

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

Wednesday 20 October 2021



The Mayor – Councillor PJ Murphy Deputy Mayor – Councillor Daryl Brown

ADDISON	HAMMERSMITH BROADWAY	RAVENSCOURT PARK
Adam Connell (L) Rachel Leighton (L) Sue Fennimore (L)	Stephen Cowan (L) PJ Murphy (L) Patricia Quigley (L)	Jonathan Caleb-Landy (L) Bora Kwon (L) Asif Siddique (L)
<u>ASKEW</u>	MUNSTER	SANDS END
Lisa Homan (L) Rowan Ree (L) Rory Vaughan (L)	Adronie Alford (C) Alex Karmel (C) Dominic Stanton (C)	Lucy Richardson (L) Ann Rosenberg (L) Matt Uberoi (L)
AVONMORE & BROOK GREEN	NORTH END	SHEPHERDS BUSH GREEN
David Morton (L) Rebecca Harvey (L) Fiona Smith (L)	Daryl Brown (L) Larry Culhane (L) Zarar Qayyum (L)	Andrew Jones (L) Natalia Perez (L) Mercy Umeh (L)
COLLEGE PARK & OLD OAK	PALACE RIVERSIDE	TOWN
Alexandra Sanderson (L) Wesley Harcourt (L)	Amanda Lloyd-Harris (C) Donald Johnson (C)	Andrew Brown (C) Belinda Donovan (C) Victoria Brocklebank- Fowler (C)
FULHAM BROADWAY	PARSONS GREEN AND WALHAM	WORMHOLT AND WHITE CITY
Ben Coleman (L) Sharon Holder (L) Helen Rowbottom (L)	Matt Thorley (C) Mark Loveday (C) Frances Stainton (C)	Frances Umeh (L) Sue Macmillan (L) Max Schmid (L)
FULHAM REACH		
lain Cassidy (L) Christabel Cooper (L) Guy Vincent (L)		



SUMMONS

Councillors of the London Borough of
Hammersmith & Fulham
are requested to attend the
meeting of the Council on
Wednesday 20 October 2021
at 3 Shortlands, W6 8DA

The Council will meet at 7.00pm

Members of the public can watch the meeting live on YouTube: youtu.be/cWUJMlyNwZ8

12 October 20213 ShortlandsHammersmith W6

Kim Smith Chief Executive

Full Council Agenda

20 October 2021

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2. 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 Standards Committee.

3. MINUTES 7 - 18

To approve the minutes of the Annual Council meeting held on 28 April 2021 and note the minutes of the informal Council meeting held on 14 July 2021.

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- 5. PUBLIC QUESTIONS (20 MINUTES) 19 23
- 6. ITEMS FOR DISCUSSION/COMMITTEE REPORTS

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7.	SPECIAL MOTIONS	
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Public Attendance at Council

Members of the public and press are welcome to attend or watch the meeting. You can watch the meeting live on YouTube: youtu.be/cWUJMIyNwZ8

If you need to attend in person, you can do so but spaces are limited due to social distancing measures so please contact David.Abbott@lbhf.gov.uk. Priority will be given to those who are participating in the meeting. Observers will be allocated seats on a first come first serve basis.

For the safety of attendees, we are ensuring that our meetings take account of any relevant Coronavirus restrictions and public health advice.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present.

Before attending the meeting

Do not attend a meeting if you are experiencing Coronavirus symptoms. Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website: www.gov.uk/get-coronavirus-test

You can also call 119 to book a test.

Even if you are not experiencing Coronavirus symptoms, you are requested to take a lateral flow test in the 24 hours before attending the meeting.

You can order lateral flow tests online or visit one of our testing centres: www.lbhf.gov.uk/coronavirus-covid-19/health-and-wellbeing-advice/covid-19-testing

If your lateral flow test returns a positive result, you should follow Government guidance to self-isolate and make arrangements for a PCR test.

Attending the meeting

To make our buildings Covid-safe, it is important that you observe the rules and guidance on social distancing and hand washing. Masks should be worn at all times, unless you are speaking at the meeting or you are exempt from wearing a mask. You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

Security staff will be waiting in reception to direct members of the public to the meeting room.



COUNCIL MINUTES

ANNUAL COUNCIL MEETING

WEDNESDAY 28 APRIL 2021



PRESENT

The Mayor Councillor PJ Murphy Deputy Mayor Councillor Daryl Brown

Councillors:

Colin Aherne	Sharon Holder	Rowan Ree
Adronie Alford	Lisa Homan	Lucy Richardson
Victoria Brocklebank-Fowler	Donald Johnson	Ann Rosenberg
Andrew Brown	Andrew Jones	Helen Rowbottom
Jonathan Caleb-Landy	Alex Karmel	Max Schmid
lain Cassidy	Bora Kwon	Asif Siddique
Ben Coleman	Rachel Leighton	Fiona Smith
Adam Connell	Amanda Lloyd-Harris	Frances Stainton
Christabel Cooper	Mark Loveday	Dominic Stanton
Stephen Cowan	Sue Macmillan	Matt Thorley
Larry Culhane	David Morton	Matt Uberoi
Belinda Donovan	Natalia Perez	Mercy Umeh
Sue Fennimore	Zarar Qayyum	Rory Vaughan
Wesley Harcourt	Patricia Quigley	Guy Vincent

1. **ELECTION OF THE MAYOR**

6.33pm – Councillor PJ Murphy, as the outgoing Mayor, took the Chair at the start of the meeting.

Councillor Colin Aherne proposed, seconded by Councillor Zarar Qayyum, that Councillor PJ Murphy be re-elected as Mayor of the London Borough of Hammersmith & Fulham for the 2021/22 Municipal Year.

There being no further nominations, the proposal was formally put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

The recommendation was declared **CARRIED**.

6.36pm - RESOLVED

That Councillor PJ Murphy was duly elected Mayor of the London Borough of Hammersmith & Fulham for the 2021/22 Municipal Year, following which he made the statutory Declaration of Acceptance of Office and signed the statutory undertaking to observe the Code of Conduct for the Councillors.

The Mayor announced he was nominating the Hammersmith & Fulham Foodbank and United in Hammersmith & Fulham supporting the Tech4Kids Appeal as his charities for the Mayoral year.

The Mayor also announced that he was appointing Mary Smith to act as his Consort for the Mayoral year.

The Mayor then announced that he had appointed Councillor Daryl Brown as Deputy Mayor for the 2021/22 Municipal Year. She informed the Council that Mr Benito Brown had been appointed to act as her Deputy Mayor's Consort for the Mayoral year.

2. PRESENTATION BY THE YOUTH MAYOR AND YOUTH COUNCIL

6.37pm – The Mayor invited the Youth Mayor to address the Council.

The Youth Mayor, Scarlett Knowles, and Youth Councillors Marley Billing-Delapenha and Raniah Siobhan made a presentation on their manifesto and goals for 2021/22.

Councillors Adam Connell, Alex Karmel, Larry Culhane, and Stephen Cowan made speeches on the item.

The Mayor thanked the Youth Council for their hard work throughout the year and encouraged members to attend the Youth Achievement Awards on Tuesday, the 4th of May 2021.

3. APOLOGIES FOR ABSENCE

7.06pm — Apologies for absence were received from Councillors Alexandra Sanderson and Rebecca Harvey.

4. <u>DECLARATIONS OF INTERESTS</u>

7.07pm – There were no declarations of interest.

5. MINUTES

7.07pm – The minutes of the meeting held on 25 February 2021 were agreed as an accurate record.

6. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS

Death of Prince Philip, Duke of Edinburgh

The Mayor noted, with great regret, the death of Prince Philip, Duke of Edinburgh who passed away on Friday 9 April at the age of 99. Speeches of remembrance were made by Councillors Stephen Cowan, Andrew Brown, and Francis Stainton.

The Council observed a minute of silence in his memory.

Death of Alderman Michael Cartwright

The Mayor informed the Council of the death of Alderman Michael Cartwright, former Mayor and Deputy Leader of the Council, who died peacefully on Monday 12 April after a long illness. The Mayor made a speech paying tribute to Alderman Cartwright and offered the Council's deepest sympathy and condolences to his family and friends.

Speeches of remembrance were also made by Councillors Stephen Cowan, Andrew Brown, Colin Aherne, Wesley Harcourt, Adronie Alford, Natalia Perez, Andrew Jones, Alex Karmel, Rory Vaughan, Mercy Umeh, Victoria Brocklebank-Fowler, Patricia Quigley, Bora Kwon, Guy Vincent, Sue Fennimore, and Frances Stainton.

