

# COUNCIL AGENDA

(Annual Council Meeting)

Wednesday 27 May 2009

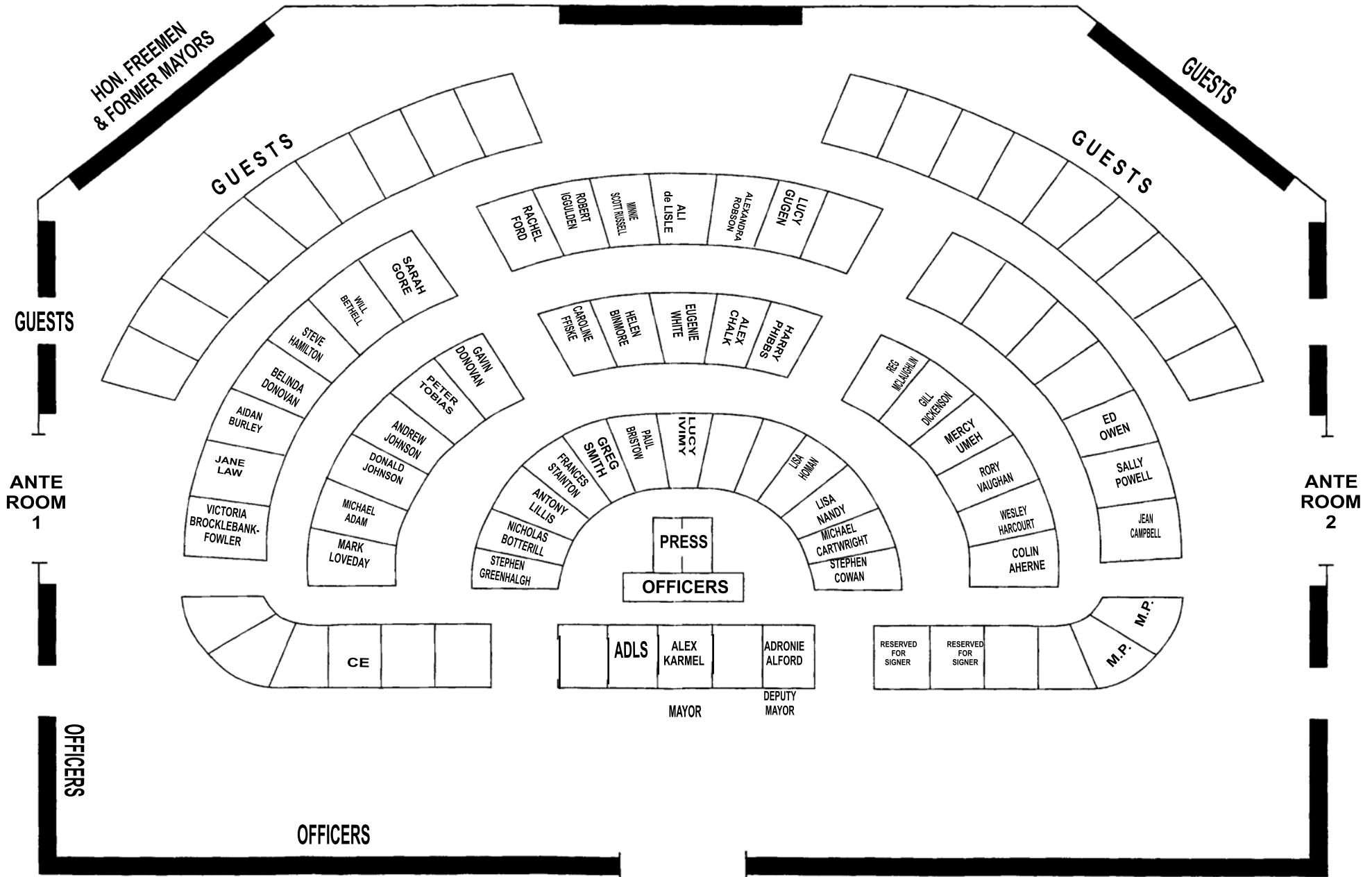
## ANNUAL COUNCIL MEETING - 27 MAY 2009

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<u>ITEM</u>	<u>PAGE</u>
<b>1. ELECTION OF MAYOR 2009/10</b>	
1.1 To receive nominations for the election of a Mayor for the 2009/10 Municipal Year.	
1.2 To appoint a Deputy Mayor for the 2009/10 Municipal Year.	
<b>2. MINUTES – 25 FEBRUARY 2009</b>	<b>6-15</b>
To approve and sign as an accurate record, the Minutes of the Budget Council meeting held on 25 February 2009.	
<b>3. APOLOGIES FOR ABSENCE</b>	
<b>4. DECLARATIONS OF INTEREST</b>	
<b>5. MAYOR'S ANNOUNCEMENTS (IF ANY)</b>	
<b>6. PARTY APPOINTMENTS FOR 2009/10 MUNICIPAL YEAR</b>	<b>16</b>
To note the Chief Executive's report on the various appointments made by the Party Groups on the Council for the 2009/10 Municipal Year.	
<b>7. ANNUAL REVIEW AND ADOPTION OF THE COUNCIL'S CONSTITUTION</b>	<b>17-24</b>
To receive the Monitoring Officer's report detailing the annual review of the Council's Constitution, and to agree to re-adopt it, with amendments, for a further Municipal Year.	(Constitution circulated separately to all members)
<b>8. COUNCILLORS' ALLOWANCES SCHEME: REVISION</b>	<b>25-31</b>
This report revises the Councillors' Allowances Scheme to change one special responsibility allowance (SRA) to reflect the different work undertaken by the post holder to implement a key Council priorities.	

<b>9.</b>	<b>CHANGING GOVERNANCE ARRANGEMENTS</b>	<b>32-39</b>
	<p>This report details the provisions relating to the Local Government and Public Involvement in Health Act 2007 (the Act) and outlines the decisions the Council is required to take to ensure that its Governance Arrangements comply with the provision of the Act. The Council is asked to consider to adopt particular arrangements where it is mandatory and decide on other discretionary provisions detailed in the Act.</p>	
<b>10.</b>	<b>BUSINESS SPECIAL MOTIONS</b>	
10.1	Special Motion No.1 – Appointment of a Leader, Deputy Leader Cabinet Members, Chairmen and Memberships of Regulatory and Overview and Scrutiny Committees 2009/10	<b>40-47</b>
10.2	Special Motion No.2 – Council Appointments to London Local Government Organisations 2009/10	<b>48-50</b>
10.3	Special Motion No.3 – Council Calendar 2009/10	<b>51-52</b>
<b>11.</b>	<b>COUNCILLORS’ REPORTS TO COUNCIL</b>	
11.1	To receive the Leader’s Annual Report (oral presentation).	
11.2	To receive the Overview and Scrutiny Annual Report 2008/09.	<b>53-81</b>
11.3	To receive the Standards Committee Annual Report 2008/09.	<b>82-87</b>
11.4	To note the Councillors’ summary of activity of work undertaken in 2008/09.	<b>88-89</b>

# COUNCIL CHAMBER SEATING 2009/10



COUNCIL CHAMBER FOYER



The Mayor (Councillor)  
Deputy Mayor (Councillor)

ADDISON

Helen Binmore (C)  
Belinda Donovan (C)  
Peter Tobias (C)

HAMMERSMITH  
BROADWAY

Michael Cartwright (L)  
Stephen Cowan (L)  
Lisa Nandy (L)

RAVENSCOURT PARK

Lucy Ivimy (C)  
Harry Phibbs (C)  
Eugenie White (C)

ASKEW

Gill Dickenson (L)  
Rory Vaughan (L)  
Lisa Homan (L)

MUNSTER

Michael Adam (C)  
Adronie Alford (C)  
Alex Karmel (C)

SANDS END

Ali de Lisle (C)  
Steve Hamilton (C)  
Jane Law (C)

AVONMORE &  
BROOK GREEN

Will Bethell (C)  
Alexandra Robson (C)  
Robert Iggulden (C)

NORTH END

Caroline Ffiske (C)  
Sarah Gore (C)  
Lucy Gugen (C)

SHEPHERDS BUSH  
GREEN

Mercy Umeh (L)  
Ed Owen (L)  
Alex Chalk (C)

COLLEGE PARK &  
OLD OAK

Wesley Harcourt (L)  
Reg McLaughlin (L)

PALACE RIVERSIDE

Donald Johnson (C)  
Minnie Scott Russell (C)

TOWN

Stephen Greenhalgh (C)  
Greg Smith (C)  
Antony Lillis (C)

FULHAM BROADWAY

Aidan Burley (C)  
Victoria Brocklebank-  
Fowler (C)  
Rachel Ford (C)

PARSONS GREEN AND  
WALHAM

Nicholas Botterill (C)  
Mark Loveday (C)  
Frances Stainton (C)

WORMHOLT AND  
WHITE CITY

Colin Aherne (L)  
Jean Campbell (L)  
Dame Sally Powell (L)

FULHAM REACH

Paul Bristow (C)  
Gavin Donovan (C)  
Andrew Johnson (C)

# SUMMONS

Councillors of the London Borough of  
Hammersmith & Fulham  
are requested to attend the  
Annual Meeting of the Council on  
Wednesday 27 May 2009  
at Hammersmith Town Hall, W6

The Council will meet at 7.00pm.

18 May 2009  
Town Hall  
Hammersmith W6

Geoff Alltimes  
Chief Executive

# COUNCIL MINUTES

(BUDGET COUNCIL MEETING)

WEDNESDAY 25 FEBRUARY 2009



PRESENT:

The Mayor (Councillor Andrew Johnson)  
Deputy Mayor (Councillor Alex Karmel)

Councillors:

Michael Adam  
Colin Aherne  
Mrs Adronie Alford  
Helen Binmore  
Nicholas Botterill  
Paul Bristow  
Victoria Brocklebank-  
Fowler  
Aidan Burley  
Jean Campbell  
Michael Cartwright  
Alex Chalk  
Stephen Cowan  
Gill Dickenson  
Belinda Donovan

Gavin Donovan  
Rachel Ford  
Sarah Gore  
Stephen Greenhalgh  
Lucy Gugen  
Steve Hamilton  
Wesley Harcourt  
Lisa Homan  
Robert Iggulden  
Lucy Ivimy  
Donald Johnson  
Jane Law  
Antony Lillis  
Ali de Lisle  
Mark Loveday

Reg McLaughlin  
Lisa Nandy  
Ed Owen  
Dame Sally Powell  
Alexandra Robson  
Minnie Scott Russell  
Greg Smith  
Frances Stainton  
Peter Tobias  
Mercy Umeh  
Rory Vaughan  
Eugenie White



### **39. MINUTE SILENCE**

The Mayor announced the death of former Councillor Mr Thomas Liscomb, who had served as an elected member at Hammersmith and Fulham from 1986 to 1990. He was also sad to note the death of David and Samantha Cameron's young son Ivan earlier that day. The Council observed a minute silence as a mark of respect.

### **40. MINUTES – 28 JANUARY 2009**

7.03pm - The minutes of the Ordinary Council Meeting held on 28 January 2009 were confirmed and signed as an accurate record, subject to an amendment to the attendance page to reflect that Councillor Michael Adam had been present at the meeting.

### **41. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Caroline Ffiske, Harry Phibbs and Will Bethell. Apologies for lateness were received on behalf of Councillor Sarah Gore.

### **42. MAYOR'S ANNOUNCEMENTS**

The Mayor's Announcements were circulated and tabled at the meeting. (Copy attached as **Appendix 1** to these minutes).

### **43. DECLARATIONS OF INTEREST**

The Mayor advised Councillors that, in relation to agenda item 6.4 – 'Councillors' Allowances Scheme: Annual Review', the Standards Board had advised that it was necessary for all Councillors to declare their allowances as personal interests under the Code of Conduct. In order to manage this with the minimum of disruption, all Councillors present in the Chamber would be deemed as having declared a personal interest in this item (unless the Councillor objects), and this fact would be duly noted and recorded in the minutes. This was agreed unanimously.

### **44. PUBLIC QUESTION TIME**

There were no public questions.

### **45. ITEMS FOR DECISION / COMMITTEE REPORTS**

#### **7.05pm – Revenue Budget and Council Tax Levels 2009/10**

The report and recommendations were moved for adoption by the Leader of the Council, Councillor Stephen Greenhalgh.

Under Council Procedure Rule 15 (e)(i), Councillor Reg McLaughlin moved, seconded by Councillor Lisa Nandy, an amendment to the report to insert a new recommendation:

“That the Director of Children’s Services be instructed to reverse the funding cuts to services for children with complex needs (p.359), to be funded by back office efficiencies’.

Speeches on the amendment were made by Councillor Reg McLaughlin, Councillor Lisa Nandy and Councillor Dame Sally Powell (for the Opposition) and Councillor Antony Lillis (for the Administration), before it was put to the vote:

FOR	13
AGAINST	29
ABSTENTIONS	0

The amendment to the report was declared **LOST**.

In accordance with Council convention, the Leader of the Administration, Councillor Stephen Greenhalgh, and the Leader of the Opposition, Councillor Stephen Cowan, were then given unlimited time to speak on the Budget report.

The report and recommendations were put to the vote:

FOR	29
AGAINST	0
ABSTENTIONS	13

The report and recommendations were declared **CARRIED**.

8.12pm - **RESOLVED**:

1. To note the Council Tax decrease, for the Hammersmith & Fulham element, of 3% for 2009/10 and 2010/11 and, for planning purposes, no change for 2011/12;
2. The Council Tax be set for 2009/10 for each category of dwelling, as calculated in accordance with Sections 30 to 47 of the Local Government Finance Act 1992, as outlined below and in full in Appendix A:
  - (a) The element of Council Tax charged for Hammersmith & Fulham Council will be £836.89 per Band D property in 2009/10;
  - (b) The element of Council Tax charged by the Greater London Authority will be £309.82 per Band D property in 2009/10.
  - (c) The overall Council Tax to be set will be £1,146.71 per Band D property in 2009/10;

Category of Dwelling	A	B	C	D	E	F	G	H
Ratio	6/9 £	7/9 £	8/9 £	1 £	11/9 £	13/9 £	15/9 £	18/9 £
a) H&F	557.93	650.91	743.90	836.89	1,022.87	1,208.84	1,394.82	1,673.78
b)GLA	206.55	240.97	275.40	309.82	378.67	447.52	516.37	619.64
<b>c)Total (Draft)</b>	<b>764.48</b>	<b>891.88</b>	<b>1,019.30</b>	<b>1,146.71</b>	<b>1,401.54</b>	<b>1,656.36</b>	<b>1,911.19</b>	<b>2,293.42</b>

3. The Council's own total net expenditure budget for 2009/10 is set as £185.764m;
4. That fees and charges are approved as set out in paragraph 5.1;
5. That the Director of Finance and Corporate Services' budget projections to 2011/12 be noted;
6. That the Director of Finance and Corporate Services' statements under Section 25 of the Local Government Act 2003 regarding adequacy of reserves and robustness of estimates be noted (paragraphs 6 and 7);
7. That the Director of Finance and Corporate Services be authorised to collect and recover National Non-Domestic Rate and Council Tax in accordance with the Local Government Finance Act 1988 (as amended), the Local Government Finance Act 1992 and the Council Schemes of Delegation;
8. That all Chief Officers be required to report monthly on their projected financial position compared to their revenue estimates (as part of the Corporate Monitoring Report);
9. That all Chief Officers be authorised to implement their service spending plans for 2009/10 in accordance with the recommendations within this report and the Council's Standing Orders, Financial Regulations and relevant Schemes of Delegation.

#### **46. 8.13pm – TREASURY MANAGEMENT STRATEGY REPORT**

The report and recommendation was moved for adoption by the Leader, Councillor Stephen Greenhalgh.

The report and recommendation was put to the vote:

FOR	29
AGAINST	0
ABSTENTIONS	13

The report and recommendation was declared **CARRIED.**

8.13pm - **RESOLVED:**

1. To approve the future borrowing and investment strategies;
2. In relation to the Council's overall borrowing for the financial year 2009/10, approve the Prudential Indicators as set out in Section 3 of this report;
3. To approve the methodology for establishing credit criteria as described in paragraph 10 and Appendix B;
4. To delegate future amendments to the credit criteria methodology to Cabinet;
5. To authorise the use of Money Market Funds and Government Liquidity Funds as described in para.11 and Appendix D.

