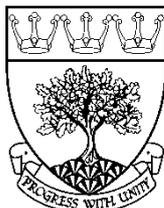


LONDON BOROUGH OF EALING



Members of the Council of the London Borough of Ealing are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Ealing at 7.30 pm or at the conclusion of the previous meeting, on Tuesday, 24 April 2018 to transact the business set out below.

A handwritten signature in black ink, appearing to read 'P. Naysmith', is written in a cursive style.

Chief Executive

Venue: Council Chamber, Town Hall, New Broadway, Ealing, W5 2BY

AGENDA

- 1 Apologies for Absence** -
- 2 Urgent Matters** -
Any urgent matters arising since the despatch of the agenda that the Mayor has agreed should be considered at the meeting.
- 3 Declarations of Interest** -
To note any declarations of interest made by members
- 4 Matters to be Considered in Private** -

5	Minutes	-
	To approve as a correct record the minutes of the meeting held on 20th February 2018	
-	Minutes of meeting 20 February 2018	13 - 24
6	Mayor's Announcements	-
7	Petitions from Members of the Public	-
	Submitted under Council and Committee Procedure Rule 9.	
8	Petitions from Members of the Council	-
	Submitted under Council and Committee Procedure Rule 9.	
9	Questions from Members of the Public	-
	Submitted under Council and Committee Procedure Rule 9. To consider any questions from members of the public, due notice having been received.	
10	Questions from Members of the Council	-
	To deal with questions of which notice has been given in accordance with Rule 10 of the Council and Committee Procedure Rules.	
11	Motions with Notice	-
	To deal with motions where notice has been given in accordance with Rule 11 of the Council and Committee Procedure Rules	

11.1 Shadow Cabinet Motion

Councillor G Stafford to move:

Labour's Record of Failure vs a Conservative Record of Action for Ealing

This Council notes:

- 1) The duty of any local administration is to promote social, cultural, environmental and economic well-being to meet the needs of current and future residents in a manner most cost effective to the public purse.
- 2) These objectives require a strategic vision beyond selling off assets, slashing services and wasting taxpayers' funds, as is the policy of the current Labour administration.
- 3) The true measure of any successful administration must come from the experiences of its residents, rather than peer awards and self-promotion, which the current Labour administration relies heavily on.

This Council therefore regrets that over the past 8 years, the actions of this Labour administration can be characterised as one of **Latency, Arrogance, Betrayal, Over-taxation, Untruthfulness and Regressiveness** as evidenced by:

- × Implementing a forced FORTNIGHTLY refuse service and a paid garden service without any consultation or regard for residents wishes to retain a WEEKLY refuse and free garden service, which has created a blight on our communities between regular service failures and monstrosities of the ugly wheelie bins.
- × Spending £3.2m purchasing wheelie bins, followed by a further ?88k to rectify bad planning of not offering smaller bins.
- × Changing the contractor for the refuse and recycling who was delivering a first-class service for a "cheaper" contract, which has delivered a service beset with problems from Day 1.
- × Earning Ealing a reputation nationally as one of the UK's Top Grot Spots; Worse for Food Hygiene Rating and Top 10 spot for Council's with the highest income from parking.
- × Launching a **Grimebusters Hotline** to report graffiti and fly tipping at a cost of £182 per call to the taxpayer.
- × Presiding over a local education system that is seeing a decline in the number of primary schools rated good or outstanding.
- × Axing several services such as drug intervention team; Primary Care Services for Homeless Clients with Substance Misuse and/ or Alcohol Dependence who are not registered

with a GP; Ealing Community Advocacy (MIND); ROSHNI; and Disability Advocacy.

- × Building the lowest number of affordable family-sized homes.
- × Reducing the number of Council funded police officers from 50 to 8.
- × Decimating the Park Ranger service by reducing it from 20 to 4 officers.
- × Halving the budget for residential street cleaning to a paltry £2.3m.
- × Reducing the library budget from £7m to £2.7m, closing the mobile library service and reducing the number of study spaces at Ealing Central Library by 58%; floor space by 64% and book stock by 71%.
- × Selling off several of Ealing's cultural assets: Acton, Ealing and Southall town halls.
- × Spending £13 million on vanity projects such as Southall car park and shorter desks.
- × Increasing Member Allowances and creating a Leader's office, costing £125k a year.
- × Closing day centres: Albert Dane and Carlton Road to name a few.
- × Introducing bus lane watch camera and banned right turn on Longfield Avenue, racking in millions in fines. [£1.9million on Longfield Avenue alone]
- × Imposing above inflation increases for fees and charges for hundreds of services including parking permits; after school clubs (parents' contribution); infant burial: grave purchase and internment; building control fees; planning applications; instrument loan charges; leisure fees and community hall hire.

Council notes that only the election of a Conservative Administration will truly defend Ealing's communities and put an end to Labour's **L**atency, **A**rrogance, **B**etrayal, **O**ver-taxation, **U**ntruthfulness and **R**egressiveness.

Council resolves that the Ealing has had enough of Labour and will be better off with a Conservative Administration who will:

- 1) Reintroduce weekly street sweeping and scrap the garden waste tax
- 2) Fix our dangerous roads and pavements
- 3) Freeze core Council Tax
- 4) Stop the ugly overdevelopment that has skyscrapers springing up locally
- 5) Deliver more homes that local people can afford with the help of the Government's £9 billion fund for social housing

11.2 Other Motions for Debate

Protect the rights of Ealing's European residents

Councillor Bell to move

Ealing Council notes:

- 60% of Ealing residents voted to remain in the European Union.
- There are over 30,000 European citizens living in Ealing who have been denied their say on Brexit and whose rights to live and work in the UK are under threat.
- The local elections on May 3rd 2018 may be the last vote we have before the UK is due to be taken out of the European Union.
- Recent polling has shown that Brexit and its impact on the economy is the number one concern of Londoners.
- Economic studies have shown that London will lose up to 8% of its GDP as a result of Brexit. Ealing has a substantial Irish population who do not want to see the reintroduction of a hard border between north and south.
- Theresa May insists that the UK will leave both the Single Market and the Customs Union.
- Jeremy Corbyn's position that jobs and the economy must come first and that we must remain in a customs union with Europe.
- The Leader of the Ealing Conservatives said of Brexit "I'm voting leave. I think it's really important we take back our sovereignty."
- The Tories' 2017 general election candidate in Ealing Central & Acton said: "While leaving the EU would inevitably bring economic risks... in my view that is a price worth paying."
- Cleveland's Tory Councillor said: "Let's be havin' you, let's be out."
- Ealing Labour Party campaigned to keep the UK in the European Union.
- Labour-run Hammersmith & Fulham's call for voters to have a say on any eventual Brexit deal.

We believe:

- All those affected by Brexit should have their say on Brexit.
- The Tory government should immediately guarantee the rights of all EU citizens living in Ealing, London and the UK.
- European citizens and their families should not be used as bargaining chips in the Brexit negotiations.
- European citizens in the UK should have all of their current rights retained and protected, even in the event of no Brexit deal being agreed, to give them peace of mind that they are welcome in Ealing and across the country, no matter what.

We resolve:

- To remind registered Europeans that they have a vote on 3rd May 2018 and that they should head to the polls to have their say on the Tories' disastrous approach to Brexit.

