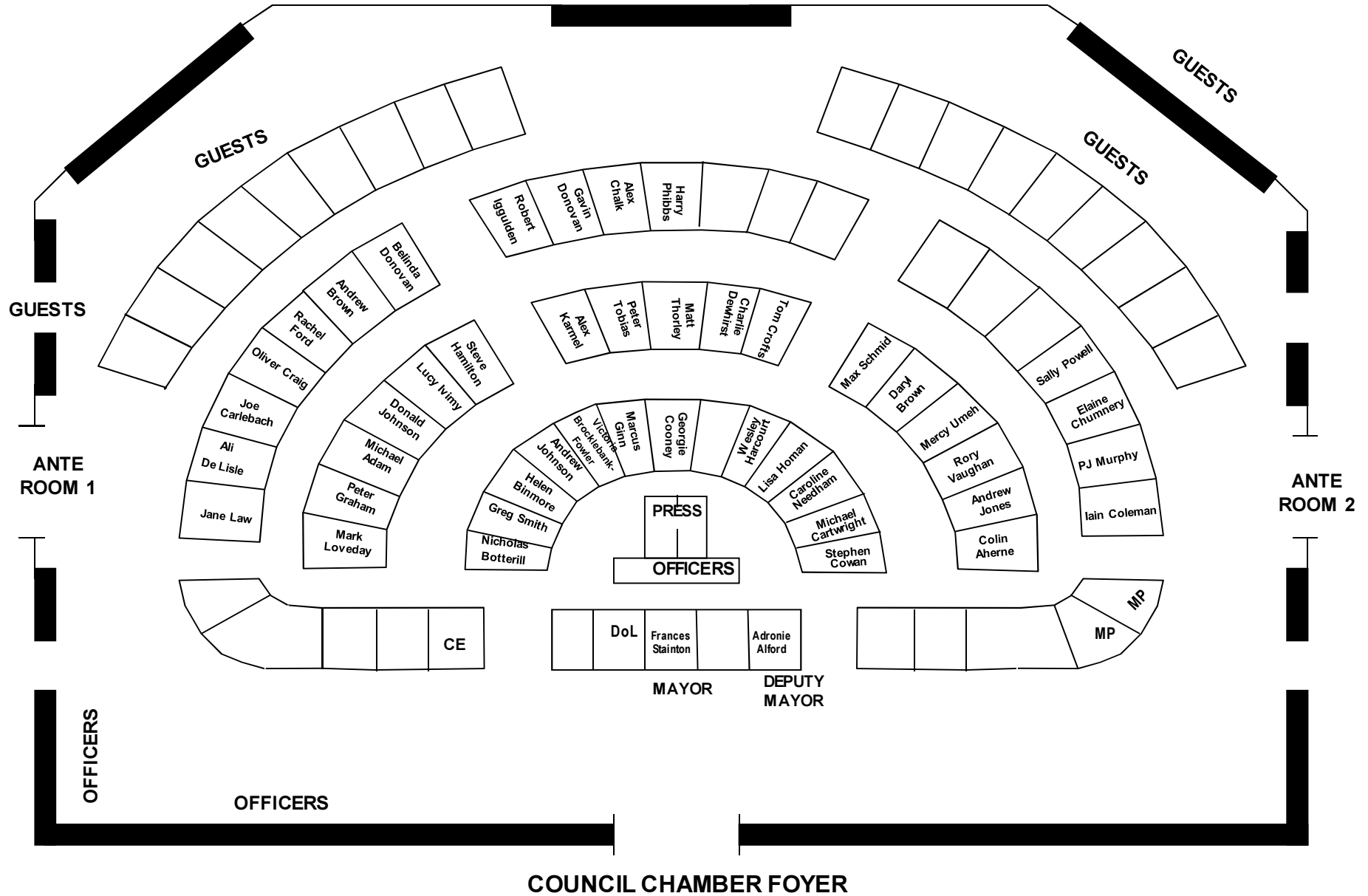


COUNCIL AGENDA

(Ordinary Council Meeting)

Wednesday 29 January 2014

COUNCIL CHAMBER SEATING 2013/14





The Mayor (Councillor Frances Stainton)
Deputy Mayor (Councillor Adronie Alford)

ADDISON

Alex Chalk (C)
Belinda Donovan (C)
Peter Tobias (C)

HAMMERSMITH
BROADWAY

Michael Cartwright (L)
Stephen Cowan (L)
PJ Murphy (L)

RAVENSCOURT PARK

Charlie Dewhurst (C)
Lucy Ivimy (C)
Harry Phibbs (C)

ASKEW

Lisa Homan (L)
Caroline Needham (L)
Rory Vaughan (L)

MUNSTER

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

SANDS END

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

AVONMORE &
BROOK GREEN

Helen Binmore (C)
Joe Carlebach (C)
Robert Iggulden (C)

NORTH END

Daryl Brown (L)
Georgie Cooney (C)
Tom Crofts (C)

SHEPHERDS BUSH
GREEN

Iain Coleman (L)
Andrew Jones (L)
Mercy Umeh (L)

COLLEGE PARK &
OLD OAK

Elaine Chumnery (L)
Wesley Harcourt (L)

PALACE RIVERSIDE

Marcus Ginn (C)
Donald Johnson (C)

TOWN

Andrew Brown (C)
Oliver Craig (C)
Greg Smith (C)

FULHAM BROADWAY

Victoria Brocklebank-
Fowler (C)
Rachel Ford (C)
Matt Thorley (C)

PARSONS GREEN AND
WALHAM

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

WORMHOLT AND
WHITE CITY

Colin Aherne (L)
Dame Sally Powell (L)
Max Schmid (L)

FULHAM REACH

Gavin Donovan (C)
Peter Graham (C)
Andrew Johnson (C)

SUMMONS

Councillors of the London Borough of
Hammersmith & Fulham
are requested to attend the
Ordinary Meeting of the Council on
Wednesday 29 January 2014
at Hammersmith Town Hall, W6

The Council will meet at 7.00pm.

21 January 2014
Town Hall
Hammersmith W6

Nicholas Holgate
Chief Executive

Full Council Agenda

29 January 2014

<u>Item</u>		<u>Pages</u>
1.	MINUTES	455 - 470

To approve and sign as an accurate record the Minutes of the Council Meeting held on 23 October 2013.

2. **APOLOGIES FOR ABSENCE**

3. **MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS (IF ANY)**

4. **DECLARATIONS OF INTERESTS**

If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.

At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.

Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.

Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.

5. PUBLIC QUESTIONS (20 MINUTES)

The Leader/relevant Cabinet Member to reply to questions submitted by members of the public:

5.1 QUESTION 1 - MR ADAM CONNELL 471

5.2 QUESTION 2 - MR ROBERT LARGAN 472

5.3 QUESTION 3 - MR ROWAN REE 473

5.4 QUESTION 4 - MR LARRY CULHANE 474

5.5 QUESTION 5 - MS EMILY GENOCHIO 475

5.6 QUESTION 6 - MS WENDY ALDRIDGE 476

5.7 QUESTION 7 - MS ROSIE WAIT 477

5.8 QUESTION 8 - MS JOSEPHINE MILLER 478

6. ITEMS FOR DISCUSSION/COMMITTEE REPORTS

6.1 COUNCIL TAX SUPPORT 2014/15 479 - 486

The report recommends continuing with a council tax support scheme that reflects the old council tax benefit regulations (as published in the government's default scheme) so that no one in the borough is worse off. The authority has consulted with residents to get their views on this proposal.

6.2 COUNCIL TAX BASE AND COLLECTION RATE 2014/2015 AND DELEGATION OF THE BUSINESS RATES ESTIMATE 487 - 495

The report contains an estimate of the Council Tax Collection rate and calculates the Council Tax Base for 2014/15 and also recommends to delegate authority to the Executive Director of Finance and Corporate Governance, in consultation with the Leader of the Council, to determine the business rates tax base for 2014/15 as set out in section 10 of the report.

6.3 TREASURY MID-YEAR REVIEW 2013-14 496 - 502

The report presents the Council's half year Treasury Report for 2013/14 in accordance with the Council's Treasury Management Practices.

6.4 PETITIONING HIGH SPEED 2 (HS2) HYBRID BILL 503 - 524

The proposal for Old Oak Common to become a new interchange station for HS2/ Crossrail presents a unique opportunity to harness the added benefit this presents to the borough to regenerate the Old Oak Common area. The report sets out the proposed changes to the Bill that the borough will be petitioning on which aim to ensure HS2 Ltd adequately provides for the impacts of development and to ensure the regeneration aspirations of the borough for Old Oak Common can also be realised.

6.5 REVIEW OF THE COUNCIL'S CONSTITUTION AND CHANGES TO ANNUAL COUNCIL DATE 525 - 528

The report requests Council to amend the Wormwood Scrubs Charitable Trust Committee terms of reference and note the changes made to the Officer scheme of delegation by the Monitoring Officer since the last meeting. It also seeks approval to change the date of next Annual Council meeting from 28 May to 16 June 2014.

6.6 HEALTH AND WELLBEING BOARD: GOVERNANCE ARRANGEMENTS 529 - 531

The report recommends that two additional representatives of the Clinical Commissioning Group be appointed to the Health and Wellbeing Board and that all members of the Health and Wellbeing Board, including Council officers are entitled to vote.

6.7 REVIEW OF POLLING STATIONS AND POLLING DISTRICTS 532 - 535

The report asks Council to approve new polling arrangements for the borough, as four existing polling stations will be unavailable for this year's elections, due to building works or demolition.

7. SPECIAL MOTIONS

To consider and determine any Special Motions:

7.1 SPECIAL MOTION 1 - SULIVAN PRIMARY SCHOOL 536

7.2 SPECIAL MOTION 2 - HALT COUNCIL PLANS FOR BEAUMONT AVENUE AND AISGILL AVENUE TO BECOME AN ARTICULATED LORRY THOROUGHFARE 537

7.3 SPECIAL MOTION 3 - HOSPITALITY AND PUBLIC CONCERNS ABOUT THE "TOO CLOSE FOR COMFORT" RELATIONSHIP BETWEEN THE ADMINISTRATION AND PROPERTY DEVELOPERS DOING BUSINESS IN THE BOROUGH 538

7.4 SPECIAL MOTION 4 - ENCOURAGING STRONG, SAFE NEIGHBOURHOODS AND SUCCESSFUL HIGH STREETS 539

7.5	SPECIAL MOTION 5 - COUNCIL RESOLVES TO IMPROVE THE REPAIRS SERVICE	540
7.6	SPECIAL MOTION 6 - MILSON ROAD HEALTH CENTRE	541
7.7	SPECIAL MOTION 7 - CUTTING CRIME IN RAVENSCOURT ROAD	542
7.8	SPECIAL MOTION 8 - A SAFER HAMMERSMITH & FULHAM	543
7.9	SPECIAL MOTION 9 - CELEBRATING CLEANER AND GREENER PARKS	544
7.10	SPECIAL MOTION 10 - SUPER SEWER	545
7.11	SPECIAL MOTION 11 - HOUSING	546
8.	INFORMATION REPORTS - TO NOTE	
8.1	SPECIAL URGENCY DECISIONS - MONITORING REPORT	547 - 548

The report presents details of decisions taken by the Leader or Cabinet Members under the special urgency provisions of the Constitution (very urgent decision not in the Key Decisions list). The report covers the period 1 January 2013 to 31 December 2013.

COUNCIL MINUTES

(ORDINARY COUNCIL MEETING)

WEDNESDAY 23 OCTOBER 2013



PRESENT

The Mayor Councillor Frances Stainton
Deputy Mayor Councillor Adronie Alford

Councillors:

Michael Adam	Oliver Craig	Andrew Jones
Colin Aherne	Tom Crofts	Alex Karmel
Helen Binmore	Ali De-Lisle	Jane Law
Nicholas Botterill	Charlie Dewhurst	Mark Loveday
Victoria Brocklebank-Fowler	Belinda Donovan	PJ Murphy
Andrew Brown	Rachel Ford	Caroline Needham
Daryl Brown	Marcus Ginn	Harry Phibbs
Joe Carlebach	Peter Graham	Sally Powell
Michael Cartwright	Steve Hamilton	Max Schmid
Alex Chalk	Wesley Harcourt	Greg Smith
Elaine Chumnerly	Lisa Homan	Matt Thorley
Iain Coleman	Robert Iggulden	Rory Vaughan
Georgie Cooney	Andrew Johnson	
Stephen Cowan	Donald Johnson	

18. MINUTES

7pm – RESOLVED:

The minutes of the Council Meeting held on 3 July 2013 were confirmed and signed as an accurate record.

19. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gavin Donovan, Peter Tobias and Mercy Umeh.

Apologies for lateness were received from Councillors Andrew Brown, Alex Chalk, Lisa Homan and Jane Law.

20. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS

Chief Executive's Retirement – Mr Derek Myers

7.05pm – The Mayor expressed her thanks to Mr Derek Myers, the outgoing Chief Executive, as this was his last Council meeting, noting that she had found him to be extremely well briefed, well mannered and effective. He had been with the Council for over two years but it had felt like longer. He had guided the Council through the Tri Borough programme. The Mayor sent Mr Myers her good wishes for his next career and with his work with Shelter.

Councillor Nicholas Botterill thanked Mr Myers, referring to his speech when Mr Myers was first appointed, when he had said the Council was very privileged to have secured the services of one of the pre-eminent and highly regarded local authority leaders in the country, and noted that these words had stood the test of time. Mr Myers managed to provide clarity, purpose and sound judgement in all that he did. The role between the Leader and Chief Executive was interesting and getting it right was not that easy. Mr Myers' skills included fully appreciating the mindset of politicians, combined with a depth of knowledge and sound judgement. Councillor Botterill commented that they did not agree on every single aspect which would have been unhealthy if that were the case. Mr Myers was able to understand the differences between H&F and RBKC and to work with them. He could make alterations in respect of the different cultures and histories of the two boroughs he managed, which was no mean feat. Councillor Botterill formally thanked Mr Myers on behalf of the borough for all his efforts and thanked him personally for all the help and assistance he had given.

Councillor Cowan echoed the Leader's comments. He recognised Mr Myers had led a life in public service, which he respected. Mr Myers had a calming influence in many ways in Hammersmith and Fulham. Councillor Cowan congratulated Mr Myers on his move to Shelter. He hoped Mr Myers and his family enjoyed a happy retirement and found what he did next to be fruitful and enjoyable.

21. DECLARATIONS OF INTERESTS

There were no declarations of interest.

22. PUBLIC QUESTIONS (20 MINUTES)

22.1 Question 1 - Ms Desiree Cranenburgh

7.14pm - The Mayor called on Ms Desiree Cranenburgh who had submitted a question to the Cabinet Member for Community Care (Councillor Marcus Ginn) to ask her question. The Cabinet Member for Community Care responded. Ms Cranenburgh asked a supplementary question which was also answered.

22.2 Question 2 - Mr Barrie Stead

7.19pm - The Mayor called on Mr Barrie Stead who had submitted a question to the Cabinet Member for Community Care (Councillor Marcus Ginn) to ask his question. The Cabinet Member for Community Care responded. Mr Stead asked a supplementary question which was also answered.

22.3 Question 3 - Mr Peter Chutter

7.25pm - The Mayor called on Mr Peter Chutter who had submitted a question to the Cabinet Member for Community Care (Councillor Marcus Ginn) to ask his question. The Cabinet Member for Community Care responded. Mr Chutter asked a supplementary question which was also answered.

Under Standing Order 15(e)(xii), Councillor Loveday moved the suspension of the 20 minutes time limit under Standing Order 12(g) to allow all of the public questions to be answered, which was agreed.

22.4 Question 4 - Ms Dede Wilson

7.31pm - The Mayor called on Ms Dede Wilson who had submitted a question to the Cabinet Member for Community Care (Councillor Marcus Ginn) to ask her question. The Cabinet Member for Community Care responded. Ms Wilson asked a supplementary question which was also answered.

22.5 Question 5 - Ms Suzanna Harris

7.40pm - The Mayor called on Ms Suzanna Harris who had submitted a question to the Cabinet Member for Community Care (Councillor Marcus Ginn) to ask her question. The Cabinet Member for Community Care responded. Ms Harris asked a supplementary question which was also answered.

(A copy of all the public questions submitted and the replies given are attached at **Appendices 1 - 5** to these minutes).

23. ITEMS FOR DISCUSSION/COMMITTEE REPORTS

23.1 Appointment of Head of Paid Service

7.45pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

A speech on the report was made by Councillor Nicholas Botterill (for the Administration).

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.49pm **RESOLVED**:

- (1) That Mr Nicholas Holgate be appointed the Head of Paid Service for the London Borough of Hammersmith and Fulham; and
- (2) Mr Holgate to act as the Joint Chief Executive for the London Borough of Hammersmith and Fulham and the Royal Borough of Kensington and Chelsea.

23.2 White City Opportunity Area Planning Framework

7.50pm - The report and recommendation were formally moved for adoption by the Cabinet Member for Transport and Technical Services, Councillor Victoria Brocklebank-Fowler.

A speech on the report was made by Councillor Nicholas Botterill (for the Administration).

Under Standing Order 13(2) (b), Councillor Michael Cartwright moved, seconded by Councillor Andrew Jones, an amendment to the recommendation as follows:

“Delete all after ‘be’ and insert “not adopted and Officers be instructed to prepare a further report after giving proper consideration to the issues raised by residents during the statutory consultation period.”

Speeches on the amendment were made by Councillors Michael Cartwright, Andrew Jones, Wesley Harcourt, Max Schmid, Sally Powell and Stephen Cowan (for the Opposition) and Councillors Andrew Johnson, Nicholas Botterill, Peter Graham and Mark Loveday (for the Administration).

The amendment was put to the vote:

FOR	13
AGAINST	24
NOT VOTING	0

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

The report and recommendation were then put to the vote:

FOR	24
AGAINST	13
NOT VOTING	0

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

8.45pm **RESOLVED**:

That the White City Opportunity Area Planning Framework (WCOAPF) (Appendix 1 of the report) as a Supplementary Planning Document be adopted.

23.3 Statement of Community Involvement in Planning: Adoption of Document

8.46pm - The report and recommendation were formally moved for adoption by the Cabinet Member for Transport and Technical Services, Councillor Victoria Brocklebank-Fowler.

Speeches on the report were made by Councillor Victoria Brocklebank-Fowler (for the Administration) and Councillor Stephen Cowan (for the Opposition).

The report and recommendation were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

8.54pm **RESOLVED**:

That the revised Statement of Community Involvement in Planning (Appendix 2 of the report) be adopted.

