Bath Executive Member for Communities
- Councillor Theo Dennison Executive Member for Finance and Performance
- Councillor Pritam Grewal Executive Member for Leisure and Well-Being
- Councillor Sachin Gupta Executive Member for Education
- Councillor Gurmail Lal Executive Member for Adult Social Care and Health
- Councillor Ed Mayne Executive Member for Community Safety and Enforcement
- Councillor Corinna Smart Executive Member for Environment

Councillor Sharma then explained his priorities for the future: he realised that there were significant financial difficulties facing the country and the Borough in the years ahead, but expressed his determination to implement the five pledges made by the Labour Group on its election into Administration in May which were as follows:

- Action on crime with one hundred uniformed officers on the streets and CCTV (closed circuit television) in crime hotspots
- Extra monies for schools to improve standards and new school places to give parents a better choice
- A new partnership with local businesses and housing associations to create jobs and build 2500 affordable homes to rent or buy
- A round the clock team of "Grimebusters" to tackle graffiti, litter, and dumped rubbish, and a direct dial telephone number for immediate action
- A fresh "war on waste" and a council tax cut for all residents

The council provided over three hundred different types of service and it was essential to review each of them to see if they were essential, being efficiently carried out, value for money or could be improved.

He also welcomed and wished to enhance the work of voluntary organisations and other service providers and partners, and would be working closely with the members of the Local Strategic Partnership. Furthermore, the Council would work with both Members of Parliament for the Hounslow area.

He wished to ensure that Hounslow became a better place to live and work and he commended the officers of the Council whom he considered to be a valuable asset. He wished to see greater usage of the Lampton Park Conference Centre, which was based in the Civic Centre in order to make the most of its potential and to create income for the Authority.

He also announced a plan to be discussed at a future council meeting to reduce the level of Members Allowances by 5% for the basic allowance and by 20% for any special responsibility allowances.

Councillor Sharma then concluded by thanking those present for electing him as Leader.

#### 4. Establishment Of Formal Council Bodies 2010/11

Members considered a report by the Borough Solicitor. In addition, the Mayor drew Members attention to the tabled report providing an updated list of nominations to bodies.

Councillor Paul Jabbal made oral additions to the nominations to the Governor Appointments Panel, namely Councillors Linda Davies, Sam Hearn and Beverley Williams.

Councillor Alan Barber made two oral amendments to the tabled report, namely:

- Councillor Sue Sampson to be appointed to the Adoption and Permanence Panel instead of Councillor Lily Bath
- Councillor Steve Curran to be appointed to the Fostering Panel instead of Councillor Lily Bath

It was then

#### **RESOLVED -**

- 1.1 That the terms of reference for the formal council bodies detailed in the report be agreed;
- 1.2 That the appointments to the formal council bodies (including the appointment of chairs where stated) listed in the tabled report as amended by the details above be approved for the municipal year 2010/11; and:
- 1.3 That the Chief Executive be given authority, in consultation with the Mayor and Deputy Mayor, to make any adjustments necessary to ensure political proportionality rules following receipt of nominations from area committees to those bodies subject to such rules.

The appointments were therefore as follows:

Name of Committee/Body	Appointments (councillors unless otherwise stated)
Confidential Cases Sub- Committee	Lily Bath, Ruth Cadbury, Sachin Gupta (members)
3 members of the Executive and 2 other councillors co-opted in a non-voting capacity	Lin Davies, John Todd (co-opted members)

Community Investment	Raj Bath (Executive Member for Communities) (chair)	
Advisory Panel	, , , , , , , , , , , , , , , , , , , ,	
6 councillors. This is an	Five area committee nominees to be identified at area	
Executive Advisory Committee	committee meetings.	
and therefore not a decision	- Communication Grant Gr	
making body. The Chair must be		
the Executive Member for		
Service Improvement (for		
Corporate Grants and		
Community Relations). The		
other five members are		
nominated by each of the area		
committees). If this results in a		
political imbalance in terms of		
proportionality, other members		
are appointed by the Chief		
Executive.		
Disability Community Forum	Felicity Barwood, Mel Collins, Gurmail Lal, Sheila O'Reilly	
5 Councillors.	Peta Vaught.	
Overview and Scrutiny	Peter Carey, Steve Curran (chair), Brad Fisher, Ajmer	
Committee	Grewal, Elizabeth Hughes, Shantanu Rajawat, Sue	
(10 Councillors and up to 3	Sampson, Balvir Sond, Rebecca Stewart, John Todd	
non-voting co-opted members)	' '	
Regulatory Bodies		
Sustainable Davelenment	Alon Parker, Falicity Paryand, Tom Privat, Puth	
Sustainable Development Committee	Alan Barber, Felicity Barwood, Tom Bruce, Ruth	
(15 Councillors including 5	Cadbury, John Cooper (chair), Steve Curran, Samantha Davies, Elizabeth Hughes, Sheila O'Reilly, Allan Wilson	
Vice-Chairs of Area Committees	Plus five vice chairs of area committees to be identified	
and 10 other Members)	at future area committee meetings.	
Licensing Committee	Mindu Bains, Tom Bruce (chair), John Cooper, Poonam	
(15 Councillors)	Dhillon, Brad Fisher, Pamela Fisher, Matt Harmer, Paul	
(10 Godinamoro)	Jabbal, Kamaljit Kaur, Adrian Lee, Liz Mammatt,	
	Shantanu Rajawat, Barbara Reid, Balvir Sond, Peta	
	Vaught.	
Pension Fund Investment	Mindu Bains, John Chatt (chair), Sam Hearn, Elizabeth	
Panel	Hughes, Paul Lynch, Gerald McGregor, Shantanu	
(9 Councillors)	Rajawat, Sohan Sangha, John Todd.	
Revenues Appeal Panel	Mark Bowen, Mel Collins (chair), Steve Curran, Jason	
(9 Councillors)	Ellar, Sam Hearn, Gerald McGregor, Shantanu Rajawat,	
•	Barbara Reid, Jagdish Sharma.	
Audit Committee	Mark Bowen, John Chatt (chair), Alan Barber, Sam Hearn	
(10 councillors)	Elizabeth Hughes, Kamaljit Kaur, Gerald McGregor,	
	Shantanu Rajawat, John Todd and one Labour vacancy.	

Standards Committee	The four Councillor members to be:	
(4 Councillors plus 5 independent	Felicity Barwood, Samantha Davies, Theo Dennison,	
persons, one of whom will chair	Jagdish Sharma.	
the Committee)		
·	The five independent Members to be:	
	Ms Yvonne Ramsaran (Chair)	
	Ms Hazel MacKay	
	Mr Gerry Stevens	
	Ms Anita Tovell	
	Mr Gurpal Virdi	
Schools Forum	Tom Bruce, Sachin Gupta, Robert Oulds	
(3 Councillors. Guidance require	Tom Brass, Sasimir Sapia, Noboli Salas	
that they are observers not		
members)		
Schools Admissions Forum	Sachin Gupta, Robert Oulds	
(2 Councillors)		
Complaints Panel	Mark Bowen, Mel Collins, John Cooper, Steve Curran,	
(pool of nine members)	Theo Dennison (chair), Sam Hearn, Gillian Hutchison,	
(poer er mile membere)	Barbara Harris, Peta Vaught.	
Corporate Parenting Panel	Lily Bath, Lin Davies, Sachin Gupta, Paul Lynch, Peta	
(5 Councillors)	Vaught.	
Governor Appointments Panel	Raj Bath, Mel Collins, Linda Davies, Pamela Fisher,	
(for individual panels, any two	Paul Jabbal, Matt Harmer, Sam Hearn, Elizabeth	
councillors taken from list of	Hughes, Robert Oulds, Paul Lynch, Sheila O'Reilly, Sue	
nominees)	Sampson, Jagdish Sharma, Corinna Smart, Beverley	
Tioninices)	Williams.	
AREA COMMITTEES		
West Area Committee	Alan Barber, Colin Botteril, Mark Bowen, Tom Bruce,	
(Councillors for Bedfont,	John Cooper, Sachin Gupta, Barbara Harris, David	
Hanworth Park, Feltham North,	Hughes, Gillian Hutchison, Paul Jabbal, Liz Mammatt,	
Feltham West, and Hanworth	Andrew Morgan-Watts, Rebecca Stewart, Beverley	
Wards and up to 3 non-voting	Williams, Allan Wilson.	
co-optees)	-,	
Heston and Cranford Area	Raj Bath, John Chatt, Gopal Dhillon, Poonam Dhillon,	
Committee	Mohinder Gill, Elizabeth Hughes, Kamaljit Kaur, Gurmail	
	Lal, Amrit Mann, Shantanu Rajawat, Sohan Sangha,	
(Councillors for Cranford, Heston	Peta Vaught.	
West, Heston Central and		
Heston East Wards and up to 3		
non-voting co-optees)	Libe Dath Aimer Crossel Lie Davies Calin Eller Davi	
Central Hounslow Area	Lily Bath, Ajmer Grewal, Lin Davies, Colin Ellar, Brad	
Committee	Fisher, Pamela Fisher, Darshan Grewal, Pritam Grewal,	
(Councillors for Hounslow Heath,	Corinna Smart, Ajmer Dhillon, Jagdish Sharma, Balvir	
Hounslow West, Hounslow	Sond,	
Central and Hounslow South		
Wards and up to 3 non-voting		
co-optees)		
Isleworth/Brentford Area	Mindu Bains, Ruth Cadbury, Peter Carey, Mel Collins,	

[ 0	Ctove Course Thee Demaises Jacon Files Mett
Committee	Steve Curran, Theo Dennison, Jason Ellar, Matt Harmer, Ed Mayne, Sheila O'Reilly, Barbara Reid, Sue
(Councillors for Osterley and	Sampson.
Spring Grove, Syon, Brentford, Isleworth, and up to 3 non-voting	Campson.
co-optees)	
Chiswick Area Committee	Felicity Barwood, Samantha Davies, Adrian Lee, Sam
(Councillors for Turnham Green,	Hearn, Paul Lynch, Gerald McGregor, Robert Oulds, Pete
Chiswick Riverside and Chiswick	Thompson, John Todd
Homefields and up to 3	
non-voting co-optees)	
, ,	OTHER BODIES
Organisation/Committee	Nominations
Children's Trust Board	Lily Bath, Jagdish Sharma
(2 councillors comprising the	
Leader and the Lead Member for	
Children's Services) Tenants and Residents Joint	Foliaity Danyood, Buth Codhuny, Cillian Hutchison
Consultative Committee	Felicity Barwood, Ruth Cadbury, Gillian Hutchison, Sue Sampson
(4 Councillors including the Lead	oue dampson
Member for Housing)	
Bedfont Lakes Country Park	Colin Botteril, Tom Bruce, John Cooper, Sachin Gupta,
Trust Fund Panel	Liz Mammatt.
(5 Councillors)	
David Henry Waring Home	Tom Bruce, John Cooper, Sachin Gupta, Barbara
Committee	Harris, Liz Mammatt, Allan Wilson
(6 Councillors)	
Gunnersbury Park Interim	Matt Harmer, Elizabeth Hughes, Adrian Lee
Board (3 Councillors)	
Adoption & Permanence Panel	Sue Sampson
(1 Councillor)	ouc dampson
Fostering Panel	Steve Curran
(1 Councillor)	
Local Strategic Partnership	Ruth Cadbury, Jagdish Sharma
(1 Councillor – Leader of the	
Council)	
SACRE (Standing Advisory	Peter Thompson, Peta Vaught
Council for Religious Education Group D of the SACRE is formed	
of no more than six	
representatives of the Education	
Authority – need not be	
councillors/currently 2 councillors	
appointed	

Hounslow Health and Social Care Partnership 3 Councillors and should include the lead Members for care services (adult and children)	Lily Bath, Gurmail Lal, and one Labour vacancy
Hounslow Community Safety	Alan Barber, Brad Fisher, Ed Mayne.
Partnership Board	
(3 Councillors)	
Early Years and Childcare	Lily Bath, Sachin Gupta
Development Partnership	
(2 Councillors)	
Hounslow Borough	Five area committee nominees to be identified at area
Community Police	committee meetings.
Consultative Group	
(5 members from the Council)	

# 5. Appointments To Outside Bodies 2010/11

Members considered a report by the Borough Solicitor. The Mayor also drew Members attention to the tabled report which detailed the latest list of nominations to various outside bodies.