- To look to establish a multi-lingual advice portal on Ealing Council's website for EU citizens resident in the Borough, so that we can reassure them of where they stand, signpost their options moving forward and answer those frequently asked questions about the Brexit negotiations.
- To call on the Tory government to let parliament and the British people have the final say on any Brexit deal.

11.3 Motions not for Debate

Ealing Labour delivers: Our Achievements to 2018

Councillor Bell to move:

Ealing Council notes the achievements of this Labour administration:

- Core Council tax frozen for a decade, keeping down your costs while protecting services.
- Invested £58m to expand primary schools by 2,100 new places.
- Invested £34m to expand secondary schools by 900 new places.
- Invested £31m in Special Educational Needs provision.
- The Tories left only 62% of schools 'good or outstanding' in 2010. By 2017 Labour increased this to 92%.
- 100% of SEN Schools are outstanding.
- In 2017 Ealing became the first Borough in London to put life-saving defibrillators in every state school.
- Campaigned to Save Our Hospitals from Tory cuts including:
 - o challenging the government's plans in court.
 - o carrying out two independent reviews which have raised serious safety concerns.
 - o refusing to sign up to the STP.
 - o three marches and four rallies attended by thousands of residents.
 - o survey of residents' views which revealed 90% of people disagree with plans to axe A&Es
- Campaigned to keep the UK in the European Union while the Tory leadership in Ealing said we'd be better off out.
- Created over 1,000 new apprenticeships for young people.
- Achieved London Living Wage accreditation and established business rate reduction scheme for living wage employers across the Borough.
- Established West Ealing Business Improvement District, with plans to replicate them in Acton and Southall.
- Built 500 Council homes and delivered over 4,500 homes overall.
- Tough action on rogue landlords, including introducing a new private renting licensing scheme, 323 Statutory licenses served and over £200,000 in fines issued.
- Progressed estate regenerations across our Borough including: South Acton, Copley Close, Green Man Lane, Rectory Park, Dean Gardens, Havelock, Golf Links and Allen Court.
- 339 empty properties brought back into use after threat of Council CPO.

- Tackling beds in sheds through 500 Planning Contravention Notices, 277 Planning Enforcement Notices and 20 prosecutions, resulting in Proceeds of Crime Orders totalling £250,000.
- Retrofitted 1,293 homes with adaptations to ensure disabled residents could remain independent in their own homes.
- Tackling street drinking through use of PSPOs in West Ealing which will soon be followed by Southall.
- 287 alley gates installed since 2014 to protect residents from ASB.
- Increased recycling from below 40% to above 50% through the successful introduction of wheelie bins. Ealing is now the second-best recycling borough in London.
- Crackdown on those who dirty our Borough, Issuing 8,338 FPNs for littering and 4,567 for fly-tipping.
- We have increased the number of Green Flag parks (the kitemark standard of excellent parks) across the borough from 2 to 21.
- Spent £14m on road resurfacing on 150 streets, keeping traffic flowing and provide safer roads for all users.
- Secured improved designs of Crossrail stations across the Borough.
- £5m funding for new pedestrian and cycle bridge across railway in Southall.
- Five new and refurbished libraries opened in Hanwell, Greenford, Pitshanger, Southall and Acton.
- Acton Old Town Hall re-opened with new library, gym, pool and community rooms.
- Rolled out 20mph zone east of Hanger Lane, with expectation to cover the whole Borough.
- Planted 6,775 young trees on streets and in parks since 2014 and nearly 60,000 planted in wildland in association with trees for cities.
- Delivered over 1,200 “green doctor visits” to support residents on limited incomes reduce their energy use.
- Delivered a £5m sports facility in Northolt, making it the home of Middlesex FA.
- A new BMX track at Gurnell Leisure Centre and a new skate park for Acton by summer 2018.
- Developed a low emission strategy for goods yard on Horn Lane and launched ‘no idling’ trial in Acton to clean up Acton’s air.
- Awarded Cleaner Air Borough (CAB) accreditation by Mayor of London.
- Won £8.5m of liveable Neighbourhoods funding to make cycling and walking safer and easy in West Ealing.
- Southern entrance at Hanwell station opened, with a lift and a Sunday service guaranteed.
- Secured pioneering incline lift at Greenford Station.

- In-house reablement homecare service awarded a 'Good' rating from the CQC for the last 4 years, helping residents to regain confidence and skills to remain at home, usually after period of illness.
- In 2017-18 we provided over 600 vulnerable residents with support and/or one off welfare checks.
- 'Shared Lives' service has been rated as Good by the CQC, helping provide adults with learning disabilities a better-quality home life.
- Launched loneliness and social isolation charter.
- Protected the Solace out of hours support service for people experiencing mental health issues.
- Appointed a mental health champion councillor.
- Appointment of a Dementia champion and the creation of Ealing Dementia Action Alliance holding Dementia Awareness Weeks, memory walks and regular memory cafes.
- Delivered Michael Flanders Centre of Excellence for Dementia.
- Doubled the number of annual visits available from the Handypersons' service.
- Free leisure passes to carers.
- Successful bid to Sport England to be one of only twelve pilot schemes sharing a pot of £100 million to improve the health of our residents in Southall.
- Provided sanctuary for 50 unaccompanied child refugees.
- Over 1,200 nursery places have been created within 132 providers across the Borough.
- 95% of Ealing's schools have joined the Ealing Learning Partnership after Tory cuts to the Educational Support Grant.
- Ealing's Children's Department is 9th best in the country.
- Invested £6.5million in our award-winning 'Brighter Futures' programme to keep children and families together, removing the need for young people to move into Council care.
- Ealing's Leaving Care Service won the prestigious MJ Award for Best Children's Service 2017.

Ealing Council further notes:

Ealing Labour's key six pledges to residents towards the election on 3rd May 2018:

1. More genuinely affordable homes

We will build more than 2,500 new genuinely affordable homes at council, social and London Living rents over the next four years

2. Defending the Borough against a Tory hard Brexit
We will protect jobs and secure investment to our borough, double the number of registered London Living Wage employers and increase the number of apprenticeships for young people by 750.

3. Save Our Hospitals
We will renew the campaign to save our hospitals from Tory cuts, including a blue light ambulance service at Ealing & Charing Cross hospitals.

4. Tackle knife crime & antisocial behaviour
We will campaign against Tory cuts to the Met, and for more police officers on our streets. We will work to stop the rise in violent crime, tackle knife crime, drug dealing and reduce street drinking.

5. Boost Recycling & Deliver a Cleaner Borough
We will boost recycling rates to 60% and crack down even harder on fly tipping and littering, including increasing fines. We will bring our bin collection and street cleaning teams back under Council control.

6. Protecting you from Tory austerity
After a decade of freezing your council tax, we will keep it as low as possible. We will continue to protect the most vulnerable, and fight Tory cuts to our schools and care services.

12	Reports from Officers	-
12A	Annual Standards Report	25 - 38
13	Urgent key decisions exempted from call-in The following key decisions have been exempted from call-in since the last meeting of council: 1. None	-
14	Appointments to Committees and Other Bodies	-
15	Date of Next Meeting The next meeting will be held on 22nd May 2018.	-

In the event of an emergency your attention is drawn to the evacuation instructions displayed on the wall by the entrance to the Council Chamber and Public Gallery. First aid advice will also be found here.