The Council observed a minute of silence in his memory.

7. ITEMS FOR DISCUSSION/COMMITTEE REPORTS

7.1 Party Appointments for the 2021-22 Municipal Year

8.27pm – The report on the party appointments for the 2021/22 Municipal Year was noted.

7.2 Appointment by the Leader of the Deputy Leader and Cabinet

8.27pm – The Leader of the Council, Councillor Stephen Cowan, made a speech thanking Councillor Sue Macmillan for her service to the borough as Cabinet Member for Children and Education and then as Cabinet Member for Strategy.

Councillor Sue Macmillan addressed the Council to thank members for the privilege of serving as a Cabinet Member and then welcomed Councillor Sharon Holder as the new Cabinet Member for Strategy.

8.33pm – The report on the appointment by the Leader of the Deputy Leader and Cabinet was noted.

7.3 Pension Fund Governance Arrangements

8.33pm – The report and recommendations on Pension Fund Governance Arrangements was formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan before being put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

8.34pm - RESOLVED

- That Full Council noted the recommendations of the independent review by John Raisin Financial Services Limited and the officer responses, as set out in the report.
- 2. That Full Council approved the establishment of a Pension Fund Committee with its membership and terms of reference as set out in Appendix 1.
- That Full Council approved the changes to the terms of reference of the Audit and Pensions Committee (to become the Audit Committee) set out in Appendix 1.

7.4 Allocation of Seats and Proportionality on Committees

8.34pm – The report on the allocation of seats and proportionality on committees was noted.

7.5 Appointment of Chairs and Committee Memberships

The Mayor noted the following amendment to the Opposition membership of the Licensing Committee – Councillor Victoria Brocklebank-Fowler to be replaced by Councillor Dominic Stanton.

8.35pm – The amended report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The amended report and recommendations were put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

8.36pm - RESOLVED

1. That the Council agrees the appointments of Chairs and Memberships of Regulatory, Policy and Accountability and other Committees under its Constitution for the Municipal Year 2021/22, as set out in Appendix 1.

2. This Council also notes their respective portfolios / terms of reference, as set out in the constitution.

7.6 Council Appointments to Local Government Organisations and Outside Bodies

8.36pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendations were put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

8.36pm - RESOLVED

That the Council's appointments to Local Government Organisations for 2021/22, as set out in Appendix 1, and to Outside Bodies, as set out in Appendix 2, be agreed.

7.7 Appointment of Independent Persons

8.37pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendations were put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

8.37pm - RESOLVED

- That His Honour Judge John Rylance, Mr Tom Babbedge and Ms Dilina Ostborn be re-appointed as Independent Persons for a fixed term of two years.
- 2. That the Council pay each appointed person a flat rate allowance of £504 per annum payable in line with the Members' Allowance scheme.

7.8 **Dispensation Report**

8.37pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

Councillor Alex Karmel made a short speech on the item (for the Opposition).

The report and recommendations were put to the vote:

AGAINST 0 NOT VOTING 0

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

8.38pm - RESOLVED

To agree that any member unable to attend a council meeting for a period greater than six months for Covid related reasons, receives a dispensation further to section 85(1) of the Local Government Act 1972 to 31st October 2021.

7.9 Members Allowances Scheme Annual Review 2021-22

8.38pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendations were put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

8.39pm - RESOLVED

That the Members' Allowances Scheme 2021/22 as set out in the report and attached as Appendix 1, be approved.

7.10 Revised Financial Regulations 2021

8.39pm – The report and recommendations were formally moved for adoption by the Cabinet Member for Finance and Commercial Services, Councillor Max Schmid.

The report and recommendations were put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

8.39pm – RESOLVED

To approve the revised Financial Regulations set out in Appendix 1.

7.11 Review of the Constitution

8.39pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendations were put to the vote:

FOR	UNANIMOUS	
AGAINST	0	
NOT VOTING	0	

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

8.40pm - RESOLVED

- 1. That the changes to Council Procedure Rules in Appendix 1 be approved.
- That Full Council noted that Wormwood Scrubs Charitable Trust Committee meetings and Licensing Sub-Committee hearings can be held virtually without changes to legislation.
- 3. That the changes to the Deputy Leader's Portfolio and the Strategic Director for The Environment's scheme of delegation detailed in the report, regarding the Prevent Channel panel function be approved.
- 4. That subject to the approval of the recommendations above, the Council's Constitution be adopted for the 2021/22 Municipal Year.

7.12 Leader's Annual Report (Verbal)

8.40pm – The Council received a verbal report from the Leader of the Council, Councillor Stephen Cowan. The Leader of the Opposition, Councillor Andrew Brown, made a speech on behalf of the Opposition.

8. <u>INFORMATION REPORTS - TO NOTE</u>

8.1 Annual Report of the Policy and Accountability Committees 2020-21

8.49pm – The Annual Report of the Policy and Accountability Committees on their activities for the 2020/21 Municipal Year was noted.

Councillor Rory Vaughan, Chair of the Economy, Housing and The Arts Policy and Accountability Committee, made a speech on the report.

	Meeting started: Meeting ended:	
Mayor		



COUNCIL MINUTES

INFORMAL COUNCIL MEETING

WEDNESDAY 14 JULY 2021



PRESENT

The Mayor Councillor PJ Murphy Deputy Mayor Councillor Daryl Brown

Councillors:

Adronie Alford Sharon Holder Lucy Richardson Victoria Brocklebank-Fowler Lisa Homan Ann Rosenberg Andrew Brown Donald Johnson Helen Rowbottom Jonathan Caleb-Landy Andrew Jones Alexandra Sanderson Alex Karmel Max Schmid Iain Cassidv Ben Coleman Bora Kwon Fiona Smith Adam Connell Rachel Leighton Frances Stainton Amanda Lloyd-Harris **Dominic Stanton** Christabel Cooper Stephen Cowan Mark Loveday Matt Uberoi Sue Macmillan Larry Culhane Mercy Umeh Belinda Donovan David Morton Rory Vaughan Sue Fennimore Natalia Perez **Guy Vincent** Wesley Harcourt Zarar Qayyum Rowan Ree Rebecca Harvey

NOTE: This was held as an informal remote meeting: https://youtu.be/l35nsnMH2lo

At the start of the meeting the Mayor informed attendees and viewers that Councillor Colin Aherne had suddenly passed away on 11 July 2021. Councillor Aherne had dedicated his life to his local community and had served as a councillor for 35 years. The Mayor dedicated the meeting to paying tribute to Councillor Aherne, and Public Questions and Special Motions were withdrawn from the agenda.

1. <u>APOLOGIES FOR ABSENCE</u>

Apologies for absence were received from Councillors Matt Thorley, Patricia Quigley, and Asif Siddique.

2. MAYOR'S ANNOUNCEMENTS

Queen's Birthday Honours List

The Mayor, on behalf of the Council, noted his congratulations to the following people who were recognised in the Queen's Birthday Honours for their outstanding achievements:

- Angela Mooney, manager of the Rivercourt Short Breaks Service, who was awarded an MBE for services to social care in H&F
- Jacqueline Patricia Boyce who was awarded CBE for services to the community in H&F during Covid-19.
- Caesar President who was awarded CBE for services to the community in H&F during Covid-19.

Deaths of Community Members and Staff

With great sadness, the Mayor informed the Council of the deaths of five members of staff who lost their lives during the pandemic - Mike Sloniowski, Richard Blanden, Sumathy Shanthakumar, Richard Collier, and Vivien McKnight. The Mayor made a speech in remembrance of them.

The Mayor also informed the Council of the deaths of Mr Cedric Mortimer, husband of the borough's former Mayoress, Mrs Rosemary Mortimer – and Ms Electra Rutter, a long-standing chair of Peabody Tenants Association and hard-working resident who did a lot for the borough. The Leader of the Council made a speech in remembrance of both Mr Mortimer and Ms Rutter.

The Mayor then led the Council in a minute of silence in their memory.

Death of Councillor Colin Aherne

With great regret, the Mayor informed the Council of the death of Councillor Colin Aherne, former Chief Whip, who died at Hammersmith Hospital on Sunday, 11 July 2021.