The Mayor advised that remaining vacancies to outside bodies would be presented for member decision at a future meeting of the Council, unless such appointments were urgent, in which case the council urgency decision making process would be used.

It was then

#### **RESOLVED -**

That the following appointments to outside bodies for the Municipal Year 2010/11 be approved:

Outside Body/Organisation	Appointments (councillors unless otherwise			
	stated)			
Heathrow Airport Consultative	Ruth Cadbury, Barbara Reid, Corinna Smart (full			
Committee	members)			
	Alan Barber, Peter Carey, Mohinder Gill (deputies)			
Hounslow Homes Board	John Chatt, Mel Collins, Barbara Harris, Gillian			
	Hutchison, Sue Sampson			
LGA General Assembly	Raj Bath, Ruth Cadbury, Theo Dennison Jagdish			
	Sharma.			
LGA High Ethnicities Group	Jagdish Sharma			
LGA Urban Commission	Ruth Cadbury, Corinna Smart			
LGA Waste Management	Corinna Smart			
LGA Information Unit	Jagdish Sharma			

London Councils Children &	Lily Bath
Young People Forum	<b>,</b>
London Councils Crime and	Ed Mayne
Public Protection Forum	
London Councils Culture,	Pritam Grewal
Tourism and 2012 Forum	
London Councils Economic	Ruth Cadbury
Development Forum	
London Councils Grants	Raj Bath (member)
Committee	Mindu Bains, Mohinder Gill, Kamaljit Kaur, Peta
	Vaught (deputies)
London Councils Greater	Ruth Cadbury
London Employment Forum	
London Councils Health and	Gurmail Lal
Adult Services Forum	
London Housing Forum	Ruth Cadbury
London Councils Leaders	Jagdish Sharma (member)
Committee	Theo Dennison, Ruth Cadbury (deputies)
London Councils Transport and	Corinna Smart (member)
Environment Committee	Four Labour vacancies (deputies)
Rugby and Football Union	Ed Mayne
Concert and Matchday	
Committee	
Strategic Aviation Special	Barbara Reid, Corinna Smart
Interest Group	
Thames Water Liaison	Corinna Smart
Committee	
Watermans Art Centre	Pritam Grewal
West London Waste	Corinna Smart

# 6. Appointment Of Interim Chief Executive

Members considered a report by the Director of Corporate Services which was proposed by Councillor Jagdish Sharma and seconded by Councillor Ruth Cadbury.

It was noted that both Councillors Ruth Cadbury and Peter Thompson had sat on the appointments panel which decided on recommending Mr Michael Frater as the interim Chief Executive and both were very happy with him.

Councillor Cadbury explained that Mr Frater had worked for many different authorities both in London and elsewhere and was very able to work with members of all political dispositions.

Councillor Mark Bowen advised that the Conservative Group would support the recommendations in the report and considered Mr Frater to be an excellent choice. The concluded by thanking all members who had sat on the appointments panel for their work.

It was then

#### **RESOLVED -**

- (i) That the Appointment of Michael Frater as Interim Chief Executive be approved; the appointment to commence from 1st June 2010.
- (ii) That subject to (iii) below, the term of appointment for the Interim Chief Executive will end on the date on which a new permanent Chief Executive takes up his/her post, allowing for a handover period of no more than one month beyond that date, should this be required.
- (iii) That in the event that a permanent Chief Executive is not appointed through a first recruitment process, to approve the extension of the period of appointment of the Interim Chief Executive, so that it expires on the date on which a permanent Chief Executive takes up his/her duties following any subsequent recruitment process, allowing for a handover period one month beyond that date, should this be required.
- (iv) That Michael Frater be appointed as the Council's Head of Paid Service for the purposes of Section 4 of the Local Government and Housing Act 1989 with effect from 31st May 2010.
- (v) That Michael Frater be appointed as the Technical Assessor for the recruitment of the permanent Chief Executive.

#### 7. Retirement Of The Chief Executive

Members considered a report by the Director of Corporate Services

The Mayor expressed his great sadness on learning the Mr Mark Gilks, the Chief Executive of the Council, was to retire and invited Councillor Jagdish Sharma to propose the vote of thanks to him.

Councillor Sharma moved the recommendation in the report and made the following comments:

- He was sad to learn that Mark Gilks would be retiring on 31st May 2010 and that the council had greatly benefitted from his wealth of local government experience which commenced in 1969.
- After working very successfully in the Royal Borough of Kingston Upon Thames and the London Borough of Camden, he joined Hounslow as Chief Executive in 2001 and helped transform the council into a 21st century Authority.
- Under his helmsmanship, the Council had become a four star authority in the Audit Commission's annual Comprehensive Performance Assessment (CPA), and had also achieved excellent accreditations in other areas of inspection including Children's Services.
- His other achievements included setting up the Local Strategic Partnership with other
  public sector partners, developing the effectiveness of the West London Alliance of
  boroughs, helping the council achieve Investors in People accreditation, making the
  borough's Arms Length Management Organisation (ALMO) for housing the first to be
  established in London, winning one of only three Private Finance Initiative (PFI) for
  highways in the Country and helping the council achieve bacon status for cohesive
  communities.

 He commended Mr Gilks for his service to the borough and to the country, wished him well for his retirement, and thanked him for his sound advice, professionalism and dedication to the borough.

Members showed their appreciation with a round of applause.

Councillor Peter Thompson seconded the recommendation and made the following comments:

- Whilst it was sad to say goodbye to Mark Gilks as Chief Executive, he could be proud
  of his achievements in making the borough a better place.
- Few people understood the demands of being a chief executive as it was both physically and mentally draining, but resulted in a genuine impact on the borough and its people.
- The role needed an extraordinary range of skills which Mr Gilks had demonstrated time and again including excellent people and interpersonal skills, the ability to make tough decisions, the ability to work with members and the range of views that they expressed; the role could be lonely but Mark Gilks had won the respect from those who worked with him.
- He expressed his personal thanks for the support and advice that he had received when Leader and appreciated the good working relationship that also allowed them to be able to challenge each other in a positive way.
- He commended Mr Gilks as a man focussed on services and concluded by wishing him well for the future.

The Mayor then invited members to comment and the following points were made:

- Councillor Gerald McGregor paid tribute to the Chief Executive's drive and passion for the area and described him as a "pleasure to work with" on such projects as the Councils' Performance Improvement Plan (PIP) where he showed huge administrative capacity as well as drive and ability to give sage guidance. He expressed his own debt of gratitude to Mr Gilk's work on the project and admiration for his ability to tackle difficult matters. He concluded by calling him a "true public servant".
- Councillor Adrian Lee recalled how helpful the Chief Executive had been during the
  difficult negotiations with CIP, the council's former leisure contractor, how well he
  worked with members to steer a course through obstacles and problems, and how he
  was unfailingly diplomatic in the face of rudeness and "brickbats". He thanked him for
  all his services to the Borough and wished him well for the future.
- Councillor Mel Collins recalled his happy memories of Mark Gilks from his previous times as an elected member of the council; he was impressed by his detailed grasp of protocol and the assistance that he gave when Councillor Collins had to chair the budget setting meeting of the council as Deputy Mayor as the then Mayor had been unable to attend through ill health. He thanked Mr Gilks for his dedication to the borough and his service to members.
- Councillor Andrew Morgan-Watts described Mr Gilks' life as being dedicated to people and described him as a "very good bloke".
- Councillor John Chatt noted that Mr Gilks, through his dedication and positive actions, had meant a lot to many people. He recalled how in 2002 the council faced a particularly strong barrage of external inspections, but the Chief Executive had worked closely with leading members to ensure that the requirements of the inspection regime

were achieved – and he successfully moved the Council to where it needed to be and had continued to do so since.

The Mayor then expressed his own personal appreciation of Mark Gilks, how impressed his was at his work rate and the number of working hours he dedicated to the Authority and his smooth working with five Leaders of the Council; he had worked for three different political administrations in Hounslow alone during his nine years as Chief Executive and had always forged excellent working relationships with members. The Mayor recalled how well the Chief Executive had been able to help negotiate development deals and monies from Heathrow Airport to help sound proof public and private buildings, which made a real and positive impact on residents.

The then invited Members to thank Mr Gilks for his service and they did so with a hearty round of applause.

It was then

### **RESOLVED -**

That the Borough Council note the retirement of the Chief Executive, thanked him for his services to the Borough and wished him well for the future.

The Mayor then presented Mr Gilks with an illuminated certificate of thanks.

Mr Gilks thanked Members but declined requests for him to give a speech, advising that he would do so at his farewell event scheduled for Friday 28th May 2010 to which all members had been invited.

#### 8. Announcements

There were no announcements.

# 9. Any Other Matters that the Mayor Considers Urgent

There were no such matters.

### 10. Date of Next Meeting

It was noted that the next meeting of the Council was scheduled for Tuesday, 29<sup>th</sup> June 2010 and would commence at 7.30pm in the Council Chamber.

The Mayor invited members to a small reception in the Mayor's Parlour and also advised that there would a celebratory mayoral dinner for all councillors to be held on Tuesday 1<sup>st</sup> June 2010 and he looked forward to seeing people then,

The Mayor concluded by thanking all Members and those present, closed the meeting ended at 9.10 pm.

Councillor Colin Ellar Mayor

**Minutes End** 

# At a special meeting of the Borough Council held on Tuesday, 29<sup>th</sup> June 2010 at 7.30pm in the Council Chamber at the Hounslow Civic Centre, Lampton Road, Hounslow

**Present:** The Mayor, Councillor Colin Ellar (in the Chair)

The Deputy Mayor, Councillor Poonam Dhillon

**Councillors:** Mindu Bains, Alan Barber, Lily Bath, Colin Botterill, Mark Bowen, Tom

Bruce, Ruth Cadbury, Peter Carey, John Chatt, John Cooper, Steve Curran, Linda Davies, Samantha Davies, Theo Dennison, Ajmer Dhillon, Gopal Dhillon, Jason Ellar, Brad Fisher, Pamela Fisher, Mohinder Gill, Ajmer Grewal, Darshan Grewal, Pritam Grewal, Sachin Gupta, Matthew Harmer, Barbara Harris, Sam Hearn, David Hughes, Elizabeth Hughes, Gillian Hutchison, Paul Jabbal, Kamaljit Kaur, Gurmail Lal, Adrian Lee, Liz Mammatt, Amritpal Mann, Ed Mayne, Sheila O'Reilly, Robert Oulds, Barbara Reid, Sue Sampson, Sohan Sangha, Jagdish Sharma, Corinna Smart, Rebecca Stewart, John Todd, Beverley Williams and Allan

Wilson.