MINUTES OF A MEETING OF THE COUNCIL

Date: Tuesday, 20 February 2018
Time: 19:00 -
Venue: Council Chamber, Town Hall, New Broadway, Ealing, W5 2BY

1 Apologies for Absence

Councillors Gavan, Theresa Mullins and Walker gave their apologies.

2 Urgent Matters

Councillor Gordon moved a procedural motion to increase the length of certain speeches at item 12A
Councillor Roz Reece seconded the motion.
It was **agreed**.

3 Declarations of Interest

There were none.

4 Matters to be Considered in Private

The Mayor drew members' attention to appendix 6B in item 12A.

5 Minutes

The minutes of the meetings on 19th December 2017 and 9th January 2018 were agreed.

6 Mayor's Announcements

The Mayor congratulated Councillor G. Stafford on the birth of his daughter Lucy Theresa Grace.

The Mayor announced the death of two former councillors, June Shipton and Bill Hill.

Councillor Young rose to say a few words in their memory.

Councillor Johnson rose to say a few words about Bill Hill.

The Mayor said he was looking forward to the fund raising dinner at the University of West London on Friday (23rd) for which all tickets had been sold.

7 Petitions from Members of the Public

Angela Fonso presented a petition concerning pollution from the Conway FM plant in Hayes. The petition stated

The FM Conway Ltd asphalt plant in Hayes, opened in 2014 and is located near the elevated section of the A312, close to Tesco Bulls Bridge. Since the opening, residents in Hayes and Southall have complained to both Hillingdon and Ealing councils about the strong malodour across both areas but of greater significance than the smell, are the health problems that appear to be linked to the air pollution. Residents have reported nausea, vomiting, headaches, throat and eye irritation, new cases of asthma, worsening of existing asthma and other respiratory disorders. There is research to indicate asphalt fumes may be linked to cancer.

FM Conway Ltd, have increased the height of their chimney but this has not resolved the issue, so local residents urge Hillingdon council to use their regulatory powers to force FM Conway Ltd, to improve odour control, using both new and existing safety measures. Unless this happens, residents' health and wellbeing will continue to be compromised by an unacceptable level of air pollution.

Councillor Bell responded

I want to assure you we are taking this very very seriously and its impacts on local residents. It is a complex issue since the site is within Hillingdon's Borough and the responsibility for enforcing the compliance with legislation is with Hillingdon Council. This has left us somewhat constrained by what we can do.

Residents are encouraged to raise their concerns in relation to this site directly with Hillingdon.

However, Ealing recognise their responsibilities to its residents and over the past 8 months Ealing Officers have continuously sought to liaise with Hillingdon Council about the site and in particularly in relation to a report commissioned by Hillingdon to review Conway's compliance with their Environment Permit. Ealing's attempts to communicate with Hillingdon were unfortunately met with no response.

I personally wrote to Hillingdon's Leader, Cllr Ray Puddifoot, in Dec 17 seeking their position, as did our CEO Paul Najsarek and local MP Virendra Sharma.

In early February, we received communication from Hillingdon's CEO advising that their consultant had completed their review and reported their findings. Hillingdon are analysing the contents of that report to establish if the site is or is not operating within its legislative restrictions and what actions can or should be taken by them.

Over the past few weeks Ealing Officers have made contact with Hillingdon offering technical assistance and communication to the public.

We are hopeful that we will know more about the content of the report and any intended outcomes and actions in the forthcoming weeks. I am hopeful that with this report that Hillingdon will feel able to take more forceful enforcement action.

In the meantime, I can only reiterate the need for residents to report concerns

of odour from the site directly to Hillingdon's Pollution Control Team.

Ms Fonso commented on the response

8 Petitions from Members of the Council

Councillor Joy Morrissey presented a petition signed by 37 residents in Moyne Place NW10 concerning parking issues in the street and asking for a CPZ.

9 Questions from Members of the Public

There were none.

10. Questions from Members of the Council

Question:1

Councillor Summers asked the portfolio holder for children and young people.

Can the portfolio holder update us on developments around the re-provision of services from the Heller House site?

Councillor Rai replied.

Heller House closed in July 2016. All 9 young people accessing Heller leading up to closure were found alternative services, either in Ealing or in neighbouring boroughs. By January 2018 7 of these young people have successfully transitioned in to adult services and the 2 remaining in children's services continue to receive support packages, including overnight respite, in Brent and Hounslow.

This Labour Council is taking forward two projects to significantly increase capacity of overnight short break support for children and young people with disabilities and their families. In Northolt we are spending £1.5M to build a brand new, state of the art, 6-bedded service that will provide overnight short breaks to children and young people with disabilities up to the age of 18.

Following extensive consultation with families, care and health professionals the planning application was submitted on 22nd December 2017. We plan to complete the build in June 2019.

The building has been designed to be 'future-proofed' against increasing demand as it allows for further bedrooms to be built on the first floor if additional capacity is required in the future. Plans are also well advanced for the development of an existing service to provide 3 additional beds in Perivale to young people 16+ who have a learning disability and challenging behaviour. Building works have been completed and the service is on course to begin in May 2018.

Councillors Summers and Millican asked supplementary questions.

Question:2

Councillor Conti asked the portfolio holder for Finance Performance and Customer Services

Will the portfolio holder please outline the duty of care the Council has for

its employees or those working in council owned facilities?

Councillor Johnson replied

Ealing Council has a duty of care to employees and those working in council owned facilities, which means it should take all steps that are reasonably possible to ensure their health, safety and wellbeing.

The duty of care responsibilities are outlined in the council's Corporate Health & Safety Policy of July 2017.

It includes providing safe working procedures, adequate welfare and wellbeing arrangements, health & safety, consultation with workers and trade unions, management reviews and staff training and much more.

Councillors Conti and R. Wall asked supplementary questions

Question: 3

Councillor Jon Ball asked the portfolio holder for Transport, Environment and Leisure

How many PCNs were issued in CPZ areas in the last financial year and what was the total revenue from those PCNs?

Councillor Mahfouz replied

We issued 96,105 PCNs at a total revenue of nearly £5 million (£4,996,876.05).

It is important to note that this figure supports £8 million contribution to concessionary travel for the elderly.

The average monthly cost for Civil Enforcement officers visiting all controlled parking zone is
£155,000

Councillors Ball and R. Mann asked supplementary questions

Question: 4

Councillor Bagha asked the portfolio holder for Prosperity, Skills, Employment and Transformation

Does the portfolio holder agree with me what a disaster that benefit caps and universal credit have been and can he update us on the impact this had had on homelessness and food bank usage in the Borough?

Councillor Mason replied

After delay upon delay, the Government have finally confirmed that Universal Credit will be rolled out to the two remaining Job Centre Pluses in Acton and Ealing next month. Universal Credit will replace the so called legacy benefits, which include unemployment and housing benefits, as well as tax credit, as part of the Government's austerity plan to remove £14bn from work age welfare. An official report from the Cabinet Office suggests that the lifetime costs of administering Universal Credit alone will cost just shy of 16 billion.

It is no surprise to learn then that the Work and Pensions Select Committee found that the Government produced "no evidence to back up the key, central economic assumption of the biggest reform to our welfare system in 50 years".