**47. 8.14pm – CAPITAL PROGRAMME 2009/10 TO 2013/14**

The report and recommendation was moved for adoption by the Leader, Councillor Stephen Greenhalgh.

The report and recommendation was put to the vote:

FOR	29
AGAINST	0
ABSTENTIONS	13

The report and recommendation was declared **CARRIED.**

8.14pm - **RESOLVED:**

1. To note that the General Fund Capital Programme for 2009/10 is £33.910m. (Appendix 1);
2. To note the level of capital receipts needed to support the capital strategy (detailed in Table 2);
3. To agree that capital contingency of £2m be retained to meet unforeseen and unavoidable expenditure (Para 2.5 refers);
4. To approve the following initiatives within the Capital Programme:
  - The continuation at current funding levels of the uncommitted mainstream capital schemes for Expansion of Wendell Park School (£1.250m), The modernisation of secondary schools (£1.074m), Park Improvements (£1.5m) and Bishops Park (£2m) (Para 2.8 refers);

- The continuation of the rolling programmes for Corporate Planned Maintenance (£2.5m), repairs to Carriageways and Footways (£2.1m), private sector housing grants (£1.4m) and Disabled Access Works (£0.250m).
5. To approve that £0.727m be set aside for debt reduction in 2009/10;
  6. To approve the position where the Council does not increase its borrowing by the amount the government assumes in its formula grant calculation;
  7. To approve that the capital bids evaluation process will not be undertaken for 2009/10;
  8. To note the level of resource forecast as detailed in Table 5 and indicative expenditure for the Housing regeneration programme;
  9. To approve the annual drawdown of £1m from Parking Reserve;
  10. To note the updated HRA resource forecast as detailed in Table 6 and indicative capital programme as detailed in Appendix 2 to the report;
  11. To approve the actions detailed in paragraph 6.2 to address the temporary 2010/11 funding deficit and note that a further report will be presented to Members regarding the HRA capital programme during 2009/10;
  12. To approve the prudential indicators as detailed in Appendix 3 to the report;
  13. To approve the following Annual Minimum Revenue Provision Statement:
    - For debt which is supported by Revenue Support Grant this authority will calculate the Minimum Revenue Provision in accordance with current regulations (namely 4% of the Capital Financing Requirement net of Adjustment A);
    - For debt which has arisen through prudential borrowing it shall be written down in equal instalments over the estimated asset life. The debt write-off will commence the year after an asset comes into use.

#### **48. 8.15pm – COUNCILLORS' ALLOWANCES SCHEME: ANNUAL REVIEW**

The report and recommendation was moved for adoption by the Leader, Councillor Stephen Greenhalgh.

FOR	Unanimous
AGAINST	0
ABSTENTIONS	0

The report and recommendation was declared **CARRIED.**

8.15pm - **RESOLVED:**

That the Councillors' Allowances Scheme 2009-10, as set out in Appendix 1 of the report, be approved.

**49. 8.16pm – REVIEW OF THE COUNCIL'S CONSTITUTION: CHANGES TO SCHEMES OF DELEGATION**

The report and recommendation was moved for adoption by the Leader, Councillor Stephen Greenhalgh.

FOR	29
AGAINST	0
ABSTENTIONS	13

The report and recommendation was declared **CARRIED.**

8.16pm - **RESOLVED:**

That the changes and amendments proposed to the Council Constitution, as summarised in Appendix 1 to the report, be agreed.

**50. INFORMATION REPORTS TO COUNCIL (IF ANY)**

There were no information reports to this meeting of the Council.

\* \* \* \* \* CONCLUSION OF BUSINESS \* \* \* \* \*

Meeting ended: 8.17 pm. - Wednesday, 25 February 2009.

.....  
MAYOR

## **ANNOUNCEMENTS BY**

### **THE MAYOR**

1. I am sure everyone shares my sadness to hear of the death of a former Councillor Mr Thomas Lipscomb on 23<sup>rd</sup> December 2008 in Barnes. Thomas Lipscomb served as a Councillor from 1986 to 1990 representing Colehill Ward and a number of various committees.
2. Our thoughts and prayers go out to David & Samantha Cameron and their family on the death of their young son, Ivan, who died earlier today at St Mary's Hospital, London.  
  
I invite you all to stand for one minute silence in their memory.
3. On 30<sup>th</sup> January 2009, I attended Hammersmith Town Hall staff lunchtime Charity fundraising event in aid of the RNLI SOS Day, Small Hall, HTH
4. On 2<sup>nd</sup> February, I attended the funeral service for former Councillor Mrs Josie Wicks at Mortlake Crematorium
5. On 5<sup>th</sup> February, I attended Fulham Cross Girls School morning assembly, Munster Road, SW6
6. On 7<sup>th</sup> February, I attended the Mayor of Ealing's Charity Race Night, Meadvale Road, W5
7. On 11<sup>th</sup> February, I attended St Paul's School morning assembly, Worlidge Street W6
8. On 11<sup>th</sup> February, I was delighted to attend India's Republic Day celebration, Mountbatten Auditorium, Bhavan Centre, W14
9. On 12<sup>th</sup> February, I attended the Mayhew Animal Home, Trenmar Gardens, NW10
10. On 13<sup>th</sup> February, I was delighted to host a reception for the delegates of the Independent Electoral Commission of Afghanistan, Mayor's Parlour
11. On 17<sup>th</sup> February, I was delighted to host a presentation ceremony for Albert and Friends Instant Circus, who were winners at the New Years Day Parade 2009, winning £5000 in aid of my chosen charity, The Alzheimer's Society Hammersmith, Mayor's Parlour, HTH
12. On 17<sup>th</sup> February, I attended the official launch reception of QPR in the Community Trust, House of Lords, Westminster, SW1A

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13. On 18<sup>th</sup> February, I attended a performance of The Permanent Way, LAMDA, Talgarth Road, W14
14. On 24<sup>th</sup> February, I attended a service of remembrance for the late Cllr Jonathan Driver, who was the Mayor of Croydon, Croydon Parish Church, Church Street, Croydon
15. On 24<sup>th</sup> February, I attended the Brackenbury Residents Association 10<sup>th</sup> Anniversary celebration, Godolphin School, Iffley Road, W6



**27 MAY 2009**

**PARTY APPOINTMENTS FOR THE 2009/10  
MUNICIPAL YEAR**

**WARDS  
All**

The Council is asked to note the following Party appointments that have been made for the Municipal Year 2009/10:

**ADMINISTRATION**

Leader – Councillor Stephen Greenhalgh

Deputy Leader – Councillor Nicholas Botterill

Chief Whip – Councillor Mark Loveday

Deputy Whip – Councillor Victoria Brocklebank-Fowler

**OPPOSITION**

Leader – Councillor Stephen Cowan

Deputy Opposition Leader – Councillor Michael Cartwright

Opposition Whip – Councillor Colin Aherne

Deputy Opposition Whip – Councillor Jean Campbell

**CONTRIBUTORS**

CE

**RECOMMENDATION:**

**That the appointments made by the Party Groups on the Council be noted.**

# MONITORING OFFICER'S REPORT TO COUNCIL

# 7

27 MAY 2009

**ANNUAL REVIEW AND ADOPTION OF THE COUNCIL'S  
CONSTITUTION**

**WARDS  
All**

## Summary

The Council's Monitoring Officer is required to review the Council's Constitution each year to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution. A report on this subject is therefore included on the Annual Council Meeting agenda each year.

The Council's Constitution is based on a model published by the Government following the introduction of the Local Government Act 2000. The Council adopted a new style Constitution in May 2002, with a Leader, Cabinet and Overview and Scrutiny Committees.

In year amendments were made to reflect changes to Cabinet portfolio responsibilities and changes to the Schemes of Delegation. The Constitution was last reviewed at the Annual Council on 30 May 2007.

**CONTRIBUTOR: RECOMMENDATIONS**

**ADLADS**

- 1. That the minor updates, amendments and corrections proposed to the Council Constitution, as set out in Annex 1 to the report, be agreed.**
- 2. Subject to agreement of the above, that the Council's Constitution be re-approved and re-adopted for the 2009/10 Municipal Year.**

## **1. COMMENTS OF MONITORING OFFICER**

- 1.1 Over the past 12 months, changes have been made to the Constitution to reflect the changes to the Cabinet portfolio responsibilities and amendments to the Schemes of Delegation. The Monitoring Officer is satisfied that the Council's Constitution continues to fulfil its stated purposes, as set out in Article 1 of the Constitution.
- 1.2 The Council's Executive and Scrutiny processes have continued to operate as intended and as laid out in the Constitution over the past year. The proposed changes and the reasons for them are set out in Annex 1.

## **2. SCHEMES OF DELEGATION**

- 2.1 Revisions were also made to the Scheme of Delegation to reflect the transfer of powers and functions from the Environment department to the Residents Services department from 1 April 2009 in line with the new Corporate structure. As in previous years, further minor amendments to the detailed Schemes of Delegation (which set out how responsibilities are assigned from the Council to its Directors and other officers) are being proposed. These changes have been included in the Constitution and circulated separately to Members.

## **3. CONTRACTS STANDING ORDERS**

- 3.1 These have also been reviewed and updated where necessary and included in the Constitution circulated separately to Members.

## **LOCAL GOVERNMENT ACT 2000 - BACKGROUND PAPERS**

<b>No.</b>	<b>Brief Description of Background Papers</b>	<b>Name/Ext. of holder of file/copy</b>	<b>Department/Location</b>
1.	Review of the Constitution Working papers/file	Kayode Adewumi Head of Councillors' Services, Ext 2499	Second Floor, Hammersmith Town Hall, Room 202a

## APPENDIX 1

### ANNUAL REVIEW OF THE CONSTITUTION MAY 2009

#### PROPOSED CHANGES TO THE 2008 CONSTITUTION

SECTION	TITLE/ SUBJECT	CURRENT WORDING	PROPOSED WORDING	REASON(S) FOR CHANGES
Part 2	Article 6 : Overview and Scrutiny Committees	Existing Terms of Reference	<b>Update</b> to reflect changes to Cabinet portfolios and departmental responsibilities	Changes to Cabinet portfolio responsibilities and departmental responsibilities were agreed by the Council on 28 January and 25 February 2009 respectively
Part 3	The Executive (Cabinet) 2008/09	Existing composition of the Cabinet	<b>Update</b> to incorporate any changes to Cabinet membership	Appointments to the Cabinet are made at the beginning of each municipal year
Part 3	The Executive (Cabinet) 2008/09	Cabinet Member for Culture and Heritage	Update title to Cabinet Member for Parks, Culture and Heritage and amend responsibilities to include shared Parks functions.	Reflects the current responsibilities of the portfolio holder
Part 3	The Executive (Cabinet) 2008/09	Cabinet Member for Strategy	Amend to incorporate changes to post holder's responsibility and title – Chief Whip and Cabinet Member for Strategy	The portfolio holder has taken on new responsibilities

<b>SECTION</b>	<b>TITLE/ SUBJECT</b>	<b>CURRENT WORDING</b>	<b>PROPOSED WORDING</b>	<b>REASON(S) FOR CHANGES</b>
Part 3	Executive portfolio – Cabinet Member for Community and Children’s Services	<i>Functions 2.2.</i> Appointing Councillors to the Authority’s Adoption Panel in accordance with the Adoption Legislation and Regulations	<b>Amend:</b> Appointing Councillors to the Authority’s Adoption and Fostering Panels in accordance with the Adoption and Fostering Legislation and Regulations	To incorporate Fostering provisions
Part 3	Overview and Scrutiny Committee membership 2008/09	Existing membership	<b>Update</b> to incorporate any changes to Scrutiny Committee membership	Appointments to Scrutiny Committees are made at the beginning of each municipal year
Part 3	Regulatory and other Committee memberships 2008/09	Existing membership	<b>Update</b> to incorporate any changes to membership of these Committees	Appointments to these Committees are made at the beginning of each municipal year

SECTION	TITLE/ SUBJECT	CURRENT WORDING	PROPOSED WORDING	REASON(S) FOR CHANGES
Part 3	General Scheme of Delegation to all Chief Officers	Section 25 - Directors can only sign off new expenditure up to £20,000	Update Section 25 - Directors can sign off new expenditure up to £20,000 unless specifically stated otherwise in the Constitution	Correction - the Constitution states in Section A par.6 (Functions Delegated to the Chief Executive and All Directors) that all chief officers have the power to sign off expenditure up to £50,000
Part 3	Council Scheme of Delegation		<b>Amend</b> Proper Officer job titles	To reflect restructuring/reallocation of responsibilities since the Scheme of Delegation was approved by the Council on 25 February 2009.
Part 3	Council Scheme of Delegation	Director Community Services – Social Services functions	<b>Amend</b> Proper Officer responsibilities and <b>update</b> in relation to new legislation	To reflect restructuring/reallocation of responsibilities and the results of meetings with internal audit; to reflect the requirements of new legislation, particularly the Mental Capacity Act 2005
Part 3	Regulatory and other Committees – Terms of Reference	<i>Pension Fund Investment Panel</i> – decision-making powers	<b>Add:</b> “To receive and consider the Audit Commission’s report on the governance of the Pension Fund	To address new governance requirements

SECTION	TITLE/ SUBJECT	CURRENT WORDING	PROPOSED WORDING	REASON(S) FOR CHANGES
Part 3	Regulatory and other Committees – Terms of Reference (Continued)	<i>Traffic Management Advisory Panel</i>	<b>Delete</b> this body, which is no longer required	Smarter working
Part 4	Council Procedure Rules	<i>Rule 1.2(j):</i> Matters to be considered at the annual meeting  <i>Rule 21: Order at Council &amp; Committee meetings:</i>	<b>Add</b> Standards Committee to the list of bodies reporting annually to the Council  <b>Add</b> provision for a warning bell to be sounded 2 minutes before a meeting commences	To address good governance requirements  Promotion of good conduct and effectiveness at meetings
Part 4	Access to Information Procedure Rules	<i>Rule 15 General Exception (where an urgent Key Decision is not in the Forward Plan: Sub-para. (d)</i>	<b>Amend</b> the cross-reference from “(a) and (b)” to “(b) and (c)”	Correction.

<b>SECTION</b>	<b>TITLE/ SUBJECT</b>	<b>CURRENT WORDING</b>	<b>PROPOSED WORDING</b>	<b>REASON(S) FOR CHANGES</b>
Part 4	Overview and Scrutiny Procedure Rules (cont.)	N/A	<b>Add</b> provision for the Councillor Call to Action provisions	Scrutiny Committees have recently been consulted about the incorporation of new rights for backbench Councillors (Councillor Call to Action) into the Council's Scrutiny procedures, under the Local Government and Public Involvement in Health Act 2007 (s.119)
Part 4	Contract Standing Orders		<b>Update</b> to latest version	Update
Part 4	Financial Procedure Rules		<b>Update</b> to latest version	Update
Part 5	IT Standards – Acceptable use Policy		<b>Update</b> to latest version	Update



SECTION	TITLE/ SUBJECT	CURRENT WORDING	PROPOSED WORDING	REASON(S) FOR CHANGES
Part 6	Members' Allowance Scheme 2008/09		<b>Update</b> to 2009/10 version	A new Scheme is submitted to the Council meeting on 25 May 2009 for agreement
Part 7	Management Structure		<b>Update</b> to latest structure charts	Update

**27 MAY 2009**

**LEADER**

*Councillor Stephen  
Greenhalgh*

**COUNCILLORS' ALLOWANCES SCHEME:  
REVISION**

**WARDS  
All**

**SYNOPSIS**

On the 25 February 2009, the Council agreed the 2009/10 Councillors' Allowance Scheme for the municipal year. This report revises the scheme to change one special responsibility allowance (SRA) to reflect the different work undertaken by the post holder to implement a key Council priorities.