# 1. Apologies for Absence, Other Announcements and Declarations of Interest from Members

Apologies for absence were received from Councillors Felicity Barwood, Rajinder Bath, Melvin Collins, Paul Lynch, Gerald McGregor, Andrew Morgan-Watts, Shantanu Rajawat, Balvir Sond, Peter Thompson and Peta Vaught,

There were no declarations of interest.

# 2. Annual Accounts, Treasury Management Annual Report and Governance Statement 2009-2010

Members considered a report by Stephen Fitzgerald, the Director of Finance, along with an additional tabled item entitled "Amendments to the Corporate Governance Statement and Annual Review of the System of Internal Control" which was circulated to those present.

The Mayor invited the Director of Finance to introduce the item to members which he did and specifically the situations with the general revenue account, the council's capital programme, treasury management and the pension fund. He concluded by discussing the council's level of balances and discussing the new Government's challenging programme of spending cuts which would affect the council significantly. He then commended the accounts to Members.

The Mayor clarified that the Council was being asked to discuss and then agree the recommendations in the original report as amended by those in the tabled report which were additional recommendations proposed by the Audit Committee.

Members then asked questions of the Director of Finance, as follows:

- In response to a question from Councillor Jagdish Sharma enquiring why the level of
  contributors to the pension fund had increased, Mr Fitzgerald explained that, whilst the
  number of council staff had reduced over the last four years, other organisations had
  joined the fund as "admitted bodies" and this had increased the number of contributors.
  He undertook to write to all members with further details.
- He confirmed a correction by Councillor Barbara Reid that on page 23 of the report, the value of the Highways Private Finance Initiative (PFI) including PFI credits was £267 million and work was due to commence in 2013.
- In response to a question from Councillor Jason Ellar concerning page 40 of the report
  asking how bonuses to chief officers were agreed, the Director explained that they
  were in fact accelerated increments and were written into the contracts of individual
  officers: the process of awarding them was not automatic but associated with the
  council's personal development assessment (PDA) appraisal process and determined
  by the Chief Executive.
- The Director noted comments from Councillor Ruth Cadbury and undertook to provide a revised way of presenting the information in the table on page four of the report on the capital programme which gave a clearer analysis of the information.
- In response to a question from Councillor Peter Carey, the Director undertook to provide all members with details of the slippage in the 2009/2010 programme in the next few days and then later for the life of the whole programme over a number of years.
- On the issue of the underspend in the street cleansing budget detailed on page 38 of the report raised by Councillor Corinna Smart, Mr Fitzgerald stated that he was unable to comment on this and that the issue should perhaps be addressed to Mr Michael Jordan, the Director of Environment, outside of the meeting.

The Mayor then thanked the Director of Finance and invited members to debate the reports.

Councillor Jagdish Sharma proposed the reports and their recommendations and formally thanked the Director of Finance and all his team for their hard work in producing so comprehensive a report within the statutory deadlines.

Councillor Theo Dennison then seconded the reports and their recommendations.

Councillor Mark Bowen stated that the Conservative Group would be supporting the recommendations. He considered that the reports provided a high benchmark for the new Administration to meet based on the sound financial approach of the former Administration, and the savings created by the Performance Improvement Plan (PIP). He commended the Labour Group for having set up the cross party Audit Committee some years ago as he considered that it did excellent work and he supported its additional recommendations which were included in the tabled report before members. He then went on to argue for a "milestone" culture in the council where projects were delivered effectively by measurable stages and deadlines and professional project management techniques were employed. He recalled how he himself had investigated the poor implementation of the electronic document record system and identified poor governance arrangements for the project coupled with a lack of capacity, both of which were avoided when the new data centre was developed and opened and was an example of a well managed project. He concluded by calling on

Councillor Theo Dennison as Executive Member for Corporate Services to lead the way on this.

Councillor Jagdish Sharma praised Councillor John Todd as the previous chair of the Audit Committee and considered that the independence and strength of the committee would continue under its new chair, Councillor John Chatt. He then invited the Conservative Group to work with the new Administration by becoming involved in the important discussion on the future of the borough of the light of the impending economic challenges; he undertook to take note of constructive comments and although there would be times when the political parties disagreed, he knew that both sides would have good ideas; he looked forward to working with a constructive opposition. He concluded by hoping that all members would continue to help to keep the atmosphere a cordial and productive one.

There being no further debate, the Mayor put the recommendations to the vote and it was

#### **RESOLVED**

- 1.1 That the Council approves the Council's annual Statement of Accounts for 2009-10.
- 1.2 That the Director of Finance is authorized to approve any changes to the Statement of required by the Council's external auditors.
- 1.3 That the Council approves the Treasury Management Annual Report for 2009-10.
- 1.4 That the Council approves the Council's Governance Statement for 2009-10 subject to the amendments proposed in the tabled report so that the paragraph entitled "Actions for 2010-11" reads as follows:

The following areas will be reviewed during the coming year to strengthen the Council's governance arrangements.

- To develop the Council's policies and objectives to reflect the ambitions of the newly elected administration and to refresh the Council's business plan to achieve this.
- Continue to develop plans for efficiency savings throughout the Council's services using, efficiency reviews and bench marking as an aid to achieving this objective
- The Council needs to continue to embed risk management and business continuity planning across the organisation.
- A review of the budget and business planning timetables to achieve greater cohesion and integration between financial and service planning.
- Develop the Council's project management, monitoring and review systems to improve their effectiveness
- Review the system controls of major systems where the Head of Internal Audit
  has only been able to provide limited assurance as a result of his audit work
- Address any issues raised by the Council's external auditors arising from their work
- Prepare an action list for dealing with these issues and report progress to the Council's Audit Committee

We propose over the coming year to take steps to address the above matters and to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvement that were identified in our review of effectiveness and will monitor the implementation and operation of our next annual review."

The meeting ended at 8.00 pm

**MAYOR** 

MINUTES END

**Contact:** Thomas Ribbits **Tel:** 020 8583 2251

**E-Mail:** Thomas.Ribbits@Hounslow.gov.uk

# COUNCIL - 20<sup>TH</sup> JULY 2010

#### REVISION OF THE SCHEME OF MEMBERS ALLOWANCES

Report by: The Head of Democratic Services

# Summary

This report seeks to revise the scheme of members' allowances in accordance with the proposals from the Administration to reduce the overall level.

#### 1.0 RECOMMENDATION:

1.1 That the revised scheme of Members' allowances included in this report as an appendix be agreed;

### 2.0 Background

- 2.1 The Scheme of Members' Allowances in Hounslow was last considered in detail and revised by the council in 2007 and has remained unchanged since that time.
- 2.2 The Local Authorities (Members' Allowances) (England) Regulations 2003 authorises the establishment by the Association of London Government (now London Councils) of an Independent Remuneration Panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel was established and reported in 2001, 2003 and 2006. It was recently re-constituted and currently comprises Sir Rodney Brooke CBE (Chair), Professor Drew Stevenson and Anne Watts CBE. The regulations require a review of the scheme every four years as a minimum.
- 2.3 Having only recently had the municipal elections, it is timely for the new Council to review the details of its scheme of Members' allowances.
- 2.4 In addition, the new Administration has proposed some changes that it wishes to see implemented to the scheme and these are detailed below.

# 3.0 Proposed Changes

3.1 The proposals made by the new Administration are as follows:

- That there be no significant changes to the rules and arrangements of the scheme of Members' allowances as it currently stands; most changes to be to the levels of allowance and the list of those who are eligible for the special responsibility allowances.
- There be a 5% reduction in the basic allowance made payable to members from £9763 per annum to £9276 per annum.
- There will be a 20% reduction to all special responsibility allowances excepting that for the Mayor and Deputy Mayor.
- Special responsibility allowances to no longer be paid to members of the Overview and Scrutiny Committee (excluding the Chair who will continue to receive an allowance).
- Special responsibility allowances to be paid to chairs of scrutiny panels.
- Special responsibility allowances to no longer be paid to members of the Licensing Committee (excluding the Chair who will get a Chair's allowance)

# 3.2 The results of these changes are as detailed in the table below:

Spec	ial Responsibility	Allowances	
	Previous	Proposed	Saving
Leader of the Council	34,000	27,200	6,800
Deputy Leader of the Council	20,000	16,000	4,000
Other Members of the	128,000	102,400	25,600
Executive	(£16000 x 8	(£12800 x 8	(£3200 x 8
	members)	members)	members)
Chair of Overview and Scrutiny Committee	10000	8000	2000
Overview and Scrutiny	17,328	0	1328
Members	(£2166 x 8		(if taken
	members)		together
(new proposal) Scrutiny Panel Chairs to receive £4000 each PA (assumes four panels in total)	-	16,000	
Chair of Sustainable Development Committee	8,000	6,400	1,600
Chair of Audit Committee	8,000	6,400	1,600
Chairs and Vice-Chairs of	80,000	64,000	16,000
Area Committees	(£8,000 x 10	(£6400 x 10	(£1600 x 10
	members)	` members)	members
Leader of the (largest) Minority Party	2,710 <sup>°</sup>	2,168	542
Leaders of Other Minority Parties	-	-	
Chief Whip	3,254	2,603	65 <sup>-</sup>

Licensing Committee	7500 (£500 x 15 members)	0	1,100 (if taken together)
(new proposal) Chair of Licensing to get a chair's allowance		6,400	
TOTAL	318,792	257,571	61,221
	Basic Allowan	ce	
5% cut to all basic allowances	585780 (60 x 9763)	556500 (60 x 9276)	29280
	GRAND TOTAL	LS	
GRAND TOTAL	904,572	81,4071	90,501

Note: the figures for leaders of other minority parties is left blank in this table to allow for easy understanding of the financial implications for the municipal year 2010/11 as there are no members who are eligible for this. However the figure would reduce from £1089 to £8712.

In addition, the figures in the table do not include oncosts such as employers' national insurance contributions.

- 3.3 The Administration has also proposed that members should pay for any ICT equipment provided to them out of their own basic allowances. This would include equipment such as laptops or mobile telephones/handheld devices, although for security and compatibility reasons, the Council will still need to procure the equipment for members through the ICT Department and Members Services.
- 3.4 Attached as an appendix is a version of the proposed scheme of members' allowances for approval.
- 3.5 If agreed, the new scheme of members' allowances will supersede the previous version and will continue until such time as it is formally amended.
- 3.6 Members are asked to note that the scheme does not currently include a mechanism to allow for changes bases on increases in inflation. This may be a matter than members wish to include in future amendments to the scheme.

### 4. COMMENTS BY THE DIRECTOR OF FINANCE

4.1 The current budget for Special Responsibility Allowances and Basic Allowances for members is £1,042,000 in total. Including employer's national insurance, the annual cost of the above proposals will be £886,000 in a full year. Therefore, total annual savings generated from the proposed reduction in members' allowances is approximately £156,000.