In reality, UC is going to leave 1 million working households as much as 2,800 pounds worse off. In London and in Ealing, the cost of living and housing

will have serious impact on families in our Borough. We already know from Councils in Manchester that as many as 80% people on UC in social housing are in rent arrears, and evictions in the private rented sector are rapidly increasing.

In our neighbouring boroughs, Hounslow has seen an increase in foodbank use by 35%, and in Hammersmith and Fulham, they have seen a staggering 96% increase. In Ealing, we already know that the two biggest reasons for people using the foodbank is because of delayed benefits and low income.

This situation will only get worse, and that's why Labour are calling for an immediate halt to the rollout, and an additional 10bn to reverse these punitive cuts to the most vulnerable people in our Borough.

Councillors Bagha and Roz Reece asked supplementary questions

Question: 5

Councillor G. Stafford asked the portfolio holder for Housing

As recently reported in the Evening Standard, can the portfolio holder explain why Ealing has only managed to build 29 new affordable social houses between October 2016 and November 2017 compared to Hammersmith's 49; Hillingdon's 121; Brent's 226 and Hounslow's 286?

Councillor Anand replied

Councillor Stafford, you shouldn't believe everything George Osborne prints. These figures are wrong and it just makes you look silly.

In the period you mention we completed 273 homes and a further 1,213 were under construction

Of these, I can tell you that we completed 179 for social rent and another 500 more are under construction.

As you can see Mr Mayor, we're doing incredibly well under difficult circumstances to provide decent genuinely affordable housing so I'd suggest Cllr Stafford come to me next time before quoting errant press reports.

Councillors' G, Stafford and Murray asked supplementary questions

Question: 6

Councillor Raza asked the portfolio holder for Community Services and Safety

Can the portfolio holder tell us how cuts to the Met budget will impact policing across Ealing?

Councillor Dheer replied

Like most of the public sector, the MET are faced with significant Tory government cuts in coming years, forcing them to make difficult choices. We've seen the closure of front desks across the borough, with Acton Police station now being the only station with an operational front desk.

Moving forward Ealing will effectively lose its Borough Commander as our service combines to create a new, larger command unit along with Hillingdon and Hounslow Police units.

However, as part of the local Policing commitment from Sadiq Khan there will be two dedicated PC's and one dedicated PCSO per ward across the capital and this will be in place within the new command unit.

We will always fight to keep our residents safe and our teams at the council

will continue to work with the police as we provide additional funding to work on our estates and our wider work with Parkguard and other partners demonstrates this commitment.

Across the capital the Tories have slashed £700 million so far from the Met's budget – that's 2,495 police officers gone.

The Tories can't be trusted with the safety of Londoners, and Ealing is feeling the effects of that today.

Councillors Raza and A. Stafford asked supplementary questions

Question: 7

Councillor Young asked the portfolio holder for Finance Performance and Customer Services

How much have Ealing spent on consultancy from Ernst & Young and iMPOWER in this financial year?

Councillor Johnson replied

So far this year, as of the second week in February, we have invested £1.4 million with Ernst & Young and iMPOWER – spend is expected to continue until the end of the financial year. However, we expect to reduce spend by £24 million as a result of these changes. Given this reduction, I believe a 6% investment to deliver this, is not only excellent value for money but more importantly the right thing to do for our residents in the face of continued tory cuts.

Councillors Young and Aslam asked supplementary questions

12A Budget Strategy and Council Tax Resolution 2018-19

Councillor Johnson moved the report

Councillor Bell seconded the report

Councillor Young responded

Councillor Steed responded

Councillor Bell responded

Councillor G. Stafford responded

Councillor Malcolm responded

Councillor Rogers responded

Councillor Rai responded

Councillor Seema Kumar responded

Councillor Mason responded

Councillor Millican responded Councillor Tailor responded

Councillor Mahfouz responded

Councillor Proud responded

Councillor Hynes responded

Councillor Steed summed up

Councillor Young summed up

Councillor Johnson summed up

Council **agreed**, after a recorded vote

For

Councillors Ahmed, Anand, Aslam, Bagha, Bell, Blacker, Byrne, Camadoo,

Cogan, Conlan, D. Crawford, K. Crawford, Dhami, Dheer, Dhindsa, Gordon, Gulaid, Hynes, Johnson, Jones, Kang, Khan, Kaur – Dheer Kelly, Kholi, Mahfouz, Mahmoud, G. Mann, R. Mann, Manro, Martin, Mason, McCartan, Midha, Mohan, Murray, Murtagh, Padda, Rai, Raza, Rodgers, Sabiers, Sharma, Shaw, Summers, L. Wall and R. Wall.

Against

Busuttil, Conti, Dabrowska, Seema Kumar, Malcolm, Millican, Joy Morrissey, Proud, Roz Reece, A. Stafford, G. Stafford, Steed, Sumner, Young.

No Vote

The Mayor

1.1 Revenue Budget 2018/19 and Medium Term Financial Strategy 2018/19 to 2021/22

1.1.1 Considered and approved the Revenue Budget for 2018/19 as summarised in Appendix 2 and updated at paragraph 3 of this report;

1.1.2 Considered the advice of the Executive Director of Corporate Resources on the levels of reserves and robustness of estimates in setting the budget as required by Section 25 of the Local Government Act 2003 (Appendix 0, paragraphs 5.8 and 5.9);

1.1.3 Noted the financial risks and pressures set out in the report (Appendix 0, paragraphs 4.2 and 5.6);

1.1.4 Approved the Parking Account 2018/19 (Appendix 0, paragraph 5.1.36 and Appendix 4);

1.1.5 Noted the additional £37.990m of centrally-held growth items for 2018/19 to 2021/22 (including investment of £19.5m for Adult Social Care and £9.5m for Children's Social Care) (paragraph 5.1) and noted the £0.325m growth proposals previously submitted and approved by Cabinet on 16 January 2018 (Appendix 0, paragraph 5.1 and Appendix 3a);

1.1.6 Approved the draft Schools budget of £323.756m and agreed that any changes to the budget reasonably required as a result of the final 2018/19 DSG settlement are delegated for decision to the Executive Director of Children, Adults & Public Health following consultation with the Executive Director of Corporate Resources (Appendix 0, paragraph 5.2);

1.1.7 Noted that the General Fund balance is scheduled to remain the same at £15.473m for 2018/19 and noted the forecast levels of earmarked reserves (Appendix 0, paragraph 5.8 and Appendix 5);

1.2 Capital Programme 2018/19 – 2021/22

1.2.1 Approved the new General Fund capital programme additions totalling £21.743m (Appendix 0, paragraph 5.4.3 and Appendices 6a and 6b);

1.2.2 Approved the revised Capital Programme of £786.709m, as set out in

(Appendix 0, paragraph 5.4.6 and Appendix 7);

1.2.3 Approved the Capital Strategy (Appendix 8);

1.3 Treasury Management and Pension Fund

1.3.1 Approved the Treasury Management Strategy including the associated Prudential Indicators and Annual Investment Strategy (Appendix 0, paragraph 5.5 and Appendix 9);

1.3.2 Approved the Treasury Management Policy Statement (Appendix 9);

1.3.3 Noted the Director of Finance will implement the Treasury Management Strategy under existing officer delegated powers (Appendix 9);