23.4 Treasury Report 2012/13 Outturn

8.55pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

Speeches on the report were made by Councillor Nicholas Botterill (for the Administration) and Councillor Stephen Cowan (for the Opposition).

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

8.59pm **RESOLVED:**

- (1) that it be noted that the Council has not undertaken any borrowing for the period 1 April 2012 to 31 March 2013; and
- (2) the investment activity for the period 1 April 2012 to 31 March 2013 be noted.

23.5 Annual Review of the Code of Conduct and Constitution Report

9pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

9pm **RESOLVED:**

- (1) That the proposed changes to the "Arrangements for dealing with complaints alleging a breach of the Members' Code of Conduct" set out in paragraph 5.6 of the report and Appendix 1, be approved;
- (2) That the Audit, Pensions and Standards Committee's terms of reference include " To consider any applications for dispensations from Councillors and co-opted members to allow them to participate in decisions", be approved;
- (3) That in the event of an application for dispensation being received, a three member, Audit, Pensions and Standards (Dispensation) Sub Committee would be set up to consider the request, be noted;
- (4) That the draft guidance for applications for dispensations attached at Appendix 2 of the report, be approved; and
- (5) That the Director - Property Service and Asset Management and Head of Building Services be granted authority to deal with Party Wall Matters under the Building Act 1984 and Party Wall Act 1996, be agreed.

23.6 Annual Report of the Audit, Pensions and Standards Committee 2012/13

9.01pm - The report and recommendation were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

Speeches on the report were made by Councillor Michael Adam (for the Administration) and Councillors PJ Murphy and Stephen Cowan (for the Opposition).

The report and recommendation were put to the vote:

FOR	26
AGAINST	12
NOT VOTING	0

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

9.19pm **RESOLVED**:

That the annual report be approved.

24. SPECIAL MOTIONS

24.1 Special Motion 1 - Transparency

9.20pm – Councillor Stephen Cowan moved, seconded by Councillor Michael Cartwright, the special motion standing in their names:

“The Council agrees that elected representatives serve at the pleasure of the public and that the public has a right to know what is done in their name. It notes that no verbatim minutes are kept of any council meeting and that allowing members of the public to make audio and video recordings will cost nothing, make for a more comprehensive public record and will help improve public scrutiny.

The Council therefore resolves to delete the current Standing Order 21(g) and replace it to read:

“Members of the public are entitled to photograph, film and make audio recordings of all public council meetings and committees.””

A speech on the special motion was made by Councillor Stephen Cowan (for the Opposition).

Under Standing Order 15(e) (vi), Councillor Mark Loveday moved, seconded by Councillor Harry Phibbs an amendment to the motion as follows:

“Delete all and insert:

“This Council resolves to delete Standing Order 21(g) and replace it to read:

‘(g) The Council will provide reasonable facilities for any member of the public to report on meetings that are open to the public:

- (i) The taking of photographs, filming, recording or any other means of communicating the proceedings of a meeting shall be permitted.
- (ii) The Council may ask for the taking of photographs, filming, recording or other communication of a meeting to be undertaken in such a way that it is not disruptive or distracting and that it is carried out in a way which is conducive to the good order and conduct of the meeting.
- (iii) Attendees should be informed that a meeting is being photographed, filmed or recorded.

- (iv) The Monitoring Officer will (in conjunction with the Overview and Scrutiny Board) from time to time provide guidance on the taking of photographs, filming, recording or other means of communication of the proceedings of any meeting.”

Speeches on the amendment to the special motion were made by Councillors Mark Loveday and Harry Phibbs (for the Administration) and by Councillor Stephen Cowan (for the Opposition).

The amendment was put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

The amendment was declared **CARRIED**.

The substantive motion as amended was put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

The motion as amended was declared **CARRIED**.

9.35pm – **RESOLVED**:

This Council resolves to delete Standing Order 21(g) and replace it to read:

“(g) The Council will provide reasonable facilities for any member of the public to report on meetings that are open to the public:

- (i) The taking of photographs, filming, recording or any other means of communicating the proceedings of a meeting shall be permitted.
- (ii) The Council may ask for the taking of photographs, filming, recording or other communication of a meeting to be undertaken in such a way that it is not disruptive or distracting and that it is carried out in a way which is conducive to the good order and conduct of the meeting.
- (iii) Attendees should be informed that a meeting is being photographed, filmed or recorded.
- (iv) The Monitoring Officer will (in conjunction with the Overview and Scrutiny Board) from time to time provide guidance on the taking of photographs, filming, recording or other means of communication of the proceedings of any meeting.”

24.2 Special Motion 2 - Hammersmith Flyunder

9.36pm – Councillor Nicholas Botterill moved, seconded by Councillor Harry Phibbs, the special motion standing in their names:

“This Council:

1. Welcomes the appointment of the borough’s “Flyunder Champion” Neale Stevenson and the Council’s taskforce on the Hammersmith Flyunder.
2. Resolves to work towards a tunnel replacement for the Hammersmith Flyover.”

A speech on the special motion was made by Councillor Nicholas Botterill (for the Administration).

Under Standing Order 15(e) (vi), Councillor Stephen Cowan moved, seconded by Councillor Wesley Harcourt, an amendment to the motion as follows:

“Add the following two paragraphs:

3. This Council recognises that it is important to run an effective cross-party campaign that demonstrates to the public and key government and GLA decision makers how all of the London Borough of Hammersmith and Fulham Council’s elected representatives back the Hammersmith Flyunder project.
4. The Council determines that in order to properly influence current and future London Mayors and UK governments it will need to propose a strong case that properly sets out how the Flyunder can be financed, the economic and regeneration benefits, the strategic advantages and how this will best improve London’s infrastructure in preparation for rapid population expansion over the next two decades.”

Councillor Cowan reported that he had agreed that paragraph 4 of the above amendment should be deleted.

Speeches on the amendment were made by Councillors Stephen Cowan and Wesley Harcourt (for the Opposition) and Councillors Harry Phibbs, Robert Iggulden and Charlie Dewhirst (for the Administration) before it was put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

The amendment to the motion (as further amended) was declared **CARRIED.**

The substantive motion as amended was put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

The motion was declared **CARRIED**.

9.51pm – **RESOLVED:**

This Council:

1. Welcomes the appointment of the borough's "Flyunder Champion" Neale Stevenson and the Council's taskforce on the Hammersmith Flyunder.
2. Resolves to work towards a tunnel replacement for the Hammersmith Flyover.
3. This Council recognises that it is important to run an effective cross-party campaign that demonstrates to the public and key government and GLA decision makers how all of the London Borough of Hammersmith and Fulham Council's elected representatives back the Hammersmith Flyunder project.

24.3 Special Motion 3 - Flyunder

The motion was withdrawn.

25. **INFORMATION REPORTS - TO NOTE (IF ANY)**

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

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

Meeting started: 7.00 pm
Meeting ended: 9.52 pm

Mayor

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 23 OCTOBER 2013

Question by: Ms Desiree Cranenburgh

To: Cabinet Member for Community Care

QUESTION

“Will you publically call on Jeremy Hunt to Save our Hospitals?”

ANSWER

We have done more than that. The Leader and I met Jeremy Hunt in person on 18th September to lobby for the best possible hospital services in Hammersmith and Fulham. In contrast with the approach taken by some others, we have sought to constructively engage with government.

Specifically, we asked Mr Hunt to consider the case for even better emergency care than is currently planned at Charing Cross.

We want to see emergency services retained as far as possible, whilst still accepting that people with very complex conditions will receive the care they need by going to hospitals that have specialist round-the-clock consultant cover and a full range of complementary specialisms on site.

We also impressed upon Mr Hunt our desire to see Charing Cross become a world class centre for elective (non-emergency) surgery and remain as a teaching hospital of international renown.

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 23 OCTOBER 2013

Question by: Mr Barrie Stead

To: Cabinet Member for Community Care

QUESTION

“Could you provide copies of the minutes and give a general report of the recent meetings you’ve had with Imperial to discuss the future of the Charing Cross hospital site?”

Answer

I meet with Imperial and other health providers frequently. It is our policy to constructively engage with hospital trusts, as well as with the CCG’s and government.

In particular, I met with the Chief Executive and members of the Imperial Board on 4th September.

At that meeting I reiterated the Council’s desire to see the best possible emergency services on the Charing Cross site.

It was at this meeting, following our lobbying, that they confirmed their desire to see a world class elective surgery centre established at Charing Cross.

I also repeated my request that any plans to redevelop the Charing Cross site should include a significant provision of Extra Care housing. Situated within an ecosystem of health and social care support it will prevent acute hospital admissions and residential care placements, and maximise the independence of frail residents.

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 23 OCTOBER 2013

Question by: Mr Peter Chutter

To: Cabinet Member for Community Care

QUESTION

“Does the council agree with Dr Mark Spencer's comments on TV that the increased journey time to a suitable hospital, other than Charing Cross if you live in the Charing Cross Hospital area, will only be about one and half minutes?”

Answer

I think it is wrong to solely focus on ambulance times. We should also be focusing on what happens to you when you reach hospital.

There is considerable evidence emerging that, even with longer ambulance times, patients have better outcomes if they go to a hospital that has the dedicated resources to deal with their particular emergency, with expert-round-the-clock care.

The Academy of Royal Medical Colleges, representing most of Britain's 220,000 doctors, has supported the creation of larger and better staffed units which are lead by consultants 7 days per week.

For example, if you suffer a heart attack and live in the south of the borough, you have a greater chance of survival if the ambulance carries on past Charing Cross to Hammersmith, Hospital which has a world-class cardiology unit with specialist staff and equipment.

This idea that every hospital has to offer a wide-range of services is unsafe and costs lives – because not every hospital can have sufficient resources to deal with every specialist emergency. There just are not enough senior clinicians in the country to do this.

Dr Andy Mitchell, Medical Director for NHS England in London, has recently been quoted as saying that “this idea that all hospitals provide a whole range of services is unsustainable and unsafe”

To put it starkly, if you were unlucky enough to arrive with a serious emergency at a general hospital, on a Sunday night at the moment, you would have less chance of survival due to the potential absence of any consultant clinicians.

What Hammersmith & Fulham Council has been pushing hard for, and continues to push hard for, is to ensure that Charing Cross's emergency unit offers the very best standard of care possible within this local expert-care network.

We want to see our local A&E available for as many residents as possible - which is why we have lobbied hard for stronger emergency facilities at Charing Cross.

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 23 OCTOBER 2013

Question by: Ms Dede Wilson

To: Cabinet Member for Community Care

QUESTION

“Neither SaHF nor LBHF tackled the issue of third world voting in the Consultation through open electioneering in Option A preferred hospitals, with blue voting cards and instructions on every department reception desk at CW Hospital when other hospitals were kept in the dark. *Trust News* had guidelines for simple voting to save CW hospital whilst LBHF and SaHF knew other hospitals were not allowed to do the same. They did not monitor this third world electioneering. How can the Consultation be considered in any way valid in view of this and when only 628,384 leaflets were distributed out of 8,000, 000 people in NW London and none were distributed in LBHF?”

Answer

This is a question for North West London NHS rather than the Council because the Council played no part in the consultation other than as a respondent.

Indeed, we were highly critical of the consultation and the way it was constructed.

However, there comes a time when you realise that criticism alone does not work. That is why we decided to get round the table with the NHS to win concessions on behalf of our residents.

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 23 OCTOBER 2013

Question by: Ms Suzanna Harris

To: Cabinet Member for Community Care

QUESTION

“In their future plans for Charing Cross, has the council carried out population increase predictions, based on the number of new homes planned for the borough for the next 10 years? And for the increase in people coming to the borough daily to work ?

Have they assessed the possible numbers of people who might need treatment at an A&E in the case of a mass incident at Fulham Football Club, or the Boat Race ? Would St Mary's and Chelsea-Westminster have the capacity required ?

Already our campaign has had a number of reports about a lack of capacity, long waiting times, and admissions to less appropriate wards because of pressure on acute beds at these hospitals.”

Answer

It is worth remembering that the “future plans” for Charing Cross Hospital are made by North West London NHS, not the Council. However, in formulating plans, North West London NHS - as the architect of those plans - used population figures that came out of the recent Census.

They also tell me that NHS England is now responsible for emergency planning across London and have very clear plans in place for dealing with major incidents.

Each hospital in London is categorised as a different type of responder. For inner North West London St.Mary’s Hospital has already been categorised as the major trauma centre. This is nothing new and has been the case for some time. In other words, it is already the case that in the event of a major incident in our area, the majority of serious emergency cases would go to St Mary’s Hospital.

On the issue of hospital capacity, it should also be recognised that through the Out of Hospital Strategy the local NHS and Hammersmith & Fulham Council are working to prevent unnecessary hospital admissions, and in particular preventable presentations to A&E. No resident, particularly a frail and elderly resident, wants to experience a health crisis and spend time in hospital, away from their home and family if it is preventable. Through a series of joint initiatives we intend to provide enhanced social, community and primary care services for residents which will prevent them going to hospital in the first place. The Council has long maintained that no changes to our major acute hospitals can be considered until a reduction in demand has been proven.

Agenda Item 5.1

No. 1

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Mr Adam Connell

To: The Leader of the Council

QUESTION

“As you know, the Milson Road Health Centre currently offers a wide range of care services to local residents who are concerned that the centre is due to be closed and that private talks have already occurred with the Council about the future use of the site. Will he explain exactly what his administration thinks about this closure and exactly what it has discussed with those interested in the future of the site?”

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Mr Robert Largan

To: The Leader of the Council

QUESTION

"The proposed super sewer will put an estimated extra £80 a year on our water bills and will cause chaos and disruption for many residents living in Sands End. Can the Council outline what they are doing to fight this flawed project?"

Agenda Item 5.3

No. 3

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Mr Rowan Ree

To: The Deputy Leader of the Council

QUESTION

“The Council will be aware of residents’ concerns about the consistent levels of crime affecting Ravenscourt Road. Will the Council agree to install temporary CCTV while carrying out a full review of the problem and working with local residents to agree a better way forward? “

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Mr Larry Culhane

To: The Leader of the Council

QUESTION

"At the last Council Cabinet Meeting on the 6th January, you and your fellow Conservative councillors unanimously voted to use Beaumont Avenue and Aisgill Avenue for "Heavy vehicle access to the depot during the Earls Court development". The report detailed how the residents in Beaumont Avenue and Aisgill Avenue (along with all the routes leading up to that area) will have to suffer the following:

“Large 77ft long articulated lorries will access the neighbourhood approximately 6-9 times a day from Beaumont Avenue.”

“Very long 99ft lorries will need to access the site approximately 4 times a year.”

“There are also 60 parking spaces on the LUL depot site for transit vans that will need to access/egress the site throughout the day.”

The report confirmed that there has been extensive consultations with CapCo, the developer but absolutely none with residents. Will the Council now accept this was a mistake, that this will blight this neighbourhood during the works and that this decision should be overturned with a new route and a new plan devised in consultation with the local residents that will be affected?"

Agenda Item 5.5

No. 5

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Ms Emily Genochio

To: Cabinet Member for Education

QUESTION

“Can the Cabinet Member for Education explain the administration’s position that it is a surplus of school places in south Fulham and economies of scale and nothing else ...that these are the only two factors behind the planned closure of Sullivan Primary School?”

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Ms Wendy Aldridge

To: Cabinet Member for Children's Services

QUESTION

“Can the Cabinet Member for Children's Services give more detail about the logic behind the choice of Sullivan Primary School as the 'preferred' site for Fulham Boys School, and tell us which other sites in the area were viewed. Can she tell us how many feasibility studies were conducted in total?”

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014

Question by: Ms Rosie Wait

To: Cabinet Member for Education

QUESTION

“How does the Cabinet Member for Education justify spending a minimum of £4.5m of local money to forcibly close what is recognised as one of the best primary schools in the country, which has an acclaimed and proven track record with some of the most disadvantaged pupils in the borough?”

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 29 JANUARY 2014


Question by: Ms Josephine Miller

To: The Leader of the Council

QUESTION

“Will Members of the borough’s Cabinet explain exactly what personal dealings and relations they have each had with the people behind Fulham Boys School prior to the consultation being submitted?”

Agenda Item 6.1

 <p>h&f the low tax borough</p>	<p>London Borough of Hammersmith & Fulham</p> <p>COUNCIL</p> <p>29 JANUARY 2014</p>
COUNCIL TAX SUPPORT 2014/15	
Report of the Leader of the Council: Councillor Nicholas Botterill	
Open Report	
Classification - For decision	
Key Decision: Yes	
Wards Affected: All	
Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance	
Report Author: Paul Rosenberg, Head of Operations, H&F Direct	Contact Details: Tel: 020 8753 1525 E-mail: paul.rosenberg@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 In April 2013, council tax benefit (CTB) ended and local authorities had to introduce their own scheme to help their residents who need help paying their council tax.
- 1.2 The Council agreed a scheme last year that worked as though the old council tax benefit regulations were still in place (known as “the default scheme”) meaning no one in the borough was worse off.
- 1.3 Funding for this local scheme is fixed at a rate of about 10% less than what was previously awarded in council tax benefit.
- 1.4 This report recommends that the Council continues to absorb this 10% reduction and in effect develop a local scheme that mirrors the council tax benefit scheme. This means that still, no one in the authority will be worse off.
- 1.5 The recommendation, as stipulated by the Local Government Finance Act, needs to be agreed by full Council by 31 January 2014.

- 1.6 The scheme will run for the financial year 2014 /15 and options for 2015/16 will be examined early next year.
- 1.7 The amount of grant for next year has not been decided as yet. However, the cost of this year's scheme has been covered by our grant due to the 3% reduction in the council tax and a declining caseload.
- 1.8 This report recommends continuing with a council tax support (CTS) scheme that reflects the old council tax benefit regulations (as published in the government's default scheme) so that no one in the borough is worse off. The authority has consulted with residents to get their views on this proposal.

2. RECOMMENDATIONS

- 2.1 That the Council continues to award a council tax discount as though the Council Tax Benefit regulations were still in place, meaning that no one currently in receipt of council tax support will be worse off.
- 2.2 That the Council adopts what has been known as the government's "default scheme" for its working age claimants that runs as though the regulations for council tax benefit were still in place.

The applicable amounts will be updated in line with the prescribed scheme, or if not relevant to the prescribed scheme, in line with housing benefit regulations. The same will apply for non-dependant deductions and second adult rebate. The overall intention is to continue awarding the support as though the council tax benefit regulations were still in place.