**CONTRIBUTORS**

DFCS  
ADLADS

**RECOMMENDATION:**

**That the revised Councillors' Allowances Scheme 2009-10 as set out in Appendix 1, be approved.**

## 1. BACKGROUND

1.1 The Council is required under the Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003 to undertake an annual review of its Members' Allowances scheme. On 25 February 2009, the Council agreed its Members' Allowance scheme for 2009/10.

1.2 Council is now requested to revise the Scheme set out at appendix 1 effective from 28 May 2009 to:-

(a) Create an additional Lead Member posts for Customer First (the customer experience with the Council) which would be entitled to a special responsibility allowance payment.

The activities of the post holder for Customer First is to encourage that all Council services always put the customer first by organising and conducting "mystery shopper" surveys of Council services and recommending ways that the customer experience can be improved.

(b) Delete the Lead Member for IT Projects post.

1.3 There will be no additional cost resulting from the creation of this new post as a similar post will be deleted from the scheme to accommodate it.

### Special Responsibility Allowance (Revisions)

SRA POSTS	Previous SRA	New SRA	Additional Cost
Lead Member for IT Projects	£5,000	£0	£0
Lead Member for Customer First	£0	£5,000	

## 2. INDEPENDENT REMUNERATOR'S REPORT

The Council is formally required to undertake a review of its members' allowances scheme each financial year. Any changes in allowances are required to take into account the recommendations of a local independent panel on remuneration for Councillors. The proposals contained within this report are broadly consistent with the independent remunerators report.

## 3. COMMENTS OF THE ASSISTANT DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

3.1 The proposals contained within the report are in line with the Local Government Act 2000 and appropriate regulations.

**4. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES**

- 4.1 The Director of Finance and Corporate Services can confirm that the proposed action is cost neutral and that sufficient provision in the existing budget to fund the costs as contained in this report.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext. of Holder of File/Copy</b>	<b>Department/ Location</b>
1.	The Remuneration of Councillors in London: 2006 Review (December 2006)	Kayode Adewumi, ext 2499	FCS Room 202a, Hammersmith Town Hall
2.	Members' Allowance Scheme report 2009/10	Kayode Adewumi, ext 2499	FCS Room 202a, Hammersmith Town Hall

# APPENDIX 1

## Members' Allowances Scheme 2009-10

[Scheme effective from 28<sup>th</sup> May 2009]

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This scheme is made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations") for 2009 –2010 and subsequent years. The allowances scheme has been prepared having regard to the report of the Independent Panel on the Remuneration of Councillors in London established by London Councils on behalf of all London Councils, co-authored by Rodney Brooke, Drew Stevenson and Jo Valentine, and published in December 2006.

### 1. BASIC ALLOWANCE

- 1.1 The independent remunerator's report suggests a flat-rate basic allowance be paid to each member of the authority of £9,964 per annum to be paid in 12 monthly instalments on the 15<sup>th</sup> of each month.
- 1.2 The Council has taken into account the independent remunerator's recommendation but has decided to retain its own basic rate allowance frozen at the 2008 – 09 level.

The basic rate allowance for all LBHF Councillors will therefore be:

£8,940 - to be paid in 12 monthly instalments on the 15<sup>th</sup> of each month.

Councillors only receive an allowance for the period of their term of office in cases where it is less than the whole financial year.

### 2. SPECIAL RESPONSIBILITY ALLOWANCES

- 2.1 Regard has been had to the recommendations in the independent remunerator's report for differential banding in relation to the payment of Special Responsibility Allowances (SRA's), but in the interest of maintaining a low Council Tax and the current economic conditions, it has been decided to freeze the Council's own scheme of SRA's at the same level approved for 2008 - 9 and not to follow the independent remunerator's recommendations which would have proved considerably more costly to local council taxpayers.
- 2.2 The following Special Responsibility Allowances shall therefore be paid to Councillors holding the specified offices indicated :

The Leader	£35,763
Deputy Leader	£29,796
Other Cabinet members (6)	£23,838
Chief Whip (where not a member of Cabinet)	£23,838
Deputy Chief Whip	£5,000
Chairmen of Overview & Scrutiny Committees (6)	£5,000
Leader of the Opposition	£17,874

Deputy Leader of the Opposition	£6,183
Opposition Whip	£6,183
Chairmen of Planning Applications Committee, Personnel Appeals, Appointments Panel, Audit Committee, Licensing Committee/Sub-Committee, & Councillor member on Adoption Panel	£6,183
The Mayor	£11,922
Deputy Mayor	£6,183
Lead Member HAFFTRA Liaison	£3,000
Lead Member for ALMO VFM Scrutiny and Leaseholder Liaison	£5,000
Lead Member for Customer First	£5,000

Councillors only receive an allowance for the period of their term of office in cases where it is less than the whole financial year. A Special Responsibility Allowance would cease where the SRA entitled post ceases to exist during year.

### 3) OTHER ALLOWANCES

#### a) Dependent Carer Allowance

Dependant carer allowance is payable in respect of expenses incurred for the care of a member's children or dependants in attending meetings of the authority, its executive, committees and sub-committees and in discharging the duties set out in paragraph 7 of the Regulations.

- (1) £4.18 per half hour before 10 p.m.; £5.31 per half hour after 10 p.m.  
(not payable in respect of a member of the councillor's household).

#### b) Travel & Subsistence

Allowances are payable (at the same rates as employees) for duties undertaken away from the Town Halls when discharging duties under paragraph 8 of the Regulations. In addition, the cost of travel after late evening meetings from the Town Hall would be paid.

##### (1) Public Transport

Actual travel costs (second class only) will be reimbursed.

##### (2) Car mileage

Cc	first 8500 miles (pence per mile)	above 8500 miles (pence per mile)
Below 1000	42.9	13.3
1000 or more	46.9	13.6

The figures above are the 2008/9 rates as car mileage is paid at the same rate as for officers.

**(3) Cycle allowance**

£36.93 per month – where this is claimed, no other travel claims are permissible.

**(4) Subsistence**

Allowance payable at same rates and conditions as employees.

Payment is only made for expenses incurred outside the Borough, and is subject to a maximum of £5.00 per claim.

**c) Sickness, Maternity and Paternity Allowance**

Where a Member is entitled to a Special Responsibility Allowance, it will continued to be paid in the case of sickness, maternity and paternity leave in the same way as employees.

**4) ANNUAL INCREASE**

The allowances in this scheme apply to the financial year 2009-10. All allowances have been frozen at the 2008 – 9 level.

**5) ELECTION TO FOREGO ALLOWANCES**

In accordance with the provisions of regulation 13, a Councillor may, by notice in writing to the Chief Executive, elect to forego any part, or all, of his or her entitlement to an allowance under this scheme.

**6) TIME LIMIT FOR CLAIMS**

The majority of allowances are payable monthly, but where allowances are the subject of claims, these claims should be made in the agreed form with the appropriate declaration within six months of the duty to which they relate.

**7) WITHHOLDING OF ALLOWANCES**

In the event of a Councillor being suspended or partially suspended, the Standards Committee shall have the power to withhold the allowances payable to that Councillor either in whole or in part for the duration of that suspension.

**8) MEMBERS' PENSIONS**

Previously, Councillors could only join the authority's pension scheme if they were aged under 70 and could only pay contributions and accrue benefits until their 70<sup>th</sup> birthday. However, under new pensions regulations, the situation has changed, and the independent remunerator's report now recommends all Councillors under the age of 75 years be entitled to join the London Borough of Hammersmith & Fulham Pension Scheme, and have their basic allowance and special responsibility allowances treated as pensionable. This recommendation has accordingly been adopted.

## **9) MEMBERSHIP OF MORE THAN ONE AUTHORITY**

A member may not receive allowances from more than one authority (within the meaning of the regulations) in respect of the same duties.

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### **ALLOWANCES FOR CO-OPTED MEMBERS AND INDEPENDENT MEMBERS OF STANDARDS COMMITTEE**

#### **Co-optees**

The independent remunerator's report recommends a rate of allowance for co-opted members of £117 per meeting, to be calculated on an annualised basis by the number of meetings. This recommended figure has not been adopted. The Council's own figure of £921.00 p.a., frozen at the 2008 – 9 level, will be payable by equal monthly instalments of £76.75 on the 15<sup>th</sup> of each month.

Co-opted members shall be entitled to the same travel allowances as Councillors, but shall not be entitled to subsistence payments

#### **Standards Committee Independent Members**

The independent remunerator's report also recommends the independent Chairman of a Standards Committee be paid an allowance of £240 per meeting, calculated on an annualised basis by the number of meetings, to reflect not just attendance at meetings, but related and incidental additional activity carried out by this particular postholder. This recommendation has not been adopted. The Council's own figure of £459.00 p.a., frozen at the 2008 – 9 level, will be payable by equal monthly instalments of £38.25 on the 15<sup>th</sup> of each month.

In all cases, the allowances given in this scheme shall not be uprated by the same percentage rate of increase as the previous years national Local Government Pay Settlement but frozen at the 2008 – 9 levels.



27 MAY 2009

**LEADER**

*Councillor Stephen  
Greenhalgh*

**CHANGING GOVERNANCE ARRANGEMENTS**

**Wards  
All**

This report details the provisions relating to the Local Government and Public Involvement in Health Act 2007 ("the Act") and outlines the decisions the Council is required to take to ensure that its Governance Arrangements comply with the provision of the Act.

The Council is asked to begin consideration of particular arrangements where it is mandatory and decide on other discretionary provisions detailed in the Act.

**CONTRIBUTORS**

DFCS  
ADLDS

Council is asked to agree that:

(i) officers consult on the two options available to change its governance arrangements to either:-

- A new style Leader and Cabinet Executive, or
- A directly elected Mayor and Cabinet Executive,

(ii) the consultation arrangements outlined in paragraph 2.9 and 2.10 of the report be agreed.

(iii) the indicative process and decision timetable set out in paragraph 2.11 of the report be approved.

(iv) the creation of Parish Councils is not the preferred local neighbourhood governance model.

(v) the existing electoral ward arrangements be continued unaltered.

## **1. BACKGROUND**

1.1 The Local Government and Public Involvement in Health Act 2007 (“the Act”) which became law on 31 October 2007 implements for the proposals outlined in the Local Government White Paper, ‘Strong and Prosperous Communities’. The key features are:

- Requirements to change Executive arrangements by moving either to:-
  - A new style Leader and Cabinet Executive, or
  - A directly elected Mayor and Cabinet Executive,
- Powers to create Parish Councils,
- Opportunity for authorities to put in place single member wards, and
- Power to devolve the exercise of any particular function of an authority to individual members in relation to their respective wards.

1.2 In practical terms all authorities that are currently operating the Leader and Cabinet executive arrangements will be required to change their executive arrangements, and schemes of delegation of executive functions, to comply with the new models. The statutory deadline to make this change is 31 December 2009.

## **2. THE MAIN PROVISIONS OF THE ACT**

2.1 Under Part 3 of the Act the Council is required to review its governance arrangements. The intention of the provisions in the Act is to promote strong, visible, accountable and local leadership.

### **New Executive Arrangements**

2.2. Councils are required to adopt one of two new political management arrangements:

- a) A new style Leader and Cabinet Executive; or
- b) A directly elected Mayor and Cabinet Executive

### **The “New style” Leader and Cabinet Executive**

2.3 Under this model, the Council appoints the Leader who then appoints and determines the size of the Cabinet. The Leader can appoint two or more councillors to the executive. The maximum of number still remains as 10. The new style “strong” Leader will have a fixed term of office of four years. However, the Council may resolve to give itself the power to remove him or her during his/her term of office. The purpose of the fixed term of office is to give the leadership greater stability. The Leader appoints a deputy leader with power to act in his/her absence. The appointed deputy leader may also be removed by the Leader.

- 2.4 Crucially the Act vests in the Leader all of the authority's executive functions; he or she will have the power to determine how these powers are to be discharged – either by him or herself, or they can be delegated to the Cabinet, a committee of the Cabinet, individual members of the Cabinet or officers.

### **The Mayor and Cabinet Executive**

- 2.5 An alternate option, already operated by 12 authorities, is for the Council to hold elections for its electors to directly elect a Mayor who would again hold office for a term of four years. Where a Mayor has been directly elected, there would be no option for the Council to remove him or her during the period of office. Since a Mayor is not appointed by the Council, it is possible that he or she may not be a member of any political party nor does he or she have an electoral ward to represent. The Mayor will be a full time role.
- 2.6 A directly elected Mayor would have a mandate from the electors to deliver his or her election programme. Having set out policies before taking office he or she would have more autonomy to deliver them with the executive powers held personally in order to drive them through. However, he or she would be reliant upon the Council to pass any budget proposals. The Mayor would appoint his/her own Cabinet and allocate all executive functions.
- 2.7 A summary of the main differences between the current executive model and the two options available under the Act are outlined in **Appendix 1**.

### **The Process**

- 2.8 In drawing up the proposals for change, the Council is statutorily required to undertake appropriate consultation, draw up and publicise proposals for the new executive arrangements. The change can only be made by a resolution within the 'permitted resolution period' which for London Boroughs must be before 31 December, 2009. The new arrangement will be introduced as part of the electoral cycle in May 2010. The process is outlined in detail in **Appendix 2**.

### **Consultation**

- 2.9 The Council has to decide its preferred model and then consult before formal publication of the proposals. The Council is required to take reasonable steps to consult upon its proposed new arrangements. The Council has to consider whether to have a referendum but is not required to hold one, particularly if the final proposals do not represent significant change. If the preferred option expressed during the consultation is the new style Leader and Cabinet Executive option, then a referendum would not be required.
- 2.10 It is proposed that the consultation should include a web based questionnaire, articles in H&F News, posters in key Council buildings and letters to key Partners. The online article will outline the options and ask for comments and views to be submitted. The responses would be reported to Cabinet and Council then formal publication of the Council's proposal would take place.

## Timetable

2.11 In order to achieve the statutory deadline of approving new executive arrangements by the end of 2009, the following timetable is proposed:

<b>ACTION REQUIRED</b>	<b>DATE</b>
First report to Council seeking authority to consult	<b>Option 1</b> 27 May 2009
Consultation	June to July (2 Months)
Report to Cabinet to consider outcome of consultation and to draw up proposals for publication	7 September 2009
Second report to Council to consider outcome of consultation and to approve the Cabinet's proposals for publication	28 October 2009
Publication of proposals	November 2009
Second report to Cabinet to confirm the preferred form of executive for recommendation to Council	7 December 2009
Second/Third report to Council ( <b>at a meeting specially convened for the purpose</b> ) to consider the recommendations of Cabinet and to make a formal resolution to adopt the preferred form of executive	(Special Meeting)  December 2009

### 3. OTHER DISCRETIONARY PROVISIONS

#### Parish Councils

3.1 Since 13 February 2008, the Council has been responsible for undertaking Community Governance Reviews (CGRs) to determine whether to set up parishes and parish councils. A CGR is a review of the whole or part of the principal council's area for the purpose of making recommendations as to whether the community governance should be reorganised. The Council may conduct a CGR at any time, however they can be triggered by local people presenting public petitions to the Council. So long as a previous relevant CGR has not been concluded in the previous two years, the Council must undertake a CGR on receipt of a valid petition.

For the petition to be a valid community governance petition, it must meet certain conditions:-

- Specify one or more recommendations which the petitioners wish a CGR to consider making.
- Be signed by the requisite number of local electors:-

- a) for an area with less than 500 local electors, the petition must be signed by at least 50% of them
  - b) for an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of them
  - c) for an area with more than 2,500 local electors, the petition must be signed by at least 10% of them
- Define the area to which the review relates and the area of the proposed new parish, whether on a map or otherwise, and refer to identifiable boundaries,

Whenever a valid community governance petition is received officers will report back to Members on its receipt and proposed action.

### **Single Member Wards**

- 3.2 The Act also provides an opportunity for authorities to put in place single member wards. If the Council decides that it wishes to introduce single member wards, the Boundary Commission must be requested to review the Council's local area to make recommendations with the intention of creating single member wards. Single Member Wards would most probably give rise to more, smaller wards, but with roughly the same number of elected members. If the Council chose to adopt this model, single member wards would be introduced with the electoral cycle in May 2010, requiring the Electoral Commission to undertake their review during 2009. It is suggested that single members wards are unlikely to be appropriate for Hammersmith and Fulham.