Speeches of remembrance were made by:-

Councillor Stephen Cowan, Leader of the Council

Councillor Victoria Brocklebank-Fowler, Leader of the Opposition

Councillor Sue Macmillan

Councillor Adam Connell

Councillor Rachel Leighton

Councillor Frances Stainton

Councillor Wesley Harcourt

Councillor Andrew Jones

Councillor Sharon Holder

Councillor Andrew Brown

Councillor Larry Culhane

Councillor Max Schmid

Councillor Lisa Homan

Councillor Mercy Umeh Councillor Guy Vincent Councillor Rory Vaughan Councillor Adronie Alford Councillor Rowan Ree Councillor Iain Cassidy Councillor Bora Kwon Councillor Lucy Richardson Councillor Alex Karmel Councillor Daryl Brown Councillor Matt Uberoi Councillor Rebecca Harvey Councillor Jonathan Caleb-Landy Councillor Ben Coleman Councillor Natalia Perez Councillor Sue Fennimore, Deputy Leader Councillor PJ Murphy, Mayor Kim Smith, Chief Executive

The Mayor then led the Council in two minutes of silence in his memory.

Meeting started: 6.30 pm Meeting ended: 9.30 pm

Mayor	
,	

Public Questions for Full Council – 20 October 2021

NOTE: 'TCPR' refers to the South Fulham Traffic, Congestion and Pollution Reduction scheme. You can read about the scheme on our website:

https://www.lbhf.gov.uk/transport-and-roads/south-fulham-traffic-congestion-and-pollution-reduction-scheme

Question 1 – The TCPR and commitments on health and traffic reduction

From: Nick Smith, Resident

To: The Cabinet Member for the Environment

"Can the Council please confirm that its Eastern TCPR scheme – and the future Western extension – are critical components of its COP 26 Pledge and its local environmental commitments on health and traffic reduction?"

Question 2 – Proposed western TCPR

From: Sarah Law, Resident

To: The Cabinet Member for the Environment

"Please can you confirm the trial East TCPR won't be made permanent without a West TCPR also being implemented. The streets to the west are badly affected by the East TCPR, so it would not be acceptable for the east trial scheme is made permanent while this imbalance persists. Please reassure the residents on the west that the east TCPR won't be quietly rubber stamped."

Question 3 – Improving access to the TCPR scheme

From: Nicola Dryden, Resident

To: The Cabinet Member for the Environment

"The TCPR implementation in Fulham is making a difference with stats showing that that traffic and pollution in the area is down. Since the TCPR trial scheme began, traffic has reduced by 75% in the streets to the east of Wandsworth Bridge Road (WBR) and by 12% on Wandsworth Bridge Road. Which is a huge step forward for reducing traffic and pollution making the streets and roads safer for local residents. To improve access to the scheme the Ringo App needs some updating to allow more than one person to grant access for visitors. The current challenge is that only one person per household can grant access. This does not always work as the person with access may not always be available. Are there plans to update the app so that more than one person per household can grant visitor access within the app?"

Question 4 – Proposed western expansion to the TCPR

From: Carlos Lutterbach, Resident

To: The Cabinet Member for the Environment

"It is my understanding that the extension to the west together with the east and the measures taken to improve Wandsworth Bridge Road will work in concert to improve the quality of life in the whole area. Could you please expand on how the extension to the west will help the traffic scheme as a whole?"

Question 5 – The traffic impact of the Kings Park and Chelsea Creek developments

From: Natale Giostra, Resident

To: The Cabinet Member for the Environment

"Can the Council give assurances to local residents that the 2,000 flats due to come online in Kings Park and Chelsea Creek will NOT overrun the small residential roads (namely Harwood Terrace) around them and that the TCPR will be maintained (especially because all these folks' car will be in the zone and can travel through the cameras)?"

Question 6 – Implementing the western TCPR

From Jonathan Massey, Resident

To: The Cabinet Member for the Environment

"The existing TCPR on the East side has driven traffic towards the West side. At the same time traffic from the North travels down Peterborough Road and then uses the rat run via Clancarty Road and the streets to the immediate South (Beltran, Ashcombe, Narborough, Friston and Woolneigh), and vice versa. Traders also use this rat run heading North and West from Carnwath Road to avoid congestion on the Wandsworth Bridge Road because they cannot pass through the barrier on the Peterborough Road. There are many schools in this area (Hurlingham Academy, Sulivan Primary, Marie d'Orleac / Holy Cross) whose pupils suffer appalling levels of pollution and a dangerous and hostile environment regarding the traffic congestion. This also applies to people of all ages who use South Park. My concern is that unless the West side TCPR is implemented that traffic levels will continue to increase. It seems to me that the whole scheme, both East and West, has to be implemented or the situation on the West side will deteriorate even further."

Question 7 – The success of the TCPR

From: Andy Knowles, Resident

To: The Cabinet Member for the Environment

"The Traffic, Congestion and Pollution Reduction (TCPR) scheme appears to residents in Sands End East to have been a great success in its aims of reducing traffic, congestion and pollution, for example with queues now very rarely seen stretching past

the pedestrian entrance to Sainsbury's. Can the council provide data to confirm what we are seeing ourselves?"

Question 8 – Wandsworth Bridge Road Speed Limit

From: Gary Fannin, Resident

To: The Cabinet Member for the Environment

"The Wandsworth Bridge Road is the only road leading to a bridge crossing still at 30mph. SatNavs priorities roads first based on speed limit and then secondly on traffic volumes. This leads to the WBR being prioritised above all other bridge crossing for many through commuters which leads to more and unnecessary congestion. I understand the council conducted a consultation on 20mph some years ago and the public didn't have a strong opinion either way. So therefore, can you please give us an indication when the WBR can have a 20mph speed limit urgently implemented to help create a level playing field with other bridge crossings to help deter commuting traffic?"

Question 9 - Maintain the eastern TCPR and expand to the West

From: Casey Abaraonye, Resident

To: The Cabinet Member for the Environment

"Given the number of schools within the south Fulham area and the failure to implement any school streets to date, will the council confirm that it will maintain the TCPR in the east and imminently implement it in the west as 25% more road traffic collisions occur on minor roads than on A roads¹ and LTNs by whatever name you call them have seen a 2-3 times reduction in road traffic collisions?² Can the council confirm that such a safety outcome is a priority and such evidence a justification for implementation?"

Question 10 – Public consultation on the continuation of the TCPR

From: Donald Grant, Resident

To: The Cabinet Member for Environment

The various traffic management acts and guidance require statutory consultation of affected residents and businesses, before making permanent those traffic schemes implemented using temporary orders. This includes objective measures such as "polling to British Polling Council standards to ensure that the loudest minority voices do not dominate".

The Sands End experimental traffic scheme, which has caused significant public controversy from hurting many more Fulham residents than it has benefited, is due to be removed next January. If the Council intends to continue the traffic scheme unlike Ealing, Hounslow and other London Boroughs have done with theirs, what statutory

¹ See RAS002 under 'Types of accident' - https://www.gov.uk/government/statistical-data-sets/reported-road-accidents-vehicles-and-casualties-tables-for-great-britain

² The Impact of Introducing Low Traffic Neighbourhoods on Road Traffic Injuries - https://osf.io/preprints/socarxiv/46p3w/

consultation and polling measures does he plan to ensure the Council complies with the law, and will he pledge to give all Fulham residents the final say like neighbouring boroughs have?

Question 11 – Mitigating traffic collisions on Kings Road

From: Francesca Moore, Resident

To: The Cabinet Member for Environment

The area of Kings Road between the Tesco Esso Express filling station at 601 Kings Road and Edith Row has been the scene of too many Road Traffic Collisions, very often because when motor vehicles are stationary and cyclists are riding down the advisory lane on the inside, drivers turning into either the filling station or the road are unsighted until it is often too late to avert a collision.

This can be mitigated by design and the filling station is currently closed for works. Can the council urgently redesign this hazard zone or acknowledge its responsibility for this dangerous layout?

Question 12 – Ending the TCPR experiment early

From: Caroline Brooman-White, Resident To: The Cabinet Member for Environment

"As it has now become clear that the residents and businesses on the Wandsworth Bridge Road are suffering so badly from the impact of the experimental East scheme, will the Council end the experiment earlier than the January deadline?"

Question 13 – Will there be a western TCPR

From: Caroline Shuffrey, Resident

To: The Cabinet Member for Environment

"Cabinet is considering whether to remove the Sands End East TCPR or make it permanent in the last quarter of 2021. Should it decide to make the TCPR permanent will it bring in a temporary or experimental TCPR on the West Side of Wandsworth Bridge Road at the same time or at a later date – and what consultation will the council undertake before doing this?"