3. BACKGROUND

- 3.1 The Local Government Finance Act 2012 gained royal assent on 31 October 2012. This Act abolished council tax benefit and gave local authorities new powers to assist residents on low incomes with help paying their council tax.
- 3.2 The Act does impose some conditions on local authorities in that pensioners must be protected (so that no pensioner is worse off) and people in work must be supported, but this aside the authority can develop a scheme as it sees fit.
- 3.3 The government provide each local authority with a grant equal to the value of what it has awarded previously in council tax benefit, less 10%. The amount of grant is fixed and it is up to the authority to decide how to deal with this potential loss of income.
- 3.4 The schemes have to last at least a year. It is proposed that this scheme runs for one year for the period April 2014 to April 2015. This

proposal is consistent with the approach taken by the Royal Borough of Kensington and Chelsea and Westminster City Council.

4. COST OF THE SCHEME

4.1 It is impossible to determine the exact cost of the scheme because:

- the level of grant for next year has not been confirmed
- it depends on the number of people who make a successful claim for CTS throughout 2014/15.

4.2 This year, the Council's grant has been based on council tax benefit awards in 2010/11 when the caseload and level of council tax was higher. Consequently, the scheme for this year has been less expensive than predicted.

4.3 The costings for this year are as follows:

- Reduction in income from Council Tax Discounts (LBHF share):
-£10.36M
- LBHF grant allocation for 13/14 £10.61M
- One off transitional grant £0.29M
- **Indicative Surplus for LBHF:** **+£0.54M**

4.4 The share of grant allocation as well as council tax support awards is split between the borough and the GLA. For clarity, the above figures just show the borough's share.

4.5 Because the grant allocation was based on previous year's CTB spend, when the borough made more awards, even with the 10% shortfall the borough has more than broken even on the scheme for this year.

5. CONSULTATION

5.1 As required by the Local Government Finance Act, officers consulted with the GLA as the precepting authority and with the public on the proposed scheme. Appendix 1 shows GLA's response.

5.2 The consultation with the public was carried out on the Council's website via citizen space from 12 August to 30 September 2013. The number of responses, like last year, was disappointing; there were 10 responses with 6 in favour and 4 against. The responses are attached in Appendix 2.

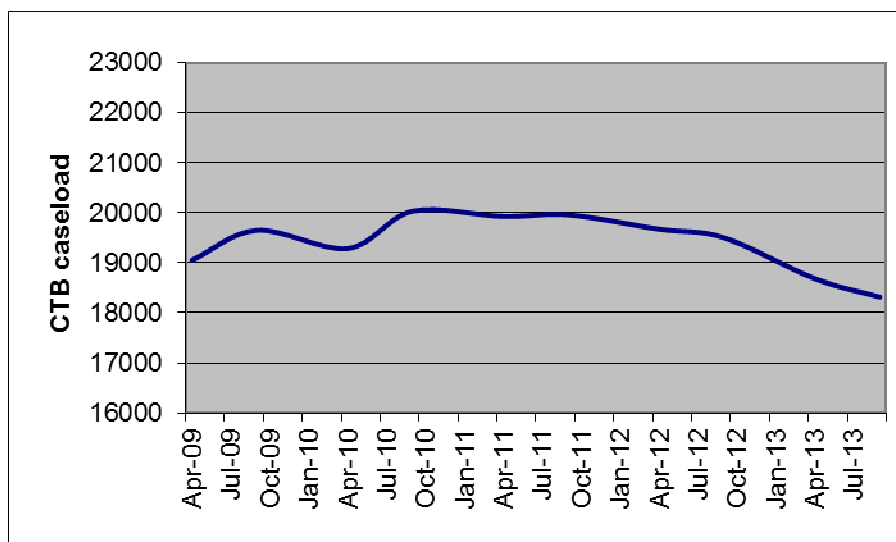
- 5.3. As last year, the consultation was kept deliberately simple as no change is proposed to what is currently in place. London Councils in their formal response last year were happy with this approach.
- 5.4 The responses were similar to last year with those in favour feeling that genuine claimants were suffering financially anyway and should not suffer further hardship. This is summed up by the comments “Any additional financial burden is likely to push more further into poverty.”
- 5.5 Those who commented against the scheme felt that the taxpayer in the borough should not support those on benefit.

6. REASONS FOR DECISION

- 6.1 The reasons for keeping to the default scheme are the same as last year. There is a much lower collection rate for schemes that do pass on the cost to those on low incomes. The experience of other London Boroughs is that the collection rate for CTS recipients is about 60%.
- 6.2 Furthermore, there will be an additional cost to the authority in trying to collect this amount of money. It is estimated that around 4 to 5 extra staff would be needed staff to deal with increased enquiries and appeals at the Valuation Tribunal.

7. RISK MANAGEMENT

- 7.1 As the grant for this scheme will be fixed, if more people claim CTS than anticipated (due to a downturn in the local economy) then the borough will have to cover this itself.
- 7.2 However, caseloads over the last 3-4 years have been relatively stable and have been reducing since 2011. Although possible, it is not likely that this borough (due to its relative affluence) will experience a significant local downturn.
- 7.3 The graph shows how the caseload has fluctuated:



- 7.4 The average CTB award is currently £14.18 per week. A rise in caseload of 500 claims over and above the grant level would therefore cost the authority / GLA a further £369k per year, although this would be shared with the GLA. Furthermore, as can be seen from the graph above, the caseload within the borough has been dropping consistently since April 2011.

8. EQUALITY IMPLICATIONS

- 8.1 As no changes are proposed, an Equalities Impact Assessment is not required.

9. FINANCE AND RESOURCES IMPLICATIONS

- 9.1. The Council's Medium Term Financial Strategy assumes no change in the existing Hammersmith and Fulham council tax support scheme. Figures are still provisional and subject to confirmation of grant levels, the council tax decision and updated caseload numbers. For 2013/14 the grant received has exceeded the loss of income from the council tax support scheme by an estimated £0.54m.
- 9.2. The changes have resulted in a greater uncertainty transferring to Hammersmith and Fulham. In particular caseload growth, either for demographic or economic reasons, will increase the cost falling to be met by this authority. Alternatively, the Council will benefit from a caseload reduction.
- 9.3. Implications confirmed by: Andrew Lord 020 8753 2531

10. LEGAL IMPLICATIONS

- 10.1. As set out in the report, the Local Government Finance Act 2012 made provision for the localisation of council tax support by imposing a duty on billing authorities to make a localised council tax reduction scheme by 31 January 2013. As confirmed in the body of this report, the Council did so by agreeing to adopt the government's default scheme. The same is proposed for 2014/15.
- 10.2. The Act requires each billing authority for each financial year to consider whether to revise its scheme or to replace it with another scheme.
- 10.3. Under the Act, the same duty of consultation applies as applied previously in preparing the scheme for 2013/14, ie. to consult the GLA and with persons likely to have an interest in the scheme. Detail of the consultation is provided at paragraph 5 and Appendices 1 and 2.
- 10.4. The Council must make its decision in respect of the CTS scheme for 2014/15 by 31 January 2014.
- 10.5. Implications confirmed by: Kevin Beale 020 8753 2740

11. COMMENTS OF THE DIRECTOR FOR PROCUREMENT AND IT STRATEGY

- 11.1 Not applicable.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of unpublished Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

LIST OF APPENDICES:

Appendix 1 – Response to GLA to consultation

Appendix 2 - Public responses to consultation

GREATER LONDON AUTHORITY
Resources

Paul Rosenberg
Operations Manager, Assessments
H & F Direct
London Borough of Hammersmith and Fulham
Town Hall
King Street
Hammersmith
London W6 9JU

City Hall
The Queen's Walk
More London
London SE1 2AA
Switchboard: 020 7983 4000
Minicom: 020 7983 4458
Web: www.london.gov.uk

Our ref: Preconsult415
Your ref:
Date: 23 July 2013

Dear Paul

**LONDON BOROUGH OF HAMMERSMITH AND FULHAM
LOCALISATION OF COUNCIL TAX SUPPORT CONSULTATION**

Thank you for your email dated 19 June setting out the draft council tax support scheme for 2014-15 which the London Borough of Hammersmith and Fulham intends to consult on with local stakeholders. We note that this represents your formal pre-consultation with the Greater London Authority under Schedule 4 to the Local Government Finance Act in advance of the launch of your public consultation.

The GLA notes the current intention of your Council to consult on a localised council tax support scheme which will be based on the Government's default scheme for 2014-15. It has no specific comments to make on your proposals at this stage.

The GLA of course reserves the right to respond in detail as part of your wider consultation process and engagement with local residents and stakeholders. We would be grateful if you could email your consultation documents (or a weblink to them) once published to the Mayor (at mayor@london.gov.uk) and the relevant London Assembly constituency member Kit Malthouse (who represents West Central) at kit.malthouse@london.gov.uk.

I would like to thank you for consulting the GLA.

Yours sincerely




Martin Mitchell
Finance Manager

Finance Department, City Hall, London SE1 2AA Email martin.mitchell@london.gov.uk Tel 020 7 983 4145

Appendix 2

Do you agree with H&F's proposal to absorb the cost? - Agree with proposal?	Please explain your view on the council's decision to absorb the cost. - Views on Council Tax Benefits Changes	Do you pay council tax to the London Borough of Hammersmith and Fulham? - Do you pay CT?	Do you receive Council Tax benefit? - Receive CTB?	What is your age group? - Age	Are you...(please tick all that apply) - CTB Category
Yes	it allows for a smooth transition	No	No	Not Answered	Employed
No	While I totally support the idea that pensioners and the disabled in receipt of CTS should not have to bear the cost of the change, it seems unfair that ordinary Council Tax payers are, in effect, being asked to bear it for people who are not working and, in many cases, have no intention of working, (of which there must be many among the 14,500 people who are not pensioners). Is there no way of ascertaining who these claimants are, and ensuring that their CTS is reduced by 10%? I realise, of course, that the admin costs related to this may be disproportionate, but could it be worth a look? The Government's reduction in CTS is meant to encourage those disinclined to work to change their attitudes: perhaps a better mind than mine can find a way of carrying this through without penalising the low-earners who are, at least, working.	Yes	No	Over 60	A pensioner, Employed
Yes	At a time of general reduction in Welfare Support and increased taxes i.e. VAT effects the least well of proportionally more than the wealthy. Any additional financial burden is likely to push more further into poverty and of course chasing outstanding sums owed, as well as the distress caused, may end up costing the council more in administration and legal fees.	Yes	Yes	18-60	Disabled
Yes	It is preferable to making people live below the bread line if they are genuine and have lived in H and F for ha long time.	Yes	No	Over 60	A pensioner
No	The council tax collected by the council should not become a substitute for government benefits funding.	Yes	No	18-60	Employed
No	This is putting pressure on the funds available to the community to offset the reduction in funding. it doesnt sound fair for the ones that are less well off. also the council may not be trusted with this pot of money	Yes	Yes	18-60	A student
Yes	Centrepoint strongly supports Hammersmith and Fulham's proposal to absorb the cost of cuts to Council Tax Benefit. Young people currently in receipt of Council Tax Benefit would seriously struggle to meet any shortfall if support was reduced, particularly as they tend to be on lower incomes than older groups. Young people are entitled to lower rates of benefits than over 25s, and many in the private rented sector already have to make top ups to their housing benefit as they are only entitled to the shared accommodation rate. Due to this, many already struggling to meet basic costs such as food and utilities, so requiring them to make council tax payments too could have push them into serious debt and put them at risk of eviction and homelessness. We therefore warmly welcome H&F's proposal to absorb these costs rather than pass them on to vulnerable individuals.	No	No	18-60	Employed
Yes	When are you going to evict Abu Hamzas' wife ?	No	No	18-60	Employed
Yes	I feel that council tax support should be reduced If the claimants are legitimate, they should not be financially penalised.	Yes	No	18-60	Employed

Agenda Item 6.2

	London Borough of Hammersmith & Fulham COUNCIL 29 JANUARY 2014
COUNCIL TAX BASE AND COLLECTION RATE 2014/15 AND DELEGATION OF THE BUSINESS RATES ESTIMATE	
Report of the Leader of the Council: Councillor Nicholas Botterill	
Open Report	
Classification - For Decision	
Key Decision: Yes	
Wards Affected: All	
Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance	
Report Author: Steve Barrett Head of Revenues and Benefits	Contact Details: Tel: 020 8753 1053 E-mail: steve.barrett@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report contains an estimate of the Council Tax Collection rate and calculates the Council Tax Base for 2014/15.
- 1.2 The Council Tax base will be used in the calculation of the Band D Council Tax undertaken in the Revenue Budget Report for 2014/15.
- 1.3 The proposed Council Tax Base for 2014/15 of 69,875 is an increase of 1,980 on the figure agreed for 2013/14, of 67,895.
- 1.4 Based on the 2013/14 Band D charge of £757.90 the increase in the tax base will result in an increased income of £1.5m.

- 1.5 The recommendations contained in the Council Tax Support 2014/15 report will need to be approved prior to those contained in this report. This is because they are included in the calculation of the Band D Council Tax in section 7.3 below.
- 1.6 This report also recommends to delegate authority to the Executive Director of Finance and Corporate Governance, in consultation with the Leader of the Council, to determine the business rates tax base for 2014/15 as set out in section 10 of this report.

2. RECOMMENDATIONS

- 2.1 That Council approve the following recommendations for the financial year 2014/15:
 - (i) That the estimated numbers of properties for each Valuation Band as set out in this report be approved.
 - (ii) That an estimated Collection rate of 97.5% be approved.
 - (iii) That the Council Tax Base of 69,875 Band “D” equivalent properties be approved.
 - (iv) To delegate authority to the Executive Director of Finance and Corporate Governance, in consultation with the Leader of the Council, to determine the business rates tax base for 2014/15 as set out in section 10 of this report.

3. BACKGROUND

- 3.1 Under Section 33(1) of the Local Government Finance Act 1992 and The Local Authorities (Calculations of Council Tax Base) (England) Regulations 2012, the Council (as billing authority) is required to calculate its Council Tax Base. This comprises both the estimated numbers of properties within each Valuation band plus the Council’s estimate of its collection rate for the coming financial year.
- 3.2 For 2013/14 the Council approved a Council tax Base of 69,636 Band D equivalent dwellings, and an estimated Collection Rate of 97.5%, which resulted in a tax base of 67,895.
- 3.3 Under Section 11A of the Local Government Finance Act 1992, Council Tax (Exempt Dwellings) (England) (Amendment) Order 2012 and Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council reduced discounts for both Second Homes and Unoccupied and Unfurnished dwellings to 0% with effect from 2013/14 and subsequent years until revoked.
- 3.4 Council will also be required to approve the recommendations in the Council Tax Support 2014/15 report, prior to the recommendations in this report, as the amount of support to be awarded in 2014/15 has to be shown as a discount and reflected as Band “D” equivalents in the Council’s Tax base calculations in sections 7.3 and 9.2 below.

4. DISCOUNTS

4.1 Second Homes

4.1.1 There are some 1,887 second homes in the borough. The Council does not offer a discount on second homes which adds 1,113 Band "D" equivalents to the tax base for 2014/15.

4.1.2 Based upon 2013/14 Council Tax levels this generates income to the Council of £0.84m. This income is allowed for within the Council's Medium Term Financial Strategy. Our preceptor, the GLA, also benefits from the reduction in the discount.

4.2 Empty Properties

4.2.1 There are some 706 empty (unoccupied and unfurnished) properties in the borough. The Council does not offer a discount for empty properties which adds an additional 787 Band "D" equivalents to the tax base for 2014/15.

4.2.2 Based upon 2013/14 Council Tax levels this generates income to the Council of £0.60m. This income also directly benefits the GLA.

5. COUNCIL TAX SUPPORT

5.1 Under Council Tax Support, Hammersmith & Fulham and the GLA absorb the full cost of the scheme, which mirrors the previous council tax benefit arrangements.

5.2 For 2013/14 the Council has provided for a total of £14.5m in Council Tax Support discounts. This equates to 13,686 band "D" equivalents based on 2013/14 Council Tax levels.

5.3 The tax base regulations require the cost of the scheme to be treated as a discount and deducted from the Council's tax base calculation in section 7.3.

6. VALUATION BAND PROPERTIES

6.1 The latest information on the number of properties within each valuation band is contained within a return (CTB1), which the Council provided to the DCLG on 18 October 2013.

- 6.2 This return reflected the actual number of properties shown in the Valuation List as at 9 September 2013 and the Council's records as at 7 October 2013.
- 6.3 A detailed analysis of the properties in each valuation band can be summarised as follows. There are a total of 83,563 dwellings on the list with some 30,495 properties estimated to receive a sole occupier discount. The total Band "D" equivalent is approximately 83,968 properties.

Band	Band Size	Total Dwellings	Total after Discounts, Exemptions and Disabled Relief	Ratio	Band "D" Equivalents
A	Band A disabled relief Values not exceeding £40,000	3,457	2,751.8	5/9 6/9	1,834.5
B	Values exceeding £40,000 but not exceeding £52,000	5,656	4,631.0	7/9	3,601.9
C	Values exceeding £52,000 but not exceeding £68,000	14,130	11,491.3	8/9	10,214.4
D	Values exceeding £68,000 but not exceeding £88,000	24,067	20,654.3	9/9	20,654.3
E	Values exceeding £88,000 but not exceeding £120,000	14,741	13,114.8	11/9	16,029.1
F	Values exceeding £120,000 but not exceeding £160,000	8,831	7,924.8	13/9	11,446.9
G	Values exceeding £160,000 but not exceeding £320,000	10,593	9,778.0	15/9	16,296.7
H	Values exceeding £320,000	2,088	1,945.0	18/9	3,890.0
		83,563	72,290.8		83,967.8

7. ADJUSTMENTS TO THE VALUATION LIST

7.1 The above table shows the valuation band position at 9 September 2013 but the Council is also required to take into account the Council Tax Support Scheme and any other likely changes during the financial year 2014-2015. Therefore the following adjustments need to be considered:

(i) New Properties

There are likely to be a number of new properties, conversions etc. added to the valuation list at some point during the year. There are approximately 392 units currently under construction on various sites in the Borough that will be added to the tax base sometime during 2014/15. It is estimated after allowing for different completion dates that this will equate to an additional 305 Band 'D' equivalents.

(ii) Banding Appeals

There have been over 10,000 appeals lodged with the valuation office in respect of initial Council Tax bandings. There are now only a small number unsettled so it is not proposed to make any adjustments for these.

(iii) Second Homes

The effect of maintaining the discount for second homes at 0% from 1 April 2014, would add a further 1,113 Band "D" equivalents as outlined in section 4.1.

(iv) Student Exemptions

Dwellings wholly occupied by students are exempt from Council Tax. The projected Council Tax base needs to be adjusted to allow for students that have yet to prove their exemption for the new academic year. It is estimated that an adjustment of 820 Band "D" equivalents is required.