### **Devolving Powers to Ward Councillors**

- 3.3. Under the Act local authorities are able to devolve the exercise of any particular function of an authority to individual members in relation to their respective wards. The extent of the powers which could be devolved is not yet clear as the Secretary of State specifies the functions which cannot be devolved. It has been suggested that the likely powers to be devolved would be to do with local environmental and public realm services. This cannot therefore be considered further at this stage.

## **4. CONCLUSION**

- 4.1 The Local Government and Public Involvement in Health Act 2007 require all London Councils to review their governance arrangements by 31 December 2009. Councils are required to adopt either:
- a) A new style of Leader and Cabinet Executive; or
  - b) A directly elected Mayor and Cabinet Executive.

The Council will go out for consultation in July and report its outcome for Council to make a formal resolution to adopt the preferred form of executive in September.

**5. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES**

5.1 Any financial implications for any proposed changes will need to be evaluated.

**6. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

6.1 The Assistant Director (Legal and Democratic Services) comments are contained within the report.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext. of Holder of File/Copy</b>	<b>Department/ Location</b>
1.	Local Government and Public Involvement in Health Act 2007 and Guidance notes	Kayode Adewumi ext. 2499	Councillors' Services, Room 202, Hammersmith Town Hall.
2.	Cabinet Member Decision report-Receipt of a Petition for a Community Governance Review – signed on 20 April 2009	Kayode Adewumi ext. 2499	Councillors' Services, Room 202, Hammersmith Town Hall.

## Appendix 1

### Summary of main differences between the current executive model and the two options available under the Local Government and Public Involvement in Health Act 2007

	Current leader and cabinet model	Options available under the Local Government and Public Involvement in Health Act 2007	
		New leader and cabinet model	Elected mayor and cabinet model
<b>Appointment and term of office</b>	Leader appointed by full council annually	Leader appointed by full council for a 4 year term (or until the expiry of the leader's term of office as a councillor)	Elected directly by the electorate for a 4 year term
<b>Removal</b>	Leader can be removed by vote of no confidence	Councils can choose to adopt procedures which would allow the removal of the leader from office during the 4 year period	Cannot be removed during his/her term of office
<b>Executive functions</b>	Full council agrees the delegation of executive functions	All executive functions would be vested in the leader who can then delegate	All executive functions would be vested in the mayor who can then delegate
<b>Appointment of Cabinet</b>	Full council appoints the cabinet members	Council appoints leader who then appoints his/her cabinet members and allocates responsibility	Mayor appoints his/her cabinet members and allocates responsibility
<b>Deputy</b>	No legal requirement to have a deputy leader	Legal requirement to have a deputy leader	
<b>Position as a Councillor</b>	Will be a Councillor and member of the Majority Party	Will be a Councillor and member of the Majority Party.	Does not need to be a Councillor or a member of a political Party

**New Executive Arrangements – Process for varying arrangements as required by the Local Government Act 2000 taking account of new provisions inserted by the Local Government and Public Involvement in Health Act 2007**

- The Council must draw up proposals for the change.
- The proposals must include:
  - (a) a timetable with respect to the implementation of the proposals, and
  - (b) details of any transitional arrangements which are necessary for the implementation of the proposals.
- The proposals may provide for the change in governance arrangements to be subject to approval in a referendum.
- Before drawing up the proposals, the Council must take reasonable steps to consult the local government electors for, and other interested persons in, its area.
- In drawing up the proposals, the Council must consider the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- After drawing up the proposals, the Council must:
  - (a) secure that copies of a document setting out the proposals are available at its principal office for inspection by members of the public at all reasonable times, and
  - (b) publish in one or more newspapers circulating in its area a notice which:
    - (i) states that the Council has drawn up the proposals;
    - (ii) describes the main features of the proposals;
    - (iii) states that copies of a document setting out the proposals are available at the Council's principal office for inspection by members of the public at such times as may be specified in the notice, and
    - (iv) specifies the address of the principal office.
- The Council must then pass a formal resolution at a special meeting of full Council and comply with the advertising and notice requirements.



# 10.1

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## **SPECIAL MOTION NO. 1 – APPOINTMENT OF A LEADER, DEPUTY LEADER CABINET MEMBERS, AND CHAIRMEN AND MEMBERSHIPS OF REGULATORY AND SCRUTINY COMMITTEES 2009/10**

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Standing in the names of:

- (i) Councillor Stephen Greenhalgh
- (ii) Councillor Nicholas Botterill

"This Council agrees the following appointments under its Constitution for the Municipal Year 2009/10:

- a) The Leader and Cabinet Members (**Annex 1**);
- b) Chairmen and Memberships of Regulatory and other Committees (**Annex 2**);
- c) Chairmen and Memberships of Scrutiny Committees (**Annex 3**)

and notes their respective Portfolios / Terms of Reference, as set out in the Council's Constitution."

**THE EXECUTIVE – LEADER AND CABINET MEMBERS 2009/10**

<b>LEADER</b>	-	<b>Councillor Stephen Greenhalgh</b>
<b>DEPUTY LEADER (+ENVIRONMENT)</b>	-	<b>Councillor Nicholas Botterill</b>
<b>CABINET MEMBER FOR COMMUNITY &amp; CHILDREN'S SERVICES</b>	-	<b>Councillor Antony Lillis</b>
<b>CABINET MEMBER FOR CRIME &amp; STREET SCENE</b>	-	<b>Councillor Greg Smith</b>
<b>CABINET MEMBER FOR PARKS, CULTURE &amp; HERITAGE</b>	-	<b>Councillor Frances Stainton</b>
<b>CABINET MEMBER FOR HOUSING</b>	-	<b>Councillor Lucy Ivimy</b>
<b>CABINET MEMBER FOR RESIDENTS SERVICES</b>	-	<b>Councillor Paul Bristow</b>
<b>CABINET MEMBER FOR STRATEGY + (CHIEF WHIP)</b>	-	<b>Councillor Mark Loveday</b>

**[NOTE: The following are Assistants to the above Cabinet Members, but do not have a Cabinet vote, are not deputies or substitutes for Cabinet Members, nor are they able to take executive decisions on behalf of the Cabinet Member]**

**Community, Olympics & Children's Services – Councillor Minnie Scott Russell**

**Crime & Street Scene – Councillor Belinda Donovan**

**Education – Councillor Victoria Brocklebank-Fowler**

**Environment – Councillor Caroline Ffiske**

**Residents Services – Councillor Rachel Ford**

**Housing – Councillor Stephen Hamilton**

**Strategy – Councillor Ali de Lisle**

## ANNEX 2

### REGULATORY & OTHER COMMITTEES MEMBERSHIPS 2009 / 2010

[ \* s.101 Committee LGA 1972, \*\* s.53 Committee LGA 2000, ^ s.6 Licensing Act 2003,  
# s.9 Licensing Act 2003 ]

#### 1. PLANNING APPLICATIONS COMMITTEE \*

Councillor Alex Chalk (Chairman)  
Councillor Victoria Brocklebank-Fowler (Vice Chairman)  
Councillor Alex Karmel  
Councillor Lucy Ivimy  
Councillor Andrew Johnson  
Councillor Mike Adam  
Councillor Ali de Lisle  
Councillor Colin Aherne  
Councillor Michael Cartwright  
Councillor Wesley Harcourt

#### 2. LICENSING COMMITTEE\*^

Councillor Victoria Brocklebank-Fowler (Chairman)  
Councillor Adronie Alford (Vice-Chairman)  
Councillor Greg Smith (Vice-Chairman)  
Councillor Lucy Ivimy (Vice-Chairman)  
Councillor Antony Lillis (Vice-Chairman)  
Councillor Eugenie White (Vice-Chairman)  
Councillor Gavin Donovan  
Councillor Steve Hamilton  
Councillor Alexandra Robson  
Councillor Minnie Scott Russell  
Councillor Alex Karmel  
Councillor Colin Aherne  
Councillor Michael Cartwright  
Councillor Gill Dickenson  
Councillor Wesley Harcourt

#### 3. LICENSING SUB-COMMITTEE\*#

Councillor Victoria Brocklebank -Fowler - Chairman  
Councillor Greg Smith - Vice-Chairman  
Councillor Colin Aherne

[Members and substitutes for the above must be drawn from the full membership of the Licensing Committee]

4. PERSONNEL APPEALS PANEL\*

Councillor Adronie Alford - Chairman  
Councillor Victoria Brocklebank- Fowler  
Councillor Colin Aherne

5. APPOINTMENTS PANEL\*

Leader – (Chairman)  
Deputy Leader - (Vice-Chairman)  
Cabinet member\* relevant to area of appointment  
(NB: \* Where an appointment relates to the portfolios of two Cabinet members, both will be members of the panel)

Leader of the Opposition (or a named substitute)  
1 other relevant Opposition member

Exceptions: Appointment of Chief Executive  
All members of Executive  
Leader of the Opposition  
4 Other Opposition members (Councillors Aherne, Cartwright, Homan, and Nandy)

6. PENSIONS FUND INVESTMENT PANEL\*

Leader (Chairman)  
Deputy Leader (Vice-Chairman)  
Councillor Mike Adam  
Councillor Robert Iggulden  
Councillor Donald Johnson  
Councillor Eugenie White  
Councillor Colin Aherne  
Councillor Michael Cartwright

7. STANDARDS COMMITTEE\*\*

5 Independent Members (Steven Moussavi, Grace Moody-Stuart, Christopher Troke and Joyce Epstein ) plus one vacancy.

3 Administration members (Councillors Nicholas Botterill, Donald Johnson and Adronie Alford)

2 Opposition members (Councillors Stephen Cowan and Lisa Homan)

8. STANDARDS COMMITTEE APPOINTMENTS PANEL\*

Leader - (Chairman)  
Deputy Leader – (Vice-Chairman)  
Leader of the Opposition

[+ Chair of Standards Committee *ex officio*]

9. AUDIT COMMITTEE\*

Non-Cabinet Administration member – Councillor Robert Iggulden (Chairman)  
Non-Cabinet Administration member – Councillor Will Bethell  
Non-Cabinet Administration member – Councillor Mike Adam  
Non-Cabinet Opposition member – Councillor Cartwright (Vice-Chairman)

NON-STATUTORY CONSULTATIVE BODIES

[Note: The bodies below are Advisory Bodies only, and have no legal decision-making powers]

10. FULHAM PALACE MANAGEMENT BOARD

Councillor Frances Stainton - (Chairman)  
+ One Administration member (Councillor Donald Johnson)  
+ One Opposition member (Councillor Michael Cartwright)

11. LEAD MEMBER FOR ALMO VFM SCRUTINY AND LEASEHOLDER LIAISON

Councillor Adronie Alford

12. LEAD MEMBER HAMMERSMITH AND FULHAM FEDERATION OF TENANTS AND RESIDENTS ASSOCIATIONS (HAFFTRA) LIAISON

Councillor Gavin Donovan

13. LEAD MEMBER FOR CUSTOMER FIRST

Councillor Jane Law

**OVERVIEW & SCRUTINY COMMITTEES MEMBERSHIP 2009/10**

(a) CLEANER & GREENER OVERVIEW & SCRUTINY COMMITTEE

- (i) 9 voting Councillors including the Chair and Vice Chair in the ratio of 6 Administration members and 3 Opposition members.

Councillor Eugenie White - (Chairman)  
Councillor Belinda Donovan  
Councillor Gavin Donovan  
Councillor Rachel Ford  
Councillor Jane Law  
Councillor Alexandra Robson  
Councillor Wesley Harcourt (Vice-Chairman)  
Councillor Lisa Homan  
Councillor Gill Dickenson

- (ii) The Panel may appoint a maximum of 8 co-opted members who shall be non-voting.

(b) EDUCATION AND CHILDREN'S SERVICES OVERVIEW & SCRUTINY COMMITTEE

- (i) 9 voting Councillors including the Chair and Vice-Chair in the ratio of 6 Administration members and 3 Opposition members.

Councillor Helen Binmore - (Chairman)  
Councillor Sarah Gore  
Councillor Donald Johnson  
Councillor Harry Phibbs  
Councillor Minnie Scott Russell  
Councillor Alexandra Robson  
Councillor Reg McLaughlin (Vice-Chairman)  
Councillor Gill Dickenson  
Councillor Lisa Nandy

- (ii) The panel shall appoint co-opted members (up to a maximum of 8). At least two, but no more than five, shall be parent governor representatives. Members who have been co-opted as representatives of Diocesan bodies and as parent governor representatives shall have voting rights on education matters. All other co-optees shall be non-voting.

(c) HEALTH & ADULT SOCIAL SERVICES OVERVIEW & SCRUTINY COMMITTEE

- (i) 9 voting Councillors including the Chair and Vice Chair in the ratio of 6 Administration members and 3 Opposition members.

Councillor Peter Tobias - (Chairman)  
Councillor Belinda Donovan  
Councillor Caroline Ffiske  
Councillor Minnie Scott Russell  
Councillor Robert Iggulden  
Councillor Eugenie White  
Councillor Rory Vaughan (Vice-Chairman)  
Councillor Reg McLaughlin  
Councillor Sally Powell

- (ii) The Panel may appoint a maximum of 8 co-opted members who shall be non-voting.

(d) HOUSING SCRUTINY COMMITTEE

- (i) 9 voting Councillors including the Chair and Vice Chair in the ratio of 6 Administration members and 3 Opposition members.

Councillor Andrew Johnson - (Chairman)  
Councillor Adronie Alford  
Councillor Gavin Donovan  
Councillor Lucy Gugen  
Councillor Robert Iggulden  
Councillor Harry Phibbs  
Councillor Lisa Nandy (Vice-Chairman)  
Councillor Jean Campbell  
Councillor Michael Cartwright

- (ii) The Panel may appoint a maximum of 8 co-opted members who shall be non-voting.

(e) LOCAL NEIGHBOURHOODS OVERVIEW & SCRUTINY COMMITTEE

- (i) 9 voting Councillors including the Chair and Vice Chair in the ratio of 6 Administration members and 3 Opposition members.

Councillor Caroline Ffiske - (Chairman)  
Councillor Adronie Alford  
Councillor Aiden Burley  
Councillor Stephen Hamilton  
Councillor Jane Law  
Councillor Peter Tobias  
Councillor Lisa Homan (Vice-Chairman)  
Councillor Jean Campbell  
Councillor Ed Owen

- (ii) The Panel may appoint a maximum of 8 co-opted members who shall be non-voting.

(f) VALUE FOR MONEY OVERVIEW & SCRUTINY COMMITTEE

- (i) 9 voting Councillors including the Chair and Vice Chair in the ratio of 6 Administration members and 3 Opposition members.

Councillor Harry Phibbs (Chairman)  
Councillor Victoria Brocklebank Fowler  
Councillor Rachel Ford  
Councillor Stephen Hamilton  
Councillor Donald Johnson  
Councillor Ali de Lisle  
Councillor Stephen Cowan (Vice-Chairman)  
Councillor Mercy Umeh  
Councillor Rory Vaughan

- (ii) The Panel may appoint a maximum of 8 co-opted members who shall be non-voting.



# 10.2

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## SPECIAL MOTION NO. 2 – COUNCIL APPOINTMENTS TO LONDON LOCAL GOVERNMENT ORGANISATIONS 2009/10

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Standing in the names of:

- (i) Councillor Stephen Greenhalgh
- (ii) Councillor Mark Loveday

"This Council agrees the Council's appointments to London Local Government Organisations for 2009/10, as set out in the Schedule ***attached***".