Question 14 - King Street Safer Cycle Way

From: Henrietta Bewley, Resident

To: The Cabinet Member for Environment

"HF cyclists are pleased to see the progress being made on the King Street Safer Cycle Way. Will the new temporary cycle lane be able to carry cycle traffic, including cargo bikes, adapted tricycles and Dutch family bikes in both directions, all the way from Hounslow to Kensington? And while works are ongoing can there be signposting to direct riders as to what to do or which way to go when approaching from the west going eastwards, or temporary safe provision be made for them?"

Question 15 – Wandsworth Bridge Road, A High Street for All

From: Perunika Petkova, Resident

To: The Cabinet Member for Environment

Improvements to North End Road are underway and will benefit one of London's oldest street markets at a time of great need. We would like the council to note our expression of support for this scheme. Wandsworth Bridge Road is a similar road that would benefit from transformation from a highway into a high street. The proposals to do this have been supported with a successful bid to the Mayor for London's "High Streets For All" challenge³. Will the council allocate effort and resources to bring this vision to life, and consider how it's benefits can be implemented in other parts of the borough?

Question 16 - A borough-wide 20mph speed limit

From: Kenneth McCosh, Resident

To: The Cabinet Member for Environment

I applaud the Council's work to make cycling and walking easier and safer throughout the borough, including the imposition of the 20mph speed limit in many streets. However, I consider that the existence of different speed limits throughout the borough tends to make drivers inattentive to safe speed requirements. Given the lack of segregated cycle lanes and the broad support for motoring speed reduction, could the Council please implement a borough-wide general speed limit of 20mph?

³ Wandsworth Bridge Road, A High Street for All - https://wbrassociation.org.uk/a-high-street-for-all/

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Results of the Local Government By-Election on 23 September 2021

Report of: The Returning Officer

Responsible Director: Kim Smith, Chief Executive

Summary

As Returning Officer for the Authority, I report that Councillor Frances Umeh was elected to the London Borough of Hammersmith and Fulham at the by-election held in Wormholt and White City ward on 23 September 2021.

Recommendations

1. That the information in Appendix 1 to this report be noted.

Kim Smith Returning Officer

APPENDIX 1

RETURNING OFFICER'S REPORT TO COUNCIL

The Returning Officer submits the name, address, and political party of the person elected as Councillor for the Borough at the by-election held on 23 September 2021.

Wormholt and White City

Name:

Frances Umeh

Political Party:

Labour

Address:

The address has been submitted to the Monitoring Officer.

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Allocation of Seats and Proportionality on Committees

Report of: The Leader of the Council - Councillor Stephen Cowan

Responsible Director: Rhian Davies, Director of Resources

Summary

The Council is asked to confirm the proportional division of committee seats following the by-election held in the Wormholt and White City ward on 23 September 2021.

Recommendations

1. That the allocation of seats, as set out in Appendix 1, be noted.

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Taking pride in H&F	Ensuring a high standard of governance across the Council.

Financial Impact

The cost of servicing these committees will be met through the existing budgets.

Legal Implications

The legal implications are set out in the body of the report.

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Verified by Emily Hill, Director of Finance

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Background papers used in preparing this report - None

Allocation of Seats

- 1. Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when two or more councillors notify the Chief Executive, as Proper Officer, of their wish to be treated as a group.
- 2. Section 15 (1) (b) of the Local Government and Housing Act 1989 ("the 1989 Act") imposes a duty on the local authority to review the allocation of seats on the committees of the Council between the political groups at its annual meeting or as soon as possible thereafter. The Council may carry out such a review at any other time and may do so if requested by a political group.
- 3. In accordance with the 1989 Act the following principles apply to the allocation of seats:
 - (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
 - (b) That the majority of seats on each committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - (d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 4. Sub-committees, with the exception of the Licensing Sub-Committee, are also governed by the political balance rules, but it is not necessary to add up all the

- sub-committee seats and then allocate them in proportion. As far as this is practicable, the allocation of seats on each sub-committee should reflect the proportional representation of the political groups on the Council.
- 5. The 1989 Act requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
- 6. The Cabinet, Health and Well Being Board and the Licensing Committee are not required to be proportional and so are outside of the political balance calculation.
- 7. It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Summons, and a decision would need to be made with no one voting against it. The remainder of this report therefore assumes that the Council will not want an alternative arrangement to that prescribed by law.

Political proportionality

8. The political balance of the Council can be calculated by using the simple formula below (to two decimal places):

No. of Group Members x 100 / 46

9. Following the elections held on 3 May 2018 and a by-election for Wormholt and White City on 23 September 2021, the political balance of the Council is set out in Table 1 below:

	No of seats on the Council	Proportionality
Labour	35	76.09
Conservative	11	23.91
Total	46	100

PROPOSAL AND ISSUES

- 10. The Labour and Conservative Groups hold, respectively, 35 and 11 of the 46 Council seats. The proportion by which seats on Committees should be allocated is 76.09% Majority Group and 23.91% Minority Group. This equates, on the basis of 80 committee seats, to 61 Majority Party and 19 Minority Party seats.
- 11. Membership of the Council's Standing Committees (except the Licensing Committee and the Health and Well Being Board) and Sub-Committees is governed by the Local Government (Committees and Political Groups) Regulations 1990, as amended, which provides for Members of Standing Committees and Sub-Committees to be those whose names have been notified to the Chief Executive, who is the duly appointed proper officer for

- these purposes. The Chief Executive has the power to appoint to all Standing Committees (except the Licensing Committees) and Sub-Committees in accordance with any notification received under the Regulations.
- 12. Both political groups on the Council have to notify the Chief Executive of the names of the Members to serve on the Standing Committees, Sub-Committees and subsidiary bodies. A separate report on the Standing Committee memberships is set out later on the agenda.

REASONS FOR DECISION

13. The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review periodically the representation of the political groups on their Committees and Sub-Committees to ensure a political balance.

List of Appendices

Appendix 1 - Allocation of Seats

Allocation of Seats and Proportionality

Seats are allocated with the following calculation:

 $councillors \ in \ political \ group \div total \ number \ of \ councillors \times seats \ on \ committee$ $= allocation \ of \ seats \ (rounded \ to \ nearest \ whole \ number)$

Administration councillors (Labour): 35 Opposition councillors (Conservative): 11 Total number of councillors: 46

Committees	Total seats	Administration's allocation	Opposition's allocation
Planning and Development Control Committee	8	6	2
Appointments Panel (H&F)	5	4	1
Appointments Panel (Chief Exec)	12	9	3
Appointments Panel (Shared)	3	2	1
Audit Committee	6	4	2
Pension Fund Committee	6	5	1
Standards Committee	6	4	2
Finance, Commercial Revenue and Contracts PAC	5	4	1
Community Safety and Environment PAC	5	4	1
Children and Education PAC	5	4	1
The Economy, Housing and the Arts PAC	5	4	1
Health, Inclusion and Social Care PAC	5	4	1
Public Services Reform PAC	5	4	1
Wormwood Scrubs Charitable Trust	3	2	1

Scrutiny Committee 1 1 0

Sub-Committees	Total seats	Administration's allocation	Opposition's allocation
Licensing Sub-Committee	3	2	1

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Party Appointments for 2021/22 – October Updates

Report of: The Leader of the Council – Councillor Stephen Cowan

Responsible Director: Kim Smith, Chief Executive

Summary

The Council is asked to note updates to the Party Appointments for the 2021/22 Municipal Year.

Administration

Leader Councillor Stephen Cowan
Deputy Leader Councillor Sue Fennimore

Chief Whip To be tabled

Deputy Whips Councillors Zarar Qayyum and Mercy Umeh

Opposition

Leader Councillor Victoria Brocklebank-Fowler

Deputy Leader Councillor Andrew Brown
Opposition Whip Councillor Alex Karmel
Opposition Deputy Whip Councillor Frances Stainton

Recommendation

1. That the Council notes the updates to the Party Appointments for the 2021/22 Municipal Year.

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Committee Membership Changes – October 2021

Report of: The Leader of the Council - Councillor Stephen Cowan

Responsible Director: Kim Smith, Chief Executive

Summary

Council is asked to approve changes to committee memberships.

Recommendations

- 1. That Full Council approves the appointment of Councillor Frances Umeh to Planning and Development Control Committee and Licensing Committee.
- 2. That Full Council notes that Councillor Sharon Holder is the nominated substitute for Commercial Revenue Committee.