1.3.4 Approved the Minimum Revenue Provision (MRP) policy (Appendix 9);

1.3.5 Noted that the Pension Fund cash (where held in house) and West London Waste Authority cash is also managed in accordance with the Treasury Management Strategy (Appendix 9);

1.4 Council Tax and Business Rates

1.4.1 Noted the Greater London Authority (GLA) Band D precept of £294.23 for 2018/19 (Appendix 0, paragraph 5.1.14);

1.4.2 Noted that the Executive Director of Corporate Resources calculated under delegated authority on 31 January 2018 the amount of 113,076.94 as the Council Tax Base, being the number of properties in Bands A-H in the Borough, expressed as an equivalent number of Band D units for the year 2017/18; in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) made under Section 33(5) and 34(4) of the Local Government Finance Act 1992 (Appendix 0, paragraph 5.1);

1.4.3 Noted the forecast Collection Fund position for 2017/18 (Appendix 0, paragraph 5.1.15);

1.4.4 Noted the council's share of the business rates income forecast for 2018/19, as approved by the Executive Director for Corporate Resources (Appendix 0, paragraph 5.1.24).

1.4.5. Noted the allowed increases in the social care precept and the referendum limit of the council (Appendix 0, para 4.2).

1.4.6. Considered and approved:

- a council tax requirement for the Council's own purposes of £129,573,735;
- acceptance of the social care precept 3% on council tax;
- a basic amount of council tax at Band D for Ealing's services for 2018

/19 of £1,145.89 - a 3% increase for the social care precept and a 2.99% increase for Ealing's share; and

- an overall Band D council tax of £1,440.12 including the GLA precept.

1.4.7. Agreed the calculations as set out below for 2018/19 that have been prepared in accordance with Sections 31A and 31B of the amended Local Government Finance Act (LGFA) 1992:

Table 1: Section 31A (LGFA 1992 - amended) Calculation

(A)	Aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) (a) to (f) of the LGFA	£1,041,005,000
(B)	Aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) (a) to (d) of the LGFA	£911,431,265
(C)	Calculation of the council tax requirement under section 31A (4), being the amount by which the sum aggregated at (A) (above) exceeds the aggregate of (B) (above).	£129,573,735

(A) Is gross expenditure and transfers to reserves.

(B) Is gross income and transfers from reserves. This includes RSG and surpluses transferred from the collection fund.

(C) Is the council tax requirement.

1.4.8. Agreed the calculation of the basic amount of council tax required is as follows, calculated by dividing the council tax requirement by the council tax base for 2018/19 (referred to as Items R and T respectively, in Section 31B of the LGFA 1992 (amended)):

Table 2: Section 31B (LGFA 1992 - amended) Calculation

(C)	LB Ealing's council tax requirement - (calculation shown in table 1)	£129,573,735
(D)	Council tax base for 2017/18	113,076.94
(E)	Tax per Band D Property	£1,145.89

1.4.9. Agreed the calculation made in accordance with Section 36 of the Local Government Finance Act 1992, the following amounts for Ealing's services in 2017/18(see Table 3). These being the amounts given by multiplying the amount shown as 'Tax per Band D Property' (Table 2 above) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands:

Table 3: Ealing Council Tax by band of property

Band	A	B	C	D	E	F	G	H
£	763.92	891.25	1,018.57	1,145.89	1,400.53	1,655.18	1,909.81	2,291.78

1.4.10. Noted that for 2018/19 the GLA, the major Precepting Authority, has stated the following amounts of precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Table 4: GLA precept by band of property

Band	A	B	C	D	E	F	G	H
£	196.15	228.85	261.54	294.23	359.61	425.00	490.38	588.46

1.4.11. Having calculated the aggregate in each case of the amounts in recommendations (20) and (21) above, in accordance with Section 30(2) of the Local Government Finance Act 1992, approved the following amounts to be set as the amounts of council tax for 2018/19 for each of the categories of dwellings shown below:

Table 5: Total Council Tax by band of property (Ealing Council Tax and GLA precept)

Band	A	B	C	D	E	F	G	H
£	960.07	1,120.10	1,280.11	1,440.12	1,760.14	2,080.18	2,400.19	2,880.24

1.4.12. Determined that, with reference to principles approved by the Secretary of State under Section 52ZB and 52ZC of the Local Government Finance Act 1992, the level of council tax for Ealing is not excessive and as such no referendum is required (Appendix 0, paragraph 5.1.17).

1.4.13. Determined that, as the billing authority, the council has not been

notified by the GLA that its relevant basic amount of council tax for 2018/19 is excessive and therefore the council is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992.

12B Scheme of Allowances 2018-19

Councillor Gordon moved the report
Councillor Bell seconded the report

After a vote Council **agreed**

1.1 To note and have regard to the report and recommendations of the London Councils' independent panel, 'The Remuneration of Councillors in London 2018'.

1.2 To approve the proposed Ealing Members' Allowances Scheme for 2018- 19, as set out in the appendix to this report, and

1.3 To note that the level of allowances proposed is unchanged from the scheme approved for 2017 -18

12C. Pay Policy Statement 2018/2019

Councillor Johnson moved the report
Councillor G. Stafford seconded the report

After a vote, Council **agreed unanimously**:

1. To approve the attached Pay Policy Statement (appendix 1) and noted the supporting appendices 2, 3, 4 and 5;
2. To approve a policy, for 2018-19, to pay the real Living Wage ({rLW} formerly known as the London Living Wage [LLW]) rate or above to direct employees (whether permanent or fixed term) and to ensure agency workers are paid the rLW. The rLW will be paid for the time periods during which employees are carrying out what might be described as (for example) the normal duties of the post. However, it will not be paid for the time periods on which employees are on a standby shift, or a sleep-in shift, and not carrying out the normal duties of the post;
3. To note that decisions on proposed remuneration packages of £100,000 and above will be determined by Chief Officer Panel, in accordance with their existing terms of reference; and
4. To commend to Governing Bodies of Schools that they consider paying the rLW rate to schools based employees (whether permanent or fixed term) and to agency workers working in Schools;

13 Urgent key decisions exempted from call-in

Council noted the item.

14 Appointments to Committees and Other Bodies

There were none.

15 Date of Next Meeting

The next meeting will be on 24th April.

The meeting ended at 21.31.

Contains Confidential or Exempt Information	NO
Title	Standards Committee annual review 2017/18
Responsible Officer(s)	Director of Legal and Democratic Services
Author(s)	Helen Harris
Portfolio(s)	Leader
For consideration by	Full council
Date to be Considered	24 th April 2018
Implementation Date if Not Called In	Not applicable
Affected Wards	None
Keywords/Index	Standards Committee annual review 2017 / 18

Purpose of Report:

A report summarising the work of the Standards Committee over the past year including an overview of formal complaints made about councillors

1. Recommendations

It is recommended that full council:

- 1.1 Notes the work and achievements of the Standards Committee and its independent people during the past year, and
- 1.2 Agrees that the Standards Committee should continue as a separate committee

2. Reason for Decision and Options Considered

- 2.1 It is good practice for standards committees to produce an annual report on their activities through the year. The implementation of the standards regime in individual councils is no longer monitored nationally.
- 2.2 Chapter 7 of part 1 of the Localism Act 2011, which came into effect fully on 1st July 2012, completely changed the council's duties and the requirements placed upon it with regard to standards issues. Ealing Council has now had almost six years' experience of working with this statutory structure. In Ealing the standards regime is backed up by a Code of Conduct drawn up following principles set by members. Ealing has a strong culture of compliance, supported by locally-delivered training for all our councillors. This is reflected by the fact that of the eight formal complaints made against Ealing Councillors during the 2017 – 18 municipal year (up until the date of submission of this report) only two merited referral for investigation.
- 2.3 All Ealing councillors have been trained on governance issues, including the Code of Conduct for Councillors. This accords with best practice and ensures that

Ealing’s culture of high ethical standards and excellent behaviour amongst councillors continues. A draft training programme has been drawn up in preparation for the new May 2018 “intake”, and the party whips have been consulted upon it.