**LONDON LOCAL GOVERNMENT ORGANISATIONS 2009/10**

<b><u>NAME OF OUTSIDE ORGANISATION</u></b>	<b><u>NUMBER OF REPS/RATIO</u></b>	<b><u>NOMINATION</u></b>	<b><u>TERM/EXPIRES</u></b>
<b><u>London Councils)</u></b> Leader's Committee	1 Rep. + 2. Deps. (1 vote per authority)	Rep: Cllr. Stephen Greenhalgh  (Dep.1 Cllr Nicholas Botterill (Dep.2 Cllr. Antony Lillis	1 year to 31.05.10
<b><u>London Councils Transport and Environment Committee</u></b> (Assoc. Joint Cttee )	1 Rep + up to 4 Deps.	Rep. Cllr. Nicholas Botterill  (Dep. Cllr.Greg Smith)	1 year to 31.05.10
<b><u>London Councils Grants Committee</u></b> (Assoc.Joint Cttee)	1 Rep. + up to 4 Deps.	Rep: Cllr. Antony Lillis (Dep1. Cllr.Greg Smith) (Dep2 . Cllr Alex Karmel)	1 year to 31.05.10
<b><u>London Councils Forums</u></b> [+ = Nominations only]  + Housing Forum  + Health & Adult Services  + Culture, Tourism & 2012  + Crime & Public Protection  + Economic Development  + Children & Young People	1 Rep.+ 1 Dep.  [Nomination]  [Nomination]  [Nomination]  [Nomination]  [Nomination]  [Nomination]	  [Cllr.Adronie Alford ]  [Cllr.Peter Tobias ] Dep. Cllr.Belinda Donovan  Cllr.Antony Lillis Dep. Cllr Frances Stainton  [Cllr. Greg Smith ]  [Cllr. Mark Loveday ]  [Cllr.Antony Lillis] Dep.Cllr.Victoria Brocklebank-Fowler	1 Year to 31.05.10
<b><u>Greater London Employment Forum (GLEF)</u></b>	1 Rep + 1 Dep  [Nomination]	  [Cllr.Alex Karmel ]	1 year to 31.05.10
<b><u>Greater London Provincial Council (GLPC)</u></b>  (Appointment will be made from Leader's Cttee + GLEF nominated members)	[Nomination]	[Cllr.Alex Karmel]	1 year to 31.05.10

<p><b><u>Local Government Association (LGA)</u></b></p> <p>- General Assembly</p>	<p>Up to 4 Reps &amp; 4 Votes</p>	<p>1. Cllr. Greenhalgh 2. Cllr. Botterill 3. Cllr. Loveday 4. Cllr. Lillis*</p> <p>[* Cllr. Lillis currently holds the 4 votes]</p>	<p>1 year to 22.07.10</p>
<p><b><u>LGA Panels/Committees</u></b> [** = Council Nomination only]</p> <p>** Policy and Strategy ** Planning ** Social Affairs ** Education ** Equalities</p>	<p>[ Nomination] [ Nomination] [ Nomination] [ Nomination] [ Nomination]</p>	<p>[Cllr. Loveday ] [Cllr. Chalk ] [Cllr. Lillis ] [Cllr. Lillis ] [Cllr. Iggulden ]</p>	

# 10.3

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## SPECIAL MOTION NO. 3 – COUNCIL CALENDAR 2009/10

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Standing in the names of:

- (i) Councillor Mark Loveday
- (ii) Councillor Victoria Brocklebank-Fowler

"This Council agrees that, for the Municipal Year 2009/10, meetings of the Council, its Committees and Panels, be held on the dates specified, as set out in the Council Calendar (***attached***).

Subject to agreement at the Annual Council on the 27th May 2009

COUNCIL CALENDAR 2009 - 2010

2009		2010												
	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	
MONDAY		1 CB		3			2			1	1		3 BANK HOLIDAY	MONDAY
TUESDAY		2		4	1 HASCSC		3 HSC	1		2	2		4	TUESDAY
WEDNESDAY		3	1 LNSC	5 PAC	2 PAC		4	2 HSC		3	3 PAC		5	WEDNESDAY
THURSDAY		4 EUROPEAN ELECTIONS	2	6 PAC	3	1 P/C 27th-1st Oct	5	3		4	4	1	6 BOROUGH ELECTIONS	THURSDAY
FRIDAY	1	5	3	7	4	2	6	4		5	5	2 GOOD FRIDAY	7	FRIDAY
MONDAY	4 BANK HOLIDAY	8 ECSSC	6	10	7 CB CABINET	5 P/C	9 CB CABINET	7 CB CABINET	4	8 CB CABINET	8 CB CABINET	5 EASTER MONDAY	10	MONDAY
TUESDAY	5	9 PFI VFMS	7	11	8 HSC	6	10	8 PFI	5	9	9 VFMS	6	11	TUESDAY
WEDNESDAY	6	10 PAC STC	8 PAC	12	9 PFI LNSC	7	11 LNSC	9 LNSC	6	10 PAC	10 CG (S)	7	12	WEDNESDAY
THURSDAY	7 CG (AGM)	11	9	13	10 CG (S)	8	12	10	7	11	11	8	13	THURSDAY
FRIDAY	8	12	10	14	11	9	13	11	8	12	12	9	14	FRIDAY
MONDAY	11 CB	15 CB CABINET	13 CB CABINET	17	14 LG	12 CB CABINET	16	14 CB	11 CB CABINET	15 CGSC	15	12	17	MONDAY
TUESDAY	12 LG (AGM)	16 CGSC	14	18	15 VFMS	13	17	15 ECSSC	12 HSC	16	16 PFI	13	18	TUESDAY
WEDNESDAY	13 PAC	17	15 VFMS	19	16 HASCSC	14	18 ECSSC	16 PAC	13 CGSC	17	17 LNSC	14	19	WEDNESDAY
THURSDAY	14	18 CG (S)	16	20	17	15	19	17	14 ECSSC	18	18 CG	15	20 CG (AGM)	THURSDAY
FRIDAY	15	19	17	21	18	16	20	18	15	19	19	16	21	FRIDAY
MONDAY	18	22 LG	20	24	21 CB CGSC	19	23 CB	21	18 LNSC	22 CB LG	22 CB CGSC	19	24 LG	MONDAY
TUESDAY	19	23 HSC	21	25	22 AC ECSSC	20	24 PAC	22	19 HASCSC	23 HASCSC	23 AC	20	25	TUESDAY
WEDNESDAY	20	24 COUNCIL	22	26	23 PAC	21	25	23 CGSC	20 PAC	24 BUDGET COUNCIL	24 STC ECSSC	21 PAC	26 ANNUAL COUNCIL	WEDNESDAY
THURSDAY	21	25	23	27	24	22	26	24	21	25	25	22	27	THURSDAY
FRIDAY	22	26	24	28	25 P/C (27th)	23	27	25 XMAS DAY	22	26	26	23	28	FRIDAY
MONDAY	25 BANK HOLIDAY	29 CB AC	27 CB	31 BANK HOLIDAY	28	26 CB STC	30 AC HASCSC	28 BANK HOLIDAY	25 CB LG		29 CB CABINET	26 CABINET	31 BANK HOLIDAY	MONDAY
TUESDAY	26 LG	30 HASCSC	28		29	27 PAC		29	26 VFMS		30 PAC	27		TUESDAY
WEDNESDAY	27 ANNUAL COUNCIL		29		30	28 COUNCIL		30	27 COUNCIL		31 HSC	28		WEDNESDAY
THURSDAY	28		30			29		31	28			29		THURSDAY
FRIDAY	29		31			30			29			30		FRIDAY

**27 MAY 2009**

**Scrutiny  
Chairmen**

**OVERVIEW AND SCRUTINY ANNUAL  
REPORT 2008/9**

**WARDS**

**All**

**Councillors:-**

**Adronie Alford  
Helen Binmore  
Caroline Ffiske  
Donald Johnson  
Peter Tobias  
Eugenie White**

**Summary**

This is the eleventh annual report on the scrutiny process in Hammersmith and Fulham. It is also the eighth year of the scrutiny arrangements by the Council under its Local Government Act 2000 Constitution (adopted May 2002).

The attached reports outline the work undertaken by the following six Scrutiny Committees in 2008/9:

- (a) Cleaner and Greener Scrutiny Committee;
- (b) Education and Children's Services Scrutiny Committee;
- (c) Health and Adult Social Care Scrutiny Committee;
- (d) Housing Scrutiny Committee;
- (e) Local Neighbourhoods Scrutiny Committee; and
- (f) Value for Money Scrutiny Committee.

**CONTRIBUTORS**

**ADLADS**

**RECOMMENDATION:**

**That the Overview and Scrutiny Annual Report 2008/09 be received.**



# OVERVIEW AND SCRUTINY ANNUAL REPORT 2008/09

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*Street sculpture,  
Fulham Broadway*

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Welcome to the 2008/09 annual report on the operation of overview and scrutiny in Hammersmith and Fulham.

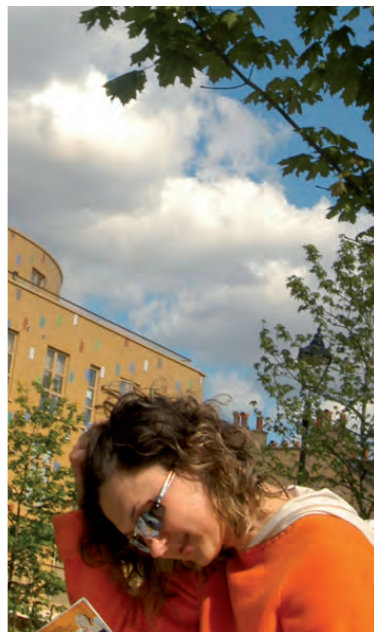
The following pages set out briefly both the local and national context within which scrutiny operates, review the main activities of each of the council's six scrutiny committees during the course of the municipal year and look briefly forward to the next 12 months. We also focus on efforts to build additional capacity in the scrutiny function through Member training and development activities and feature this authority's contribution to the work of the Pan London Joint Overview and Scrutiny Committee which has been reviewing proposals for major reconfigurations in the capital's healthcare services.

We hope that you find the content interesting and informative and welcome your suggestions for improvements in the report next year.

## INTRODUCTION



*Scented Gardens,  
Ravenscourt Park*



# THE ROLE OF OVERVIEW AND SCRUTINY



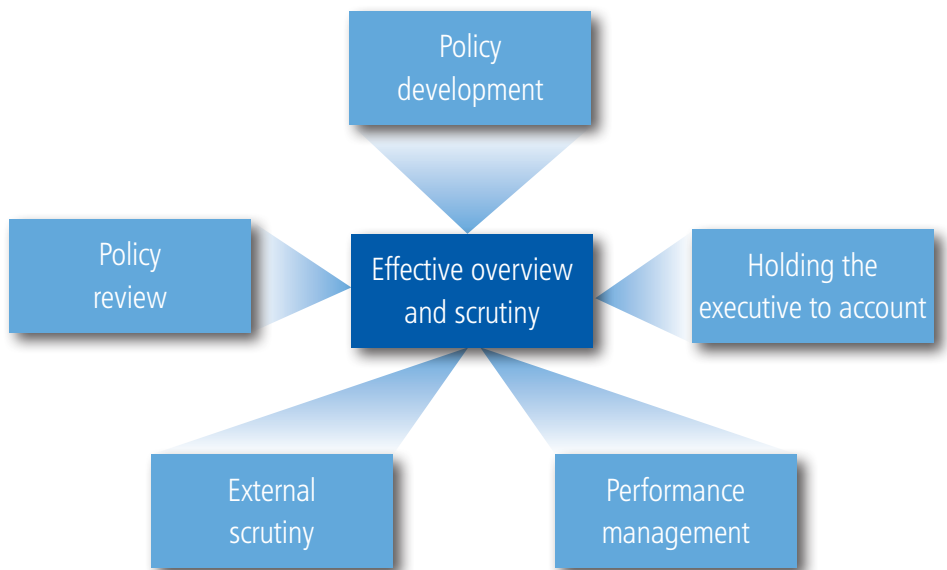
*Furnivall Gardens, Hammersmith*

## THE ROLE OF OVERVIEW AND SCRUTINY

The concept of scrutiny in local authorities was formally introduced by the Local Government Act 2000 in order to balance the establishment of structures which placed executive power in the hands of either an elected Mayor or Leader and a small Cabinet authorised to make decisions both individually and collectively.

Scrutiny is, however, about much more than merely holding the executive to account. It provides an opportunity for non executive councillors to bring their own independent expertise to bear on strategy and policy issues, and to work constructively with the executive, local people, community organisations, partner agencies, service users and other customers to develop evidence based recommendations which improve policies and provide effective and responsive services. Increasingly scrutiny is focusing not just on the work of the council but all areas of public service which touch the lives of the local community.

### Five core roles can be readily identified



This is however, far from exhaustive. Scrutiny has a wide ranging remit and can also have an important role to play in engaging the public with the decision making process, ensuring corporate priorities are met, providing satisfying and meaningful roles for non-executive councillors, revising the constitution and undertaking area based reviews.

The Centre for Public Scrutiny has identified four key principles that underpin effective scrutiny;

- Effective scrutiny should be a 'critical friend' to executives, external authorities and agencies. It should challenge policy development and decision making in a robust, constructive and purposeful way while developing a partnership with external agencies and authorities.

- Effective scrutiny should reflect the voice and concerns of the public and its communities. It should ensure an ongoing dialogue with the public and diverse communities where the public voice is heard and responded to. It should have open and transparent processes with public access to information.
- Effective scrutiny should take the lead and own the scrutiny process on behalf of the public. It should be independent from the executive, legitimated by the council and should have adequate public representation and political balance that is representative of the current political groups involved.
- Effective scrutiny should make an impact on the delivery of public services. It should promote community well-being and improve the quality of life, providing co-ordinated and strategic reviews of policy and service performance in line with strategic objectives.

## SCRUTINY IN HAMMERSMITH & FULHAM

The scrutiny function at Hammersmith & Fulham is undertaken by six scrutiny committees with cross cutting remits designed to reflect the councils key priorities and objectives.

Each of the committees comprises nine elected non executive members. Some also co-opt members who can bring a particular expertise or the service user perspective to assist with their work. Co-optees are usually non voting although the parent governor and diocesan representatives on the education and children's services scrutiny committee are entitled to vote on education matters.

Meetings are normally held six times per year. The chairman is appointed by full council while the vice chairman is usually the lead opposition member on the committee. The scrutiny committees are empowered to hold inquiries and investigate the available options for future direction in policy development and may appoint advisers and expert witnesses to assist them in this process. They may undertake site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration. The Leader, Cabinet Members and senior officers are under a duty to comply with any request to attend. Reports and recommendations on proposals may be submitted for consideration to the Cabinet or council who are obliged to respond, normally within eight weeks.

The committees are normally open to the press and public (although occasionally it may be necessary to meet in private session when dealing with certain confidential information) and members of the public may speak at meetings at the discretion of the chairman. Deputations signed by at least 10 registered electors of the Borough may be presented directly to the committees.

## SCRUTINY IN HAMMERSMITH & FULHAM



*Hammersmith Bridge*

Performance review and monitoring of council services and functions is at the heart of local scrutiny activity with particular emphasis on examination of the annual budget papers in accordance with the council's emphasis on the delivery of high quality value for money services. All departmental business plans and key performance indicators are submitted to the relevant scrutiny committees for review which ensures that Scrutiny is well placed to contribute to the strategic business planning and performance management processes.

Each committee receives an extract of the forward plan (a rolling list of key decisions which the Cabinet is planning to take in the coming four months) at every meeting which assists in the development of work programmes and the identification of forthcoming key executive decisions deserving closer scrutiny and input. At the stage where the Cabinet makes firm proposals and a provisional decision the scrutiny committees have powers to call in the decision for review and request the original decision maker to reconsider. Action to implement the decision is suspended during this process. Accountability is further enhanced by the attendance of the relevant cabinet member and senior managers from the appropriate service department - often at director level - at most scrutiny meetings to report on activity and answer questions as they arise. Scrutiny committees also have a wider role in policy development, originating topics of interest and feeding views back to the Cabinet and individual Cabinet members, officers, external partners and service providers.



## THE CHANGING ROLE OF SCRUTINY

It's sometimes easy to forget that the concept of overview and scrutiny was introduced into the formal governance structures of local authorities only as recently as 2000.

The scope and purpose of the function therefore continues to evolve and mature and April 2009 saw the implementation of two key pieces of legislation designed to further enhance its role and effectiveness.