4.2 The part year saving in 2010-11 will be about £108,000.

# 5. **COMMENTS OF THE BOROUGH SOLICITOR**

5.1 The Borough Solicitor 's comments are included in the body of this report.

# 6. EQUALITY IMPACT ASSESSMENT

6.1 There is no impact on equality as a result of the recommendations of this report.

**Background Papers:** The Remuneration of Councillors in London Report 2010: Report of the Independent Panel of the ALG (London Councils)

This report has been or is due to be considered by: Borough Council

This report is relevant to the following wards/areas: None

# LONDON BOROUGH OF HOUNSLOW

# Members' Allowances Scheme 2010/11

# **MEMBERS' ALLOWANCES SCHEME: INDEX**

### Introduction

- types of allowance
- basic allowance
- special responsibility allowances
- dependants' carers' allowances travel and subsistence allowances
- approved duties (for the purpose of travel, subsistence and dependants' carers' allowance only)

# Income tax, welfare benefits and national insurance

- income tax
- National Insurance Contributions
- Social Security Benefits insurance
- how to claim allowances
- further information and advice

### Appendix A

Amounts payable under the scheme

# Appendix B

Travel and subsistence allowances

# Appendix C

Application for Dependent Relative Care Allowance

### Appendix D

Application for Travelling and Subsistence Allowances

# Introduction

1. This scheme of members' allowances was approved by the Borough Council for 2007/08. It was made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 made under section 18 the Local Government and Housing Act 1989 and sections 99 & 100 of the Local Government Act 2000.

# **Types Of Allowance**

- 2. There are four different types of allowance, which may be paid to members:
  - basic allowance
  - special responsibility allowance
  - dependants' carers' allowance
  - travelling and subsistence allowance

#### **Basic Allowance**

- 3. The basic allowance is paid equally to all members. It is intended to recognise the time commitment of all councillors, including calls on time such as meetings with officers and constituents and attendance at political group meetings. The rate of basic allowance is set out in appendix A. Councillors are expected to bear the cost of telephone calls from home and items such as minor stationery and computer print cartridges from their basic allowance as well paying for any ICT equipment provided to them, including laptops or mobile telephones/handheld devices, although for security and compatibility reasons, the Council will still need to procure the equipment for members through the ICT Department and Members Services.
- 4. If a member wishes to waive their right to receive a basic allowance they must notify the Proper Officer (The Borough Solicitor) in writing. Where the term of office of a member begins or ends during a municipal year their basic allowance entitlement will be paid in proportion to the number of days as a member. It is usually paid monthly or members may opt to take the basic allowance as a lump sum at the beginning of each municipal year.

### **Special Responsibility Allowances**

5. The Council has decided to pay special responsibility allowances (SRA) to those members whom it considers have significant responsibilities for the discharge of the functions of the council. The list of SRAs payable is set out in appendix A. SRAs are paid monthly. No member may receive more than one SRA and if a member holds more than one post of responsibility that is deemed to warrant an SRA only the higher allowance will be paid.

If a member wishes to waive their SRA they must notify the Proper Officer in writing. Where a

member does not hold the post attracting the SRA for a complete calendar month, it will be paid proportionately for the number of days during which they held the post.

# **Dependants' Carers' Allowances**

6. Members may claim this allowance as reimbursement of costs they incur for carers looking after children or other dependants whilst undertaking the duties set out in paragraph 8 below. The current rate is set out in appendix B.

A sample form for claiming this allowance is attached at appendix C. The carer should sign the form indicating that they have received the allowance and the completed form should be attached to the claim for travel and subsistence and sent to Members' Services. The member is responsible for making the caring arrangements and the Council can accept no responsibility for anything that might happen as a result of those arrangements.

7. Dependants' carers' allowances are not payable for carers who are normally resident in the member's home or are under 16 years of age. Payment will only be made after the member has submitted a statement of claim for each use of a carer.

#### **Travel And Subsistence Allowances**

8. Travel expenses incurred in the performance of "approved duties" (see paragraph 9 below) may be claimed from the Council subject to the conditions applying and the approved rates set out in appendix B. The maximum rates for subsistence allowance are also set out in appendix B. These allowances should be claimed using the form at appendix D. These allowances are not payable where the Council has made arrangements for meals and/or accommodation for an approved duty.

# Approved Duties (for the purpose of travel, subsistence and dependants' carers' allowance only)

- 9. The duties specified in the Regulations are:
  - a meeting of the executive;
  - a meeting of a committee of the executive;
  - a meeting of the authority;
  - a meeting of a committee or sub-committee of the authority;
  - a meeting of some other body to which the authority makes appointments or nominations, or a meeting of a committee or sub-committee of a body to which the authority makes appointments or nominations (ie usually referred to as an outside body);
  - a meeting which has both been authorised by the authority, a committee, or subcommittee of the authority or a joint committee of the authority and one or more other authorities, or a subcommittee of a joint committee and to which representatives of more than one political group have been invited (if the

authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups);

- a meeting of a local authority association of which the authority is a member;
- duties undertaken on behalf of the authority in pursuance of any standing order requiring a member or members to be present while tender documents are opened;
- duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996;
- any other duty approved by the authority in connection with discharging the duties of the authority or its committees or sub-committees.
- 10. The following are not "approved duties".
  - attendance at any conference in relation to which there is entitlement to payment of an
  - allowance under Section 175 of the 1972 Act; or:
  - if such payment would be contrary to a provision of any enactment or instrument.
  - attendance at college and school governing bodies.
  - members' surgeries.
  - political group meetings

Please contact the Proper Officer (the Borough Solicitor) or the Head of Democratic Services for any required clarification prior to making any claims.

# Income Tax, Welfare Benefits And National Insurance

#### **Income Tax**

11. Basic allowances and SRAs are subject to Income Tax under Schedule E, as they are payments made in respect of the duties of an office. Travel and Dependants' Carers' Allowances are not subject to tax.

A return of Tax and National Insurance deducted from members is sent to HM Revenue and Customs at the end of each year and a P60 is sent to each member. Tax is deducted at basic rate until the HM Revenue and Customs notify Payroll Services of the appropriate tax code for each member.

12. Some of the expenses incurred in the course of duties as a councillor may be deductible against tax liability. If you believe that some of your expenses may be tax deductible, you should contact your Tax Office. The relevant tax office is:

HM Inspector of Taxes (North East Metropolitan Area) Fountain Court 119 Grange Road Middlesbrough Cleveland TS1 2XA Tel: 0845 302 1414

#### **National Insurance Contributions**

- 13. All basic allowance and SRA payments will attract National Insurance (NI) deductions, at levels, which vary, depending on the total earnings of the member concerned. Some members may not be liable to any NI contributions on the allowances if they fulfil any of the following criteria:
- (a) Their total earnings are less than £435 per month (in 2007/08);
- (b) They are men aged 65 or over;
- (c) They are women aged 60 or over (on production of age exemption card);

Only 1% NI contributions may apply if members are already paying the maximum NI Contributions on their employment earnings. A deferment certificate must be obtained from HM Revenue and Customs National Insurance Contributions Office.

- 14. Some members, who are married women or widows who have elected to pay reduced rate contributions for National Insurance, will pay their NI Contributions on allowances calculated at a reduced rate.
- 15. Members who believe that they come into any of the above categories can get further information from Payroll Services and should obtain the appropriate certificates from HM Revenues and Customs.

# **Social Security Benefits**

16. The receipt of allowances may affect members who are receiving Social Security Benefits. All allowances should be declared to HM Revenue and Customs who should be able to advise members about the way in which allowances affect benefits such as Income Support. Members should note that any failure to disclose allowances received to HM Revenue and Customs may result in prosecution by HM Revenue and Customs.

#### Insurance

- 17. The London Borough of Hounslow provides insurance cover for members when they are engaged on business which relates to their council activities, or which is complementary to their council activities, such as ward surgeries. It does not cover party political activities. The risks, which are covered, are:
  - Personal Accident
  - Assault
  - Public Liability
  - Libel or Slander
- 18. If any member believes that they may have a claim on the Council's insurers for the risks, which are covered, they should contact the Director of Finance as soon as possible after the event to establish the facts of the incident and to discuss possible courses of action. This is particularly important, as the Council's insurers make it a condition of the insurance that they are notified immediately of all possible claims.
- 19. Councillors are advised to check that their motor insurance policy covers them for using their car on council business. The Council does not provide cover for councillors' cars, and some motor insurance policies will deem council business to be a business use, which may not be covered by a 'Social, Domestic or Pleasure' policy.

#### **How To Claim Allowances**

- 20. Claims for travel and subsistence or dependants' carers' allowance should be submitted on the forms attached at appendices C & D respectively or from Members Services. When completed, forms should be passed to the Members' Services Office. After your form has been processed, the amount owed will be paid through the Payroll.
- 21. Members should submit travel & subsistence and dependants' carers' claims within 2 months of the event; forms submitted after this time may not be processed. This cuts down the delay in processing forms, and enables queries to be dealt with speedily. Members should note that it is their responsibility to ensure that any claims submitted are accurate. It is suggested that this can best be done by members maintaining a diary record of meetings attended, showing the date of the meeting and its duration. These records may be required by the Director of Finance for spot

checks on the accuracy of claims, or by the external auditor if members' allowances payments become the subject of investigation.

22. Members should also note that the Council has to maintain a statutory register showing allowances payments made to members. This register is open to inspection by any local government elector for the area at any time during normal office hours. Under the Local Government Act 1972, members are not allowed to claim duplicate allowances. That is, they cannot claim travel & subsistence and dependants' carers' allowance, from both the Council and from another body, which pays its own allowances for performing the same duty.

# Appendix A

# **Basic and Special Responsibility Allowances**

Basic allowance	£9276
Special Responsibility Allowances	
Leader of the Council Deputy Leader of the Council	£27200 £16000
Mayor Deputy Mayor	£10000 £1500
Other Members of the Executive	£12800
Chair of Overview and Scrutiny Committee Chair of Sustainable Development Committee Chair of Audit Committee Chairs and Vice-Chairs of Area Committees Chair of a Scrutiny Panel Chair of Licensing Committee	£8000 £6400 £6400 £6400 £6400 £6400
Leaders of the Largest Minority Party Leaders of Other Minority Parties Chief Whip	£2168 £8712 £2603

These figures are paid per annum

# **Appendix B**

# Travel and subsistence allowances

#### 1. travel allowances

## (a) private motor vehicle

A member's private motor vehicle (or one they have use of) may be used where its use:

- results in a substantial saving of the member's time;
- is in the interest of the Council; or
- is otherwise reasonable.

The rate is 39.9p per mile (linked to rate paid to staff).

# (b) private solo motorcycle

The rate is 20.7p per mile for the first 10,000 miles per annum.

### (c) hired vehicles

Where this is necessary the actual cost of hiring will be paid.

# (d) train, bus & coach

The rate for travel by public transport shall not exceed the amount of the ordinary fare or any available cheap fare. Wherever possible standard class fares should be claimed.

The following additional expenditure may also be reimbursed:

- · reservation of seats, deposit or porterage of luggage; and
- sleeping accommodation engaged by a member for an overnight journey; subject to a
- reduction of any subsistence allowance paid to the member for that night.

#### (e) taxi or mini-cab

The rate shall not exceed

- in cases of urgency or, where no public transport is reasonably available, the amount
- of the actual fare and any reasonable gratuity paid; and
- in any other case, the amount of the fare for travel by appropriate public transport.

# (f) air travel

The rate for air travel shall not normally exceed the lower of the actual fare or the rate applicable to the alternative means of transport increased by the amount of the saving (if any) in subsistence allowance and attendance allowance consequent on travel by air.

# (g) subsistence allowance

The maximum rates for subsistence allowances are as follows:

Breakfast
 Lunch
 £5.44 - more than 4 hours away from home before11.00 am
 £7.52 - more than 4 hours away from home including the lunchtime period between 12 noon and 2.00 pm.