3. Key Implications

3.1 The Standards Committee now only meets once a year, in the absence of complaints requiring committee consideration. This arrangement works well, and reflects the fact that Ealing councillors are both fully trained on their responsibilities and complying with them. There is a strong “compliance culture”. Five additional dates were put in the municipal diary at the start of the year for “complaints meetings”, to make it quicker and easier to organise meetings to deal with complaints should these be received and required to be considered at committee level. None of these additional dates were used.

3.2 The following substantive items were on the agenda for the one Standards Committee meeting of the 2017 / 18 municipal year:

	Name of report	Meeting date
1	Annual review of the whistle blowing policy	Annual meeting (22 nd March 2018)
2	Annual review on the operation of the freedom of information service	Annual meeting (22 nd March 2018)
3	Annual review	Annual meeting (22 nd March 2018)

3.3 There were eight new complaints during this municipal year – although a number of those complaints arose from related or the same incidents. There are currently two related complaints being investigated by an investigating officer appointed by the Director of Legal and Democratic Services under the adopted Standards Complaints Procedure. No complaints were considered sufficiently serious to ask the Standards Assessment Panel to make the decision on whether or not to refer them for investigation. It has not – yet – been necessary to convene Standards Committee to determine any complaint hearings during the current municipal year.

	Complaint	Section of code alleged to be breached	Outcome / current status
1	Allegation that Cllr 1 gave a talk to a ward forum on an area of work in which Cllr 1 themselves did business. Alleges that Cllr 1 had acted improperly in failing to declare that they had a conflict of interest in the issue. The complainant also alleged that Cllr 1 owned	Not specified	DLDS took the decision to <u>not</u> refer the complaint for investigation. Reasons: That, taking account of the information given in the complaint, if the allegations were true (noting that no investigation was carried out into the truth of them or otherwise) no breach of the Code would appear to have taken place. Specifically: - The ward forum meeting was not taking any substantive decision impacting on a particular property interest of Cllr 1, therefore it is difficult to see how there can be any conflict of interest

	Complaint	Section of code alleged to be breached	Outcome / current status
	<p>a number of properties that should have been registered as houses in multiple occupation but were not. Finally, the complainant alleged that those properties should have been but were not disclosed in Cllr 1's declaration of interests.</p> <p>[24.10.2017: complaint by member of the public]</p>		<p>for Cllr 1 to give a presentation to the meeting about an issue of which Cllr 1 had a specific knowledge because of that property interest</p> <ul style="list-style-type: none"> - Cllr 1 had declared their ownership of properties in the borough, in accordance with the requirements of the Localism Act 2011. However, full detail of these properties are not shown on the public register because they have been adjudged "sensitive" in accordance with section 32 of the Localism Act. <p>The two independent people were consulted and both agreed with the view of the DLDS.</p> <p>[Date of DLDS decision: 04.12.2017]</p>
<i>Note that complaints 2, 3, 4 and 5 below were made by the same complainant</i>			
2	<p>Allegation that Cllr. 2 stated that they had put in a public application in regard to a planning application which they did not. The complainant wanted to understand why.</p> <p>[11.10.2017: complaint by member of the public]</p>	Not specified.	<p>DLDS took the decision to <u>not</u> refer the complaint for investigation.</p> <p>Reasons: That, taking account of the information given in the complaint and other information as set out below, no breach of the Councillors' Code of Conduct would appear to have taken place. Specifically:</p> <ul style="list-style-type: none"> - Failure to submit an objection to a planning application when requested to do so would not amount to a potential breach of the code of conduct - A statement by a councillor that they had done something when in fact they had not might potentially be a breach of the code of conduct. However, Cllr 2 produced copies of emails sent by Cllr 2 to the chair of the Planning Committee and Borough Planner requesting that the application be determined by Planning Committee (rather than by officers under delegated powers) and reserved Cllr 2's right to speak against the application on policy grounds set out briefly in that email. - Planning Committee minutes confirmed that Cllr 2 attended the meeting and spoke against the application in question. <p>In the circumstances set out above, it was clear that no breach of the Code had taken place and accordingly that a referral for investigation could not be justified.</p>

	Complaint	Section of code alleged to be breached	Outcome / current status
			Both independent people were consulted. [Date of DLDS decision: 03.01.2018]
3	Allegation that Cllr 3 had failed to respond to correspondence regarding a planning application objection. [21.10.2017: complaint by member of the public]	Not specified.	DLDS took the decision to <u>not</u> refer the complaint for investigation. Reasons: That, taking account of the information given in the complaint, no breach of the Code would appear to have taken place. Specifically, failure to respond to correspondence would be an example of less than ideal behaviour by a councillor but it would not normally amount to a potential breach of the code of conduct. In these circumstances, a full investigation cannot be justified. The two independent people were consulted and both agreed with the view of the DLDS. [Date of DLDS decision: 01.12.2017]
4	Allegation that Cllr 4 had failed to respond to correspondence regarding a planning application objection. [21.10.2017: complaint by member of the public]	Not specified.	DLDS took the decision to <u>not</u> refer the complaint for investigation. Reasons: That, taking account of the information given in the complaint, no breach of the Code would appear to have taken place. Specifically, failure to respond to correspondence would be an example of less than ideal behaviour by a councillor but it would not normally amount to a potential breach of the code of conduct. In these circumstances, a full investigation cannot be justified. The two independent people were consulted and both agreed with the view of the DLDS. [Date of DLDS decision: 01.12.2017]
5	Allegation that Cllr 5 had failed to respond to correspondence regarding a planning application objection. [21.10.2017: complaint by member of the public]	Not specified	No determination was made as the complainant never responded to an enquiry as to whether or not they wished to make a formal complaint about Cllr 5. This was not clear, as Cllr 5 was only mentioned in passing in the formal complaint about Cllrs 3 and 4 above.