The provisions of the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 recognise that the growing emphasis on joint delivery of services and the introduction of the Comprehensive Area Assessment regime need to be matched by effective scrutiny of partnership arrangements. The outward facing role of scrutiny, already well established in the field of healthcare, has therefore been further strengthened by enhanced powers to require relevant information from partner agencies responsible for local improvement targets under the Local Area Agreement; these same agencies are now also required to have regard to, and respond to, scrutiny reports and recommendations. Similarly, Crime and Disorder Reduction Partnerships are now required to consider, respond and have regard to scrutiny reports and recommendations on relevant issues.

Other significant changes flowing from this legislation include the introduction of the Councillor Call for Action, which will allow ward councillors concerned with a particular locality issue, and who have not been able to achieve resolution elsewhere, to have the issue placed on a scrutiny committee agenda for discussion. A duty to consider and respond to scrutiny reports and recommendations within two months has also been extended to the executive, although in the case of Hammersmith & Fulham, this merely formalises existing practice.

Further changes are in the pipeline. As part of the Local Democracy, Economic Development and Construction Bill currently going through Parliament, scrutiny committees will have an enhanced role in receiving petitions and calling appropriate officers to account, as part of a national petitions scheme. Scrutiny committees will potentially also play a large role in fulfilling the new duty to involve representatives of local persons in the decision making processes of the council. Finally, every unitary authority will be required to designate a scrutiny officer, whose role it will be to oversee scrutiny support arrangements, provide guidance to members on relevant topics, and champion scrutiny throughout the organisation.

Taken together, these developments will expand the tools available to the scrutiny committees in their service and policy development work at borough level, whilst simultaneously enhancing their role as sounding boards and fora for potential resolution of local concerns.

## THE CHANGING ROLE OF SCRUTINY



*Lyric Square, Hammersmith*

# CLEANER AND GREENER SCRUTINY COMMITTEE



Councillor Eugenie White  
CHAIRMAN

## WHAT WE DO

The cleaner and greener scrutiny committee is responsible for looking at any aspect of policy and provision concerning the local environment and economy.

This covers a diverse range of services and departments including planning, parking, transport and highways, waste collection and recycling, the street scene, parks and open spaces and regeneration. The committee seeks to make recommendations concerning service provision and policy development in these areas, in order to help improve services for local residents. It also has lead responsibility for scrutinising on economic regeneration matters, the Leader, the Deputy Leader, the Cabinet Member for residents' services, the Cabinet Member for crime and street scene and the Cabinet Member for strategy on regeneration matters.

## OUR ACTIVITIES IN 2008/09

The committee met six times in the 2008/09 Municipal Year, scrutinising a range of service areas and receiving input from Cabinet Members, directors, officers, residents' groups, members of the public, and in one instance, senior representatives of a utility company.

### Highlights of the committee's work this year included:

- A single issue meeting in October with representatives of Thames Water to discuss issues of sewer flooding in the borough. This built on the work of a similar meeting in 2007, and allowed councillors and members of the public an opportunity to question senior representatives on their policies with respect to flood prevention, customer relations and feedback, and sewage capacity. It also provided an opportunity to examine some of the council's own practices in this area, and how it might work with Thames Water in its flood prevention efforts. Subsequently, the council has made its strategic flood risk assessment available on its website, as well as forming a flood prevention group of key officers. Thames Water has used its flood data base in the borough to prepare an innovative case for a funding allocation from OFWAT for research into a long term capacity solution to alleviate flooding in the Counters Creek sewage catchment area, which covers a significant part of the borough.
- Pre-Cabinet decision scrutiny of draft proposals for greater school use of sports facilities in parks as an extension to its previous scrutiny of the Parks and Open Spaces Strategy. Several recommendations on fee structures, booking systems, maintenance, and the managed use of facilities in respect of the needs of other park users and residents were subsequently endorsed by the Cabinet. Similarly, at its last meeting of the Municipal Year, the committee considered

the borough's events strategy, with the aim that its recommendations be considered by Cabinet when it adopts the strategy.

- Scrutiny of an innovative compulsory recycling pilot scheme conducted on the Clem Atlee estate by the council and an external organisation with the aim of increasing non kerbside recycling levels and participation. The committee's discussion of the scheme involved representatives from residents' groups, the Cabinet Member for housing, and officers from the housing department. This cross-party working provided the committee with a variety of sources for its deliberations, and contributed to a number of recommendations including the feasibility of encouraging caretaker participation in the forthcoming caretaking pilot, the importance of preventing trade waste contamination of estate recycling, and how findings from the pilot might be taken forward through a study of the accessibility of recycling facilities on all the borough's estates.
- Considering the work and outcomes of a pilot scheme which sought to assist in the regeneration of a shopping area on Askew Road. The committee, through its recommendations, sought to identify ways in which the council could most effectively support the regeneration of an area, as well as drawing on examples of areas which had achieved private sector-led regeneration.

In addition to the above, it is worth noting that this year has also witnessed the implementation of the outsourced grounds maintenance, street cleaning and rubbish collection contracts, a process which was begun, and scrutinised by the committee, over two years ago.

## LOOKING FORWARD

Looking to the work programme for the 2009/10 municipal year, the committee is considering undertaking a further piece of scrutiny on Thames Water's flood mitigation efforts in the borough, focusing on possible improvements to the Counters Creek sewer which is of vital importance in this regard. Again, contributions will be actively sought from affected or concerned residents.

After the widespread disruption caused by heavy snow earlier in the year, the committee is also intending to examine the winter service arrangements currently in place in the borough.

Finally, the committee looks forward to contributing to the Local Development Framework consultation process early in the new municipal year, which will bring together and integrate many areas of work it has examined to date, such as planning enforcement, the White City opportunity area, parks and open spaces, and flood prevention strategies.



*Normand Park, Fulham*

# EDUCATION & CHILDREN'S SERVICES SCRUTINY COMMITTEE



*Councillor Helen Binmore*  
CHAIRMAN

## WHAT WE DO

The committee is responsible for scrutinising any aspect of policy and provision related to education in the borough and the education budget as well as scrutiny of children's services relating to education and social services.

It also has lead responsibility for scrutinising the Cabinet Member for community & children's services

## OUR ACTIVITIES IN 2008/09

The committee met six times during the course of the year, with a full work programme reviewing a broad range of topics.

This included the roll out of the Common Assessment Framework and Contactpoint, the annual performance assessment of children's services and a report on achieving economic wellbeing (including information on the education business partnership). Members also looked at the attainment and achievement of white boys from low income background in 2008 and scrutinised the children's services business plan (including an update on the childcare sufficiency assessment 2009 review/auditing process).

### **Some of the highlights of our work are set out below;**

#### **Building Schools for the Future (BSF)**

BSF is a 15 year programme to transform education in Hammersmith & Fulham. Consultation on the plans including new proposals had taken place as widely as possible and the committee considered a report on it at its June meeting. The proposals included increasing the numbers of forms of entry to Lady Margaret and Sacred Heart schools, establishing a sixth form at all secondary schools, increasing the age range at Queensmill School to take secondary age students and proposing two options to the schools in Fulham. There was a good attendance of members of the public at the meeting, which included parents and teachers from the borough, and the committee gave them the opportunity to comment and ask questions on the proposals. The comments made at the meeting were then forwarded to Cabinet to be considered as part of the consultation process for the BSF.

#### **Primary Capital Programme**

Following from the news that Hammersmith & Fulham needed to revise its plan for the initial bid submitted for the Primary Capital Programme (PCP), the committee agreed that it should look at the proposals for the PCP. At its April meeting, the committee received an update report which highlighted the background to the initial bid, the current position of the programme, the key factors relating to



primary schools and children in the borough, the priorities of the programme, the programme's approach and the impact of deliverability. The committee endorsed the proposals and had the opportunity to ask further questions on the works proposed to the schools in question, the costs of the PCP, the population trends and the private education available in the borough.

### **Children and young people's plan**

The committee reviewed the outline priorities, objectives and key targets for the children and young people's plan 2008-11, the over-arching plan for all services delivered to children and young people in Hammersmith & Fulham. As a result of the committee's discussion, in respect of achieving economic wellbeing, the department agreed to look at how young people, in particular A Level students, could be helped to understand and respect money.

### **Protecting children in Hammersmith & Fulham**

Following from the death of "Baby P", the subject of child protection became an issue of national concern and all local authorities were asked to evaluate children's services. The committee discussed the issues resulting from this case and other emerging cases and was updated on Hammersmith & Fulham's service review on child protection. Due to its high importance, the committee has agreed that this subject should be placed on its work programme to be revisited at a future date.

### **Ofsted inspection summary reports**

The committee invited the headteachers and chairmen of governors of the schools that had recently received an Ofsted inspection to attend two of its meetings held this year, which were dedicated to discussing the schools' Ofsted reports. The headteachers and chairs of governors had an opportunity to answer questions from the committee on their Ofsted reports and to offer their ideas on how the council could improve its service to their schools. Prior to the two Ofsted meetings, members of the committee visited the schools to see them in action.

The committee appreciated the attendance of the headteachers and chairs of governors and for their participation in the meetings. The meetings were very interesting, with the exchange of valuable and constructive comments and ideas between those who attended. There was a lot of useful feedback for the council from the meeting and the visits to the schools.



*Local children at play*

## LOOKING FORWARD

Since the committee was established in 2006 almost all of the borough's schools have undergone an Ofsted inspection and so have been visited by the Committee and attended a formal meeting.

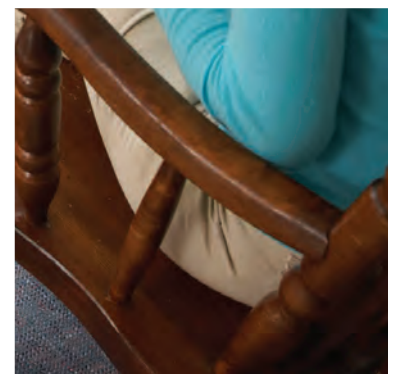
The coming year will see this process, which has in the main received very positive feedback, begin again. Two meetings will again be dedicated to consider the Ofsted Inspection reports, review the standards in schools and have an opportunity to meet the schools in question. It is encouraging to note that a high proportion of Hammersmith & Fulham schools currently have either a good or outstanding rating.

As always children's social services, including child protection, will remain a high priority for the committee and will continue to feature heavily in the work programme. A themed meeting will be held in June on this subject area.

The committee is always happy to consider suggested subjects for its work programme and these should be directed to Laura Campbell (tel 020 8753 2062, email [laura.campbell@lbhf.gov.uk](mailto:laura.campbell@lbhf.gov.uk))



*Student at the library*



## WHAT WE DO

The committee's remit is to scrutinise any aspect of policy and provision relating to health and adult social care services in the borough including statutory responsibilities in relation to health and also the voluntary and community sector.

It also has lead responsibility for scrutinising the Cabinet Member for community and children's services and any other members of the executive on relevant issues.

## OUR ACTIVITIES IN 2008/09

In 2008/2009, the committee met on eight occasions to consider and make recommendations on items from its work programme, which it attempts to divide equally between health and adult social care items.

### **Additionally,**

- The chairman and vice-chairman were nominated as the appointed member and substitute member to represent the council on the Joint Health and Overview Scrutiny Committee (JHOSC) to review 'Shaping Health Services Together - Consultation on developing new, high-quality major trauma and stroke services in London'.
- A sub-committee was set up to respond to the Healthcare Commission Annual Health Declarations made by NHS Hammersmith and Fulham, West London Mental Health Trust and Imperial College Healthcare NHS Trust.
- The chairman continued to attend the informal Joint Three Boroughs meetings (Hammersmith & Fulham, Kensington & Chelsea and Westminster), and other adult social care and health-related meetings and events within and outside the borough in order to further elevate the committee's scrutiny profile and to ensure aspects of common concern beyond borders were dealt with as efficiently and synergistically as possible.
- The committee worked with an expert advisory team from the Centre for Public Scrutiny and colleagues from the London Borough of Ealing in a joint workshop to review the matrix which had been developed to assess changes in health services and to determine if the proposed changes represented a substantial variation which would be subject to formal consultation.

### **A selection of highlights from the committee's busy work programme are given below:**

The committee welcomes the regular attendance at its meetings of Jeff Zitron, Chairman and Sarah Whiting, interim Chief Executive of NHS Hammersmith & Fulham. The PCT has instigated considerable change during the year, including proposals to strengthen commissioning and develop primary care.

## HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE



*Councillor Peter Tobias*  
CHAIRMAN



*International Day for the disabled event*

The committee learnt that the PCT has formed a joint committee with the eight PCTs in North West London (JCPCT) to undertake strategic commissioning work, which spans borough boundaries to commission world class healthcare for the population from acute providers and certain other services. It has also combined its community health provision into a broader alliance to achieve better quality and value from these services and putting these services at arm's length with a view to independence. Further, the PCT is strengthening its working with the council to increase efficiency in both service delivery and back office functions, through an integrated management team supporting the two statutory bodies.

The committee welcomed the opportunity to make recommendations, but as the developments were at an early stage asked that reports on the added value brought about by the commissioning alliance and the development and benefits realised through the proposed integration in Hammersmith & Fulham be added to the work programme.

#### **Developments in primary care included;**

- Plans for primary care services on the Hammersmith Hospital and Charing Cross sites.
- Improved access to GPs through the commissioning of extended hours from existing GP practices;
- The development of the new health centre in White City, as part of a wider housing development.

Whilst the committee do not consider that these proposals represent a substantial variation of services, it intends to keep a watching brief on all developments in primary care.

In the field of adult social care the committee was briefed on and considered an outline of the mid term review of the carers' strategy undertaken in order to assess the progress with the key objectives and priorities. Members were particularly interested in information available to carers, and recommended that the internet presence of information on carers' support should be improved. The committee also requested an update report, to include a report on the first year of the GPs' Quality and Outcomes Framework (QOF) plus. The QOF is a national framework, which defines a set of services and standards which are linked to payment; 'plus' is a locally defined framework, which had been used by NHS Hammersmith and Fulham to put in place an incentive scheme for GPs to have a system for identifying carers and referring them on to appropriate services.

The committee also reviewed the council's approach to self-directed support and how community services could be shaped around potentially achieving better outcomes for residents who used adult social care services by offering them greater levels of choice and control in line with the national agenda, 'Putting People First'. It requested that the blueprint and implementation plan be brought back to a future meeting.

The committee was also consulted on the introduction of home care charges to service users. The committee considered the background to the introduction of charging including the demographic challenges and the resultant increase in the need for social care, greater life expectancy and more complex social needs; the financial challenge; and the assumption by Central Government that councils would charge for non-residential as well as residential services, as is the case with 97% of authorities.

**The committee voted and endorsed the re-introduction of charges although concerns were expressed in respect of:**

- the effects on the health and well-being of some vulnerable people through having lower disposable income
- service users who do not require personal care being pushed towards the non-commissioned service providers, as the proposed hourly rate for all types of homecare was believed to be above the market rate for non-personal care tasks, such as cleaning and shopping; and
- the difficulties in managing future development of integrated home based services between health and social care where one part of the joint service was subject to charging and the other was not, and the need for sufficient flexibility in any charging policy to allow charges to be waived.

Finally the committee has monitored the establishment of the Hammersmith and Fulham LINK, a community led network of individuals and third sector groups that will enable people to have a stronger say in how local health and social care services are commissioned and delivered. It looks forward to extending working relations with the LINK in 2009/10.

## LOOKING FORWARD

At the beginning of 2009/2010, the committee intends to contribute to the council's consultation on Home Care and Housing-Related Support Developments and the JCPCT's consultation on Improving Surgical Services for Children and Young People in Hospital.

The committee will review NHS Hammersmith & Fulham's Primary Care Strategy and will focus on GP services, particularly in respect of access and standard of premises, and the impact on residents of the new White City Health Centre.

During the year, the committee will scrutinise maternity services; older persons' services and mental health services in Hammersmith & Fulham, and Offender Health Care, in addition to the annual reports on safeguarding vulnerable adults, public health and the adult social care business plan.



*Charing Cross hospital*

# PAN LONDON JOINT HEALTH SCRUTINY



*Hammersmith Park*

## PAN LONDON JOINT HEALTH SCRUTINY

The future of healthcare services is a vitally important issue for borough residents and the council has played an active role in the joint scrutiny of consultation proposals from NHS London (the capital's strategic Health Authority) for changes in the way in which these services are delivered.