(v) Empty Properties

The effect of maintaining the discount for unoccupied and unfurnished dwellings at 0% from 1 April 2014, would add a further 787 Band "D" equivalents as outlined in section 4.2

(vi) Council Tax Support

The cost of the scheme equates to 13,686 band "D" equivalents, based on 2013/14 Council Tax levels, which now have to be deducted from the tax base for 2014/15. This is significantly less than the deduction of 14,384 Band D equivalents made in 2013/14. This is due to a reduction in the number of claimants applying for a discount and the impact of the 3% 2013/14 Council Tax cut.

- 7.2 The Council is required to set its Tax Base on the total of the relevant amounts for the year for each of the valuation bands shown or is likely to be shown for any day in the year in the authority's valuation list.
- 7.3 Taking into account the latest information from the CTB1 return to the DCLG and the proposed adjustments, Council is requested to approve the estimated numbers of properties for each valuation band as set out in the following table:

Band	Band "D" Equivalent Actual September 2013	Adjustments for New Properties	Adjustments for Second Homes	Adjustments for Student Exemptions	Adjustments for Empty Homes	Adjustments for Council Tax Support	Revised Band "D" Equivalents 2014/15 Forecast
A	1,834.5	70	28	-23	23	-637.3	1,295
B	3,601.9	46	35	-28	46	-1,395.3	2,306
C	10,214.4	43	111	-115	127	-3,119.2	7,261
D	20,654.3	48	287	-241	212	-4,132.3	16,828
E	16,029.1	30	214	-194	109	-2,562.4	13,626
F	11,446.9	4	152	-140	110	-1,188.3	10,385
G	16,296.7	50	212	-63	122	-637.0	15,981
H	3,890.0	14	74	-16	38	-14.6	3,985
	83,967.8	305	1,113	-820	787	-13,686.4	71,666

8. COLLECTION RATE

- 8.1 The Council is also required to estimate its Collection Rate for 2014/15 at the same time as arriving at the estimated number of properties within the Tax Base. In arriving at a percentage Collection Rate for 2014/15, the Council should take into account the likely sum to be collected, previous collection experience and any other relevant factors.
- 8.2 The actual sum to be collected from local Council Tax payers cannot be finally determined until the preceptors requirements are known and the Council has approved its budget. The Council therefore has to make an estimate of the sums to be collected locally making estimated allowance for sums from Council Tax Support and write-offs/non-collection.
- 8.3 The actual collection rate for 2013/14 achieved to mid November 2013 is 68.6% comprising cash collection of £52.3m and Council Tax Support of £14.5m. It is estimated that a further £21.3m (27.9%) will need to be collected by 31 March 2014 and £0.8m (1%) thereafter.
- 8.4 Collection performance has been calculated in order to comply with DCLG performance indicator calculations. Latest calculations for 2012/13 and 2013/14 show that the current collection rate can be continued for 2014/15. It is therefore suggested that the collection rate for 2014/15 is maintained at 97.5%.

9. THE TAX BASE

- 9.1 Under Section 33(1) of the Local Government Finance Act 1992 and the Regulations, the Council's tax base is calculated by multiplying the estimated number of Band "D" equivalents by the estimated collection rate.
- 9.2 Based on the number of Band "D" equivalents in the table in paragraph 7.3 above and the estimated collection rate in paragraph 8.4 above, the calculation is as follows:-

(Band D equivalents) x (Collection Rate) = (Tax Base)			
71,666	x	97.5%	= 69,875

10. BUSINESS RATES TAXBASE

- 10.1 The Local Government Finance Act 2012 made it obligatory for authorities to formally calculate the estimated level of business rates (the business rates tax base) it anticipates collecting for the forthcoming financial year and passing this information to precepting authorities by 31 January. The Government will continue to set the tax rate (known as the non-domestic multiplier).
- 10.2 Under the Rates Retention Scheme, established from 2013/14, billing authorities have to estimate their business rates tax base so that the resources available to them (30% for Hammersmith and Fulham), can be determined. 20% of the resources are paid to the Greater London Authority and 50% to the Government.
- 10.3 The tax base is based on data from the Valuation Office with local allowance for the appropriate level of business rates appeals, any discretionary reliefs and any forecast growth. This information is pulled together into a government return (NDR1). Unfortunately the detailed guidance on completing the NDR1 is not due to be issued until 17 January. This guidance includes allowance for a number of changes to the business rates system which were announced by the Chancellor in the Autumn Statement. Given that the return has to be submitted by 31 January it is recommended that the responsibility for setting these figures be delegated to the Executive Director of Finance and Corporate Governance in consultation with the Leader of the Council.
- 10.4 Although London Boroughs get to keep 30% of business rates income the scheme does provide a safety net for authorities that suffer a significant loss. For Hammersmith and Fulham the safety net arrangements were required in 2013/14, due to the high level of rates appeals (particularly at Westfield). The current 2014/15 budget strategy assumes that the safety net will again be required. This caps the potential 2014/15 loss at £4.4m for Hammersmith and Fulham. Any variation will be reported to Budget Council.

11 RISK MANAGEMENT

- 11.1 This is a statutory process and any risks are monitored through the Council's MTFS process.

12. EQUALITY IMPLICATIONS

- 12.1 There are no equality implications in this report.

13. FINANCIAL AND RESOURCES IMPLICATIONS

- 13.1 The Tax Base is set by 31 January each year, as outlined in the Local Government Finance Act 1992. It is used within the overall Council Tax and budget setting process, due to be reported to Budget Council on 26 February 2014.

- 13.2 The proposed Council Tax Base for 2014/15 of 69,875 is 1,980 Band D equivalents higher than the 67,895 agreed for 2013/14. The main reasons for this change are set out below:

	Band D Change
Increase in the tax base due to new properties	584
Reduction in number claiming single persons discount	200
Reduction in Council Tax Support scheme discounts	698
Reduction in student exemptions and discounts	174
Adjustment for Empty and Second Homes	374
Gross Total Change	2030
Adjusted for Collection rate of 97.5%	-50
Total change	1980

- 13.3 Implications provided by: Andrew Lord. Tel: 020 8753 2531


14. LEGAL IMPLICATIONS

- 14.1 The Council is under a statutory duty to set the Council Tax for the forthcoming financial year and to make a budget. This report forms part of that process. The Council is obliged, when making its budget, to act reasonably and in accordance with its statutory duties, the rules of public law and its general duty to Council Tax payers.
- 14.2 The basic amount of Council Tax must be calculated in accordance with Section 31(1) of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012.
- 14.3 The Council Tax base has been calculated in accordance with the Act and the Regulations. The estimated collection rate to 97.5% is a reasonable and realistic estimate.

14.4 Implications provided by : Tasnim Shawkat. Tel: 020 8753 2700

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext. of Holder of File/Copy	Department/ Location
1.	Local Government Finance Act 1992 and 2012	A. Lord Ext. 2531	Ground Floor Room 5 Town Hall
2.	DCLG Return CTB1 (October 2013)	S. Barrett Ext. 1053	2 nd Floor Town Hall Extension

 <p>h&f the low tax borough</p>	<p>London Borough of Hammersmith & Fulham</p> <p>COUNCIL</p> <p>29 JANUARY 2014</p>
<p>TREASURY MID-YEAR REVIEW 2013-14</p>	
<p>Report of the Leader of the Council: Councillor Nicholas Botterill</p>	
<p>Open Report</p>	
<p>Classification: For Information</p> <p>Key Decision: No</p>	
<p>Wards Affected: ALL</p>	
<p>Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance</p>	
<p>Report Author: Halfield Jackman Treasury Management Officer</p>	<p>Contact Details: Tel: 020 7641 4354 E-mail: hjackman@westminster.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1 This report presents the Council's Half Year Treasury Report for 2013/14 in accordance with the Council's Treasury Management Practices. It is a regulatory requirement for this Report to be presented to Council.
- 1.2 There are two aspects of Treasury performance – debt management and cash investments. Debt management relates to the Councils borrowing and cash investments to the investments of surplus cash balances. This report covers:
 - The Treasury position as at 30 September 2013.
 - The Investment Strategy
 - The Borrowing Strategy
 - Compliance with the treasury limits and prudential indicators and
 - The UK economy and interest rates.

The borrowing amounts outstanding and cash investments for the 30 September period are as follows:

£million	30 September 2013	31 March 2013
Total Borrowing	256	262
Total Cash Balances	260	206

2. BACKGROUND

- 2.1 This report presents the Council's Treasury Management Mid Year Report to the 30 September 2013 in accordance with the Council's Treasury Management Practice.
- 2.2 The CIPFA Code of Practice on Treasury Management has been adopted by the Council. This Mid Year review has been prepared in compliance with the Code of Practice. The primary requirements of the Code are as follows:
- Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
 - Receipt by the full Council of an Annual Treasury Management Strategy Statement, including the Annual Investment Strategy, for the year ahead, a Mid-Year Review Report (this report) and an Annual Report covering activities during the previous year.
- 2.3 Delegation by the Council of the role of scrutiny of Treasury Management Strategy and policies to a specific named body. For this Council the delegated body is the Audit, Pensions and Standards Committee.

3. RECOMMENDATIONS

- 3.1 To note the Council's debt, borrowing and investment activity up to the 30 September 2013.

4. TREASURY POSITION AT 30 SEPTEMBER 2013

Investment

- 4.1 The table below provides a schedule of the cash deposits, together with comparisons from the year end.

	30 September 2013		31 March 2013	
	Balance £m	Yield (%)	Balance £m	Yield (%)
Overnight access				
DMO (Overnight)	10	0.25	13	0.25
Money Market Funds (Constant NAV)	40	0.36	40	0.36
Call Account	-	-	32	0.65
Total Liquid Investments	50	0.33	84	0.45
Term Deposit	146	0.59	122	0.78
Custodian Held Assets	64	0.35	-	-
Total other Investments	210	0.51	122	0.78
Grand Total	260	0.48	206	0.64

- 4.2 The Council has £40m invested in four money market funds run by Federated Prime Rate, Insight, Goldman Sachs and Blackrock. The funds return between 0.29% to 0.42%, all are rated AAA by at least two of the three main credit rating agencies.
- 4.3 Custodian Held Assets are highly rated short term investments that are held by Northern Trust. Investments include UK Gilts, UK Treasury Bills and bonds issued by Network Rail (Government guaranteed).
- 4.4 The weighted average interest rate of return on the investments over the half year was 0.48% (on a per annum basis), with a total interest received of £0.5m.

Borrowing

- 4.5 The borrowing strategy for the year 2013/14 was not to incur any new borrowing and given the prevailing low levels of interest rates, consider voluntary early repayments of borrowing as a way of making more efficient use of funds in the short term.
- 4.6 The table below shows the Council's external borrowing (as at the 30 September 2013) is £256m split between General Fund and HRA at an average interest rate of 5.60%.

	General Fund (£m)	Average rate	HRA (£m)	Average rate	Total external borrowing (£m)	Average Rate
PWLB loans maturity	43.79	5.60%	212.58	5.60%	256.37	5.60%

5. ANNUAL INVESTMENT STRATEGY

- 5.1 The Investment strategy for 2013/14 is to place cash investments with institutions as set out in the Treasury Management Strategy (TMS), to focus on the security and liquidity of the investments rather than to seek yield. Where security and liquidity criteria are satisfied, investments would then be placed taking yield into account.
- 5.2 During the year to date, cash has been placed with the Debt Management Office, Barclays Bank, Lloyds, Royal Bank of Scotland and NatWest Bank (part of RBS Group). Four money market funds were also used; Federated Prime Rate, Insight, Goldman Sachs and Blackrock.
- 5.3 The Council also began to invest in short term Gilts, Treasury Bills and highly rated bonds (such as Network Rail) as allowed under the TMS.
- 5.4 In the current economic climate all new investments are kept short term, and are with high credit rated financial institutions. The Council policy has not changed this year.

6. PRUDENTIAL INDICATORS

- 6.1 During the first six months of the financial year the Council operated within its treasury limits and Prudential Indicators as set out in the Council's Treasury Strategy Report.
- 6.2 As part of the strategy the Council sets a number of prudential limits for borrowing. This position against the prudential indicators for 2013/14 as agreed by the Council in February 2013 is set below.

£m	2013/14 Limit	30 September 2013 Actual
Authorised Limit for external debt ¹	345	256.4
Operational Limit for external debt ²	287	256.4
Limit of fixed interest rate exposure based on gross debt	320	256.4
Limit of variable interest rate exposure based on gross debt	64	Nil
Principal sum invested >364 days	20	Nil

Maturity structure of borrowing as shown below, is designed to be a control over an authority having large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

	Upper Limit	Lower Limit	Actual
Under 12 months	15%	0%	4.41%
12 months and within 24 months	15%	0%	1.11%
24 months and within 5 years	60%	0%	11.52%
5 years and within 10 years	75%	0%	9.8%
10 years and above	100%	0%	73.16%

7. THE ECONOMY AND INTEREST RATES

- 7.1 The economy grew by 0.3 per cent in the first quarter of 2013 and by 0.7 per cent in quarter two. In August, both the Bank of England and the International Monetary Fund upgraded their forecasts for the rate of growth over the rest of 2013. The UK economy is of course influenced by worldwide economic developments, particularly in the Eurozone where ongoing problems could affect the UK's economic performance.
- 7.2 The new governor of the Bank of England, Mark Carney, delivered his first inflation report and announced the introduction of forward guidance. The guidance effectively indicates that the bank does not intend to raise the 0.5 per cent bank rate until unemployment has fallen to a threshold of seven per cent (currently 7.7 per cent), which the Monetary Policy Committee (MPC) forecasts would not be achieved until 2016.

¹ Authorised limit for external debt is the limit above which external debt must not go without changing Council Policy.

² Operational boundary for external debt is the limit against which external debt will be constantly monitored.

- 7.3 The MPC has kept the bank rate at 0.5 per cent throughout the period while quantitative easing has remained at £375 billion.
- 7.4 The United States Congress was initially unable to agree a compromise to allow the Federal Government to continue spending in the new fiscal year, resulting in the first Government shutdown in 17 years. Agreement was eventually reached on 17 October to extend the Treasury's borrowing authority until 7 February and funding the Government to 15 January. Gilt and US treasury yields have been volatile as markets came to terms with the uncertainty.
- 7.5 The Eurozone saw economic growth of 0.3 per cent for the second quarter of 2013, ending an 18 month recession. This was widely anticipated given strong growth in Germany and France. Spain, Italy and the Netherlands saw output fall.
- 7.6 The European Central Bank (ECB) has kept interest rates unchanged at 0.5 per cent since May 2013.
- 7.7 The longer run prospect for Public Works Loan Board (PWLB) borrowing rates is an eventual rise, primarily due to the need for a high volume of gilt issuance in the UK and the high volume of debt issuance in other major western countries. However, the current safe haven status of the UK may continue for some time, mitigating any increase in yield.

8. CAPITAL FINANCING REQUIREMENT (CFR)

- 8.1 Appendix A reports the CFR projections for the General Fund for the first 2 quarters of 2013/14.

9. EQUALITY IMPLICATIONS

- 9.1 There are no equality implications as a result of this report.

10. FINANCE AND RESOURCES IMPLICATIONS

- 10.1 The comments of the Executive Director of Finance and Corporate Governance are contained within this report.

11. LEGAL IMPLICATIONS

- 11.1 There are no direct legal implications for the purpose of this report.

12. RISK MANAGEMENT

- 12.1 There are no direct risk management implications as a result of this report.

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 13.1 There are no procurement or IT strategy implications as a result of this report.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of File/Copy	Department/Location
1	Borrowings and Investment spread sheets	Halfield Jackman 0207 641 4354	Westminster City Hall, Treasury and Pensions, 16th Floor

Appendix A

Capital Financing Requirement

At quarter 1 2013/14, **General Fund debt** - as measured by the Capital Financing Requirement (CFR) was forecast to be **£80.8m** by the end of 2013/14. This represents an increase of **£2.4m** from the 2012/13 year end CFR of £78.4m. This increase is largely as a consequence of the slippage of £16.2m of capital receipts into future years and a ruling by the government which now limits the ability to transfer housing receipts towards General Fund debt reduction.

Q1 Forecast Movement in the CFR

	2012/13 Outturn	2013/14	2014/15	2015/16	2016/17
	£m	£m	£m	£m	£m
Opening Capital Financing Requirement (CFR)	99.8	78.4	80.8	61.5	61.7
Revenue Repayment of Debt (MRP ³)	(2.3)	(1.4)	(1.5)	(0.7)	(0.7)
Net Impact of Appropriations between General Fund and HRA	0.5	-	-	-	-
Annual (Surplus) in Capital Programme	(19.6)	3.8	(17.7)	0.9	2.1
Closing CFR	78.4	80.8	61.5	61.7	63.0
<i>Net Movement from £78.4m</i>	-	2.4	(16.8)	(16.7)	(15.4)
<i>Budget Council CFR</i>	94.0	71.4	50.7	43.6	39.5


At quarter 2 2013/14, **General Fund debt** - as measured by the CFR is currently forecast to be **£80.2m** by the end of 2013/14. This represents a small **decrease of £0.6m** compared with the quarter 1 CFR projection of £80.8m. The slippage of receipts has increased the anticipated debt reduction into future years and the long-term CFR projection remains downwards - **£51.6m** by 2016/17.

Q2 Forecast Movement in the CFR

	2012/13 Outturn	2013/14	2014/15	2015/16	2016/17
	£m	£m	£m	£m	£m
Opening Capital Financing Requirement (CFR)	99.8	78.4	80.2	60.2	60.6
Revenue Repayment of Debt (MRP ³)	(2.3)	(1.4)	(1.5)	(0.7)	(0.7)
Net Impact of Appropriations between General Fund and HRA	0.5	-	-	-	-
Annual (Surplus) in Capital Programme	(19.6)	3.2	(18.5)	1.0	(8.26)
Closing CFR	78.4	80.2	60.2	60.6	51.6
<i>Net Movement from £78.4m</i>	-	1.8	(18.1)	(17.8)	(26.8)

³ Minimum Revenue Provision (MRP)

Agenda Item 6.4

 the low tax borough	London Borough of Hammersmith & Fulham COUNCIL 29 JANUARY 2014
PETITIONING HIGH SPEED 2 (HS2) HYBRID BILL	
Report of the Leader of the Council: Councillor Nicholas Botterill	
Open Report	
Classification: For Decision	
Key Decision: No	
Wards Affected: College Park and Old Oak	
Accountable Executive Director: Nigel Pallace, Executive Director Transport and Technical Services	
Report Author: Tom Cardis, Planning Policy Regeneration	Contact Details: Tel: 020 8753 3317 E-mail: thomas.cardis@lbhf.gov.uk.