• Tea £2.95 - more than 4 hours away from home including 3.00 pm

- 6.00 pm.

• Evening Meal £9.29 - More than 4 hours away from home ending after 7.00

pm.

#### Meals on trains

Reasonable cost of main meals (ie breakfast, lunch or dinner) taken on a train during a period for which there is an entitlement to a subsistence allowance may be reimbursed in full, subject to the above limits.

## (h) dependants' carers' allowance

To be paid at £7.20 per hour

# **Appendix C**

For Officer use only

# APPLICATION FOR DEPENDENT RELATIVE CARE ALLOWANCE

# **Application for Dependent Relative Care Allowance**

Please see paragraphs 6 & 7 of the London Borough of Hounslow's Members' Allowance Scheme

Name of Counc	cillor:	
Meeting:		
Date of Meeting	<b>j</b> :	
	enable me to attend the above household who is:	meeting it was necessary to provide care for a
	a child aged 14 or under	
	a person with a disability	
	an older relative requiring regul	ar care
I declare that I I	have paid the sum of £ fo	r care provided
from to		
at an hourly rate	e of £7.20 (or if less then please	specify)
Signature of Co	ouncillor Name of Councillor	Date
I confirm that I I	have received the sum of £	for care provided
Signature of Ca	rer Name of Carer	Date
When complete	ed this form should be signed and	d sent to Members' Services

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# Appendix D

# **Application for Travelling and Subsistence Allowances**

Date (1)	Description of Duty (2) PLEASE SEE OVERLEAF FOR A LIST OF DUTIES WHICH QUALIFY		Spent Duty	Trave	_	kpenses – ar/Other	- User	Subsistence (9) SEE OVERLEAF  OVERLEAF  Claimed (FOR LGA REFUND (10)  Claimed  Claimed			Comments FOR M/S USE ONLY (11)
		Start (3)	Finish (4)	From (5)	To (6)	Car (7) mileage	Other (8)				
6											
0											
	Particulars of amounts received or claimed, if any, by way of travelling or subsistence or attendance or financial loss from any  TOTALS  Rate per mile  * Claims for dependent relative care allowance must be accompanied by the application form signed by the carer as a										
	ty or body in respect of above duties:	J J	Amount		nt	39.9		receipt	The application form digited by the earth at a		
I certify that:  (a) The statements above are correct. Except as shown above I have not made and will not make any claim under any enactment for any allowances in connection with the duties indicated above (see over).  (b) So far as the travelling and subsistence allowances are concerned, expenses were actually necessarily incurred whilst engaged on the duty stated and that any claim made for other additional expenses (col. 11) is in respect of actual loss suffered or expenses incurred for such purpose.  (c) The insurance policy in respect of my motorcar provides cover, while the car is used on official business, for full Third Party Insurance, including cover against risk of injury or death of passengers and damage to property and that the policy is now in force and covers the journey claimed.  (d) If mileage is claimed to the higher rate approved by the Council this (i) resulted in a substantial saving of time of (ii) is in the interests of the Council or (iii) is otherwise reasonable.  (e) My car/motor cycle (make)  Reg. No.  (This paragraph must be completed but only if mileage is claimed).											
COUNCILLOR DATE											

# List of duties approved for payment of travel and subsistence allowance For further information please see the members' allowances handbook

#### **Avoidance of duplication of Allowances**

- 1. Members are not permitted to claim allowances from more than one body where the period overlaps.
- 2. Members are not entitled to take expenditure on travelling into account for the purposes of more than one claim.
- 3. Members are not entitled to take any period of absence from their usual place of residence into account for the purposes of more than one claim.

The following information may help you decide whether the duty you have carried out qualifies under the scheme. If in doubt please contact Members' Services on telephone extension (Extn.) 2250 or the Head of Democratic Services (Extn. 2251).

# 1. Borough Council and formal committees of the council

Members can claim travelling and subsistence for attending meetings of Borough Council and Committees set up by the Council.

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Example: Sustainable Development Committee, Overview and Scrutiny Committee

#### 2. Sub-committees

Members can claim for attending Sub-Committees set up by main Committees

**Example: Scrutiny Panels** 

# 3. <u>Committees, panels/groups established for</u> special purposes

Members can claim for attending Committees, Panels, Groups established for Special Purposes.

Example: Gunnersbury Park Committee

#### 4. Outside bodies

Meetings of outside bodies, other than charities, to which Councillors have been appointed by the Council, qualify for Travel and Subsistence Allowance

#### 5. Officer meetings

Members in receipt of SRA may claim for meetings with appropriate officers on matters related to their responsibilities.

#### 6. Other categories

Members can also claim travelling and subsistence in respect of attendance at:

- Conferences
- Call-overs and pre-agenda meetings
- Meetings involving Government departments
- · Seminars/Briefing

The following are examples of duties which <u>**DO NOT**</u> qualify under the scheme unless they fall under one of the categories on Pages 4 & 5:

- 1. General invitations
- 2. Site visits
- 3. Visits to schools
- 4. Attendance at Ward Surgeries
- Attendances at School Governing Bodies
- 6. Political Group meetings

Contact: John Kitching Tel: 020 8583 2054

**E-Mail:** john.kitching@Hounslow.gov.uk

**BOROUGH COUNCIL - 20 JULY 2010** 

APPOINTMENT OF CHIEF EXECUTIVE

Report by: John Kitching, Head of HR and OD

# Summary

The purpose of this report is to approve the recruitment process for the permanent role of Chief Executive.

This item was published subsequently to the main agenda papers in order to allow this report to be informed by a meeting between the council and representatives of partner bodies. The matter is considered urgent as delaying the implementation of the recommendations until the next meeting of the council in September would cause significant problems for the council.

#### 1.0 RECOMMENDATIONS

- (i) That the recruitment process be commenced for a permanent Chief Executive following the process outlined below.
- (ii) That the timetable and other arrangements for the recruitment process are delegated to the Interim Chief Executive in consultation with the Leader of the Council.

#### 2.0 BACKGROUND

This report was placed on the agenda as discussions were ongoing with the Primary Care Trust on the possibility of a joint Chief Executive appointment. The implications of the Government White Paper on the future shape of the NHS, now means that the Council will not take forward a joint appointment. The role of the Chief Executive will however, be subject to significant change in the coming years as the delivery of public services in the Borough are certain to change as a result of the national budget deficit.

Section 4 of the Local Government and Housing Act, 1989 requires every relevant authority to "designate one of their officers as Head of the Paid Service". Article 12 of the Council's Constitution provides that at Hounslow the officer holding the post of Chief Executive is so designated. The Local Authorities (Standing Orders) Regulations 2001 require full Council to approve the appointment of the Head of the Paid Service before an offer of appointment is made and then for the Executive to affirm such appointment.

The body with the power and responsibility to carry out the appointment process for the Chief Executive is the Members Appointments Panel. This panel comprises 5 Members selected from the Leader, or his/her nominee, three members of the Executive and the Leader of the largest minority party, or his/her nominee. The interim Chief Executive and the Head of HR attend in an advisory capacity. The panel shall have the discretion to call upon specialist advice.

Proposals to assist the Council in recruiting to this post were sought from specialist executive search consultancies. Odgers Ray & Berndtson ("Odgers") were selected based on a proper procurement process conducted in March this year.

It is proposed, subject to approval, that the detailed timetable and other arrangements for the recruitment process will be finalised by the Interim Chief Executive in consultation with the Leader.

Following the recruitment process, a report will be submitted to Borough Council recommending the appointment.

#### 2.0 COMMENTS OF DIRECTOR OF FINANCE

- The costs of the post of substantive Chief Executive will be met from the salary provision in the budget for central units.
- The triggering of the substantive appointment will mean that the costs of the on going interim arrangements will be kept to a minimum.
- The process for filling the post fully consistent with the Council's recruitment policies that are designed to provide fair and open competition.

#### 4.0 COMMENTS OF THE BOROUGH SOLICITOR

The Borough Solicitor's comments are included in the body of the report.

#### 5.0 EQUALITIES IMPACT ASSESSMENT

5.1 There is no identifiable impact arising from this decision.

### **Background Papers:**

There are no background papers for this report.

This report has been or is due to be considered by:

**Borough Council** 

This report is relevant to the following wards/areas:

ΑII

Contact: Robert Della-Sala/ Sunita Sharma/Thomas Ribbits

Robert.della-sala@hounslow.gov.uk Sunita.sharma@hounslow.gov.uk Thomas.ribbits@hounslow.gov.uk

# **Borough Council - 20th July 2010**

#### **Petitions Scheme**

## **Report by: Director of Corporate Services**

# 1. Summary

The Local Democracy, Economic Development and Construction Act 2009 includes a requirement for every principal local authority to introduce a Petition Scheme.

It further states that local authorities are required to make available on-line "epetitions" by no later than 15<sup>th</sup> December 2010.

### 2. Recommendations

- 1. That the Borough Council adopt the Petitions Scheme that is set out at appendix A.
- 2. That the Borough Council endorse the adoption of the "threshold" limits for accepting petitions as set out in section 5 of this report
- 3. That the Council will keep the level of threshold under review and a full review of the Scheme will prior to the introduction of e-petitions in December 2010.

### 3. Introduction

- 3.1 The Council regularly receives petitions each which are presented in a paper format and usually comprise of lists of names and addresses of petitioners.
- 3.2 Currently petitions can be delivered in person or sent by post directly to an officer, via Democratic Services or submitted through an elected Member. There has until now been no statutory guidance on how petitions should then be dealt with and what the appropriate process for response should be.

## 4. Requirements of the Act 2009

The Act (and the Model Scheme) suggests 3 types of petitions:-

- Ordinary petitions:
- Petitions to trigger a full Council debate and
- Petitions for a named senior officer to attend at a public session of an Overview and Scrutiny Committee.

The Act states that the specified number for petitions requiring a debate must be no greater than 5% the local population. The Model Scheme suggests the following thresholds:

- If a petition contains more than 1,500 signatures/names it will be debated by the full Council unless it is asking for a senior council officer to give evidence at a public meeting.
- A petition requires at least 750 signatures for a relevant senior council officer to attend a public meeting of the overview and scrutiny committee
- 4.1 The Act requires local authorities to establish a scheme for handling petitions and states that the scheme:-
  - Must be approved by a meeting of full council before it comes into force and be published on the authority's website and any other method appropriate for bringing it to the attention of those who live, work or study in the area
  - Can be revised at any time but must be approved and publicised as detailed above, and:
  - Must be complied with.
- 4.2 The 2009 Act requires petition schemes to meet certain minimum standards which ensure minimum entitlements for citizens. Beyond these, local authorities will have a level of flexibility about how they approach the duty.
- 4.3 The requirements of the Act include the following
  - Anyone who lives, works or studies in the local authority area, including under18s, can sign or organise a petition and trigger a response
  - A facility for making electronic petitions will be provided by the local authority
  - Petitions must be acknowledged within a time period specified by the local authority

#### 5. Petition Thresholds

- 5.1 Councils are entitled to determine the threshold at which a petition can be accepted and therefore would require a response as set out in the Petitions Scheme. The Act imposes a duty which is that no threshold should be higher than 5 % of the local population.
- 5.2 If thresholds are set too high, then petitioners may feel that that the Council is seeking to avoid its duty to consult and engage with the public. It is proposed that a petition is deemed served when at least 10 people have signed it.
- 5.3 Each petition will require proper attention from the Council's staff. Should a significant number of petitions be received, or if the Scheme is abused, it would be necessary to re-direct resources away from other business in order to respond properly. Every effort will be made to ensure that this does not adversely affect the delivery of key services, the implementation of the Council's Pledges or the Council's ability to address the cuts now required in public service budgets.