	Complaint	Section of code alleged to be breached	Outcome / current status
<i>Note that complaints 6, 7 and 8 were all made about the same councillor in relation to the same Planning Committee site visit</i>			
6	<p>Allegation that Cllr 6 stated very clearly that they were always in favour of development and multi occupancy dwellings, unless there are serious exceptions. A further allegation that Cllr 6 has made comments on recent developments, and displayed a flippant attitude towards the concerns of residents, and should therefore not be allowed to continue as a member of Planning Committee or Licensing Committee.</p> <p>[25.10.2017: Complaint by member of the public, who also in the same email made complaint (1) above]</p>	Not specified	<p>DLDS took the decision to <u>not</u> refer the complaint for investigation.</p> <p>Reasons: That, if the allegations are true (noting that no investigation has been carried out into the truth of them or otherwise), no breach of the Code would appear to have taken place. Specifically:</p> <p>(1) The statutory position, namely section 25(2) of Localism Act 2011, does not support the allegation that Cllr 6 is unsuitable to be a member of either Planning Committee or Licensing Committee:</p> <p>25(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because—</p> <p>(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and</p> <p>(b) the matter was relevant to the decision</p> <p>This statutory provision is reproduced in the council's Code of Conduct for Members in Relation to Planning Matters.</p> <p>(2) The council's Code of Conduct for Councillors includes the following provisions:</p> <p><i>4. You must not conduct yourself in manner which could reasonably be regarded as bringing your office or the council into disrepute</i></p> <p><i>5. (1) You must treat others with respect</i></p> <p>The complainant has not given any specifics of behaviour by Cllr 6 that indicate that the councillor may be in breach of these two provisions; an unsubstantiated allegation of a "flippant attitude" is not in itself sufficient to justify a full investigation into whether a breach of either or both of these provisions of the Code of Conduct may have taken place.</p> <p>(3) Paragraph 12 of the council's Code of Conduct for Members in Relation to Planning Matters states that:</p> <p><i>12. If you have business or other interests bringing you into frequent contact with the</i></p>

	Complaint	Section of code alleged to be breached	Outcome / current status
			<p><i>planning system locally you should avoid membership of the Planning Committees. Such interests might include you acting as a planning agent or other consultant in respect of planning applications within the borough.</i></p> <p>The complainant has not made any assertions of fact or produced any evidence that might reasonably be said to support the assertion that Cllr 6 may be in breach of this provision of the Planning Code. Unsubstantiated allegations, that Cllr 6 is a property developer and always in favour of development unless there are serious exceptions, are not enough in themselves adequate to justify a full investigation into whether or not a breach of this provision of the Planning Code may have taken place.</p> <p>The two independent people were consulted.</p> <p>[Date of DLDS decision: 26.01.2018]</p>
7	<p>Allegation that Cllr 6 in the course of a Planning Committee site visit made comments to another councillor, that the developers would win in the end as they would also win for the adjoining property in which was still under consideration by officers. The complainant alleged that by making this comment Cllr 6 was pre-empting their decision at Planning Committee and should not have continued to take part in the decision-making process or to be a member of Planning Committee.</p> <p>[11.11.2017: complaint by member of the public]</p>	<p>4. You must not conduct yourself in manner which could reasonably be regarded as bringing your office or the council into disrepute</p> <p>5. (1) You must treat others with respect</p>	<p>DLDS took the decision to refer some aspects of the complaint for investigation but not to refer others. Reasons:</p> <p>That, if the allegations are true (noting that no investigation has been carried out into the truth of them or otherwise), a breach of some elements of the Code of Conduct may have taken place, but it is clear that other elements were not breached. Specifically:</p> <p>(1) The council's Code of Conduct for Councillors includes the following provisions:</p> <p><i>4. You must not conduct yourself in manner which could reasonably be regarded as bringing your office or the council into disrepute</i></p> <p><i>5. (1) You must treat others with respect</i></p> <p>The information given by the complainant, whilst it has not yet been investigated, suggests that the manner in which Cllr 6 conducted themselves and that comments they made at the site visit may potentially have constituted a breach of one or both of these provisions.</p> <p>(2) Section 25(2) of Localism Act 2011, which is reproduced in the council's Code of Conduct for Members in Relation to Planning Matters, reads as follows:</p> <p>25(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because—</p>

	Complaint	Section of code alleged to be breached	Outcome / current status
			<p>(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and (b) the matter was relevant to the decision</p> <p>There was no reasonable justification for the investigation to cover the issue of whether or not Cllr 6 pre-empted their decision and therefore whether or not they should have continued to take part in the Planning Committee decision. The investigation, which is still underway, relates only to potential breach of the provisions of the Code relating to potentially bringing the council into disrepute and treating others with respect.</p> <p>The two independent people were consulted.</p> <p>[Date of DLDS decision: 26.01.2018]</p>
8	<p>Allegation that Cllr 6 in the course of a Planning Committee site visit made comments to another councillor, that the developers would win approval for their development even if it were objected to now. The complainant considers that Cllr 6's main thrust was that refusing the applications would simply incur more costs for the Council as the developers would resubmit their requests time and again so there was no point in anyone objecting.</p> <p>The complainant was shocked as he believes that Cllr 6 had made a comment when they attended a previous Planning Committee visit to the effect that they did not care what the local residents thought about any planning applications, and that</p>	<p>4. You must not conduct yourself in manner which could reasonably be regarded as bringing your office or the council into disrepute</p> <p>5. (1) You must treat others with respect</p>	<p>DLDS took the decision to refer some aspects of the complaint for investigation but not to refer others.</p> <p>Reasons: That, if the allegations are true (noting that no investigation has been carried out into the truth of them or otherwise), a breach of some elements of the Code of Conduct may have taken place, but it is clear that other elements were not breached. Specifically:</p> <p>(3) The council's Code of Conduct for Councillors includes the following provisions: <i>4. You must not conduct yourself in manner which could reasonably be regarded as bringing your office or the council into disrepute</i> <i>5. (1) You must treat others with respect</i></p> <p>The information given by the complainant, whilst it has not yet been investigated, suggests that the manner in which Cllr 6 conducted themselves and that comments they made at the site visit may potentially have constituted a breach of one or both of these provisions.</p> <p>(4) Section 25(2) of Localism Act 2011, which is reproduced in the council's Code of Conduct for Members in Relation to Planning Matters, reads as follows:</p> <p>25(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because—</p>

	Complaint	Section of code alleged to be breached	Outcome / current status
	<p>these views didn't matter. The complainant considers that if Cllr 6 is not prepared to listen to different points of view why are they in a position to make decisions that affect people's lives?</p> <p>The complainant is concerned as to whether Cllr 6 ought to be and should continue to be a member of the Planning Committee</p> <p>[11.11.2017: complaint by member of the public]</p>		<p>(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and (b) the matter was relevant to the decision</p> <p>There was no reasonable justification for the investigation to cover the issue of whether or not Cllr 6 pre-empted their decision and therefore whether or not they should have continued to take part in the Planning Committee decision. The investigation, which is still underway, relates only to potential breach of the provisions of the Code relating to potentially bringing the council into disrepute and treating others with respect.</p> <p>The two independent people were consulted.</p> <p>[Date of DLDS decision: 26.01.2018]</p>

- 3.4 The fact that there were relatively few complaints made during the last year is again a reflection of the high standards of conduct amongst Ealing councillors. This reflects the work of the Standards Committee, and also the proactive work that continues to be carried out behind the scenes by the party whips and DLDS. There is no indication that the current excellent standards of conduct and low numbers of complaints will not continue, although it will be important to ensure that all councillors are trained on standards issues following the local elections in May.
- 3.5 It is difficult to discern any trend within the complaints received this year, beyond the fact that the majority arise from planning-related issues. Also, several the complaints were linked to each other.
- 3.6 Fewer informal complaints have been received from officers this year, perhaps reflecting the fact that all councillors have now had some years' experience of their duties and responsibilities. These were, as usual, dealt with by the DLDS during the year. These informal complaints fall into the following categories:
- Suggestions for how councillor behaviour in public meetings could be changed to achieve better outcomes and to improve perceptions of the council and its councillors
 - Requests that councillors address service queries to senior officers rather than approaching junior officers at their desks
 - Concerns expressed by officers about potential conflicts of interest
 - Concern about potentially bullying behaviour by a councillor towards a junior officer
- These were all dealt with by discussion between the DLDS and the councillor concerned, with the appropriate party whip kept informed.