Background papers used in preparing this report

None.

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Review of the Constitution

Report of: The Leader of the Council - Councillor Stephen Cowan

Responsible Director: Rhian Davies, Monitoring Officer

Summary

This report asks Council to note updates to Contract Standing Orders and the Departmental Registers of Authorities.

Recommendations

- 1. That the Social Value updates to Contract Standing Orders detailed in the report be noted.
- 2. That the updates to the Environment Register of Authorities detailed in Appendix 1 and the updated Children's Services Register of Authorities at Appendix 2 be noted.

Wards Affected: None

Our Values	Summary of how this report aligns to the H&F Values
Taking pride in H&F	Ensuring a high standard of governance across the Council.

Financial Impact

The recommendations in this report have no direct financial implications.

Legal Implications

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.

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Background Papers Used in Preparing This Report

The Council's Constitution: www.lbhf.gov.uk/constitution

DETAILED ANALYSIS

Proposals and Analysis of Options

- 1. The Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure business is conducted in an efficient, transparent, and accountable manner.
- 2. 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.

Reasons for Decision

3. The Council's Monitoring Officer is required to review the Council's Constitution each year to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution.

PROPOSALS AND ISSUES

Updates to Contract Standing Orders

- 4. The following updates were approved by the Monitoring Officer and are being reported to Council for information and noting:
 - Job title change Head of Law changed to Assistant Director, Legal Services
 - The Social Value section was amended to clarify that the Council's Social Value policy applies to all new contract awards.
- 5. The changes to the Social Value section of Contract Standing Orders (4.8) are shown below (removed words are shown with strikethrough and added words are underlined):-
 - 4.8 Social Value: there is an obligation on all local authorities to consider social value during the letting of all service contracts. This is set out in the Public Services (Social Value) Act 2012. It does not apply to contracts proposed to be called off a Framework. The Council's policy on Social Value must be complied with to ensure that the Act is complied with at all times. The Social Value Policy applies to new contract awards (inclusive of direct awards), contract variations, framework agreements and contracts proposed to be called off a Framework (where permitted by the framework rules).
- 6. The complete Contract Standing Orders can be found on our website: https://www.lbhf.gov.uk/sites/default/files/section_attachments/contract_standing_orders.pdf

Updates to the Departmental Registers of Authorities

7. The Departmental Registers of Authorities are regularly updated to reflect changes in organisational structure, job titles, and any recent changes in legislation. The latest updates to the Environment and Children's Services registers are detailed in Appendices 1 and 2.

List of Appendices

Appendix 1 – Updates to the Environment Register of Authorities

Appendix 2 – Updated Children's Services Register of Authorities

Changes to the Environment Register of Authorities

The following changes to the Environment register of authorities have been approved by the Monitoring Officer and are presented to Full Council for information and noting.

Environment

Public Health England ceased on 30/09/21 and its functions were transferred to the new 'UK Health Security Agency' (UKHSE) with effect from 1/10/21. The change is reflected in the Environment register of authorities as follows:-

The Health Protection (Notification) Regulations 2010	Includes receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons	Chief Officer Safer Neighbourhoods & Regulatory Services, Strategic Lead Environmental Health & Regulatory Services, Head of Environmental Health, Environmental Health Officers Director of Public Health

H&F Children and Young People's Service Departmental Register of Authority

Part 1: Functions Delegated to The Director

The Director for Children's Service may exercise the following functions. Additionally, the Director may authorise other officers to undertake the delegation on their behalf as set out in this register. Where post titles have been amended the authority can be exercised by the new equivalent post until the register is amended.

If the Director for Children's Service is unable to act for any reason, The Director of Education or the Operational Director for Children and Young People's Service, the Chief Executive or the Chief Executive's nominated SLT member/s may discharge all of the functions set out below.

For the avoidance of doubt, in all cases where the exercise of executive functions is not specifically reserved to the Executive, those functions are deemed to be delegated to the Chief Executive and the Chief Officer with responsibility for the relevant function.

The Director for Children's Service may authorise proper officers employed by other local authorities to exercise these functions under agreed joint arrangements.

SPECIFIC DECISION AND FUNCTIONS DELEGATED IN CHILD PROTECTION AND CHILD IN NEED INCLUDING DISABLED CHILDREN'S TEAM (DCT)

Decision/Function	Authorised Officers
To make arrangements for the provision of services and assistance whether in kind or in cash to children in need, their families and others, pursuant to S.17 of the Act, or direct payment to qualifying persons under S.17A. (Children Act 1989) subject to the financial limits	Operational Director, Children and Young People Service (CYPS) up to £10,000 Head of Service up to £5,000 Team Manager/DTM/PSW up to £500

To make arrangements for the provision of services and assistance for eligible disabled children whether in kind or in cash to children in need, their families and others, pursuant to S.17 of the Children Act 1989, or direct payment to qualifying persons under S.17A. and in line with statutory duties on the Chronically Sick and Disabled Persons Act 1970 subject to the financial limits and Short Breaks Panel process	Short Breaks Panel Chairs (The Chairs can be Service Manager Short Breaks, Service Manager DCT, AD Education and Disability, Team Manager DCT, Centre Manager Stephen Wiltshire Centre) Outside of panel up to a £5,000 limit Service Manager DCT/Service Manager Short Breaks/Team Manager DCT/Centre Manager Stephen Wiltshire Centre
Decisions to provide ongoing accommodation and subsistence for persons with no recourse to public funds under S.17	Head of Service Family Support and Child Protection Head of Looked After Children (LAC) and Care Leavers Head of Service Contact & Assessment (CAS) Head of Service Family Assist Service Manager DCT
Decision to initiate S.47 enquiries	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
Decision to take no further action following S.47 enquiries	Team Manager CAS Team Manager FSCP

	Team Manager LAC Team Manager DCT
Decision to convene a Child Protection Conference following S.47 enquiries	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
Decision to terminate a Child Protection Plan	Multi-agency decision ratified by Child Protection Chair/Advisor
Decision to transfer case responsibility for a child/young person from one local authority to another	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
SPECIFIC DECISION AND FUNCTIONS DELEGATED IN INITIATING LEGAL PRO	OCEEDINGS INCLUDING DCT
Decision/Function	Officer Responsible
Authorise the institution of legal proceedings for Emergency Protection Order, Interim Care Order, Interim Supervision Order under the Children Act 1989 and associated legislation and provide continuing instructions in the proceedings, unless such authorisation is specifically reserved to a more senior officer.	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT

Authorica the inctitution of proceedings to apply for a secure accommodation order	Operational Director CYPS
Authorise the institution of proceedings to apply for a secure accommodation order under Section 25 of the Act and extension of such orders	Operational Director CTP3
Authority to decide on a placement in Secure Accommodation without an Order for up to 72 hours	Operational Director CYPS
Authority to apply for a Placement Order	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Decisions to approve payment of the legal expenses of applicants for a Child Arrangement Order or other Section 8 Orders in respect of children in care to the extent that they are not met by Legal Aid	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT (subject to funding approval rates)
Endorsing the Care Plan for the final hearing	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Decision to apply for discharge or variation of a Care Order or Supervision Order (including extension of a Supervision Order)	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment

Head of Service Family Assist
Service Manager DCT

SPECIFIC DECISION AND FUNCTIONS DELEGATED IN CHILDREN LOOKED AFTER INCLUDING CASES HELD IN THE DISABLED CHILDREN'S TEAM

Decision/Function	Officer Responsible
Decision to accommodate a child	Operational Director CYPS AD, Education and Disabilities DCT
Authorise placements of Looked After children with "in-house" providers/foster carers	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Authorise placements of Looked After children with external providers of residential care or foster carers from an independent fostering agency	Operational Director CYPS
Authorise placements of Looked After children with external providers of residential special schools for disabled children held in the DCT.	AD, Education and Disabilities
Decision to place a child who is the subject of a Care Order or Interim Care Order with parents or persons with Parental Responsibility	Operational Director CYPS

Agreement to a young person remanded to local authority care being placed at home or with friends	Operational Director CYPS
Notification to discharge from care a child/young person aged 16 or 17 who has been accommodated under Section 20	Operational Director CYPS
Temporary approval of Family and Friends under Reg 24 (Connected FC)	Operational Director CYPS
Permission to go abroad (for a child subject of a Care Order, s33 (8) Children Act 1989	Operational Director CYPS
Consent to termination of pregnancy for children in care subject to consideration of whether the child can give consent, ensuring that the LA has parental responsibility for the child and that it is reasonable for the LA to give consent, without making an application to the High Court	Operational Director CYPS
Change of Name of a Looked After Child	Operational Director CYPS
Permission for a child subject of a Care Order to marry	Operational Director CYPS