- 5.4 The Council will therefore keep this level of threshold under review and a full review of the Scheme will take place prior to the introduction of e-petitions in December 2010.
- 5.5 The proposed Petitions Scheme is attached at Appendix A

# 6 Overview and Scrutiny Committee

- 6.1 The Act sets in place a formal relationship between a council's petition scheme and its Overview and Scrutiny function. Where the petition organiser is not satisfied by the actions taken by the authority in response to a petition, the petition scheme must give a right of appeal to a relevant Overview and Scrutiny Committee. That Committee will then be able to review the decision and action taken by way of a response and make appropriate recommendations. Petitioners will also from the 15 June 2010 be able to call for a named council employee to be held to account by the Overview and Scrutiny Committee (OSC)
- 6.2 As the OSC has a role and relationship with the authority's petition scheme it is advised that the Committee is formally consulted about the content of this report.

# 7 Comments of the Borough Solicitor

7.1 The model scheme outlined at Appendix A complies with the legislation. The introduction of this scheme will need to be incorporated into the Council's Constitution.

#### 8 Comments of the Director of Finance

- 8.1 The implementation of the online E-Petition Scheme would entail funding of £5,000 predominantly for the software with staffing resources from the current establishment. This will be met from the existing Democratic Services budget, where there is a specific provision.
- 8.2 It may be that this encourages an increase in petitions, resulting on an increased call on staff time. It might be appropriate to have a review of these arrangements, if this is the case.

# 9. Equalities impact Assessment

9.1 An Equalities Impact assessment has been undertaken and this shows that there is no identified adverse impact arising from this decision.

# **Background Papers:**

model scheme papers

This report has been or is due to be considered by:

Corporate Management Team 3 June 2010; Borough Council 29 June 2010

This report is relevant to the following wards/areas:

ΑII

# Appendix A London Borough of Hounslow Petitions Scheme

#### 1. Introduction

The Local Democracy, Economic Development and Construction Act 2009 requires every local authority to introduce a Petition Scheme. It also requires local authorities to provide for web based "e-petitions" by 15<sup>th</sup> December 2010.

# 2. What is a petition

2.1 A petition is a formal written document which is submitted to an authority in an attempt to get that authority to accede to a request. Typically, a written petition is signed by multiple people, indicating that a large group of people supports the request detailed in the petition.

# 3. How to give us your petition

3.1 The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition. Paper petitions can be given to your Ward Councillor, or any Councillor on your behalf or be sent to:

The Mayor London Borough of Hounslow Civic Centre Lampton Road Hounslow TW3 4DN

- 3.2 Petitions can also be presented by a councillor or the Mayor at a meeting of the Borough Council. Dates and times of these meetings can be found on the council website at <a href="www.hounslow.gov.uk">www.hounslow.gov.uk</a>. If you would like a councillor to present your petition, you can find your councillor at <a href="www.hounslow.gov.uk">www.hounslow.gov.uk</a>.
- 3.3 From the 15<sup>th</sup> December 2010, petitions can be created on line at www.hounslow.gov.uk.

### 4. What are the guidelines for submitting a petition?

#### 4.1 Petitions must include:

- At least 10 names
- a clear and concise statement covering the subject of the petition
- a statement of what action the petitioners wish the Council to take
- the name and address (which may be where the signatory lives, works or studies) and the signature of any person supporting the petition

- 4.2 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.
- 4.3 If the petition does not identify a petition organiser, the Council will contact the first signatory to the petition to agree who should act as the petition organiser.
- 4.4 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to the petition organiser to explain the reasons.

# 5. What will the Council do when it receives my petition?

- 5.1 An acknowledgement will be sent to the petition organiser within 14 days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again.
- 5.2 If we can do what your petition asks, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition needs more investigation, we will tell you the steps we plan to take.
- 5.3 If the petition applies to a planning or licensing application, is a statutory petition (for example, requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. For further information on all these procedures and how you can express your views, contact the Head of Democratic Services (see below for contact details).
- 5.4 We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate, and will explain the reasons for this in our acknowledgement of the petition.

### 6. How will the Council respond to petitions?

- 6.1 Our response may include one or more of the following:
  - taking the action requested in the petition
  - considering the petition at a council meeting
  - holding an inquiry into the matter
  - undertaking research into the matter
  - holding a public meeting
  - holding a meeting with petitioners
  - referring the petition for consideration by the Council's Overview and Scrutiny Committee
  - writing to the petition organiser setting out our views about the request in the petition
- 6.2 If your petition is about something over which the Council has no direct control (for example, your local railway station or hospital), we may at the council's discretion make representations on behalf of the community to the relevant body.

- 6.3 The Council works with a large number of local partners and where possible, we will work with these partners to respond to your petition. If we are not able to do this then we will set out the reasons to you.
- 6.4 If your petition is about something that a different council is responsible for, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

# 7. Borough Council

- 7.1 All petitions where 10 or more people have signed it, will be presented to the full Borough Council unless it is a petition asking for a senior council officer to give evidence at a public meeting. The council will endeavour to deal with the petition at its next meeting, although on some occasions this may not be possible.
- 7.2 The Council will decide how to respond to the petition. 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. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website

### 8. Officer Evidence

- 8.1 Your petition may ask for a senior council officer to appear before a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.
- 8.2 If your petition contains 10 signatures or more, the relevant senior officer will appear before a public meeting of the council's Overview and Scrutiny committee if requested to do so.
- 8.3 You should be aware that the Overview and Scrutiny committee may decide that it would be more appropriate for another officer to appear instead of any officer named in the petition.
- 8.4 Only Committee members will ask questions of the officer at this meeting, but you will be able to suggest questions to the chair of the committee by contacting the Head of Democratic Services up to three working days before the meeting.

### 9. E-petitions

9.1 The Council will be launching a facility for e-petitions to be created and submitted through our website. E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures (a maximum of three months will be allowed).

- 9.2 When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.
- 9.3 If we feel we cannot publish your petition, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish.
- 9.4 Once an e-petition has closed for signature, you will receive an acknowledgement within 14 days. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

# 10. How do I 'sign' an e-petition?

10.1 You will be able to see all the e-petitions currently available for signature. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information, you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition.

# 11. What can I do if I feel my petition has not been dealt with properly?

- 11.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny committee review the steps that the Council has taken in response to your petition.
- 11.2 The Committee will consider your request within 30 days of receiving it. Should the Committee determine that the Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter.
- 11.3 Once your request has been considered, the petition organiser will be informed of the results within seven days.
- 11.4 This scheme will reviewed by the Council after no more than six months in operation.

### 12. Contact details for the Head of Democratic Services

12.1 The Council's Head of Democratic Services can be contacted as follows

Mail Head of Democratic services
Civic Centre
Lampton Road
Hounslow
TW3 4DN

Email Democratic.services@hounslow.gov.uk

**REPORT ENDS** 

Contact: Barbara Perry 020 8583 3757

**E-Mail:** Barbara.perry@hounslow.gov.uk

Ref:

# **BOROUGH COUNCIL - 20th JULY 2010**

# RESPONSE TO THE FURTHER REPORT OF THE OMBUDSMAN ON AN INVESTIGATION COMPLAINT ON A HOUSING MATTER

Report by: Terry Welsh, Borough Solicitor

#### SUMMARY

This report sets out the contents of a Further Report of the Local Government Ombudsman (LGO) in relation to a housing case, and sets out the proposed action in response to the Further Report.

### 1. RECOMMENDATION

1.1 That Borough Council notes the recommendations of the Local Government Ombudsman, and action taken/proposed to be taken in response to the issues raised in his Further Report (Section 3.3)

### 2. BACKGROUND

- 2.1 In October 2009 the Council considered a Report issued in April 2009 by the Local Government Ombudsman (LGO) following a complaint relating to housing case. The LGO not satisfied with the actions and in particular the speed of actions which the Council took following this report and in May 2010 issued a Further Report. A copy of the original report to Council is attached as Appendix 1 (NB although headed Borough Council 29<sup>th</sup> September this meeting was cancelled and the report was actually considered by Borough Council on October 27<sup>th</sup>). A copy of the Further Report of the LGO is attached as Appendix 2.
- 2.2 The original report issued in April 2009 related to a complaint about a delay in offering temporary accommodation once a homelessness application had been accepted and also a failure to assess the case in accordance with the Council's published allocations policy. The LGO upheld the allegations and found that there was maladministration by the Council.
- 2.3 The LGO made a number of recommendations in the original report:-
  - Payment of £250 compensation to the complainant, and £250 to the relative who assisted them in pursuing their complaint;
  - Production of an advice sheet for applicants to warn them about the consequences of refusing an offer of accommodation;

- Keeping a record of the offer of, and any refusal of any kind of temporary accommodation;
- The revised Allocations Policy to be sent to the Ombudsman, when approved.

Under the Local Government Act 1974, the Council is also required to publish a press notice in more than one paper within two weeks of receiving the report and make the report available at the Council's offices for a period of three weeks. Additionally the Council is required to consider the report within three months of receiving it and notify the LGO what action it has taken or proposes to take.

2.4 Unfortunately the Housing Service failed to co-ordinate and oversee the implementation of these actions and recommendations in a timely manner and as a consequence the Local Government Ombudsman has issued a Further Report under Section 31 of the Local Government Act 1974 with a series of recommendations as set out below.

### 3. FURTHER REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN

- 3.1 Although the Council paid compensation to the to the complainants and implemented a number of the recommendations and actions the LGO was concerned that other actions were not implemented in a timely fashion The specific matters that the Ombudsman was concerned about in the Further report published on 11 May 2010 were as follows:-
  - The press notices which are required legally to be published within two weeks of the report were not published until February 2010.
  - The report to Council with actions the Council proposed to take, which is legally required, within 3 months of the LGO report was not provided to the LGO until December 2009.
  - A suitable advice sheet was not prepared (although drafts were sent earlier this year the LGO did not consider they met his recommendation).
- 3.2 The further report had the following recommendations:-
  - That the Council prepare the advice sheet and provide this to the LGO by end May 2010, and
  - That the Council remind relevant staff of the action that is required by law to be taken when the LGO issues a report.

Again, under the Local Government Act 1974 the Council is required to publish a press notice in more than one paper within two weeks of receiving the report and make the report available at the Council's offices for a period of three weeks as well as consider the report within three months of receiving it and notify the Ombudsman what action it has taken or proposes to take.

3.3 In terms of implementing the recommendations of the Further Report the following actions have been taken or are proposed:-

ACTIONS REQUIRED BY LGO	ACTIONS TAKEN/TO BE TAKEN BY LBH
Publication of notices in more than one local paper	Notices published in the Richmond Times Group of papers 28.5.10 and Chronicle Group of papers 21.5.10. Report available at the Council for 3 weeks to be viewed. Copies of notices sent to LGO.
Report considered by the Council and actions taken or proposed notified to LGO.	A copy of this report and the Council's decision will be sent to the LGO.
Preparation of an advice sheet regarding refusals of offers of temporary accommodation to be provided to the LGO by end May 2010.	Advice sheet provided to LGO on 28 <sup>th</sup> May.
Relevant staff reminded of action required by law to be taken when a report is issued by the LGO	Email detailing requirements following receipt of LGO report to be distributed to Hounslow Management Group.