During the course of the year the council worked with partner authorities across political and geographical boundaries on two major joint scrutiny reviews of London healthcare provision. The first part of the year saw the conclusion of the review conducted by a Joint Health Overview and Scrutiny Committee (JHOSC) comprising all 33 London boroughs and a number of London fringe authorities into the high level vision for the future of the city's health services set out in Lord Darzi's report 'Healthcare in London'. The committee unanimously agreed a series of recommendations and concerns around the proposed models for care which were discussed in detail and acknowledged by NHS London.

In January Hammersmith & Fulham joined once more with the other London boroughs, and Essex County Council, to review more detailed proposals arising from the Darzi report for the establishment of four major trauma units and eight acute stroke units across Greater London. The JHOSC met on six occasions to receive evidence from expert witnesses, the last of these meetings being hosted by this council at Hammersmith Town Hall on 7th May. The final recommendations were awaited at the time of writing.

In addition to this work representatives from Healthcare for London, NHS Hammersmith and Fulham and Imperial College Healthcare (ICHT) attended the April meeting of the council's health and adult social care scrutiny committee to present the implications for North West London.

There was a robust discussion of the proposals at the end of which, the committee:

- welcomed the additional investment of £35 million in the treatment of stroke and major trauma in London;
- supported the proposal to site a hyper-acute stroke unit (HASU) at Charing Cross Hospital;
- expressed concern at the intent to re-locate HASU from Charing Cross to St. Mary's should the latter be designated as a major trauma centre, as there is no clinical evidence to support the co-location of the units; and
- called upon the JCPCT/Healthcare for London to confirm the long term future of the HASU at Charing Cross.

In order to safeguard the longer term health interests of borough residents, the committee intends to further scrutinise the rationale and decision-making process that led to ICHT's bids on behalf of Charing Cross Hospital.

## JOINT THREE BOROUGHS HEALTH SCRUTINY COMMITTEE

At a more local level the council also participates in an informal joint working committee with Westminster and Kensington and Chelsea attended by the chairmen of the respective health scrutiny committees. The committee informally considers health issues of mutual concern and interest, and the meetings are normally attended by at least one external body. The last meeting saw representatives of the North West London Collaborative Commissioning programme brief the chairmen on 'Improving Surgical Services for Children and Young People in Hospital'.

The chairmen meet regularly with the Chief Executives and Chairmen of the corresponding PCTs and also with Claire Perry, Managing Director, and senior managers from ICHT. At the last meeting Claire Perry briefed the Chairmen on;

- Key developments in cardiothoracic services
- The trusts bid to provide specialist paediatric services
- Musculoskeletal services
- Major trauma and acute stroke services

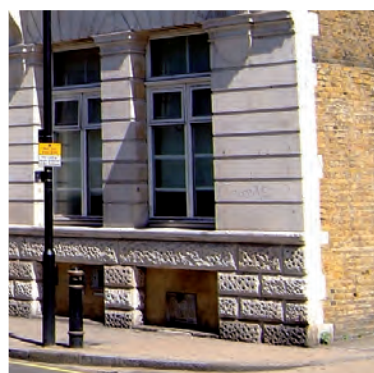
Positive discussions and recommendations on whether and how to consult ensued.

In 2009/2010, the chairmen will continue to develop the now regular informal scrutiny process of London Health institutions, and potentially expand it to include the health overview and scrutiny chairmen of other local authorities contiguous to or in the vicinity of the three boroughs (e.g. Ealing and Hounslow), in particular where and when issues of common concern or interest manifest themselves.

## JOINT THREE BOROUGH HEALTH SCRUTINY COMMITTEE



*River Thames near Furnivall Gardens*



# HOUSING SCRUTINY COMMITTEE



*Councillor Adronie Alford*  
CHAIRMAN

## WHAT WE DO

The housing scrutiny committee is responsible for scrutinising any aspect of policy and provision relating to housing in the borough and has lead responsibility for scrutinising the Cabinet Member for housing.

## OUR MAIN ACTIVITIES IN 2008/09

The committee met on six occasions over the course of the year, scrutinising the work both of Hammersmith and Fulham Homes (H&F Homes), the Arms Length Management Organisation which deals with the day to day management of the housing stock and tenancies, and the council itself in areas such as housing management services, homelessness prevention and home ownership initiatives.

The committee received input from the Cabinet Member for housing, the director of community services and other senior officers from both the council and H&F Homes and members of the public. The committee conducted examinations of the revenue budget proposals and housing revenue account budget strategy as well as the community services department's business plan and reviewed performance against key indicators. It also looked at a wide range of different service areas on an ad hoc basis and some of the highlights of this work are set out below.

Mindful of concerns raised by both the council and the Audit Commission in 2007, the committee gave consideration to H&F Homes performance in respect of gas safety appliance checks. Members were pleased to note that the programme of annual safety inspections had increased compliance rates from lows of 90-93% to 99.03%. Nevertheless, given the potential consequences in terms of corporate liability and, more importantly, the human impact should an incident occur it emphasised that it is important to remain focused on achievement of the 100% target. The committee raised the issue of leaseholder's gas appliances, particularly those in a shared council owned block where there was a clear collective risk. Members requested and subsequently received clarification of the extent of the council's liability in such circumstances and welcomed proposals to offer safety checks to leaseholders at competitive rates through the current gas safety contractors.



Detailed consideration was given to H&F Homes' recovery plan designed to address the key findings of the Audit Commission's inspection of the organisation and prioritise the programme of service improvements sought by the council. The committee endorsed the recovery plan, noting that the 'Invest to Save' approach was expected to give rise to service improvements and efficiency savings in the coming years. Members also reviewed in more detail the specific proposals for acceleration of the Decent Homes Programme designed to ensure that all council owned dwellings achieve the Decent Homes Standard by December 2010. A number of comments were submitted to H&F Homes as a consequence, including a request that consideration be given to advancing the work at locations experiencing security related issues.

Finally, the committee monitored progress with implementation of the 'New Deal for Leaseholders', a collection of initiatives designed to improve services to leaseholders. While it was recognised that significant progress had been made to date, the discussions brought forward a number of suggestions for further enhancements. Members were of the view that billing information provided to leaseholders was still inadequate. While it was recognised that changes in internal processes and IT systems would eventually lead to improvements it recommended that greater transparency be achieved in the content of invoices as soon as possible. It was also recommended that more extensive use be made of hard copy communications with leaseholders in order to complement the online circulation of information, particularly in the case of the distribution of the minutes of leaseholder Forums.

## LOOKING FORWARD

Looking forward to 2009/10 the committee intends to maintain its oversight of the Decent Homes Programme as it moves towards peak delivery phase and to continue to monitor gas safety compliance rates and the success of initiatives designed to encourage take up of safety checks by leaseholders.

The committee will, amongst other issues, also be undertaking reviews of the council's response to issues of overcrowding and the intergration of the private housing service into the environmental services department.



*Local residents receive keys to their flat*

# LOCAL NEIGHBOURHOODS SCRUTINY COMMITTEE



Councillor Caroline Ffiske  
CHAIRMAN

## WHAT WE DO

The local neighbourhoods scrutiny committee has a remit to examine any aspect of policy and provision relating to quality of life, including policing, community safety, tackling antisocial behaviour, licensing and gambling, employment, regeneration and adult education.

It also acts as the council's "Crime and Disorder Committee" for the purposes of the Police and Justice Act 2006 and has lead responsibility for scrutinising the Cabinet Member for crime and street scene. The committee provides an opportunity for local residents to bring forward key concerns regarding their local neighbourhood.

## OUR MAIN ACTIVITIES IN 2008/09

In its six meetings during the course of last year, the committee focussed strongly on law and order issues.

Its main interest was in the continued development of the council's high priority strategy to reduce crime and anti-social behaviour. Accordingly, it considered reports on antisocial behaviour on housing estates, domestic violence, the parks constabulary, and reviews of the 24/7 Policing Pilot at both 12 and 18 months.

A particular highlight of the year was the presentation by officers of the West London Court on various aspects of their work. It was the first time that senior officers of the Court had been invited to speak to a scrutiny committee. The magistrates welcomed the opportunity to work more closely with the council and to establish a greater mutual knowledge of each other's priorities and constraints. Visits were arranged for individual members to see the Courthouse in West London and a further updating presentation is planned for 2010.

Another primary area of the committee's work centred on local issues and the "street scene". Members requested reports on ward based issues, such as the operation, management and cleansing of North End Market. A number of recommendations were made regarding improvements to the market and a further report is anticipated in order to track progress.

The committee has reviewed progress on a particular derelict building in the North End ward and is very keen to consider more ward-specific issues of this nature. Often very localised issues are of most concern to residents and the local neighbourhoods scrutiny committee is intended to be a route to have these issues addressed.

Further local issues on the committee's work programme for the coming year include bicycle thefts, street lighting, the maintenance of trees and grounds within H&F Homes, and the tensions caused by changing priorities for residents and

businesses in Carnwath Road. The committee has also commissioned a report on local licensing policy.

Other issues covered by the committee during the course of the year included a review of the use of Tenants' Halls, a review of third sector funding, and a report on empty and derelict properties in the private sector, and the powers available to the council to deal with them.

Following the inclusion of the adult learning & skills service in the committee's terms of reference this year, members received a presentation from the head of the service on its scope and operation. A report on its performance will be considered annually.

## LOOKING FOWARD

Priorities for next year will be to continue to monitor law and order issues whilst also seeking to give a platform to ward-based local issues.

It is envisaged that residents and representatives of local businesses and voluntary organisations will be invited to address the committee on a number of local issues.



*Police with local area advertising*



# VALUE FOR MONEY SCRUTINY COMMITTEE



*Councillor Donald Johnson*  
CHAIRMAN

## WHAT WE DO

The committee's remit is to consider any aspect of the council's strategic policy formulation, corporate budget (setting and monitoring), performance management, human resources, organisational development, residents' services functions and the council's strategic partnerships.

It also has lead responsibility for scrutinising the Leader, the Cabinet Member for strategy and the Cabinet Member for residents' services.

## OUR MAIN ACTIVITIES IN 2008/09

In 2008/2009, the committee met on five occasions to consider items from its work programme, which covers a wide remit. Highlights of the committee's work are set out below.

The Audit Commission attended the April meeting to present the annual audit and inspection letter. The Audit Commission's overall judgement was that the council was improving strongly with particular improvements in services for older people, children's services and culture, and had classified the council as four-star in its current level of performance under the comprehensive performance assessment. The committee congratulated the council on an excellent performance.

The committee receives quarterly monitoring reports, which contain a set of corporate performance indicators and those for finance and corporate services and residents' services. In the first quarter, the committee queried the indicator for Council Tax collected electronically, which was not on target, and whether this indicator was still relevant as paying by direct debit was the council's preferred method of collection.

Members recommended that the indicator for Council Tax collected electronically be replaced with more appropriate indicators for collection by direct debit and reduction of payments by cash/cheque. This recommendation was implemented in subsequent reports and the committee was pleased to learn that the council was meeting its target of a 10% reduction in payments by cash/cheque.

The committee also monitors performance of the General Fund Account and the Housing Revenue Account. At its April meeting, the committee discussed the format of the report, which gave an overall picture of budgets. It was agreed that it would not be helpful to extend the report to provide more information on all of the budget, but supplementary information on the main areas of concern would be helpful.

In querying the reduction in revenue in the controlled parking account, the committee was informed that residents in Hammersmith & Fulham have become more 'cautious'. The committee suggested that the council should collect information on which parking control notices were being contested and the issues.

Another regular aspect of the committee's work is monitoring regular updates on sickness absence and actions taken in respect of the best practice absence strategy. The committee was informed that the two highest categories of sickness were musculoskeletal system and 'unknown'. It was proposed to remove the 'unknown' category in order to make the data more meaningful.

The committee recommended that increased health and safety training in respect of musculoskeletal sickness be provided. Members commended the work undertaken to date, and asked to receive an update report when the revised procedure for managing sickness absence had been implemented.

The committee also enquired into ways in which Hammersmith & Fulham was responding on behalf of residents to the current economic crisis. It was noted that the council was

- Increasing organisational capacity to deliver an integrated and transformational change agenda, by making the best of staff through motivation, and driving up capacity.
- Ensuring that asset disposals were sold at auction only if a good price was achieved, and maintaining a register of valuations for the previous 18 months, to ensure that a sale was not achieved through a low valuation.
- Enhancing its credit criteria by looking at a wider set of criteria than previously and monitoring the criteria daily. The committee was pleased to note that the council had avoided investments in Iceland.
- Setting a 5% increase in income budgets as an overall corporate target, to encourage innovative thinking, but not as a blanket 5% increase on all fees and charges.

Finally, the committee also received its annual report setting out the council's expenditure on counsel (barristers) under the West London Alliance Framework agreement, which establishes fixed prices for particular types of work. This stimulated an interesting discussion and a request for additional information in the next report to include:

- number of cases by work area and type of case;
- whether the council had brought or was defending the case;
- amounts recovered/ resultant savings for the council; and
- the success of the case in terms of the Court verdict.

## LOOKING FORWARD

During 2009/2010, the committee will continue to monitor the council's performance. It will also receive update reports in respect of managing sickness absence and the use of counsel.

The committee intends to scrutinise some new topics, including training for councillors and residents' services one year after the commencement of the service.



*Imperial Wharf at night*

# SCRUTINY MEMBER TRAINING AND DEVELOPMENT



*Shepherd's Bush Green*

## SCRUTINY MEMBER TRAINING AND DEVELOPMENT

**B**uilding capacity in the overview and scrutiny function has recently been identified as a key member development opportunity.

A programme of formal and informal learning opportunities is therefore being developed in order to ensure that both elected and co-opted members are equipped with the range of skills and knowledge necessary to support effective scrutiny.

The centrepiece of the programme to date has been two questioning skills workshops developed and delivered in conjunction with a consultant from the Centre for Public Scrutiny. These provided scrutiny members with tips on techniques when receiving evidence from officers and witnesses and gave them the opportunity to role play in committee scenarios and receive feedback on personal questioning styles.

The second of these sessions was opened up to member delegates from The Royal Borough of Kensington & Chelsea as part of a new informal joint member training initiative between the two authorities designed to provide economies of scale and opportunities for member networking in order to encourage the spread of best practice. Further joint scrutiny training sessions are currently at the planning stage including a talk by a Member of Parliament on the operation of Parliamentary Select Committees.

Efforts have also focused on means of developing members knowledge of service areas in order to build a platform for more effective and informed scrutiny of service provision and policy development. Means of achieving this have included the delivery of brief background information reports and presentations on key service arrangements at scrutiny committee meetings as well as greater use of glossaries of technical terms and acronyms to promote understanding.

Meanwhile attention has been given to the specific needs of the chairmen of the six scrutiny committees. In addition to the chairmen's forum, highlighted elsewhere, which provides an opportunity for the sharing of best practice, chairmen have received one to one feedback on their meeting management techniques and are provided with a regular flow of briefing and research papers from the London Scrutiny Network and Centre for Public Scrutiny.

Members with suggestions or requests for scrutiny related training or development activities are invited to discuss them with Gary Marson, principal committee coordinator (tel: 020 8753 2278, email: [gary.marson@lbhf.gov.uk](mailto:gary.marson@lbhf.gov.uk))

## THE SCRUTINY CHAIRMEN'S FORUM

2008/09 saw the launch of the scrutiny chairmen's forum.

The initiative is designed to bring together the chairmen of the six scrutiny committees on a regular basis in order to discuss issues of common interest, review best practice, identify member training needs and provide coordination and guidance for the scrutiny function. The initial meetings have been well attended and generated plenty of discussion and ideas for improvement.

A number of changes to working practices have already been introduced as a result of feedback from the forum. These include new procedures for the appointment of co-optees and the preparation of revised draft guidance on the presentation, content and format of reports to committees in order to provide scrutiny members with more accessible material and assist in the performance of their duties. Following discussions at the forum all community and voluntary sector organisations in the borough were contacted with an invitation to subscribe to electronic copies of committee agendas and minutes - nearly 40 third sector groups now receive email alerts of scrutiny committee papers as a result, thereby enhancing their opportunity to engage with and influence the decision making process.