Decision to apply for a Recovery Order, s50 Children Act 1989, for a child who is in care, the subject of an EPO or in Police protection.	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Authority to apply for a Deprivation of Liberty Order	Operational Director CYPS
Decision to refuse parental contact with a child subject to a Care Order for up to seven days in an emergency when it is necessary to do so in order to safeguard or promote the child's welfare. s34 (6) Children Act 1989. The Head of Service must set a date to review the decision and seek legal advice as to whether to return to Court for an order under s34 (4) of the Children Act 1989	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Decision to apply for an Order authorising the Authority to refuse contact s34 (4) Children Act 1989	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Medical consent for a child subject of Care Order: Routine medical treatment	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
Emergency medical treatment which may or may not involve general anaesthetic	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment

	Head of Service Family Assist Service Manager DCT	
Planned medical treatment involving surgery and general anaesthetic Parental involvement should always be considered and only excluded if not in the child's best interests	Operational Director CYPS AD Education and Disabilities DCT	
Change in school without a change of placement	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT	
Notification to Ofsted following the death of a child looked after/ serious harm to a child in a Children's Home/ Foster Care. Schedule 2 para 20 Children Act 1989. Notification to Secretary of State and all with PR	Operational Director CYPS	
CYPS – SPECIFIC DECISION AND FUNCTIONS DELEGATED IN FOSTERING/ADOPTION/PERMANENCE		
Decision/Function	Authorised Officers	
Authorise Fostering for Adoption	Operational Director CYPS	

Approval (and de-registration) of adopters	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding upon ALW Panel's recommendation
Approval (and de-registration) of foster carers	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding upon ALW Panel's recommendation
Decision to present adoptive parent application to Adoption and Fostering Panel	Operational Director CYPS
Clearance of adoption/permanency applications where offences are identified on DBS checks	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist
Decision that adoption is in the best interest of the child	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Authorise any exemptions from the usual fostering limit for foster carers living in the local authority area	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding

Approval of Foster Carer Reviews (Year 1 and where circumstances have changed, and approval varied)	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Approval of Foster Carer Reviews (cases which are not required to be presented to Fostering Panel)	Fostering IRO Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Decision to present foster carer application to Fostering Panel	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
Clearance of foster carer applications where offences are identified on DBS checks	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist
Authorise Special Guardianship as the permanence plan for a Looked After child	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist
Authorise the level of special guardianship support to be provided, including financial support to special guardians	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist

Decision/ Function
In line with EHCP Panel process

CHILDREN'S SERVICES INCLUDING COMMISSIONING, EDUCATION AND SPECIAL EDUCATIONAL NEEDS & DISABILITIES	Authorised Officers
 a) Capital expenditure Approval of planned and reactive spend for schools within the school capital programme on the Council's contract framework Urgent reactive works that have H&S or business continuity implications within the reactive maintenance budget approved b) Urgent reactive works that have H&S or business continuity implications within the reactive maintenance budget approved 	a) Director of Education Operational Director CYPS AD Education and Disabilities AD Commissioning AD Performance & Improvement up to £100,000 b) Strategic Lead Education, Assets and Operations up to £60,000 c) Service Manager Education Operations up to £40,000
Authority to award contracts up to the EU threshold in compliance with the Contract Standing Orders	Director of Education Operational Director CYPS AD Education and Disabilities AD Commissioning AD Performance & Improvement following the Commissioning & Transformation Board
EHCPs - AUTHORISATION TO FINALISE EDUCATION, HEALTH AND CARE PLAN (EHCPs) and SPECIFY RESOURCES in Section F, Part 3 – Children and Families Act 2014 Sections 36, 39, 40, 42 and 63 of the Children and Families Act 2014 and Regulations 13 and 14 of the Special Education Needs and Disabilities Regulations 2014	

Authorised Officers

Finalise and sign EHC Plans and Top-up ages 0-25 Change of mainstream placement EHCP Top-up ages 0-25 Change of placement specified in Section I of EHC Plans from mainstream settings to special or additionally resourced provision ages 0-25 Commission Home Tuition Service ages 0-25	Director of Education AD, Education and Disabilities EHC Casework Service Manager EHC Casework Team Manager EHC Casework Team Leader Service Manager DCT
EDUCATION	
The purchase of hearing impaired and visual impaired equipment	Director of Education up to £189,000 Strategic Lead, Early Years up to £10,000 Head of Service, Early Years up to £3,000
Authorise SENIF (Special Educational Needs Inclusion Fund) Funding for Early Years providers. Education and Skills Funding Agency: Operational Guide Early Years Entitlements: Local Authority funding of providers	Director of Education up to £189,000 AD, Education and Disabilities up to £100,000 Strategic Lead for Education, Assets and Operation, Early Years & Transformation and Inclusion up to £20,000 EHCP Panel Chair (Service Manager EHC Casework, Team Manager EHC Casework, Service Manager DCT, Strategic Lead Education, AD Education and Disabilities) up to £8,000 per decision

Authorise SEN Inclusion and Contingency funding to mainstream, maintain academy schools in all phases except Early Years – interventions at a wholevel Children's and Families Act 2014	
To assist the department with coordinating all aspects of the Children Act 1989 Representations Procedure (England) Regulations 2006, including Appoint Investigating Officers, Review Panel lists and Independent Appoint independent mediators to support the resolution of resident concerns	Persons. Customer Care and Data Protection

To institute proceedings on behalf of the Authority against the parent of a child of compulsory school age in respect of the failure of such child to attend regularly at the school at which he/she is a registered pupil, where the following circumstances obtain:	Director of Education Head of Attendance, Child Employment (ACE) & Admissions
(a) where there has been a continuing pattern of failure by the child to attend the school regularly otherwise than by reason of absence with leave or for the reasons set out in sub-section (3)(a) and (b)(c) or 4 of the said Section 444 and such pattern of failure extends over a period of not less than one month and;	
(b) where there is evidence of a lack of co-operation in the matter of school attendance by the parent of the child or by both the parent and the child and;(c) where one written warning has been given on behalf of the local authority that proceedings may be instituted, provided that no proceedings shall be instituted until after the expiry of ten days from the date of the written warning.	
To serve school attendance orders on the parents of any children failing to perform their duty to secure the education of their children and to institute proceedings against any parent who fails to comply with the requirements of such an order.	Director of Education Head of ACE & Admissions
Provided the health of the child will not suffer, to grant licences to children resident in the Borough who are taking part in public entertainment.	Director of Education Head of ACE & Admissions
To recommend institution of proceedings where such action is warranted and the AD of Legal Services advises that there is sufficient evidence to do so.	Director of Education
To issue licences in respect of the employment of children.	Director of Education

	Head of ACE & Admissions
To institute proceedings under any employment of children bye-laws.	Director of Education Head of ACE & Admissions
In schools without delegated budgets, to decide on the suspension of a schoolteacher and whether the circumstances warranted suspension with or without pay.	Director of Education
To appoint or dismiss the clerks of governing bodies of county schools without delegated budgets.	Director of Education
To authorise the implementation of the pay discretions for schoolteachers in accordance with the local authority's schoolteachers Pay Policy.	Director of Education
To hire and dismiss headteachers across Local Authority maintained schools	Director of Education

Part 2: Functions delegated to the Director in consultation / conjunction with other officers

The Director of Children's Services may authorise proper officers employed by other local authorities to exercise these functions on their behalf under agreed joint arrangements.