#### **COMMENTS OF THE BOROUGH SOLICITOR** 4.

This is a report from the Borough Solicitor 4.

#### 5. **COMMENTS of DIRECTOR OF FINANCE**

5.1 There are no additional financial implications arising from this report.

### **Background Papers:**

Report by the Local Government Ombudsman on an investigation into complaint No 07/A/14216, Further Report on an investigation into complaint No 07/A/14216.

This report has been or is due to be considered by:

Borough Council 20<sup>th</sup> July 2010

This report is relevant to the following wards/areas:

ΑII

**Contact:** Sue Witherspoon **Tel:** 020 8583 3009

**E-Mail:** <u>sue.witherspoon@hounslow.gov.uk</u>

Ref: CS202

# BOROUGH COUNCIL - 29th SEPTEMBER 2009

# RESPONSE TO THE REPORT OF THE OMBUDSMAN INTO A COMPLAINT ON A HOUSING MATTER

Report by: Terry Welsh, Borough Solicitor

### **SUMMARY**

This report sets out the findings of the Ombudsman in relation to a housing case, and sets out the proposed action of the Housing Department in response to the case.

### **REASONS FOR URGENCY**

The Local Government Ombudsman expects the Council to consider the implications arising from his judgments to be considered in good time by the Council. It is important that the Council reports back to the Ombudsman the response of the Council, and is able to confirm that the matters raised in this case are being addressed.

### 1. RECOMMENDATION

1.1 That Borough Council notes the recommendations of the Ombudsman, and the proposed action to be taken to response to the issues arising from the case.

### 2. BACKGROUND

- 2.1 The Ombudsman has investigated a case where a homeless applicant applied for assistance under the Homelessness legislation. The complaint relates to three matters:
  - That the Council delayed in offering the complainant temporary accommodation, after the Council had accepted that the household were homeless
  - That the Council failed to advise the complainant of the consequences of refusing temporary accommodation
  - That the Council had not placed the complainant in band B, in line with the published policy.
- 2.2 If a household is homeless, and in priority need certain duties arise. These include the duty to investigate the case, and the duty to provide temporary accommodation. If a household refuses temporary accommodation, then the council is able to discharge its duty towards that household, and the household must then make its own arrangements for accommodation. An applicant can appeal against the suitability of temporary accommodation within 21 days of a decision.

2.3 The law requires all local authorities to publish an Allocations Policy, and to allocate social housing that is available in accordance with the scheme. Hounslow operates a Choice Based Lettings Scheme, called Locata that enables people to bid for available and advertised accommodation, and bidders are prioritized according to the Allocations Policy.

### 3. THE CASE

- 3.1 The case (Ms A) which was investigated by the Ombudsman, related to a couple with one child, who lived in private rented accommodation. They were on the Council's housing register, and had been awarded Band C. In 2006 their landlord sought to evict them, as he required the property for his own use. The couple made an application for housing under the homelessness legislation, and their case was initially assessed. The Council accepted that it had a duty to secure accommodation for them. They were evicted from their privately rented accommodation on 13 July and they came to the Council for help on the same day.
- 3.2 The household indicated that they could stay with an aunt, but only for a short time. The couple is adamant that they were not offered emergency accommodation at this interview. In August, Ms A was pregnant with her second child, and went into hospital. Bed & Breakfast accommodation was discussed at this time, but it appears that this was not acceptable to the household, and they indicated this. An alternative option, of looking for private rented accommodation was suggested to the couple.
- 3.3 The case was referred to the Council's Social Welfare Panel, to see if their application could be awarded any higher priority, but after consideration, the panel did not raise the couple's priority band. The case was also considered by the Council's Medical Advisor, but based on the medical evidence presented by the couple, no additional priority was awarded.
- 3.4 In early January, the couple was offered two bed temporary accommodation, which they rejected. They were then offered a second property, a two bed house, as temporary accommodation. They rejected this as well. They were aware that their Band would be reduced to Band C (which is the appropriate band for all people housed in temporary accommodation of the Private Sector Leased type.) The couple was interviewed by staff from the Housing Needs division, who set out the consequences of the couple rejecting offers of temporary accommodation. They were warned that the Council would discharge its duty towards them, and that they would have to make their own arrangements. The couple still rejected the offer made to them. The Council then confirmed its decision in writing on 22 January 2007.
- 3.5 The couple asked for their Housing Register application to be re-instated, and they were restored to the Housing Register. They were assessed as Band C.

### 4 ISSUES OF COMPLAINT

4.1 There are three main causes of complaint, which the Ombudsman sets out:

- (a) That the Council delayed in offering the complainants temporary accommodation, after it accepted that it had a duty towards them as a homeless household:
- (b) The suitability of the temporary accommodation offered and the Council's failure to advise the complainants of the consequences of refusing an offer;
- (c) The Council's failure to award the household Band B in line with the Council's published policy.

# 4.2 <u>Delay in offering temporary accommodation</u>

The Ombudsman recognizes that a referral to the temporary accommodation team was made in September 2006, and that offers of temporary accommodation (which were rejected) were made in January 2007, but he is still of the view that there is an unacceptable delay in making the offer of temporary accommodation from July 2006 until January 2007.

The Council's case is that temporary accommodation was informally discussed with the family, and that when Bed & Breakfast was mentioned as the first option in an emergency, the family refused to consider this. This is confirmed by later correspondence with a Councillor (10<sup>th</sup> August) that they considered Bed & Breakfast was unsuitable.

In order to establish beyond doubt that such offers were made, there should have been formal records of the offer. However, staff on the front line, do not go through the administratively burdensome activity of making a formal offer of Bed & Breakfast to someone who has already indicated that they intend to reject it. It would a wasteful and time consuming exercise, of just going through the motions, to make a booking of Bed & Breakfast to someone who then rejects it. The Council would then have to cancel the booking, pay for the accommodation and formally record the decision of the household.

In order to improve working practices without wasteful bookings and paperwork, the Housing Needs division is developing a "post interview record" which the applicant will take away with them. This will indicate what the interviewer both advised, and offered, and will be kept with the file in order to summarize the assistance that the council has offered.

# 4.3 <u>The suitability of the temporary accommodation offered, and the Council's failure to</u> advise the complainants of the consequences of refusing an offer.

The Ombudsman is satisfied that the couple was advised of the consequences of their actions, and that they were informed about rights of review. The couple did not pursue these rights, and as these are legal rights which could have been pursued in court, the Ombudsman has ruled that this is not a matter for him to investigate.

On the issue of what band they would be in, on the Housing Register, the Ombudsman is of the view that this was not the subject of the discussion and it was not necessarily possible at that time, to state with any certainly what priority their future Housing Register would attract.

# 4.4 The failure of the Council to assess the complainant priority in line with the published Allocations Policy

The Ombudsman feels that the published policy implies that the complainant should have been placed in Band B, as there is a category of household who should be assessed as Band B if they "have dependent children AND live in insecure accommodation AND do not have a bedroom AND lack or share amenities."

The problem here is that on an ordinary reading of this sentence, it may well be felt that the household qualified under these criteria, as they were living with their aunt, lacked their own bedroom, shared all facilities and in effect had just a licence to occupy given to them by their aunt. This could be seen as insecure. However, the officers who regularly assess applications state that they have interpreted the word "insecure" as the physical arrangements of the rooms, rather than the type of tenancy. This means that someone who had to share amenities with strangers would be classified as Band B under this definition.

At the request of the Ombudsman, housing officers did check all Band B cases, and noted that in fact no applicant had ever been awarded Band B by reference to this definition, and clearly therefore, the complainant had not been disadvantaged.

However, the Ombudsman was not satisfied with this explanation, and felt that the application had not been assessed in line with published policy.

It is recognized that the current version of the Allocations Policy is complex, and difficult for applicants to follow. There are also examples within it, of contradictory ways of assessing applicants. It is because of this long recognized problem with the published policy that a full scale review of the Allocations Policy has been underway since April 2009, and will report to the Executive in November 2009 to provide a simpler, more transparent and fairer Allocations Policy.

4.5 The Ombudsman has concluded that the facts amount to maladministration. However, he does not consider the injustice caused by the delay to be great, as the complainant refused an offer of temporary accommodation when it was offered, and did not pursue their statutory rights of appeal. In addition, the failure to assess the applicant's case as set out above is not considered to be significant, as no applicant has benefited from this criterion. The distress caused by the way in which their application had been handled, has led the Ombudsman to recommend that they be awarded £500 in compensation, which has been paid. The Ombudsman also recommends that the Council should develop an advice leaflet which explains the consequences of what will happen if an applicant refuses temporary accommodation. In addition, if temporary accommodation is discussed and refused in any interview, this should be recorded on the file. These matters are in hand. The Ombudsman has also asked for a copy of the revised Allocations Policy, when completed. The text in the Ombudsman's report states:

"However, I do not consider the injustice caused by the Council's delay in offering temporary accommodation to be great as Ms Allen and M Molton refused an offer when made, and did not then pursue their statutory appeal rights regarding its suitability. Similarly, I do not consider the injustice caused by the Council's failure to

- apply one particular criterion to be couple's homelessness application to be great, as this criterion has not been applied to any housing applicant."
- 4.6 The Complainants were rehoused under the ordinary Housing Register, bidding using the Locata system in December 2008. It is worth noting that they were successfully rehoused through the Housing Register, as their priority date when registered was 18<sup>th</sup> December 2001. It is unlikely that they would have been successful for the same property, had they pursued their homeless application, as their priority date for that application was the later date of 13<sup>th</sup> July 2006.
- 5. The Council is taking steps to implement the Ombudsman's recommendations. The following actions will be implemented:
  - Payment of £250 compensation to the complainant, and £250 to the relative who assisted them in pursuing their complaint;
  - Production of an advice sheet for applicants to warn them about the consequences of refusing an offer of accommodation;
  - Keeping a record of the offer of, and any refusal of any kind of temporary accommodation;
  - The revised Allocations Policy to be sent to the Ombudsman, when approved.

### 6. COMMENTS OF DIRECTOR OF FINANCE

6.1 Any costs associated with the implementation of the recommendations made by the Ombudsman must be financed from the approved budget of the Community Services Department.