1. EXECUTIVE SUMMARY

- 1.1 On 25 November 2013, HS2 Ltd submitted a Hybrid Bill to Parliament for Phase 1 of the HS2 Project, running from London Euston to Birmingham. The Bill, once enacted would establish the equivalent of outline planning consent for the proposals that it contains.
- 1.2 In LBHF, the submitted Bill includes proposals for a rail station in the north of the borough. Known as 'Old Oak Common', the station would provide connections from the proposed HS2 Line to London Crossrail and the Great Western Main Line.
- 1.3 The Council supports the principle of a HS2/Crossrail station being located in the north of the borough. However, officers have concerns about HS2 Ltd's proposals contained within the Bill and consider that without changes to the Bill, these concerns would impact on the potential for significant regeneration in the Old Oak area and in the borough as a whole. The Council has the opportunity to overcome these concerns by seeking amendments to the Bill through petitioning against it in the House of Commons and (if necessary) in the House of Lords.

- 1.4 The items proposed for the petition are;
- HS2 to connect the London Overground network to the Old Oak Common HS2/Crossrail station.
 - HS2 to deliver better strategic road connections.
 - Heathrow Express depot relocation removed from North Pole East depot.
 - Early delivery of the Old Oak Common Crossrail station.
 - Removal of compensatory wetland habitat proposed at Wormwood Scrubs.
- 1.5 See Appendix 1 for map showing geographical location for each petitioning point.
- 1.6 The Greater London Authority (GLA) are currently updating the London Plan and the London Borough of Hammersmith and Fulham (LBHF) will follow with an update to the Local Plan to put in place planning policies that will optimise the provision of new homes and jobs in the area and that fully integrate with the HS2 and Crossrail interchange. Incorporation of these 5 petitioning points into the Bill are compatible with proposed changes to the London Plan and Local Plan relating to Old Oak Common.

2. RECOMMENDATIONS

- 2.1 That the Council welcomes and supports the decision to locate the HS2 station in the Old Oak Opportunity Area. The resulting potential for regeneration and growth is huge with substantial benefits not only for local people but London in general.
- 2.2 Despite paragraph 2.1 above that in the judgement of the Council it is expedient for the Council to oppose the High Speed Rail (London - West Midlands) Bill introduced in the Session of Parliament 2013-14.
- 2.3 That the Executive Director Transport and Technical services take all necessary steps to carry the foregoing Resolution into effect, that the Common Seal be affixed to any necessary documents and that confirmation be given that Sharpe Pritchard (Parliamentary Agents) be authorised to sign the Petition of the Council against the Bill.

3. REASONS FOR DECISION

- 3.1. The proposal for Old Oak Common to become a new interchange station for HS2/ Crossrail presents a unique opportunity to harness the added benefit this presents to the borough to regenerate the Old Oak Common area. The proposed changes to the Bill that the borough will be petitioning on aim to ensure HS2 Ltd adequately provides for the impacts of development and to ensure the regeneration aspirations of the borough for Old Oak Common can also be realised. The Bill, once enacted would establish outline planning consent for the proposals that it contains. Therefore it is important that the borough petitions on these key issues to try and incorporate them into the Bill or the opportunity will be lost.

- 3.2. The Council consulted on an Old Oak Vision Document (see background document 1) in June 2013 which presented one possible option for the regeneration of Old Oak. There were over 500 responses and the majority were in support of the principle of regeneration at Old Oak, although concerns were raised regarding the potential impact of development on Wormwood Scrubs and the pressure on the transport network. The GLA are currently updating the London Plan and LBHF will follow with an update to the Local Plan to put in place planning policies that will optimise the provision of new homes and jobs in the area and that fully integrate development with the HS2 and Crossrail interchange. Incorporation of the 5 petitioning points into the Bill are compatible with proposed changes to the London Plan and Local Plan relating to Old Oak Common.

4. INTRODUCTION AND BACKGROUND

- 4.1. On 25 November 2013 the Secretary of State for Transport submitted a Hybrid Bill to Parliament for Phase 1 of the proposed HS2 Line. The Bill is referred to as 'hybrid' because it contains both public and private considerations. The Bill, once enacted would establish outline planning consent for the proposals that it contains. In LBHF, the Bill is of high relevance as it proposes the creation of an HS2/ Crossrail station in the north of the borough, to be known as 'Old Oak Common'. Amongst other things, the Bill also provides the Secretary of State with powers of Compulsory Purchase (including compulsory purchase of Council land) necessary to deliver the proposals, and authorises highways improvements and proposed environmental mitigation.
- 4.2. Officers consider that the HS2 proposals could be a catalyst for regeneration in the north of the borough. In June 2013, the council, in partnership with the GLA, Transport for London (TfL) and the London Boroughs of Ealing and Brent consulted on a 'Vision for Old Oak', which demonstrated that with the right infrastructure and design of the HS2/Crossrail station at Old Oak, regeneration could deliver up to 19,000 homes and up to 90,000 jobs within the Old Oak area. Of this, 14,000 homes and 87,000 jobs were anticipated to be provided within the boundary of Hammersmith and Fulham.
- 4.3. Although going some way towards helping to deliver regeneration at Old Oak, officers are concerned that HS2 Ltd's current proposals for Old Oak Common fall short of meeting the Council's ambitions for transformative regeneration in the area. In order to realise the full opportunity for regeneration at Old Oak, officers believe that the Council should consider petitioning on the following five points:
- HS2 to connect the London Overground network to the Old Oak Common HS2/Crossrail station.
 - HS2 to deliver better strategic road connections.
 - Heathrow Express depot relocation removed from North Pole East depot.
 - Early delivery of the Old Oak Common Crossrail station.

- Removal of compensatory wetland habitat proposed at Wormwood Scrubs.

See Appendix 1 for a map showing geographical location for each petitioning point.

Any petition would need to be lodged in time for a deadline which will be set following the second reading of the Bill in the House of Commons, which is anticipated to occur between March and April 2014.

- 4.4 The funding for the studies and legal fees necessary to petition on the HS2 Bill have been agreed through a Cabinet Member's Decision taken in December 2013 and amount to £99,000. The Council are likely to jointly petition with the Royal Borough of Kensington and Chelsea (RBKC) and the GLA on some of these issues.

5. ITEMS FOR THE PETITION

The main items to be included in the petition and the reason they are required are detailed below. They are also identified on the attached plan at Appendix 1.

5.1. London Overground Connections

- 5.1.1 The London Overground network runs in close proximity to the planned HS2/Crossrail Old Oak Common station. The North London Line runs to the west, connecting Richmond to Willesden Junction and on to Stratford. The West London Line runs to the east and connects Clapham Junction to Willesden Junction.
- 5.1.2 HS2 Ltd's proposals for the planned Old Oak Common station do not currently include connections to the London Overground network.
- 5.1.3 LBHF, along with the London Boroughs of Ealing and Brent, TfL and the GLA commissioned a Gross Value Added (GVA) study looking at various transport scenarios at Old Oak Common. This study shows that connecting the Overground Network at Old Oak Common would allow for an additional 865,000sqm of development in the Old Oak area, which would provide an additional 6,500 homes, 22,000 jobs and generate an additional £10billion GVA to the UK economy, an additional £32m business rates per annum and an additional £5m of council tax per annum.
- 5.1.4 Connecting the London Overground network to Old Oak would also have substantial economic benefits in other parts of the borough. The West London Line has stations at Shepherd's Bush, West Brompton and Imperial Wharf, which correspond to the White City, Earl's Court and South Fulham Riverside regeneration areas respectively. A direct London Overground connection at Old Oak Common would put these locations in contact with a much broader jobs market, allowing for greater employment accessibility for residents and greater employee accessibility for businesses.

- 5.1.5 TfL is currently examining two options to connect the London Overground network to the planned Old Oak Common HS2 station. Their preferred option (Option 8.2) involves some encroachment onto the north west corner of Wormwood Scrubs open space. However, TfL are also examining an alternative option that would not result in any encroachment onto Wormwood Scrubs (Option X). The Council are keen to work with TfL on options that have a minimal impact of Wormwood Scrubs and Option X is therefore the Council's current preferred option. TfL still plan to petition for their preferred option (Option 8.2) and the Council may need to undertake additional work to support the case for Option X. RBKC plan to join any petition that LBHF lodge on this so any costs could be split 50:50 between both Local Authorities. Hounslow and Wandsworth Councils are also strongly supportive of a link to the London Overground. LB Hounslow wishes to see a direct service between Hounslow and Old Oak Common, using an existing freight connection, and will be petitioning on this. LB Wandsworth do not believe that they have a *locus standi* to petition, but officers have said that they would be prepared to offer support, probably in the form of a supporting letter.
- 5.1.6 As regards equality considerations and the impact of this proposal if incorporated into the HS2 Bill it is anticipated that there would be a positive general impact on all groups due the increase in homes, jobs, open space/public realm and social infrastructure that could be provided at Old Oak Common. See 9.1 for more detail regarding the impact of regeneration on each protected characteristic.

If a new overground station was provided at Old Oak Common it would have step free access and be DDA compliant which would have a positive impact on the elderly, disabled users, pregnant women and women with young children. The proposals are not considered of relevance to gender reassignment, marriage and civil partnership, race, religion and sexual orientation.

Although not LBHF's preferred option for the overground connection if TfL's preferred option 8.2 were supported by HS2 it would encroach on Wormwood Scrubs slightly reducing the usable area available that could have a minor negative impact on people in protected characteristics that regularly use this area for recreation.

5.2 Strategic Road Connections

- 5.2.1 The HS2 Bill includes a Transport Assessment which sets out what road improvements HS2 Ltd plan to make in order to facilitate vehicular access to the planned Old Oak Common Station.
- 5.2.2 Officers have been informed of HS2 Ltd's proposed road improvements and have serious concerns that these proposals:
- a) will be insufficient to cater for the demand resulting from the HS2 station; and

b) are so insubstantial that HS2 Ltd's station would use up any free capacity in the surrounding road network and would therefore preclude any development/ regeneration being brought forward in the area.

- 5.2.3 HS2 Ltd's planned road improvements are focussed to the west of the station, with the station itself only accessible to vehicles from Old Oak Common Lane - which is currently heavily congested at peak times. Officers are concerned about the over reliance of this connection and believe that an alternative access should be provided into the station from the east. This could be achieved through the provision of a vehicular bridge over the Grand Union Canal. In addition to relieving pressure on the surrounding network, this bridge would provide a direct connection to 35 hectares of land to the north of the Grand Union Canal, which would dramatically improve the viability of development in this location and help to act as a catalyst for the regeneration of this area.
- 5.2.4 TfL and the GLA also plan to petition for this bridge and have appointed consultants to undertake a cost estimate, which they would be willing to share with LBHF under the proviso that the Council undertakes a land acquisition assessment for the landing of the bridge to the north of the canal. The cost of this assessment could be shared with RBKC, who also plan to petition on this issue. LB Ealing is also concerned that all road access is via Old Oak Lane, so may well support the petition for this bridge.
- 5.2.5 It is not considered that there would be any negative impact for people with a protected characteristic from the proposed strategic road connections if incorporated in the Bill. There would be a general positive impact on people within a protected characteristic as the proposed road connections would make the whole area much more accessible and provide the capacity to enable significant regeneration to proceed which would include new jobs, homes and social infrastructure. See 9.1 for more detail regarding the impact of regeneration on each protected characteristic.

5.3 Heathrow Express Depot Relocation

- 5.3.1 The site of the planned Old Oak Common HS2/Crossrail station is currently occupied by two railway depots – First Great Western and Heathrow Express, which would need to be relocated before any construction works could commence.
- 5.3.2 The First Great Western depot is planned to be relocated to North Pole West depot, which is planned to be used as an Intercity Express Programme Depot in the longer term but could be used in the intervening period to stable First Great Western trains, which are gradually in the process of being phased out.

- 5.3.3 The Department for Transport/ Network Rail plan to relocate the Heathrow Express depot to North Pole East depot and this proposal is included in the HS2 Bill. The depot straddles the boroughs of Hammersmith and Fulham and Kensington and Chelsea and is currently vacant, having being used previously as a depot for Eurostar trains. The depot covers 5.85 hectares in Hammersmith and Fulham and is bounded to the south by the Mitre Bridge Industrial Estate, which covers 1.74 hectares.
- 5.3.4 LBHF and RBKC have been actively encouraging the redevelopment of the depot and adjacent land holdings for mixed use, residential led development. In LBHF, it is unlikely that the Mitre Bridge Industrial estate would come forward for development without the adjacent North Pole East depot. A high level development capacity study estimates that the site could provide over 1,500 homes, which could generate between £600m and £1.1billion of gross development value, generating approximately £5.7m Mayoral CIL receipts, £11m LBHF CIL receipts and £13m New Home Bonus, in addition to Council tax receipts in excess of £1.5m per annum.
- 5.3.5 The relocation of the Heathrow Express depot to the North Pole East depot would prevent this development and value from being generated. As a consequence, the Council plan to petition against the relocation of the Heathrow Express depot to this location.
- 5.3.6 HS2 Ltd, the Department for Transport and Network Rail are considering alternative sites along the Heathrow Express route that the depot could be located to. The Council believe that North Pole East depot presents the most valuable site in terms of development potential and that subject to feasibility, others sites along the Heathrow Express corridor would therefore be more appropriate for relocating the Heathrow Express depot. Officers at LBHF and RBKC plan to build a convincing case regarding the value of releasing the North Pole East depot for redevelopment. This will involve the procurement of a land valuation study for the site. The costs of this study would be divided between LBHF and RBKC, who also plan to petition on this issue.
- 5.3.7 It is not considered that there would be any negative impact for people within a protected characteristic from not relocating the Heathrow Express Depot to the North Pole East Depot but instead developing it for mixed use development. It is anticipated that the increase in predominantly new homes and some jobs would have a general positive impact on all groups. See 9.1 for more detail regarding the impact of regeneration on each protected characteristic.

5.4 Early Delivery of Crossrail Station

5.4.1 The planned Old Oak Common station includes connections to Crossrail and the Great Western Main Line. Under current proposals, the Old Oak Common station would be built as two separate construction projects:

- i) Construction of the HS2 station
- ii) Construction of the Crossrail and Great Western Main Line station.

It is envisaged that both elements of the station would open at the same time, which is programmed to be in 2026.

5.4.2 LBHF wishes to see regeneration at Old Oak in advance of the planned Old Oak Common station and is keen to investigate whether the construction of the Crossrail/Great Western Main Line element of the station could be brought forward in advance of the HS2 station. The early delivery of a Crossrail station would help to kick start regeneration in the Old Oak area, delivering earlier financial benefits such as additional council tax, business rates and New Homes Bonus. It would also help to avoid any risk of delay in the HS2 project holding up the opening of the Old Oak Common station for Crossrail and Great Western Main Line passengers. HS2's Transport Assessments shows that large numbers of passengers will transfer between Crossrail and the Great Western main line at Old Oak Common, which adds weight to the case for an early construction of this station.

5.4.3 TfL is procuring a Regeneration Study for Old Oak Common, which is looking at a number of options for the delivery of transport improvements at Old Oak. LBHF officers are seeking an addendum to this study which would look in greater detail at the ability to deliver Crossrail (and London Overground) connections in advance of HS2. The costs of this study would need to be split between LBHF and RBKC and funding could also be sought from TfL and the GLA.

5.4.4 It is not considered that this proposal would have any negative impact on people within a protected characteristic. It is anticipated that bringing forward the early delivery of crossrail would have a general positive impact on all groups by facilitating new homes, jobs and social infrastructure significantly earlier than currently proposed. See 9.1 for more detail regarding the impact of regeneration on each protected characteristic.

5.5 Removal of compensatory wetland habitat proposed at Wormwood Scrubs

5.5.1 The Environment Statement (ES) for HS2 identifies a significant area of land in the south of Wormwood Scrubs Common as "compensatory wetland habitat creation". The proposal is to use an area of Wormwood Scrubs as mitigation to compensate for significant ecological effects from elsewhere along the HS2 construction corridor. The extent of land required is identified in the attached plan at Appendix 1.

- 5.5.2 The creation of a wetland habitat would result in loss of recreational space at Wormwood Scrubs at one of the most well used sections of the Scrubs adjacent to its two largest car parks. the Council has grave concerns about the identification of this land for wetland habitat creation, which would be likely to take the land out of recreational and leisure use, as well as creating a barrier to accessing other parts of the Scrubs. The Council therefore strongly object to its inclusion in the Bill. The Council consider that there are other locations along the HS2 Line that would be more appropriate locations to offset lost wetland habitat resulting from HS2's proposals that would not result in the substantial loss of recreational space in a well used Common that sits within a densely urban area.
- 5.5.3 Removal of compensatory wetland habitat at Wormwood Scrubs from the HS2 Bill would impact positively on people in protected characteristics who regularly use the Scrubs for recreation. This area of the Scrubs is specifically used by young people who access the sports facilities in this locality. Within a 500m buffer around Wormwood Scrubs we know 24% are under 18 compared 17% in LBHF excluding Wormwood Scrubs hence this high number of younger people could be negatively affected by the compensatory Wetland Area as it may affect accessibility to sports facilities.
- 5.6 Other matters

In addition to the principal issues raised above, the Council is likely to petition on other more detailed matters relating to the HS2 works, particularly during the construction phase. In doing so, the Council may join with other local authorities in presenting cases on common issues of concern.

6. INDICATIVE TIMETABLE

- 6.1 Timescales to progress the Petition process are as follows:
- Appointment of legal representation - November 2013
 - Development of evidence base - December 2013 – January 2014
 - Report to Full Council - 29 January 2014
 - Submission of Petition - Mar- April 2014
 - Representation at House of Commons Committee - June 2014 at the earliest

7. OPTIONS AND ANALYSIS OF OPTIONS

- 7.1 There are two key reasons to Petition against the HS2 Bill and thereby seek to incorporate the five changes proposed in the Recommendations in point 2. The first is the concern established through studies undertaken with TfL that the current mitigation proposals included in the Bill are insufficient to accommodate the number of passengers embarking from

the HS2/Crossrail station at Old Oak Common. Secondly some proposals currently in the Bill would prevent Old Oak from fully realising its regeneration potential and take an area of Wormwood Scrubs out of recreational use. Petitioning for these changes in the HS2 Bill is the only opportunity for the Council to lobby for their inclusion as the Bill. Once enacted it would establish outline planning consent for the proposals that it contains.