Legislation	Function	In consultation / conjunction with
Non-statutory	To enter into any arrangements with the Royal Borough of Kensington and Chelsea, the City of Westminster and other agencies on any outstanding general financial issues that relate to the former responsibilities of the London Residuary Body.	Chief Executive
Non-statutory	To enter into any arrangements with the Royal Borough of Kensington and Chelsea, Westminster City Council or other agencies on any outstanding general non-financial issues relating to any former responsibilities from the London Residuary Body. Any such arrangements will be reported to the Cabinet Member for Children's Services for information.	Other relevant Directors
Non-statutory	To respond to outside bodies including Central Government Departments on matters of a professional or operational nature, within the department's remit and within established Council policy.	Other relevant Directors
Non-statutory	To respond to Government Circulars and new aspects of current legislation which fall within the portfolios of the Cabinet member for Children's Services where the Council has already established its overall policy framework. Details of the response are to be sent to the relevant opposition representatives.	Other relevant Directors and the appropriate Cabinet Member
Non-statutory	To undertake consultation and liaison relating to the nature of the service in the authority and to proposed changes in any policy.	The appropriate Cabinet Member and Deputy Leader
Non-statutory	To authorise the publication and dissemination of information and publicity relating to the Children's Services in the authority, in accordance with the Strategic Plan and any other Policy agreed by the Council.	The corporate Communications team and with the Cabinet Member for publications listed in the corporate communications protocol.
1996 Education Act and Regulations	To authorise school licensed deficit applications.	Director of Finance

made thereunder		
1997 Education Act	To respond to appeals made by parents to the Special Educational	AD Legal Services
and Regulations	Needs Tribunal.	
made thereunder		
1998 Education Act	To determine the resourcing of educational establishments and the	Head of Finance
and Regulations	creation of posts and staffing complements in educational	
made thereunder	establishments which do not have delegated budgets within the	
1999 Education Act	approved budget and policies of the service.	Chief Executive
and Regulations	To approve requests for the change of use of grants by voluntary organisations up to 10% of the total grant or a maximum sum of	Chief Executive
made thereunder	£5,000, whichever is the lesser.	
2000 Education Act	To authorise supplementary payments of grant-aid to voluntary	Chief Executive
and Regulations	organisations in relation to an unforeseen increase in costs which	
made thereunder	have already been approved as part of a grant (e.g. salaries, rent),	
	subject to money being identified within an existing budget.	
Local Government	Section 40 - To institute legal proceedings against an individual	AD Legal Services
(Miscellaneous	who is unlawfully present on education premises and who is	
Provisions) Act 1982	causing or permitting a nuisance or disturbance on said property.	_
Children Act 1989	Section 36 - To apply to the Family Proceedings Court for an	AD Legal Services
01.11	Education Supervision Order.	AD 1 10 :
Children Act 1989	Schedule 3, Part 111 - To exercise the powers of the LEA in	AD Legal Services
	respect of Education Supervision Orders and to institute	
	proceedings in the Magistrates' Court if the parent fails to comply with the directions of the Order.	
Local Government Act	To authorise officers to appear on behalf of the Authority in	AD Legal Services
1972	proceedings being conducted in the Magistrates Court.	712 Logar Corvious
Local Government Act	To sign all legal and quasi-legal agreements between the Council	AD Legal Services
1972	and outside parties.	· ·
Local Government Act	To enter into contracts for the provision of services to outside	AD Legal Services
1972	bodies, including Governing Bodies.	
Local Government Act	To approve the letting of premises held by the Children's Services	Director of Children's Services and
1972	Department for periods not exceeding two years, provided that	Strategic Director for Economy

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	such lettings do not create security of tenure.	
Local Government Act	To appoint to School Governing Bodies in situations where a	Cabinet Member for Children and
1972	vacancy needs to be filled in less than three weeks.	Education
Local Government Act	To agree appointments to the Standing Advisory Council for	Cabinet Member for Children and
1972	Religious Education.	Education
Local Government Act	To set levels of fees and charges for services up to £10,000 per	Cabinet Member for Children and
1972	annum within approved estimates.	Education
Local Government Act	To authorise funding for placements of children in Out of Borough	Chief Executive
1972	special boarding schools.	
Local Government Act	To agree affiliation to appropriate educational establishments.	Cabinet Member for Children and
1972		Education
Local Government Act	To agree minor changes to the names of existing schools.	Cabinet Member for Children and
1972		Education
Local Government Act	To establish temporary school Governing bodies.	Cabinet Member for Children and
1972		Education

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Dispensation of absence for all Councillors

Report of: Councillor Stephen Cowan - The Leader of the Council

Responsible Director: Rhian Davies – Monitoring Officer

Summary

This report seeks approval of a special dispensation granted to all Councillors for any non-attendance at meetings of the authority for Covid-19 related reasons to 9 November 2021.

Recommendation

To agree that any member unable to attend a council meeting for a period greater than six months for Covid-19 related reasons, receives a dispensation further to section 85(1) of the Local Government Act 1972 to 9 November 2021.

Wards Affected: All

H&F Values	Summary of how this report aligns to the H&F Priorities
Doing things with residents and not to them	Councillors have a key community leadership role to represent all constituents within their wards.
Building shared prosperity	The participation of all Councillor members in decision making and community engagement activities is line with the Council's policies and priorities.

Financial Impact

There are no direct financial implications.

Legal Implications

Section 85 (1) of the Local Government Act 1972 makes provision in relation to member attendance at meetings. It provides that if a member fails to attend qualifying meetings for a period of 6 consecutive months from the date of their last attendance, they shall cease to be a member of the authority unless, before the expiry of that period the authority has approved such non-attendance.

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Background Papers Used in Preparing This Report

None.

Detailed Analysis

- 1. Section 85 (1) of the Local Government Act 1972 makes provision in relation to member attendance at meetings. It provides that if a member fails to attend qualifying meetings for a period of 6 consecutive months from the date of their last attendance, they shall cease to be a member of the authority unless, before the expiry of that period the authority has approved such non-attendance.
- 2. The Council has taken a proactive approach to public safety during the pandemic, reducing the number of in-person meetings and the number of attendees at in-person meetings. The safety risks still posed by the pandemic also prevent some members from attending meetings in-person. Therefore, not all Members will have the opportunity to attend a qualifying meeting during this period of the pandemic, putting them at risk of inadvertent disqualification.
- 3. In order to avoid this eventuality, it would be reasonable for Full Council to grant a general authorisation of absence for all members until 9 November 2021 if the non-attendance is Covid-19 related. During the pandemic the Council has previously agreed two other dispensation reports in July 2020 and April 2021.

Consultation and engagement

4. Both Groups support this proposal.

Reasons for Decision

5. Section 85 (1) of the Local Government Act 1972 makes provision in relation to member attendance at meetings. If a member fails to attend qualifying meetings for a period of 6 consecutive months from the date of their last attendance, they shall cease to be a member of the authority unless, before the expiry of that period the authority has approved such non-attendance.

Equality Implications

6. There are no anticipated negative implications for groups with protected characteristics, under the Equality Act 2010, by these proposals.

SPECIAL MOTION NO. 1 – THE GREEN AGENDA

Standing in the names of:

- (i) Councillor Donald Johnson
- (ii) Councillor Andrew Brown

This council is committed to work with all residents and put them at the heart of decisions on how we will decarbonise heat and transport, and build a sustainable future for economic, social and environmental prosperity in Hammersmith and Fulham.

We stand by the principal that no one is left behind, and everyone's choice can and will be supported, allowing all residents to contribute to the 2050 net zero target, at their pace and without unnecessary upheaval.

We acknowledge climate change and the imperative for clean air, reduced pollution and minimal waste. And we also recognise that solutions must be pragmatic, flexible and fair, so no residents – especially those most vulnerable, lose out. One size does not fit all.

This council accepts that it has made mistakes in the past, forcing well intended but ill-conceived changes to local traffic management without considering the wider implications for the local area, the increased air pollution and congestion in key parts of the Borough, and the inherent risk that brings by increasing emergency response times for critical health and emergency services.

In future, the Council commits to deliver on its pledge to "do things with residents, not to them", and will respect the views of all communities to find a balanced and fair path to achieve its goals that is acceptable to all. The Council facilitates – but the residents choose.

SPECIAL MOTION NO. 2 – DISABLED ACCESS TO TUBE STATIONS IN HAMMERSMITH AND FULHAM

Standing in the names of:

- (i) Councillor Victoria Brocklebank-Fowler
- (ii) Councillor Amanda Lloyd-Harris

This Council recognises the challenge facing people with disabilities and others with limited mobility, including older people and those with young families, of using the London Underground.

This Council notes that whilst some tube stations in our borough have step free access, many others do not.

This Council regrets that no progress has been made on important accessibility improvements to our transport infrastructure in over seven years.

This Council calls on Transport for London to put forward plans to give additional stations across the borough step-free access, such as Putney Bridge, Parsons Green and Barons Court Tube Stations.

This Council pledges to work with TfL, local residents, businesses and developers to support plans for step free access, and to provide Section 106 funding to support these schemes.

SPECIAL MOTION NO. 3 - EEL BROOK COMMON

Standing in the names of:

- (i) Councillor Matt Thorley
- (ii) Councillor Mark Loveday

This Council regrets its inability to deliver on the Tiny Forest project in Eel Brook Common in a timely manner and resolves to implement the project by May 2022.