### **Background Papers:**

Report by the Local Government Ombudsman on an investigation in a complaint No 07/A/14216

This report has been or is due to be considered by:

Borough Council 27<sup>th</sup> October 2009

This report is relevant to the following wards/areas: All



# Further report

on an investigation into complaint no 07/A/14216 against London Borough of Hounslow

11 May 2010

Millbank Tower Millbank London SW1P 4QP

#### Investigation into complaint no 07/A/14216

#### against the London Borough of Hounslow

- 1. On 14 April 2009 I issued a critical Report against the London Borough of Hounslow.
- 2. Mrs Clayton (not her real name for legal reasons) complained on behalf of her granddaughter, Ms Allen, and Ms Allen's partner, Mr Molton, that the Council had delayed unreasonably in offering the couple temporary accommodation once it accepted it had a homelessness duty towards them. Mrs Clayton also complained that the Council failed to assess the couple's homelessness application in accordance with its published allocations policy.
- 3. I upheld Mrs Clayton's allegations. There was, therefore, maladministration by the Council causing Ms Allen and Mr Molton injustice. However, I did not consider the injustice caused by the Council's delay in offering temporary accommodation to be great, as Ms Allen and Mr Molton refused an offer when made, and did not then pursue their statutory appeal rights regarding its suitability. Nevertheless, I recommended that the Council redress the injustice caused. I have no power to enforce such recommendations.
- 4. The Council accepted that it was at fault in the way identified. I recommended that it should pay Ms Allen and Mr Molton £500 compensation for the injustice they had suffered, and Mrs Clayton £250 compensation for her time and trouble in pursuing the complaint on their behalf. I also recommended that the Council should consider preparing an advice sheet to give to homelessness applicants which explains the implications of the refusal of temporary accommodation, and the likely effect on their banding on any subsequent housing register application; that it should remind its housing staff of the need to keep accurate file notes; and that it should provide me with a copy of its revised allocations policy once it had been finalised.
- The Council has now paid the compensation I recommended, given the reminder to its housing staff and provided the allocations policy. But it has failed to prepare the recommended advice sheet.
- 6. In addition, section 30 of the Local Government Act 1974 required the Council to make a press announcement in more than one newspaper within two weeks of receiving the Report, and to make it available at one or more of the Council's offices for a period of three weeks. The Council failed to do this until February 2010, some ten months after I issued my Report.

2

07/A/14216

- Section 31 of the 1974 Act required the Council to consider the Report and, within three months of receiving it, notify me of the action which it had taken or proposed to take. The Council failed to do this until December 2009, a delay of nearly five months.
- 8. Section 31 of the 1974 Act also provides that if a Local Commissioner is not satisfied with the action the Council has taken in response to an adverse Report he shall make a Further Report. In the light of the examples in the paragraphs above I cannot be satisfied with the action the Council has taken following receipt of my Report.
- 8. I must also consider recommendations, and so I proposing the following:
  - that the Council prepare the advice sheet and provide me with a copy by the end of May 2010; and
  - (b) that it remind relevant staff of the action that is required by law to be taken when I issue a Report.

Tony Redmond Local Government Ombudsman 10<sup>th</sup> Floor Millbank Tower Millbank London SW1P 4QP

Tony Reducend

11 May 2010

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07/A/14216

Contact: Terry Welsh Tel: 020-8583 2022

**E-Mail:** terry.welsh@hounslow.gov.uk

Borough Council - 29<sup>th</sup> June 2010

### **Amendment to Constitution**

Report by: The Borough Solicitor

# **Summary**

To seek approval for changes to the Constitution with respect to the relationship with the Overview and Scrutiny Committee to its scrutiny committees.

### 1.0 RECOMMENDATION

1.1 That the Council note the report.

### 2.0 BACKGROUND

- 2.1 The new Administration has suggested that there should be a stronger relationship between the Overview and Scrutiny Committee and its scrutiny panels and is proposing that this be best created by requiring that chairs of such panels be selected only from members of the Overview and Scrutiny Committee itself.
- 2.2 This will require a small change to the constitution.
- 2.3 The proposal is that Article Six of the Constitution, which relates specifically to how the Overview and Scrutiny Committee will carry out its functions be amended to include an additional sentence thus:
  - "Chairs of any scrutiny panels created by the Overview and Scrutiny Committee will be selected only from the membership of the Committee".
- 2.4 Members will be aware that the Council's practice is for proposed changes to the constitution to be "laid down" before members by being published on the agenda for the council meeting and then republished at the next meeting of the council for full debate and determination. In this case, this item is being published for the first time purely for noting.

### 3. COMMENTS BY THE DIRECTOR OF FINANCE

3.1 There are no direct financial implications arising from the proposed changes set out in the report and where any occur, these must be kept within existing budgets.

# 4. COMMENTS OF THE BOROUGH SOLICITOR

4.1 The comments of the Borough Solicitor have been included in the report.

# 5. EQUALITY IMPACT ASSESSMENT

5.1 This proposal is purely administrative and has no impact on the equalities.

**Background Papers: None** 

This report has been or is due to be considered by: Council

This report is relevant to the following wards/areas: None

### **REPORT ENDS**

Contact: Thomas Ribbits Tel: 020 8583 2251

**E-Mail:** Thomas.Ribbits@Hounslow.gov.uk

# COUNCIL - 20th JULY 2010

# **Appointments To Outside Bodies 2010/11**

Report by: The Head of Democratic Services

# **Summary**

This report seeks appointments to outside bodies on which the Council has been invited to provide representatives for the municipal year 2010/11.

### 1.0 RECOMMENDATION:

1.1 That the appointments to outside bodies for the remainder of the municipal year 2010/11 (unless otherwise stated) as listed in this report (or tabled at the meeting) be approved.

# 2.0 Background

- 2.1 The Council is asked to make appointments to the bodies indicated in the appendix (or in any tabled paper). Most appointments are on an annual basis but there are some for longer periods and, where this is the case, the duration of the appointment is listed.
- 2.2 At the last meeting of the Council, members made some appointments. In addition, a small number have been made since that meeting using the council's urgency arrangements. The names of members already appointed to outside bodies are included in the appendix to this report.
- 2.3 However, at the time of publication of this report, no new nominations have yet been made and so this information will be tabled at the meeting itself.
- 2.4 Some of these appointments require decisions to be made as soon as possible whereas in other cases, the need is not so pressing. If there are any non-contentious outstanding appointments following the meeting, they will be submitted for approval using the council's urgency arrangements in order to ensure that such appointments can be implemented as quickly as possible.

# **Background Papers:**

Correspondence from outside bodies

This report has been or is due to be considered by:

**Borough Council** 

This report is relevant to the following wards/areas:

ΑII

# **OUTSIDE BODIES AND NOMINATIONS (AS AT 13th JULY 2010)**

Note: the names detailed below have already been appointed to the organisations listed. Where there is no name, the positions are vacant.

NAME OF OUTSIDE BODY	NUMBER OF REPRESENTATIVES AND NOMINATIONS
Age Concern (Chiswick)	No of Representatives: 1
Age Concern (Greater London)	No of Representatives: 1
Association for Public Services	No of Representatives: 1
Bedfont Parish Charities	No of Representatives: 6
Bereavement Services for Hounslow	No of Representatives: 1
Brentford and Chiswick Merged Charities	No of Representatives: 2
Brentford Football in the Community Management Committee	No of Representatives: 2
Brentford Relief in Need Charity	No of Representatives: 2
Chiswick House and Gardens (Trustees and Friends)	No of Representatives: 2
Chiswick Parochial Charities	No of Representatives: 3
Chiswick Pier Trust	No of Representatives: 2
Citizens Advice Bureau	No of Representatives: 3

Connexions - Hounslow Youth Service	No of Representatives: 1
Consortium of Local Education Authorities	No of Representatives: 1
Cranford Combined Charities	No of Representatives: 2
Disability Network Hounslow	No of Representatives: 1
Duke of Edinburgh's Award Scheme	No of Representatives: 2
Dukes Hollow Nature Reserve Management Committee	No of Representatives: 3
Ecological Advisory Committee for Bedfont Lakes	No of Representatives: 5
Feltham Carnival Liaison Committee	No of Representatives: 1
Focus Youth Group	No of Representatives: 1
Greater London Enterprise	No of Representatives: 1
Gunnersbury Triangle Nature Reserve	No of Representatives: 3
Hanworth Poorsland Trust	No of Representatives: 2
Hanworth Village Hall Management Committee	No of Representatives: 1
Heathrow Airport Consultative Committee	No of Representatives: 6 Ruth Cadbury, Barbara Reid, Corinna Smart (full members) Alan Barber, Peter Carey, Mohindr Gill (deputies)

Heritage of London Trust Ltd	No of Representatives: 1
Heston & Isleworth Old People's Welfare Committee	No of Representatives: 5
Heston Parochial Charities	No of Representatives: 4
Hounslow Community Association	No of Representatives: 3
Hounslow Community Transport Management Committee	No of Representatives: 1
Hounslow Heath Advisory Committee	No of Representatives: 4
Hounslow Homes	No of Representatives: 5 John Chatt, Mel Collins, Barbara Harris, Gillian Hutchison, Sue Sampson
Hounslow Law Centre	No of Representatives: 6
Hounslow Multi Cultural Centre	No of Representatives: 1
Hounslow Racial Equality Council	No of Representatives: 3
Investigation of Air Pollution Standing Conference	No of Representatives: 3
Isleworth & Hounslow Charity Ltd	No of Representatives: 10 (four year appointments)
Isleworth Blue School	No of Representatives: 1
Local Authorities' Aircraft Noise Council	No of Representatives: 1

Local Government Association General Assembly	No of Representatives: 4 Raj Bath, Ruth Cadbury, Theo Dennison Jagdish Sharma.
Local Government Association High Ethnicities Authorities Special Interests Group	No of Representatives: 1 Jagdish Sharma
Local Government Association Urban Commission	No of Representatives: 2 Ruth Cadbury, Corinna Smart
Local Government Association Waste Management	No of Representatives: 1 Corinna Smart
Local Government Information Unit	No of Representatives: 1 Jagdish Sharma
London (South West) Valuation Tribunal	No of Representatives: 4
London Accident Prevention Council	No of Representatives: 2
London Councils Children and Young People Forum	No of Representatives: 1 Lily Bath
London Councils Crime and Public Protection Forum	No of Representatives: 1 Ed Mayne
London Councils Culture, Tourism and 2012 Forum	No of Representatives: 1 Pritam Grewal
London Councils Economic Development Forum	No of Representatives: 1 Ruth Cadbury
London Councils Grants Committee	No of Representatives: 5 (one full, four deputies) Raj Bath (member) Mindu Bains, Mohinder Gill, Kamaljit Kaur, Peta Vaught (deputies)

London Councils Greater London Employment Forum	No of Representatives: 1 Ruth Cadbury
London Councils Health and Adult Services Forum	No of Representatives: 1 Gurmail Lal
London Councils Housing Forum	No of Representatives: 1 Ruth Cadbury
London Councils Leaders Committee	No of Representatives: 3 (one full, two deputies) Jagdish Sharma (member) Theo Dennison, Ruth Cadbury (deputies)
London Councils Transport and Environment Committee	No of Representatives: 5 (one full, four deputies) Corinna Smart (member) Four Labour vacancies (deputies)
London Home & Water Safety Council	No of Representatives: 3
Mortlake Crematorium Board	No of Representatives: 2 Felicity Barwood Elizabeth Hughes
National Society for Clean Air & Environmental Protection	No of Representatives: 4
Relate	No of Representatives: 2
Reserve Forces & Cadets Association	No of Representatives: 2 Paul Lynch
Room AT RTP1	No of Representatives: 2
Rubgy and Football Union Concert & Match Day Committee	No of Representatives: 1 Ed Mayne
South West Middlesex Crematorium Board	No of Representatives: 3 Colin Ellar

Southall Day Centre	No of Representatives: 1
Strategic Aviation Special	No of Representatives: 2
Interest Group	Barbara Reid, Corinna Smart
Thames Landscape Strategy Steering Group	No of Representatives: 2
Thames Water Liaison Committee	No of Representatives: 1 Corinna Smart
Thomas Layton Museum Trust	No of Representatives: 3
Town Twinning Association of Hounslow	No of Representatives: 4
Veterans Agency (MOD)	No of Representatives: 1
Watermans Arts Centre	No of Representatives: 1 Pritam Grewal
West London Waste Authority	No of Representatives: 1 Corinna Smart
West Thames College Governing Body	No of Representatives: 1

# **REPORT ENDS**