8. CONSULTATION

- 8.1 Old Oak Vision Document – London Boroughs of Brent, Ealing and Hammersmith and Fulham in partnership with the Mayor of London and TfL produced a document “Old Oak – A Vision for the Future June 2013” which investigates the potential for regeneration and growth in the area around the proposed Old Oak Common High Speed 2 station. The Vision document has been prepared as a precursor to a proposed Opportunity Area Planning Framework (OAPF) for Old Oak.
- 8.2 Public Consultation on the Vision Document – A 10 week consultation was held from 26 June - 6 September 2013 to which over 500 people responded. The majority were in support of the principle of regeneration at Old Oak, but concerns were raised regarding the impact of development on Wormwood Scrubs and the pressure on the transport network. Responses to the consultation will be used to inform the Local Plan, the Mayor’s London Plan review, and help shape a new Opportunity Area Planning Framework for Old Oak Common.

9. EQUALITY IMPLICATIONS

- 9.1 Equality issues specific to each petitioning point have been considered throughout section 5 - Items for the Petition. A number of petitioning points if incorporated into the HS2 Bill however would facilitate the optimum level of regeneration to take place in Old Oak Common with significant growth in jobs, homes, social infrastructure and new public realm/open space. Based on information from the 2011 Census relating to an area “within 500m of Wormwood Scrubs (WWS)” the effect of regeneration on people in specific protected characteristics have been analysed below;
- Age – The age profile of “within 500m of WWS” broadly mirrors that of the borough apart from under 18 where 24 per cent of the population is under 18 (17 per cent in LBHF) and age 25 – 34 where 19 per cent is aged 25 – 34 (19 per cent in LBHF). The regeneration will deliver a variety of housing including larger family units that will benefit people with children as well as sale, intermediate and rented units that promotes equality between all groups who have differing affordability levels. All new homes will be built to lifetime standards and 10% wheelchair that will benefit residents who develop age related mobility impairment. Provision of new high quality public realm and open space and new social infrastructure schools, health community facilities will positively benefit all age groups.

- Disability - 17 per cent of the residents “within 500m of WWS” have their day to day activities limited a little or a lot due to long term health issues. This is in comparison with 12 percent in the rest of the borough. All new housing should be built to lifetime homes standards, with a minimum of 10% of those units to be wheelchair accessible or easily adaptable for residents that are wheelchair users. This will benefit new residents who may be disabled or develop a disability. Through regeneration all buildings, streets and public spaces should be designed to be inclusive and accessible for all. This is of high relevance to disabled people as it requires consideration of disabled people’s needs at the outset of any new proposals and designs. This will be positive and promote equality of opportunity between disabled and non-disabled people by promoting and requiring equal access.
- Gender reassignment – Regeneration of Old Oak Common is not considered relevant to this protected characteristic. However, people who are protected here may find improvements to housing (lifetime homes), new jobs, public realm/open space and social infrastructure of a small indirect benefit in that they collectively seek to improve the area and make it safer, more attractive, and greener.
- Marriage and Civil Partnership - The regeneration of Old Oak Common is not seeking to provide a service for married people or civil partners, and so is not considered relevant to this protected characteristic.
- Pregnancy and maternity – New housing will provide a range of unit sizes including the provision of family units (3 bedrooms or more) which will benefit women with infants. Through regeneration all buildings, public realm/open space should be designed to be inclusive and accessible for all which will be of relevance to pregnant women and those with small infants, as it seeks to facilitate ease of access in the urban environment and remove physical barriers.
- Race – 52 per cent of people “within 500m of WWS” are from a BME Group compared to 30 per cent in the rest of the borough. The proposed new homes will be open to all race groups and will help to promote equality of opportunity. Regeneration will provide a range of unit sizes including family units (3 bedrooms or more); this will help people of all race groups who need family size units. Proposals for social infrastructure are of relevance to all race groups, with outcomes expected to be positive.
- Religion – The area “within 500m of WWS” profile regarding religion is broadly similar to that in the borough with the exception of the Muslim population which is 20 per cent compared to 9 per cent in LBHF and No Religion at 16% compared to 24% in LBHF. The regeneration proposals will not be wholly relevant to this protected characteristic, however, people who are protected here may find improvements to housing (lifetime homes), community facilities, public realm/open space of a small indirect benefit.
- Sex/Gender – There are more women 53 percent (compared to borough 51 per cent) than men 47 per cent (compared to borough 49 per cent) “within 500m of WWS”. Regeneration will provide a

range of unit sizes including family units (3 bedrooms or more); this will help both men and women. Proposals for social infrastructure are of relevance to men and women with outcomes expected to be positive.

- Sexual Orientation - Regeneration of Old Oak Common is not considered relevant to this protected characteristic. However, people who are protected here may find improvements to housing (lifetime homes), new jobs, public realm/open space and social infrastructure of a small indirect benefit in that they collectively seek to improve the area and make it safer, more attractive, and greener.

The 2011 Census tells us that “within 500m of WWS” 56.6 per cent are in employment compared to 65.7 per cent in LBHF and 62.4 per cent in London. Information is not available to assess the breakdown within protected characteristics regarding employment. The significant growth in jobs facilitated through the regeneration of Old Oak Common should greatly assist in increasing the number of people who are employed and have an indirect positive impact on people in all protected characteristics.

10. LEGAL IMPLICATIONS

- 10.1 There are no legal implications arising from the contents of the report.
- 10.2 Implications completed by Alex Russell, Senior Solicitor (Planning Highways and Licensing), 020 8753 2771.

11. FINANCIAL AND RESOURCES IMPLICATIONS

- 11.1 There is no scope within the TTS department budget to finance the costs of petitioning Parliament as set out in this paper. Therefore a budget virement of £99,000 is requested from corporate reserves. This is the LBHF officer view of the likely costs for LBHF. It takes into account that costs will be shared with RBKC where it is feasible to do so. Approval for this funding linked to the Recommendations at section 2 is dealt with in a separate report “Cabinet Member’s Decision to Finance the Petition – December 2013” available at Appendix 2.
- 11.2 Implications verified/completed by Gary Hannaway Head of Finance (Environment) 020 8753 6071.

12. RISK MANAGEMENT

- 12.1 The additional resources required to represent the Council’s case at the House of Commons committee are not included on either the departmental or corporate risk register.

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 13.1 Solicitors will be appointed by calling-off from the LBLA framework agreement. This is a recognised framework which the Council is able to

use in accordance with Contract Standing Orders. Approval for this funding linked to the Recommendations at section 2 is dealt with in a separate report “Cabinet Member’s Decision to Finance the Petition – December 2013” available at Appendix 2.

- 13.2 Implications completed by Robert Hillman, Procurement Consultant, 020 8753 1538.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Old Oak A Vision for the Future - June 2013. http://www.london.gov.uk/priorities/planning/publications/park-royal-planning-framework	Tom Cardis	TTCM

LIST OF APPENDICES:

Appendix 1 Map: Old Oak Common and Kensal Canalise Petitioning Points

Appendix 2 Cabinet Member’s Decision to Finance the Petition – December 2013

Old Oak Common & Kensal Canalside - Petition Items

1 London Overground Connections

Issue

- The North London Line and West London Line both run in close proximity to the planned Old Oak Common HS2 station
- Current HS2 proposals do not include a connection to the London Overground network at Old Oak Common.

Proposal

- The HS2 station should be connected to the London Overground network;
- Connecting to the London Overground would have the following benefits:
 - Help to relieve pressure at Euston;
 - Optimise development capacity at Old Oak Common; and
 - Benefit residents and businesses in West London who would have a direct connection to HS2;
- Two options are currently being explored: Option 8.2 and Option X
- LBHF's preference is for Option X as this does not have a negative impact on Wormwood Scrubs.

2 Strategic Road Connections

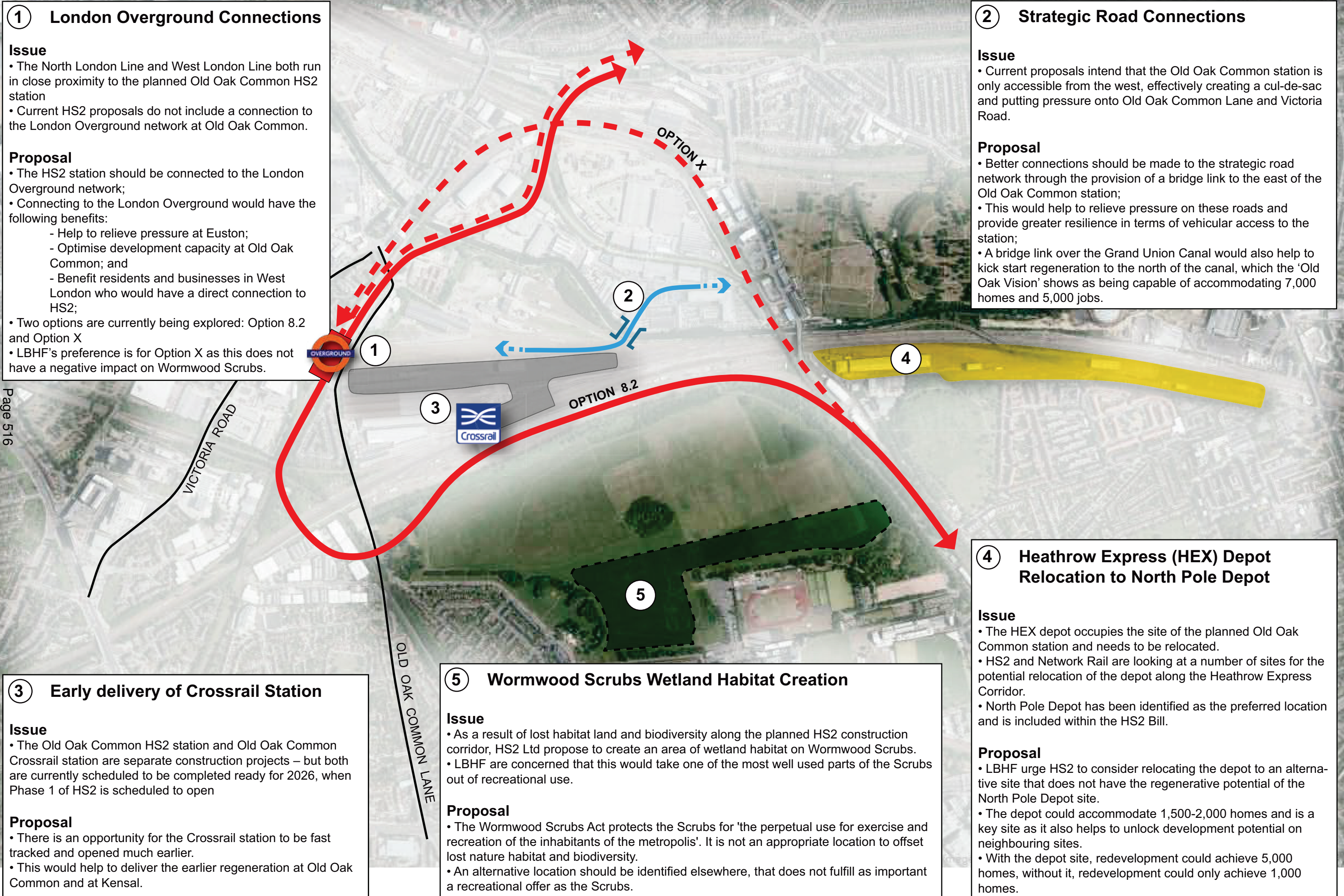
Issue

- Current proposals intend that the Old Oak Common station is only accessible from the west, effectively creating a cul-de-sac and putting pressure onto Old Oak Common Lane and Victoria Road.

Proposal

- Better connections should be made to the strategic road network through the provision of a bridge link to the east of the Old Oak Common station;
- This would help to relieve pressure on these roads and provide greater resilience in terms of vehicular access to the station;
- A bridge link over the Grand Union Canal would also help to kick start regeneration to the north of the canal, which the 'Old Oak Vision' shows as being capable of accommodating 7,000 homes and 5,000 jobs.

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3 Early delivery of Crossrail Station

Issue

- The Old Oak Common HS2 station and Old Oak Common Crossrail station are separate construction projects – but both are currently scheduled to be completed ready for 2026, when Phase 1 of HS2 is scheduled to open

Proposal

- There is an opportunity for the Crossrail station to be fast tracked and opened much earlier.
- This would help to deliver the earlier regeneration at Old Oak Common and at Kensal.

5 Wormwood Scrubs Wetland Habitat Creation

Issue

- As a result of lost habitat land and biodiversity along the planned HS2 construction corridor, HS2 Ltd propose to create an area of wetland habitat on Wormwood Scrubs.
- LBHF are concerned that this would take one of the most well used parts of the Scrubs out of recreational use.

Proposal

- The Wormwood Scrubs Act protects the Scrubs for 'the perpetual use for exercise and recreation of the inhabitants of the metropolis'. It is not an appropriate location to offset lost nature habitat and biodiversity.
- An alternative location should be identified elsewhere, that does not fulfill as important a recreational offer as the Scrubs.


4 Heathrow Express (HEX) Depot Relocation to North Pole Depot

Issue

- The HEX depot occupies the site of the planned Old Oak Common station and needs to be relocated.
- HS2 and Network Rail are looking at a number of sites for the potential relocation of the depot along the Heathrow Express Corridor.
- North Pole Depot has been identified as the preferred location and is included within the HS2 Bill.

Proposal

- LBHF urge HS2 to consider relocating the depot to an alternative site that does not have the regenerative potential of the North Pole Depot site.
- The depot could accommodate 1,500-2,000 homes and is a key site as it also helps to unlock development potential on neighbouring sites.
- With the depot site, redevelopment could achieve 5,000 homes, without it, redevelopment could only achieve 1,000 homes.

 the low tax borough	London Borough of Hammersmith & Fulham CABINET MEMBER DECISION 09/12/13
High Speed 2 (HS2) Petitioning Costs	
Report of the Cabinet Member Councillor Brocklebank-Fowler NB. <i>All Cabinet reports and Cabinet Member Decision reports are in the name of the relevant Cabinet Member</i>	
Open Report	
Classification: For Decision Key Decision: No	
Wards Affected: College Park And Old Oak	
Accountable Executive Director: Nigel Pallace	
Report Author: Thomas Cardis	Contact Details: Tel: 0208 753 3317 E-mail: thomas.cardis@lbhf.gov.uk

AUTHORISED BY:

.....

DATE:

1. EXECUTIVE SUMMARY

1.1 On 25th November 2013, HS2 Ltd submitted a Hybrid Bill to parliament for Phase 1 of the HS2 Project, running from London Euston to Birmingham. The Bill, once enacted would establish the equivalent of outline planning consent for the proposals that it contains.

1.2 In LBHF, the submitted Bill includes proposals for a rail station in the north of the borough. Known as 'Old Oak Common', the station would provide connections from the proposed HS2 Line to London Crossrail and the Great Western Main Line.

1.3 The Council supports the principle of a HS2/Crossrail station being located in the north of the borough. However, officers have concerns about HS2 Ltd's proposals contained within the Bill and consider that without changes to the Bill, these concerns would impact on the potential for significant regeneration in the Old Oak area and in the borough as a whole. The Council has the opportunity to overcome these concerns by seeking

amendments to the Bill through petitioning at the Bill's 2nd Reading in the House of Commons and House of Lords.

1.4 Approval is sought for additional expenditure of up to £99,000 to fund the submission of a petition. These costs would be spread across the 2013/14 period as the timing of the 2nd Reading of the HS2 Bill is currently unknown.

2. RECOMMENDATIONS

1. That approval is given to expenditure of up to £99,000 in 2013/14 and 2014/15 to fund the costs associated with the submission of a petition to seek amendments to the HS2 Hybrid Bill.

2. That approval is given to finance the petition and associated supporting studies from either Corporate Reserves or through Section 106 monies.

3. That authority be delegated to the Executive Director of Transportation and Technical Services to appoint solicitors in relation to the petition as set out in the body of the report.

3. REASONS FOR DECISION

3.1. A Cabinet Member's Decision is necessary for the sign off of the financing for the petition.

4. INTRODUCTION AND BACKGROUND

4.1. On 25th November 2013 HS2 Ltd and the Department for Transport (DfT) submitted a Hybrid Bill to parliament for Phase 1 of the proposed HS2 Line. The Bill is referred to as 'hybrid' because it contains both public and private considerations. The Bill, once enacted would establish outline planning consent for the proposals that it contains. In LBHF, the Bill is of high relevance as it proposes the creation of a HS2/ Crossrail station in the north of the borough, to be known as 'Old Oak Common'. The Bill also includes information on Compulsory Purchase Orders (CPO) necessary to deliver the proposals, highways improvements and proposed environmental mitigation.

4.2 Officers consider that the HS2 proposals could be a catalyst for regeneration in the north of the borough. In June 2013, the council, in partnership with the Greater London Authority (GLA), Transport for London (TfL) and the London Boroughs of Ealing and Brent consulted on a 'Vision for Old Oak', which demonstrated that with the right infrastructure and design of the HS2/Crossrail station at Old Oak, regeneration could deliver up to 19,000 homes and up to 90,000 jobs within the Old Oak area. Of this, 14,000 homes and 87,000 jobs were anticipated to be provided within the boundary of Hammersmith and Fulham.

4.3 Although going some way towards helping to deliver regeneration at Old Oak, officers are concerned that HS2 Ltd's current proposals for Old Oak Common, fall short of meeting the Council's ambitions for transformative regeneration in the area. In order to realise the full opportunity for

regeneration at Old Oak, officers believe that the Council should consider petitioning on the following four points:

- i). London Overground connections
- ii). Strategic road connections
- iii). Heathrow Express Depot relocation
- iv). Early delivery of Crossrail Station.

Any petition would need to be lodged at the 2nd reading of the Bill at the House of Commons, which is anticipated to occur between February and April 2014.

4.4 i). London Overground Connections

4.5 The London Overground network runs in close proximity to the planned HS2/Crossrail Old Oak Common station. The North London Line runs to the west, connecting Richmond to Willesden Junction and on to Stratford. The West London Line runs to the east and connects Clapham Junction to Willesden Junction.

4.6 HS2 Ltd's proposals for the planned Old Oak Common station do not currently include connections to the London Overground network.

4.7 LBHF, along with the London Borough's of Ealing and Brent, Transport for London (TfL) and the Greater London Authority (GLA) commissioned a Gross Value Added (GVA) study looking at various transport scenarios at Old Oak Common. This study shows that connecting the Overground Network at Old Oak Common would allow for an additional 865,000sqm of development in the Old Oak area, which would provide an additional 6,500 homes, 22,000 jobs and generate an additional £10billion GVA to the UK economy, an additional £32m business rates per annum and an additional £5m of council tax per annum.