SPECIAL MOTION NO. 4 – THE DECISION OF THE SECRETARY OF STATE FOR HOUSING AND LOCAL COMMUNITIES TO CALL IN THE PLANNING APPLICATION FOR EDITH SUMMERSKILL HOUSE ON THE CLEMENT ATTLEE ESTATE IN FULHAM

Standing in the names of:

- (i) Councillor Andrew Jones
- (ii) Councillor Lisa Homan

This Council notes the decision of the Secretary of State for Housing and Local Communities to call in the planning application for Edith Summerskill House on the Clement Attlee Estate in Fulham. This decision prevents the construction of 133 new homes for residents, the vast majority of which are urgently needed genuinely affordable or temporary housing. The Council notes that after an unnecessary deliberation which took 9 months, the housing scheme is now further delayed for up to 4 years and the replacement of affordable homes under threat. With respect to this decision, this Council further notes:

- The Council and its partners have invested significant resources into replacing an uninhabitable building with social rented homes of the highest quality;
- The call-in purports to be on the grounds of a tall building, but the new building is of very similar height and dimensions to the building it replaces;
- The project has been granted planning permission after extensive consultation, and has the approval of the GLA and the Mayor of London;
- The eleventh-hour call-in delay has a severely negative impact on the Council's finances it will delay the provision of 105 temporary housed households which will cost the Council on average £175,000 per month;
- Further delays will severely impact the lives of over-crowded families and those on the housing register waiting for an offer of permanent accommodation;
- By creating this delay the Government is imposing a further £840,000 to £1.26m to the overall costs of the project;
- The Council will also have to continue to fund 24/7 site security at a cost of £8,000 per month;
- Peabody, who are the final developer/operator, have also spent £1.5m to date: and
- The delay threatens the project's overall finances as some of the funding will time-out.

This Council further notes that Edith Summerskill was identified under the previous Conservative administration as an affordable/private tenure redevelopment and the current scheme is little different to that which has been proposed for nearly a decade.

The Council therefore calls upon the Government to cancel this unjustified, costly and detrimental eleventh-hour decision and to allow the scheme to proceed in order to deliver much need genuinely affordable housing.

SPECIAL MOTION NO. 5 – THE THREAT TO CHARING CROSS HOSPITAL POSED BY THE HEALTH AND SOCIAL CARE BILL

Standing in the names of:

- (i) Councillor Ben Coleman
- (ii) Councillor Lucy Richardson

This Council:

Notes the replacement of Rt Hon Matt Hancock MP as Secretary of State for Health and Social Care by Rt Hon Sajid Javid MP;

- Notes that one of the first matters in Mr Javid's in-tray will be his predecessor's proposals for a new Health and Social Care Bill, as set out in in a White Paper of 11 February 2021;
- Is concerned that the Bill increases the power of the Secretary of State at the expense of local accountability and democracy;
- Is deeply concerned that the Bill gives the Secretary of State a new power to intervene in local services configuration proposals "where required", which could end the NHS's current duty to consult local authorities about substantial variations or reconfigurations of health services and make it easier for the government to close Charing Cross Hospital;
- Is concerned that the Secretary of State will have a new power over NHS
 appointments, enabling him to install compliant allies to run the new, regional
 Integrated Care Systems that bring together the NHS and local authorities;
- Is concerned about the impact on residents' health and wellbeing of proposals to transfer unspecified functions from Public Health teams, which are based in Councils close to their communities, to the more remote NHS;
- Regrets that the White Paper prioritises new government control of Councils' social care services over new funding as part of a much-needed national plan;
- Regrets that the White Paper says nothing about requiring the NHS to share data better with Councils, despite the need for this being a key lesson of the Covid pandemic; and
- Urges the Secretary of State to ensure that the Bill which he takes though Parliament addresses the concerns raised here and does not threaten Charing Cross Hospital by undermining local democracy and accountability.

SPECIAL MOTION NO. 6 – LEARNING FROM THE FAILURES OF THE £37BN NATIONAL TEST AND TRACE SYSTEM

Standing in the names of:

- (i) Councillor Ben Coleman
- (ii) Councillor Patricia Quigley

This Council recalls the motion passed by Full Council on 21 October 2020, which:

- Urged the government to recognise that the national Test and Trace (T&T) system it had created had failed; and
- Called on the government to turn T&T into a locally led service, putting local authorities and local public health officials in the driving seat in the battle against coronavirus, with appropriate delegated powers and funding.

This Council notes a subsequent report by the Public Accounts Committee on 10 March 2021 which said:

- There was "no clear evidence" that T&T had cut Covid rates despite its huge cost of £37bn over two years;
- The system had ignored important stakeholders and not exploited the existing networks of local authorities and NHS primary-care bodies; and
- Although T&T's rationale had been to help avoid a second national lockdown, since its creation there had been two further lockdowns.

This Council notes a recent report by the National Audit Office (NAO) on 25 June which criticises T&T for:

- Failing recently to reach nearly 100,000 people who had tested positive for Covid, and by extension all their contacts who could infect others;
- Losing track of nearly 600 million Covid tests (only 14% of the 691m tests distributed have been registered);
- Lacking targets for increasing the uptake of lateral flow testing or compliance with self-isolation:
- Failing to share data effectively with local public health directors (hindering efforts to tackle outbreaks);
- Continuing to rely on expensive private consultants (45% of head office staff);
 and
- Risking value for money by giving out contracts without competition.

This Council:

- Welcomes the NAO's finding that local authority-run testing and tracing schemes have increased, including a Local Zero pilot whereby councils undertake all contact tracing in their area;
- Is proud that Hammersmith & Fulham is one of the first Local Zero Councils –
 a recognition of our effectiveness in contacting those residents failed by the
 central system and in being the first local authority to make welfare calls to
 residents with Covid, to support self-isolation, identify sources of infection and
 target activity; and
- Is concerned by the NAO's finding that councils still have numerous problems with T&T, including difficulties with accessing data for mass testing, a lack of national clarity about local roles and responsibilities, multiple uncoordinated local pilots and funding streams, and new testing approaches planned without local authorities (e.g. for schools and international travellers).

This Council notes that:

- Former Health Secretary Matt Hancock recruited Baroness Dido Harding to set up and run T&T, and she remained in charge until Mr Hancock merged T&T and Public Health England into the new National Institute for Health Protection on 1 April 2021; and
- In mid-June 2021, Baroness Harding applied to be the new Chief Executive of NHS England after Sir Simon Stevens stood down in July.

This Council:

Calls on the government to take full account of and implement all the findings
of the NAO's highly critical report on T&T, including taking all necessary steps
to increase public compliance with testing and self-isolation.

SPECIAL MOTION NO. 7 – THE GOVERNMENT'S INADEQUATE FUNDING FOR EDUCATION CATCH-UP WILL COST OUR COUNTRY FAR MORE IN THE LONG TERM

Standing in the names of:

- (i) Councillor Larry Culhane
- (ii) Councillor Alexandra Sanderson

This Council is:

• Deeply grateful for the incredible effort throughout the pandemic made by the borough's schools, who have remained open for key workers and vulnerable children while also implementing blended learning to support children at home to learn while playing their part in tackling the pandemic.

This Council notes:

- Children's education and development have suffered as a result of government mismanagement of schooling throughout the pandemic;
- The Prime Minister and Chancellor are spending far less on catch-up lessons for school children than other leading nations and have refused to find more than a tenth of the sum recommended by the government's own education recovery commissioner, Sir Kevan Collins;
- Sir Kevan resigned on 2 June, writing to the Prime Minister that he did "not believe it is credible that a successful recovery can be achieved with a programme of support this size".
- Sir Kevan also said the government package of support "falls far short of what is needed. It is too narrow, too small and will be delivered too slowly. The average primary school will directly receive just £6,000 per year, equivalent to £22 per child. Not enough is being done to help vulnerable pupils, children in the early years or 16-to-19-year-olds."

This Council regrets:

- The government's failure to deliver on its promise that all children affected by digital poverty would be provided with laptops to continue their education while at home; and
- The government's parsimonious and short-sighted attitude to our children's future.

This Council calls on the Chancellor and Prime Minister:

- To increase the funding allocated for catch-up education to the level recommended by the government's education recovery commissioner.
- To deliver on their promise and end the digital divide experienced by children in our borough and across the country.