The meetings have also proved to be a valuable means of identifying skills and knowledge gaps amongst scrutiny members. It was as a result of feedback from the forum that background information reports on service areas are now brought forward to some scrutiny committees on a regular basis. This helps to ensure that backbench members have a sufficient depth of knowledge of the configuration and quality of council services to support effective scrutiny of service provision.

Other topics examined by the forum including techniques for chairing and managing meetings with a view to maximising outcomes, means of increasing public attendance at meetings and interest in the scrutiny process, the likely impact of forthcoming legislative changes, the scope for joint scrutiny training initiatives with neighbouring authorities and how to plan effective work programmes.

## THE SCRUTINY CHAIRMEN'S FORUM



*King Street, Hammersmith*

# SCRUTINY COMMITTEE MEMBERSHIP 2008/09



*Shepherd's Bush Empire at night*

## SCRUTINY COMMITTEE MEMBERSHIP 2008/09

### **Cleaner and greener**

Councillors Eugenie White (Chairman), Wesley Harcourt (Vice-Chairman), Gill Dickenson, Belinda Donovan, Gavin Donovan, Rachel Ford, Lisa Homan, Jane Law, Alexandra Robson

### **Education and children's services**

Councillors Helen Binmore (Chairman), Reg McLaughlin (Vice-Chairman), Gill Dickenson, Sarah Gore, Donald Johnson, Lisa Nandy, Harry Phibbs, Minnie Scott Russell, Alexandra Robson

Co-opted members (voting): London Diocesan Board of Schools representative - Mrs Eleanor Allen, Westminster Diocese Education Service - to be nominated, Mrs Fiona Cook - parent governor representative, Mrs Sue Fennimore - parent governor representative (Jan Wright until November 2008)

Co-opted member (non-voting): Mr Michael Pettavel - head teacher representative

### **Health and adult social care**

Councillors Peter Tobias (chairman), Rory Vaughan (vice-chairman), Belinda Donovan, Caroline Ffiske, Sarah Gore, Robert Iggulden, Reg McLaughlin, Dame Sally Powell, Eugenie White

Co-opted members (non-voting): Maria Brenton - Hammersmith and Fulham Action on Disability (HAFAD), Martin Laws, Pauline Hutchison, Patrick Ryan - Hestia Housing and Support

### **Housing**

Councillors Adronie Alford (chairman), Lisa Nandy (vice chairman), Aiden Burley, Jean Campbell, Michael Cartwright, Lucy Gugen, Robert Iggulden, Jane Law, Harry Phibbs

Co-opted members (non-voting): Grahame Hindes - Octavia Housing, Jeannie Shears - Sheltered Housing Forum, Thomas Flynn - Leaseholders' Forum, Kathy Dolan - Hammersmith & Fulham Federation of Tenants' and Residents' Association

### **Local neighbourhoods**

Councillors Caroline Ffiske (chairman), Lisa Homan (vice chairman), Aidan Burley, Jean Campbell, Gavin Donovan, Stephen Hamilton, Alex Karmel, Ali de Lisle, Ed Owen

### **Value for money**

Councillors Donald Johnson (chairman), Stephen Cowan (vice chairman), Michael Adam, Victoria Brocklebank-Fowler, Rachel Ford, Stephen Hamilton, Peter Tobias, Mercy Umeh, Rory Vaughan



## CONTACTS

We would welcome your comments.

We would also be pleased to answer any questions that you may have about the scrutiny function at Hammersmith & Fulham or to receive suggestions for improvement in the way we work and ideas for service area reviews.

Please contact Gary Marson, principal committee coordinator

Tel: 020 8753 2278 email [gary.marson@lbhf.gov.uk](mailto:gary.marson@lbhf.gov.uk)

**Our postal address is:** Councillors Services, Room 203, Hammersmith Town Hall King Street, London W6 9JU

**Specific contacts for each of the committees are set out below:**

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### **Education and children's services**

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### **Housing**

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### **Local neighbourhoods**

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### **Value for money**

Sue Perrin, details as above

## AGENDA SUBSCRIPTIONS

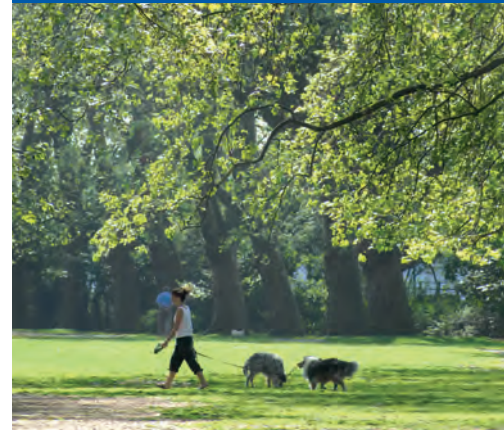
If you are a member of the public or local organisation who would like to keep up to date with the work of any of the scrutiny committees we will be pleased to provide you with an email notification alert and web link to the agenda for each meeting as soon as it is published.

To subscribe contact David Bays tel 020 8753 2628 email [david.bays@lbhf.gov.uk](mailto:david.bays@lbhf.gov.uk)

## MORE INFORMATION

More information about overview and scrutiny at Hammersmith & Fulham can be found at [www.lbhf.gov.uk/Council&Democracy](http://www.lbhf.gov.uk/Council&Democracy)

## CONTACTS



*A H&F resident dog walking*

## AGENDA SUBSCRIPTIONS



*Fulham Palace*

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INVESTOR IN PEOPLE



**27 MAY 2009**

**Mr Chris Troke,  
Independent  
Chairman,  
Standards  
Committee**

**STANDARDS COMMITTEE ANNUAL  
REPORT 2008/9**

**WARDS  
All**

**Summary**

The attached report outlines the activity of work undertaken by the Standards Committee in 2008/9.

**CONTRIBUTORS**

ADLADS

**RECOMMENDATION:**

**That the Standards Committee Annual Report 2008/09 be received.**

## **STANDARDS COMMITTEE**

### **ANNUAL REPORT 2008- 2009**

#### **1. INTRODUCTION**

- 1.1 The Standards Committee met four times this year: on 2 June and 24 November 2008, 4 February and 1 April 2009. Mr Chris Troke replaced Mr Steven Moussavi as Chairman for the year, in line with the convention that the chairmanship should rotate. Apart from various routine items, such as matters discussed in bulletins from the Standards Board, the following were the main issues considered.

#### **2. LOCAL ASSESSMENT OF COMPLAINTS**

- 2.1 At its June meeting, the Committee agreed to set up 3 sub-committees to deal with each stage of the local complaints process: an Assessment Sub-Committee, a Review Sub-Committee and a Hearing Sub-Committee. The Committee agreed to a flexible arrangement whereby there would be appropriate appointments for these sub-committees, drawn from the overall pool of 10 Members, providing the Chairman in each case was an Independent Member.
- 2.2 Terms of Reference were agreed for each sub-committee as well as assessment criteria. It was also agreed that the Monitoring Officer prepare a pre-assessment report for all complaints referred to the Assessment Sub-Committee. These arrangements are being kept under review, but in light of numbers of complaints received so far, appear to be adequate to meet current demands.
- 2.3 The Committee were keen to publicise the new arrangements for how to complain. Therefore, articles were placed in the June and July 2008 issues of H&F News, on the Council's website and on notices in all six Borough Libraries and both Hammersmith & Fulham Town Hall receptions.
- 2.4 The Committee undertook training in the new system as part of its June meeting by considering 4 case histories and what the suggested outcomes might be.

#### **3 LOCAL COMPLAINTS CASES**

- 3.1 Only one case was considered during the year 2008-09. This was considered by the Assessment Sub-Committee comprising of Chris Troke (Chairman) and Councillors Botterill and Cowan on 18 June. The Sub-Committee decided that no action should be taken on the allegation.

3.2 The complainant was given the opportunity to request a review of this decision which he chose to do. A Review Sub-Committee comprising of Steven Mousssavi (Chairman) and Councillors Donald Johnson and Homan met on 28 July to review the case. The Review Sub-Committee decided to uphold the original decision. A written summary of the decision of both sub-committees, excluding the names of the Councillor and complainant, was made available to the public via the Council's website.

#### **4 GOVERNMENT CONSULTATION PAPERS**

4.1 During the year the Committee considered two consultation papers: one on the Code of Conduct for Local Authority Members and Employees and another on the Code of Practice on Publicity.

4.2 On the Code of Conduct consultation, the committee commented:-

- on the definition of "criminal offence", taking the view that this should be confined to serious offences such as violence, dishonesty and sexual offences;
- on the time limit for Members undertaking to observe the Code, that this should be two months from the date of the Member being notified;
- on the issue raised about imposing the Code on all employees, the Committee favoured a response which would include a suggestion that other professional bodies should bring their codes into line with those for local authorities;
- on the two-tier model being proposed for selecting "qualifying employees", the Committee favoured the "political Restriction model" of the 1989 Act;
- and, finally, on the issue about whether qualifying employees should publicly register their interests, the Committee agreed that they should and that those matters needing to be registered on the employees' code should be consistent with the Members' code.

4.3 These comments were submitted in December 2008. At the time of writing, the outcome is still awaited.

4.4 On the Code of Practice on Publicity, the Committee decided to:-

- make reference to the Advertising Standards Authority and the Press Complaints Commission as bodies which might have a role to play in the regulation of Council advertising and newspaper production;

- agree there should be express provision in the guidance to allow for the Council to rebut criticisms;
- request consideration in the Code about issues of privacy and about the dissemination of unsolicited material;
- ask for extra guidance in the Code on the level of publicity support that might be given to Scrutiny Chairmen, Ward Councillors (in relation to Ward issues) and to back bench members more generally.

4.5 The Council's response was submitted in March 2009. Similarly, the outcome is awaited.

## 5. COUNCIL CONSTITUTION

- 5.1 At its February 2009 meeting, the Committee considered whether any changes were needed to the Statutory Codes of Conduct and LBHF Local Protocols and Guidance to Members in the Council's Constitution.
- 5.2 One Member of the Committee recorded her dissatisfaction with the way the "Councillors' Support and Other Facilities: Guidelines for Use" was operating, particularly paragraph 5.1 on Advance Session Publicity.
- 5.3 At both its February and April meetings, the Committee considered possible changes. Councillor Cowan felt some change should be made to paragraph 5.1 of the Member/Officer Protocol and offered to provide an alternative wording. However, no wording was provided to the April meeting and the Committee decided to recommend no changes to the Codes and Protocols. The final opportunity for Members to make changes will be at the Annual Meeting when individual Members may move amendments.

## 6 CONFERENCES

- 6.1 Ms Joyce Epstein, one of the Independent Members, and the Assistant Director, Legal and Democratic Services, attended **the 7<sup>th</sup> Annual Conference of Standards Committees in Birmingham on 13 and 14 October 2008.**

A recurring theme of conference speakers was to urge those involved in standards committees to adopt a more proactive approach, to broaden their remit beyond just responding to complaints - as one speaker put it, to be not just watch dogs but also guide dogs. The role of effective standards committees was said to include member training, whistle blowing,

employment/disciplinary/grievance policy, audit, anti-fraud, ombudsman role, member/office protocols, constitution production, oversight of expenses policy and ethics. Standards committees were urged to get "embedded" with officers and members, be seen as consultative bodies not just tribunals.

- 6.2 The Chairman of the Committee, Head of Councillors' Services and the Committee Co-ordinator attended the **Annual North West London Standards Networking Event at Brent Town Hall on 27 January 2009**, addressed by James Goodie QC and attended by North West London Boroughs as well as from Kensington and Chelsea and Islington. The Event confirmed the level of activity on complaints was comparable to that in other boroughs.

## **7. RESIGNATION**

- 7.1 In October 2008, Miss Oluchi Onwere, one of the 2 newly appointed Independent Members, resigned due to her appointment as a legal adviser to another authority. The Committee noted her resignation but decided not to recruit a replacement, bearing in mind the current caseload and that at the time of her appointment the Council were only seeking to recruit one extra Independent Member.

## **8. OTHER ISSUES**

- 8.1 Amongst other issues discussed by the Committee were:
- The establishment of a Virtual Network of Standards Committee Chairmen across London, following an initiative by Sophia Lambert, the Kensington & Chelsea Chairman;
  - Topics for possible discussion in 2009-10, including reviewing the Council's Whistle-blowing Policy and its Anti-Fraud Service's activities, as well as looking at the potential implications for the Committee of the integration of Council and Primary Care Trust services.

## **9. CONCLUSION BY CHAIRMAN (CHRIS TROKE)**

- 9.1 The Standards Committee was set up 7 years ago when Hammersmith & Fulham adopted the Model Code of Conduct. Since that time, the role of the Committee has changed markedly from only being able to grant dispensations, where applicable, for Members to attend meetings to the present day when the Committee can investigate all but the most serious breaches of the Code.

- 9.2 Over the last year only one case has been considered by the Assessment Sub-Committee, and subsequently the Review Sub-Committee, which upheld the original decision that no action should be taken. I believe this dearth of casework reflects both the high standards of Hammersmith & Fulham members and the work carried out by the Committee.
- 9.3 We continue to be bombarded with consultation papers, yet we are promised more in the pipeline.
- 9.4 Lastly, the recently established virtual network for London Standards Committee Chairs is beginning to prove a useful tool for exchanging views and thoughts on a wide range of topics; indeed, the last couple of months have seen a flurry of activity on this aspect.

**Christopher Troke**  
**Chairman, Standards Committee**

**LOCAL GOVERNMENT ACT 2000  
 BACKGROUND PAPERS**

<b>No.</b>	<b>Brief Description of Background Papers</b>	<b>Name/Ext. of holder of file/copy</b>	<b>Department/Location</b>
1.	Brent Networking Event Papers, 27 January 2009	David Bays x 2628	Committee Services Room 203, Hammersmith Town Hall
2	Reports to above meetings of Standards Committee	David Bays x 2628	Committee Services Room 203, Hammersmith Town Hall



**27 MAY 2009**

**COUNCILLORS' SUMMARY OF ACTIVITY  
OF WORK UNDERTAKEN IN 2008/09**

**WARDS**

**All**

**Summary**

Attached as an appendix to this report is a summary of the Councillors' activity of work undertaken in 2008/09.

**CONTRIBUTORS**  
ADLADS

**RECOMMENDATION:**

**That the appendix be noted.**

**Councillors: summary of activity 2008-09**

not incl. meetings attended as a non Committee member

	Adam	Aherne	Alford	Bethell	Binmore	Botterill	Bristow	Brocklebank-Fowler	Burley	Campbell	Cartwright	Chalk	Cowan	de Lisle	Dickenson	Donovan B	Donovan G	Ffiske	Ford	Gore	Greenhalgh	Gugen	Hamilton	Harcourt	Homan	Iggulden	Ivimy	Johnson A	Johnson D	Karmel	Law	Lillis	Loveday	McLaughlin	Nandy	Owen	Phibbs	Powell	Robson	Scott Russell	Smith	Stainton	Tobias	Umeh	Vaughan	White		
Full Council	1	5	5		5	5	5	5	5	5	5	5	5	5	5	4	5	2	5	5	5	4	5	5	5	5	5	5	4	5	5	5	5	5	5	4	4	5	3	5	5	5	5	5	3			
Cabinet						9	10									4	4	4		5		10			4	2		9				11	10								11	11						
CGSC																4	4								4	2					5							4									6	
ECSSC					5										5						6								4				4	2		5		4	4									
HASCSC																8			4		5					6						6				5						8		7	8			
HSC			6							3	3	6											3				6				4				3		5											
LNSC									2	5				5			5	5					6		5						5																	
VFMSC	4							4					1						4				5																									
Standards Committee			2			3							3												4																							
PAC (incl TMAP)		13					13				12	14		12										12			13	10		13											9							
Pensions Fund Investment Panel	1	3				4					4											2				4																					4	
Licensing Cttee/Sub-Committee		1						17			4				9									2						2		1							2		12							
Appointments Panel						2	1				1		1									2																										
Personnel Panel			1					1							1																																	
Adoption Panel																																																
Audit Committee	2			2							3														4																							
Fulham Palace Mgmt Board											2																																					