4.8 Connecting the London Overground network to Old Oak would also have substantial economic benefits in other parts of the borough. The West London Line has stations at Shepherd's Bush, West Brompton and Imperial Wharf, which correspond to the White City, Earl's Court and South Fulham Riverside regeneration areas respectively. A direct London Overground connection at Old Oak Common would put these locations in contact with a much broader jobs market, allowing for greater employment accessibility for residents and greater employee accessibility for businesses.

4.9 TfL are currently examining two options to connect the London Overground network to the planned Old Oak Common HS2 station. Their preferred option (Option 8.2) involves some encroachment onto the north west corner of Wormwood Scrubs open space. However, TfL are also examining an alternative option that would not result in any encroachment onto Wormwood Scrubs (Option X). The Council are keen to work with TfL to further explore Option X. TfL still plan to petition for their preferred option and the Council may need to undertake additional work to support the case for Option X. RBKC plan to join any petition that LBHF lodge on this so any costs could be split 50:50 between both Local Authorities.

4.10 ii) Strategic Road Connections

4.11 The HS2 Bill includes a Transport Assessment which sets out what road improvements HS2 Ltd plan to make in order to facilitate vehicular access to the planned Old Oak Common Station.

4.12 Officers have been informed of HS2's Ltd's proposed road improvements and have grave concerns that these proposals:

a) will be insufficient to cater for the demand resulting from the HS2 station; and

b) are so insubstantial that HS2 Ltd's station would use up any free capacity in the surrounding road network and would therefore preclude any development/ regeneration being brought forward in the area.

4.13 HS2 Ltd's planned road improvements are focussed to the west of the station, with the station itself only accessible to vehicles from Old Oak Common Lane - which is currently heavily congested at peak times. Officers are concerned on the over reliance of this connection and believe that an alternative access should be provided into the station from the east. This could be achieved through the provision of a vehicular bridge over the Grand Union Canal. In addition to relieving pressure on the surrounding network, this bridge would provide a direct connection to the 35 hectares of land to the north of the Grand Union Canal, which would dramatically improve the viability of development in this location and help to act as a catalyst for the regeneration of this area.

4.14 TfL and the GLA also plan to petition for this bridge and have appointed consultants to undertake a cost estimate, which they would be willing to share with LBHF under the proviso that the Council undertakes a land acquisition assessment for the landing of the bridge to the north of the canal. The cost of this assessment could be shared with RBKC, who also plan to petition on this issue.

4.15 iii) Heathrow Express Depot Relocation

4.16 The site of the planned Old Oak Common HS2/Crossrail station is currently occupied by two railway depots – First Great Western and Heathrow Express, which would need to be relocated before any construction works could commence.

4.17 The First Great Western depot is planned to be relocated to North Pole West depot, which is planned to be used as an Intercity Express Programme Depot in the longer term but could be used in the intervening period to stable First Great Western trains, which are gradually in the process of being phased out.

4.18 DfT/ Network Rail plan to relocate the Heathrow Express depot to North Pole East depot. The depot straddles the borough's of Hammersmith and Fulham and Kensington and Chelsea and is currently vacant, having been used previously as a depot for Eurostar trains. The depot covers 5.85 hectares in Hammersmith and Fulham and is bounded to the south by the Mitre Bridge Industrial Estate, which covers 1.74 hectares.

4.19 LBHF and RBKC have been actively encouraging the redevelopment of the depot and adjacent land holdings for mixed use, residential led development. In LBHF, it is unlikely that the Mitre Bridge Industrial estate would come forward for development without the adjacent North Pole East depot. A high level development capacity study estimates that the site could provide over 1,500 homes, which could generate between £600m and £1.1billion of gross development value, generating approximately £5.7m Mayoral CIL receipts, £11m LBHF CIL receipts and £13m New Home Bonus, in addition to Council tax receipts in excess of £1.5m per annum.

4.20 The relocation of the Heathrow Express depot to the North Pole East depot would prevent this development and value from being generated. As a consequence, the Council plan to petition against the relocation of the Heathrow Express depot to this location.

4.21 HS2 Ltd have confirmed that there are two other possible sites that the Heathrow Express depot could be relocated to. Officers at LBHF and RBKC plan to build a convincing case regarding the value of releasing the North Pole East depot for redevelopment. This will involve the procurement of a land valuation study for the site. The costs of this study would be divided between LBHF and RBKC, who also plan to petition on this issue.

4.22 iv) Early Delivery of Crossrail Station

4.23 The planned Old Oak Common station includes connections to Crossrail and the Great Western Main Line. Under current proposals, the Old Oak Common station would be built as two separate construction projects:

- i) Construction of the HS2 station
- ii) Construction of the Crossrail and Great Western Main Line station.

It is envisaged that both elements of the station would open at the same time, which is programmed to be in 2026.

4.24 LBHF wishes to see regeneration at Old Oak in advance of the planned Old Oak Common station and is keen to investigate whether the construction of the Crossrail/Great Western Main Line element of the station could be brought forward in advance of the HS2 station. The early delivery of a Crossrail station would help to kick start regeneration in the Old Oak area, delivering earlier financial benefits such as additional council tax, business rates and New Homes Bonus. It would also help to avoid any risk of delay in the HS2 project holding up the opening of the Old Oak Common station for Crossrail and Great Western Main Line passengers.

4.25 TfL are procuring a Regeneration Study for Old Oak Common, which is looking at a number of options for the delivery of transport improvements at Old Oak. LBHF officers are seeking an addendum to this study which would look in greater detail at the ability to deliver Crossrail (and London Overground) connections in advance of HS2. The costs of this study would need to be split between LBHF and RBKC and funding could also be sought from TfL and the GLA.

4.26 Timescales to progress the Petition process are as follows:

- Appointment of legal representation - November 2013
- Development of evidence base - December 2013 – January 2014
- Report to Full Council - 29th January 2014
- Submission of Petition - Feb- April 2014
- Representation at House of Commons Committee - March-May 2014

4.27 The costs for the production of the petition and supporting evidence documents are set out below:

	Est. cost up to £
External legal costs for the petition	40,000
Internal legal costs for the petition (pre & post – as necessary)	10,000
Legal advice on CPO and Land Aquisition (Grand	5,000
Case for early delivery of Crossrail Station (TfL Regeneration Study Addendum)	15,000
Overground Rail (Option X) Connectivity study	20,000
Heathrow Express valuation and viability	9,000
total	£99,000

N.B. These figures are estimates and variations in the amounts may be necessary although it is not anticipated that the total cost will exceed the amount requested. Some of this investment will be recouped from the Royal Borough of Kensington and Chelsea and / or the Greater London Authority as we are jointly petitioning with them on specific issues. Internal staff costs are to be absorbed within existing budgets.

5. PROPOSAL AND ISSUES

5.1. That financing is provided to enable the Council to petition against the HS2 Hybrid Bill on the following four points:

- i). London Overground connections
- ii). Strategic road connections
- iii). Heathrow Express Depot relocation
- iv). Early delivery of Crossrail Station.

5.2 If the petition were successful, this could potentially realise the early regeneration of the Old Oak area and would optimise development capacity.

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1. The exact detail of what any petition would contact would need to be agreed at Full Council. The options considered within this Cabinet Member's Decision are therefore whether to agree the financing of a petition, or not agree the financing of the petition.

6.2 To not finance the petition would result in the Council being unable to petition against any of the points outlined in Section 4 of this report. It is considered that not to petition against the Hybrid Bill would be a missed opportunity to seek to amend the Bill and secure better outcomes for the early regeneration and development potential at Old Oak.

7. CONSULTATION

7.1. In June-September 2013 the Council consulted on a Vision for Old Oak, which sought the public's views on the potential for regeneration at Old Oak.

7.2 Broadly, the respondees were supportive of the potential regeneration at Old Oak. However, concerns were raised about the impact of development on Wormwood Scrubs.

8. EQUALITY IMPLICATIONS

8.1 Equality implications are currently unknown, The equality implications will be assessed as part of the Full Council report seeking agreement for the petition.

9. LEGAL IMPLICATIONS

9.1 The appointment of the external solicitors will need to be conducted in the accordance with the Council's Contract Standing Orders.

9.2 Implications completed by Kar-Yee Chan, Solicitor (Contracts), 020 8753 2772.

10. FINANCIAL AND RESOURCES IMPLICATIONS

10.1 There is no scope within the TTS department budget to finance the costs of petitioning Parliament as set out in this paper. Therefore a budget virement of £99,000 is requested from corporate reserves. This is the LBHF officer view of the likely costs for LBHF. It takes into account that costs will be shared with RBKC where it is feasible to do so.

11. RISK MANAGEMENT

11.1 The additional resources required to represent the council's case at the House of Commons committee are not included on either the departmental or corporate risk register.

12. PROCUREMENT AND IT STRATEGY IMPLICATIONS


12.1 It is understood that the external solicitors will be appointed by calling-off from the LBLA framework agreement. This is a recognised framework which the Council is able to use in accordance with Contract Standing Orders.

12.2 Implications completed by Robert Hillman, Procurement Consultant, 020 8753 1538.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

Agenda Item 6.5

 <p>h&f the low tax borough</p>	<p>London Borough of Hammersmith & Fulham</p> <p>COUNCIL</p> <p>29 JANUARY 2014</p>
REVIEW OF THE COUNCIL'S CONSTITUTION AND CHANGES TO ANNUAL COUNCIL DATE	
Report of the Leader of the Council: Councillor Nicholas Botterill	
Open Report	
Classification: For Decision	
Key Decision: No	
Wards Affected: All	
Accountable Director: Tasnim Shawkat, Monitoring Officer	
Report Author: Kayode Adewumi, Head of Governance and Scrutiny	Contact Details: Tel: 020 8753 2499 E-mail: kayode.adewumi@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This report requests Council to amend the Wormwood Scrubs Charitable Trust Committee terms of reference and note the changes made to the Officer scheme of delegation by the Monitoring Officer since the last meeting. It also seeks approval to change the date of next Annual Council meeting from 28 May to 16 June 2014.

2. RECOMMENDATIONS

- 2.1. That the changes to the Wormwood Scrubs Charitable Trust Committee terms of reference, as summarised in section 5.3 of the report and attached as Appendix 1, be approved.
- 2.2. The amendment to the Bi – Borough Director of Transportation and Technical services scheme of delegation as authorised by the Monitoring Officer, be noted.
- 2.3. That the change of date for the next Annual Council meeting from Wednesday 28 May 2014 to Monday 16 June 2014, be approved.

3. REASONS FOR DECISION

- 3.1. The Council's Monitoring Officer is required to keep the Council's Constitution up to date to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution.

4. INTRODUCTION AND BACKGROUND

- 4.1. The Monitoring Officer has a duty to keep the Constitution under review and has delegated authority to amend the Constitution where there has been a change in law, job title, structure, rearrangement of job responsibilities or for general administrative convenience. All extensive changes to the Constitution, however, must be approved by Full Council.
- 4.2. This report outlines minor revisions made, under the Monitoring Officer's delegated powers, to the Scheme of Delegation to reflect legislative changes and a proposed amendment to Wormwood Scrubs Charitable Committee terms of reference.

5. CHANGES TO THE CONSTITUTION

- **Wormwood Scrubs Charitable Trust Committee**

- 5.1. At its last meeting on 11 December 2013, the Committee agreed that one of its key priorities for the year was to improve its financial position and eliminate the loss currently being made as soon as possible.
- 5.2. The Committee noted that it was unlikely to meet frequently enough to be in a position to make timely decisions for the Trust. Therefore it agreed to put interim arrangements in place until after the January 2014 full Council Meeting to authorise the Director of Safer Neighbourhoods to take any decisions having a financial consequence of up to £100,000. If such a decision has financial consequences of more than £20,000, it would be made after consultation with the Chairman. Such decisions taken outside the Committee cycle will be circulated and reported to Committee members for information. Additionally any expenditure over £1000 will be listed and made available to Members of the Committee for transparency purposes. The Committee will make all other decisions with financial consequences of more than £100,000. In practice it has not been necessary to make any decisions with a financial consequence greater than £20,000 using these interim arrangements.
- 5.3. This report is seeking authority to designate the Chairman of the Wormwood Scrubs Charitable Trust Committee as its agent. This will allow the Chairman to have delegated power to make decisions up to £100,000 with the Director of Safer Neighbourhoods making decisions up to £20,000. The Committee would still reserve decisions of more than £100,000 to itself. These thresholds have been chosen to mirror the levels of authority exercised by Cabinet, Cabinet Members and senior officers for ordinary Council business.

- **The Food Safety and Hygiene (England) Regulations 2013**

- 5.4. On the 20 December 2013, officers were advised that The Food Hygiene (England) Regulations 2006 had been revoked and replaced by The Food Safety and Hygiene (England) Regulations 2013 which came into effect from 31 December 2013. This had an immediate impact on the service provided by the Public Protection and Safety Division of the Transportation and Technical Services Department. On the 23 December 2013, the Monitoring Officer approved the necessary amendments to the scheme of delegation which has permitted Environmental Health Officers to be authorised to carry out food safety inspections.

6. ANNUAL COUNCIL MEETING - CHANGE OF DATE

- 6.1. The Council's Annual meeting is currently scheduled for Wednesday 28 May 2014. Due to the combined Local and European Parliamentary elections being held on Thursday 22 May 2014, this report is proposing that the meeting be moved to a later date. The current scheduled date will not allow adequate time for the political parties to agree Committee Memberships nor for officers to put in place arrangement for an Annual Council meeting.
- 6.2. The Local Government 1972 Act states that in a year of ordinary elections of Councillors to the Council, the Annual Council meeting must take place on the eighth day after the day of retirement of the Councillors or such other day within 21 days immediately following the day of retirement as the Council may fix. Taking into account that Members will commence their terms of office or deemed retired on the fourth day after being elected. Monday 16 June 2014 falls within the 21 day period.
- 6.3. This report recommends that the Annual Council meeting is held on Monday 16 June 2014.

7. EQUALITY IMPLICATIONS

- 7.1. There are none.

8. LEGAL IMPLICATIONS

- 8.1. It is important to note that the Local Government Act 2000 requires the Council to have and maintain a Constitution. 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.
- 8.2. Implications verified by: Tasnim Shawkat, Director of Law 020 8753 2700.

9. FINANCIAL AND RESOURCES IMPLICATIONS

- 9.1. There are no direct financial implications.
- 9.2. Implications verified/completed by: Mark Jones 020 8753 6700.

10. RISK MANAGEMENT, PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 10.1. There are no significant risk management, procurement or IT strategy implications.
- 10.2. Implications completed by Kayode Adewumi, Telephone: 020 8753 2499.


LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

Wormwood Scrubs Charitable Trust Committee

<p>Wormwood Scrubs Charitable Trust Committee Council has determined that the Wormwood Scrubs Charitable Trust Committee shall be constituted and shall have delegated authority for the discharge of the Council's functions as set out below.</p>	
<p>Appointed by: The Council</p>	<p>Quorum: Two</p>
<p>Membership and Political Proportionality:</p> <ol style="list-style-type: none"> 1. 3 Councillors: 2/1 2. The Committee may co-opt non-voting independent members as appropriate. 3. The Bi-Borough Director of Finance and Resources (Transport and Technical Services and Environment, Leisure and Residents Services) will attend the Committee as an advisor. 	
<p>Decision Making Powers:</p> <ol style="list-style-type: none"> 1.1 To discharge the Council's role as Corporate Trustee for the Wormwood Scrubs Charitable Trust, in line with Charities Commission guidance. 1.2 To agree the Trust's annual budget and business plan. 1.3 To make any decision regarding income or expenditure on behalf of the Trust. 1.4 Should a decision be required in the period between Committee meetings, the Director of Safer Neighbourhoods is authorised to make any decision with a financial consequence of up to £20,000. 1.5 As an appointed Agent of the Trust, the Chairman of the Committee is authorised to make any decision with a financial consequence of between £20,000 and £100,000. 1.6 Decisions with a financial impact in excess of £100,000 can only be taken by the Committee. 1.7 All decisions taken outside of Committee meetings will be circulated to all Committee members and reported to the next meeting of the Committee with details included in a report. 1.8 To agree the Trust's annual accounts. 1.9 To receive and respond to the audit findings relating to the annual accounts. 1.10 To receive reports on the effective day to day management and financial performance of the Trust. 1.11 To allow interested parties to give their view on the performance and direction of the Trust. 	

Agenda Item 6.6

 the low tax borough	London Borough of Hammersmith & Fulham COUNCIL 29 JANUARY 2014
HEALTH AND WELLBEING BOARD: GOVERNANCE ARRANGEMENTS	
Report of the Cabinet Member for Community Care: Councillor Marcus Ginn	
Open Report	
Classification - For Decision	
Key Decision: No	
Wards Affected: All	
Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance	
Report Author: Kayode Adewumi, Head of Governance & Scrutiny	Contact Details: Tel: 020 8753 2499 E-mail: kayode.adewumi@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 At the 29 May 2013 Annual Council a statutory Health and Wellbeing Board (HWB) for the London Borough of Hammersmith & Fulham was established and the terms of reference, membership and other governance arrangements were agreed.
- 1.2 At its meeting on 3 July 2013, the Council, having consulted the HWB and having regard to the recommendation of the HWB, directed that the Clinical Commissioning Group (CCG) representative and the local Healthwatch representative are entitled to vote, but that Council officers on the HWB are not entitled to vote.
- 1.3 At its meeting on 4 November 2013, the HWB recommended that the Council makes a direction that two additional representatives of the CCG are appointed to the HWB and that all members, including Council officers are entitled to vote.

2. RECOMMENDATIONS

- 2.1 That two additional representatives of the Clinical Commissioning Group be appointed to the Health and Wellbeing Board and that all members of the Health and Wellbeing Board, including Council officers are entitled to vote.

3. REASONS FOR DECISION

- 3.1 At its meeting on 4 November 2013, the HWB recommended that the Council appoints two additional representatives of the CCG to the HWB and that all members, including Council officers are entitled to vote.

4. INTRODUCTION AND BACKGROUND

- 4.1 The Health and Social Care Act 2012 requires that every upper-tier local authority (or London Borough) establish a HWB. The Act establishes and treats HWBs as though they are committees appointed by the Council in accordance with s102 of the Local Government Act 1972.

- 4.2 The Act enables regulations to be made to provide that any enactment relating to a committee appointed under S.102 of the 1972 Act does not apply in relation to an HWB or applies in relation to it with such modifications as may be prescribed in the regulations.

- 4.3 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (the Regulations) makes the following key change to the normal requirements regulating the operation of Council committees which will apply to the HWB:

The disapplication of S.13 of the Local Government and Housing 1989 Act, to provide that non-Councillor members of the HWB **can** vote alongside the Councillors on the Board unless the Council, having consulted the Board, directs otherwise.

- 4.4 At the Annual Council a statutory HWB for the London Borough of Hammersmith & Fulham was established and the terms of reference, membership and other governance arrangements were agreed.

- 4.5 The Council consulted the HWB on the proposal to make a direction on the Council's non-Councillor representatives to vote. At its first meeting on 17 June 2013, the HWB recommended that the Council made a direction that the members of the Board who are entitled to vote alongside the Councillors are the representative of Local Healthwatch and the CCG representative but not the Council officers on the Board.

- 4.6 The Council, at its meeting on 3 July 2013, directed that the CCG representative and the local Healthwatch representative are entitled to vote, but that Council officers on the HWB are not entitled to vote.

- 4.7 At a workshop held on 8 October 2013, the HWB reviewed its membership and, at its meeting on 4 November 2013, the HWB recommended that, in order to achieve a better balance between local authority numbers and the NHS, the Council appoints two additional representatives of the CCG to the HWB.

- 4.8 In order for all members to be equal partners, the Health and Wellbeing Board recommends that, in line with the Regulations, all members, including Council officers are entitled to vote.

5. EQUALITY IMPLICATIONS

5.1 Not applicable.

6. LEGAL IMPLICATIONS

6.1 The legal implications for this report are contained in the body of the report.

7. FINANCIAL AND RESOURCES IMPLICATIONS


7.1 There are no financial implication arising.

8. RISK MANAGEMENT

8.1 Not applicable.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

 <p>h&f the low tax borough</p>	<p>London Borough of Hammersmith & Fulham</p> <p>COUNCIL</p> <p>29 JANUARY 2014</p>
<p>REVIEW OF POLLING STATIONS AND POLLING DISTRICTS</p>	
<p>Report of the Returning Officer - Jane West</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance</p>	
<p>Report Author: Steve Miller Electoral Services Manager</p>	<p>Contact Details: Tel: 0208 753 2175 E-mail: steve.miller@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. To approve new polling arrangements for the borough.

2. RECOMMENDATIONS

- 2.1. That the polling place for CPD polling district be Brickfields Hall, Shinfield Street, W12.
- 2.2. That the polling place for HBC polling place be the Macbeth Centre, Macbeth Street, W6.
- 2.3. That the polling place for PGB polling district be Holy Cross School, Basuto Road, SW6.
- 2.4. That the polling place for WWB polling district be the White City Community Centre, India Way, W12.
- 2.5. That polling arrangements for other polling districts remain unchanged.
- 2.6. That the boundaries of all polling districts remain unchanged.

3. REASONS FOR DECISION

- 3.1. Under the Representation of the People Act 1983, the Council has a duty to divide the borough into polling districts and to designate a polling place for each district. It also has to keep these arrangements under review.
- 3.2. The Electoral Administration Act 2006 introduced a cycle of regular statutory reviews.

4. BACKGROUND

- 4.1. The second statutory review of polling arrangements will take place during the second half of 2014. Ahead of that major review, the Returning Officer prefers to keep any changes to a minimum.
- 4.2. Four existing polling stations will be unavailable for this year's elections, due to building works or demolition.

5. COLLEGE PARK AND OLD OAK WARD

- 5.1. The current polling station for CPD polling district is the Pioneer Way Community Centre, Du Cane Road, W12. It is believed that this building is to be redeveloped as flats. This polling district consists of several communities over a fairly wide geographical area, and any chosen building will not be an ideal site for all residents. The construction of the Imperial College campus at 80 Wood Lane, includes the new Brickfields Hall in Shinfield Street. The Returning Officer believes this offers the most suitable premises for a replacement polling station.

6. HAMMERSMITH BROADWAY WARD

- 6.1. The current polling station for HBC polling district is the Irish Centre, Blacks Road, W6. The Centre is due to have building works and will be unavailable in 2014.
- 6.2. The Returning Officer considered part of the reception area at 145 King Street, but this will be unsuitable as several services for vulnerable residents will need to remain open. Hammersmith Town Hall would be right on the western boundary of the polling district, but all ground floor rooms will be required for other election purposes, such as postal vote opening. The only alternative is the Macbeth Centre, Macbeth Street, W6. It should be possible to return to the Irish Centre after 2014.

7. PARSONS GREEN AND WALHAM WARD

- 7.1. The current polling station for PGB polling district is Lady Margaret School, Parsons Green, SW6. The main hall is having building works and will be unavailable in 2014. The only other suitable building on Parsons Green is St Dionis Church. However, this is actually in Town Ward, and its use would undoubtedly cause confusion for many residents in this part of TWA polling district. The only other suitable building in PGB district is Holy Cross School, Basuto Road, SW6.

8. WORMHOLT AND WHITE CITY WARD

- 8.1. The current polling station for WWB polling district is the Fatima Community Centre, Commonwealth Avenue, W12. This centre is due to have building works, as part of the redevelopment of Pope John School. The White City Community Centre, India Way, W12 is a very suitable replacement building; it is within a few yards of the old polling station, so this will be very convenient for voters.

9. CONSULTATION

- 9.1. All appropriate ward councillors, electoral leads for the two council groups, and local party organisations have been consulted. There have been no objections to the proposals.

10. EQUALITY IMPLICATIONS

- 10.1. There is level and excellent access to Brickfields Hall, Holy Cross School and White City Community Centre. At the Macbeth Centre a temporary ramp for wheelchair and other users will be provided at the main entrance, although there is level access using another door.

11. LEGAL IMPLICATIONS

- 11.1. These are referred to in the report.
- 11.2. Implications provided by : Tasnim Shawkat. Tel: 020 8753 2700.

12. FINANCIAL AND RESOURCES IMPLICATIONS

- 12.1. There will be a small saving on hire fees by using the Macbeth Centre instead of Irish Centre, and there will be no need to employ a security officer at Lady Margaret School.
- 12.2 Implications provided by : Jane West. Tel: 020 8753 1900.

13. RISK MANAGEMENT

13.1. There are no additional risks associated with the recommendations.

14. PROCUREMENT AND IT STRATEGY IMPLICATIONS

14.1. There are no relevant implications.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Polling Arrangements Review 2013	Martina Reid x 1132	FCS, Electoral Services, Room 28 Hammersmith Town Hall

SPECIAL MOTION NO. 1 – SULIVAN PRIMARY SCHOOL

Standing in the names of:

- (i) Councillor Caroline Needham
- (ii) Councillor Stephen Cowan

“This Council congratulates Sullivan Primary School on the recognition received from both Boris Johnson, the London Mayor and David Laws MP, the Minister of State for Schools, in respect of the school’s excellent academic results.

The Council supports the addition of a high quality secondary school in the south of the Borough but agrees that the excellent Sullivan Primary School should remain open and a new site found for the free school that does not involve cannibalising Sullivan Primary School”.

Agenda Item 7.2

SPECIAL MOTION NO. 2 – HALT COUNCIL PLANS FOR BEAUMONT AVENUE AND AISGILL AVENUE TO BECOME AN ARTICULATED LORRY THOROUGHFARE

Standing in the names of:

- (i) Councillor Daryl Brown
- (ii) Councillor Max Schmid

“The Council notes that it currently plans the following detrimental measures for Beaumont Avenue and Aisgill Avenue:

- “Heavy vehicle access to the depot during the Earls Court development will be from Beaumont Avenue and emergency access will be from Aisgill Avenue.”
- “Large 77ft long articulated lorries will access/egress the LUL depot site approximately 6-9 times a day from Beaumont Avenue.”
- “Very long 99ft lorries will need to access the site approximately 4 times a year.”
- “There are also 60 parking spaces on the LUL depot site for transit vans that will need to access/egress the site throughout the day.”

It also notes that Conservative councillors chose not to consult any residents. Instead CapCo, the developer, was consulted extensively.

The Council recognises that this plan has been badly thought through, that it will increase the danger of road accidents, it will cause unacceptable levels of extra traffic, extra noise and extra dust and it will detrimentally affect property prices.

The Council therefore resolves to halt current plans to use Beaumont Avenue and Aisgill Avenue for these purposes and instead find other routes acceptable to and in consultation with residents.”

SPECIAL MOTION NO. 3 – HOSPITALITY AND PUBLIC CONCERNS ABOUT THE “TOO CLOSE FOR COMFORT” RELATIONSHIP BETWEEN THE ADMINISTRATION AND PROPERTY DEVELOPERS DOING BUSINESS IN THIS BOROUGH

Standing in the names of:

- (i) Councillor PJ Murphy
- (ii) Councillor Andrew Jones

“The Council notes that its self-confessed *“property-developer-friendly”* approach has resulted in many controversial land development schemes being opposed by large numbers of Hammersmith and Fulham residents who have attended the Planning Applications Committee and expressed concerns that the Council’s relationship with many developers are *“too close for comfort”*.”

The Council therefore regrets the decision of administration cabinet members and other Conservative councillors to enjoy *“gifts and hospitalities”* from property developers operating in the Borough. The Council notes that no minutes or records are kept of the conversations that take place during these generous social engagements and that meetings such as these do nothing to dispel residents’ concerns.

Hammersmith and Fulham Council resolves to tighten its protocols and halt councillors from accepting personal gifts and personal hospitality from businesses hoping to profit from decisions they might make or the influence they may be able to bring to bear on decision makers.

Furthermore, the Council agrees that agenda and minutes need to be made of all meetings its councillors, officials and representatives have with businesses, their agents or their lobbyist when discussing issues pertinent to the Borough and those businesses. Those records will be made available for public scrutiny”.

Agenda Item 7.4

SPECIAL MOTION NO. 4 – ENCOURAGING STRONG, SAFE NEIGHBOURHOODS AND SUCCESSFUL HIGH STREETS

Standing in the names of:

- (i) Councillor Wesley Harcourt
- (ii) Councillor Michael Cartwright

“This Council notes that the rapid growth of betting shops is being driven by the presence of new, high-stakes fixed odds betting terminals (FOBTs), which are often used by gambling addicts and money launderers and which fuel criminal activity.

The Council also recognises that allowing betting and loan shops to spread and cluster across our borough's high streets with no checks blights our neighbourhoods, undermines existing businesses and discourages new businesses from setting up as their presence deters retailers from moving into nearby empty properties.

The Council recognises that many local authorities are successfully using Article 4 Directions to give residents and their elected representatives a mechanism to protect their neighbourhoods and agrees to do the same.

The Council also agrees to consider the many innovative best practices used by councils of all political persuasions to regenerate their high streets and secondary shopping areas. It recognises that returning local control of the Borough's high streets to residents is an important and democratic measure which encourages the retailers that residents want, halts the unchecked spread and clustering of betting shops, payday lenders and pawnshops and curtails serious criminal activity.”

SPECIAL MOTION NO. 5 – COUNCIL RESOLVES TO IMPROVE THE REPAIRS SERVICE

Standing in the names of:

- (i) Councillor Stephen Cowan
- (ii) Councillor Mercy Umeh

“The Council notes the alarming concerns raised by residents about serious failures in the Council housing repairs service. It resolves to urgently review this service and take all necessary measures to stop failures and significantly raise standards.”

Agenda Item 7.6

SPECIAL MOTION NO. 6 – MILSON ROAD HEALTH CENTRE

Standing in the names of:

- (i) Councillor Rory Vaughan
- (ii) Councillor PJ Murphy

“The Council notes that Milson Road Health Centre currently offers a wide range of services to local residents including district nursing, health visiting, diabetes, hospital at home, an ulcer clinic, family planning and podiatry. The council recognises residents’ concerns that the centre is due to be closed and that private talks have already occurred with the Council about the future use of the site.

The Council resolves to campaign to protect high quality and localised NHS services on the Milson Road site and agrees to publicly disclose agendas and minutes of all private meetings with property developers about the future of this much valued local public asset.”

SPECIAL MOTION NO. 7 – CUTTING CRIME IN RAVENSCOURT ROAD

Standing in the names of:

- (i) Councillor Lisa Homan
- (ii) Councillor Caroline Needham

“The Council notes residents’ concerns about the recent but consistent crime in Ravenscourt Road. It agrees to install temporary CCTV while carrying out a full review of the problem and working with local residents and the police to agree a better way forward.”

Agenda Item 7.8

SPECIAL MOTION NO. 8 – A SAFER HAMMERSMITH & FULHAM

Standing in the names of:

- (i) Councillor Greg Smith
- (ii) Councillor Steve Hamilton

“This Council:

1. Welcomes the significant fall in crime in Hammersmith & Fulham since 2006, equating to 8,000 fewer crimes a year.
2. Congratulates the hard work of the Borough’s police officers.
3. Notes the significant role H&F Council has played in this success, through providing 44 extra warranted police officers, expanding the borough’s CCTV network to over 800 cameras with a 24/7 control room, funding car, bicycle and house sting operations, cracking down on problem licensed premises, introducing a borough wide controlled drinking zone and pioneering integrated offender management.
4. Resolves to continue putting the fight against crime and anti-social behaviour at the top of its agenda.”

SPECIAL MOTION NO. 9 – CELEBRATING CLEANER AND GREENER PARKS

Standing in the names of:

- (i) Councillor Greg Smith
- (ii) Councillor Steve Hamilton

“This Council:

1. Celebrates the award of 10 Green Flags and 3 Green Pennants by Keep Britain Tidy to Hammersmith & Fulham parks and open spaces, up from zero in 2006.
2. Notes that Ravenscourt Park, Frank Banfield Park and Margravine Cemetery have been awarded with Green Flag status for the fifth year in a row, Normand Park has won the honour for the fourth year, St Peter’s Square for the third time, Hammersmith Park, Hurlingham Park, South Park and Norland North for the second time and Brook Green for the first time with Loris Road Open Space, Godolphin Road Open Space and Phoenix Farm picking up Green Pennants for the first time.
3. Thanks the Friends’ groups in all the winning parks for their tireless voluntary efforts to keep our parks the best they can be, our grounds maintenance contractor Quadron for their professional excellence and the Hammersmith Community Gardens Association for their incredible work in transforming Loris Road Open Space and Godolphin Road Open Space and their management of Phoenix Farm.
4. Resolves to continue to improve our parks and open spaces and increase the number of parks and open spaces with Green Flag and Green Pennant status.”

Agenda Item 7.10

SPECIAL MOTION NO. 10 – SUPER SEWER

Standing in the names of:

- (i) Councillor Nicholas Botterill
- (ii) Councillor Mark Loveday

“This Council:

1. Remains fundamentally opposed to the principle of the Thames Tideway Tunnel.
2. Believes that Carnworth Road is a wholly inappropriate location for a main drive shaft site.
3. Resolves to continue its campaign against the Thames Tideway Tunnel and the drive shaft site at Carnworth Road.”

SPECIAL MOTION NO. 11 – HOUSING

Standing in the names of:

- (i) Councillor Andrew Johnson
- (ii) Councillor Harry Phibbs


“That this Council notes the successful record of the Conservative administration in seeking to ‘Build a Borough of Housing Opportunity’ through:

- The introduction of a new, fairer, and more transparent, allocations policy which gives greater priority to those eligible people who work or make a community contribution, which prevents those would-be applicants earning over £40,200 from joining the register, which introduces a minimum five year local connection criteria and which prevents those people not eligible for social housing from joining the register at all;
- Fixed-term tenancies within the Borough, allowing the Council as a landlord to make better use of its housing stock and provide a flexible approach to delivering a housing options service;
- A revised HomeBuy register of nearly 6000 for those who live or work in the borough who have a household income of up to £66,000pa, where top priority is given to existing council and housing association tenants, members of the armed forces and police officers, and
- The successful lobbying of Government to increase the maximum Right to Buy discount to £100,000 and the proposals to introduce the Right to Buy Part which is supported by the Mayor of London in the draft London Housing Strategy 2013.

That this Council resolves to expand homeownership opportunities for local residents by:

- Continuing to work with public and private bodies to deliver thousands of new homes in the Old Oak Common, White City and Earl’s Court Opportunity Areas;
- Increasing the supply of new housing for low cost homeownership using council land and assets;
- Allowing higher earning tenants to be able to convert to a form of low cost homeownership at the end of their fixed-term tenancy;
- Enabling a greater proportion of council tenants to own part of their own home through shared ownership including Right to Part Buy, a deposit fund or disposal under a Discount Market Sale (DMS) model, and
- Creating tenure forms such as Discount Market Rent to enable would be homeowners to save for a deposit to purchase a DMS unit, thereby creating a cycle of housing opportunity.”

Agenda Item 8.1

	London Borough of Hammersmith & Fulham COUNCIL 29 JANUARY 2014
SPECIAL URGENCY DECISIONS – MONITORING REPORT	
Report of the Leader of the Council: Councillor Nicholas Botterill	
Open Report	
Classification - For Information	
Key Decision: Yes	
Wards Affected: All	
Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance	
Report Author: David Viles, Committee Co-ordinator	Contact Details: Tel: 020 8753 2063 E-mail: David.Viles@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The attached report presents details of decisions taken by the Leader or Cabinet Members under the special urgency provisions of the Constitution (very urgent decision not in the Key Decisions list). The report covers the period 1 January 2013 to 31 December 2013.

2. RECOMMENDATIONS

- 2.1 That the report be noted.

3. SPECIAL URGENCY PROVISIONS OF THE CONSTITUTION

- 3.1 Rule 17 of the Access to Information Procedure Rules in the Council's Constitution allows for specially urgent key decisions which are not in the Key Decisions list to be taken without giving the prescribed public notice of five clear working days, provided the relevant Scrutiny Committee Chairman agrees that the decision cannot reasonably be deferred.

- 3.2 The Leader is required to submit reports to the Council on Executive decisions taken under Rule 17 during the preceding quarter. The reports must include the number of decisions so taken and a summary of the matters in respect of which those decisions are taken. There has been one Rule 17 decision during the last quarter.

4. SPECIAL URGENCY DECISIONS TAKEN BY THE LEADER IN THE PERIOD 1 JANUARY TO 31 DECEMBER 2013

Decision taken and date	Reason for urgency
<p>Olive House – contract extension</p> <p>Approval to the extension of the Olive House contract with the service provider for the remaining five year term allowed for in the contract in return for a 10% reduction on the value of the contract.</p> <p>25 October 2013</p>	<p>This contract expires on 31 October 2013. The negotiations for the contract extension were started in January 2013 and there have been significant delays on the part of the service provider which prevented resolution of the issue of extending the contract until very recently. The next earliest Cabinet meeting that this report could be presented is on 11 November 2013 and therefore a Leader's Urgency Decision is required so approval for the extension is granted before the expiration of the contract. Although there is a provision in the contract to extend, this requires approval by the Cabinet.</p>

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		