3.7 A further success has been the continuing absence of complaints by councillors of one party political group against a councillor of another group.

The independent people

3.8 The Standards Committee has continued to receive excellent support throughout the municipal year from the independent chair of the committee and from the two independent people. The term of office of both independent people came to an end in June 2017 and Mr Michael Budd chose not to reapply at the end of his term of office. Ms Oumou Sall did reapply and was again successful in a competitive interview and so reappointed by full council at its [meeting on 10th October 2017](#). A completely new independent person – Ms Wendy Jones – was also appointed at the same meeting, again following competitive interview.

The independent chair

3.9 The Standards Committee chair is independent of the council and not a councillor. The independent chair is not entitled to vote but provides independent guidance and assurance. The legal requirement that the committee has an independent chair was removed in 2012, via the Localism Act reforms. However, the independent chair system has served Ealing well and each time it has been last reviewed by the Standards Committee (most recently at the 22nd March meeting this year) members were unanimous in their view that it should continue.

3.10 The current independent chair is Mr John Beastall, who also chaired the committee under the statutory provisions that applied before the Localism Act reforms. Mr Beastall is an experienced and well-respected chair, and his appointment is confirmed annually by the committee at its first meeting of the municipal year.

3.11 The [scheme of members' allowances](#) provides that the chair of Standards Committee be paid an allowance of £1008 per annum. Mr Beastall has since the date of his appointment chosen not to claim this allowance.

A continuing independent Standards Committee?

3.12 The Localism Act 2011 reforms significantly reduced the potential workload of the Standards Committee. This Act repealed many of the previous standards requirements for councillors, including the requirement to have a Standards Committee, to adopt a prescribed Code of Conduct for Councillors, and to have an independent chair of a standards committee. Suspension and disqualification were removed as potential sanctions. The Act also abolished the Standards Board for England.

3.13 The Localism Act did however place an obligation on the council to promote and maintain high standards of conduct by councillors and co-optees. Although the 2011 Act did not prescribe the form of Code of Conduct that councils must adopt, it did require that the council have a Code of Conduct for its councillors and that the Code must cover the following 7 principles:

- Selflessness
- Integrity
- Objectivity
- Accountability

- Openness
- Honesty
- Leadership

Ealing Council chose to implement this requirement via a stricter Code of Conduct than is statutorily required. The council also chose to retain a Standards Committee and an independent chair. All councils are required to appoint at least one independent person, and Ealing has appointed two.

3.14 To coincide with the introduction of the Localism Act reforms, the council also adopted a new procedure for standards complaints. This procedure involves the DLDS having an “initial filter” role in relation to complaints. This has reduced the role of the Standards Assessment Panel in particular, and enabled the council to deal with complaints received in a more efficient way, which is in keeping with the reduced officer resources now available to support the work.

3.15 The Standards Committee has the following [functions and responsibilities](#):

Standards Committee	<ul style="list-style-type: none"> (i) To promote and maintain high standards of conduct by councillors and co-opted members; (ii) To assist councillors and co-opted members to observe the Local Code of Conduct for Councillors; (iii) To advise the Council on the adoption or revision of the Local Code of Conduct for Councillors; (iv) To monitor the operation of the Local Code of Conduct for Councillors; (v) In some circumstances to grant dispensations to councillors and co-opted members from requirements relating to interests as set out in the Local Code of Conduct for Councillors; (vi) To determine allegations referred to it under the council’s standards procedures, that a member or co-opted member has failed to comply with the Local Code of Conduct for Councillors; (vii) To receive reports on the operation of the Council’s whistle blowing policy; (viii) To monitor, and where necessary advise and make recommendations upon freedom of information issues. (xii) Considering any lawful application made to it, by the holder for the time being of a post, for that post to be exempt from political restriction, and if the application is successful, giving appropriate directions to the Council in relation to the post (ix) Considering, whether in response to an application from any person, or otherwise, whether it is lawful and appropriate to require the Council to add a particular post to the list of politically restricted posts, and, if so, giving
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	appropriate directions to the Council in relation to the post
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3.16 These responsibilities all relate to standards of conduct by members, with the exception of whistleblowing and freedom of information ((vii) and (viii) above).

3.17 The Standards Assessment Panel has the following functions and responsibilities:

Standards Assessment Panel	To receive complaints received in accordance with prescribed requirements and alleging that a member or co-opted member has failed to comply with the Council's Local Code of Conduct for Councillors and to determine whether and how such complaints will be taken forward and dealt with.
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3.18 The figures in the table below demonstrate that the number of complaints have always fluctuated:

Year	Total number of complaints	Complaints dealt with by Standards Committee
2009/10	1	0
2010/11	4	0
2011/12	9	1
2012/13 NB. The Localism Act changes were introduced during this year	6	2
2013/14	12	2
2014/15	0	0
2015/16	5	0
2016/17	3	0
2017/18	8	0

3.19 In response to a reduction in business, the council took the decision in 2016 to retain its Standards Committee and independent chair but reduce the number of fixed annual meetings to one. Provision is made for additional meetings to be held as and when required, in response to any complaints that the committee may be required to deal with.

3.20 The Standards Committee has considered alternative models for delivery of the standards function, and the recommendation of that committee is that a separate Standards Committee should continue.

The council is statutorily required to retain at least one independent standards person in any event.

4. Financial

The work of the Standards Committee is funded from within the existing resources of the Legal and Democratic Services team.

5. Legal

The standards regime for councillors is governed by [chapter 7 of part 1 of the Localism Act 2011](#), and a number of statutory instruments that have been made under that Act.

6. Value For Money

Implicit within the report.

7. Sustainability Impact Appraisal

No issues.

8. Risk Management

A high standard of conduct by informed members is a key component in reducing risk for the council.

9. Community Safety

No issues.

10. Links to the 6 Priorities for the Borough

The council's six priorities for the borough are to make Ealing:

- prosperous
- safer
- healthier
- cleaner
- fairer
- accessible

11. Equalities, Human Rights and Community Cohesion

No issues.

12. Staffing/Workforce and Accommodation implications:

Resources to support the committee's work are provided from within the Legal and Democratic Services team.

13. Property and Assets

No issues.

14. Consultation

Various groups of members were consulted in relation to the work of the committee in formulating and implementing the council's approach to the statutory standards regime.

The independent people were consulted in relation to decisions of the DLDS under the Standards Complaints Procedure, as indicated within the table at 3.3 above.

16. Background Information

Localism Act 2011, part 1, chapter 7 (<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7>)

Standards Committee report [19th January 2012](#) on the implications of the Localism 2011 Act

[Full council report of October 2017](#) appointing the new independent people

Full council [report](#) 12 June 2012, recommending changes to the council's standards regime in the light of the Localism Act 2011.

Ealing Council's [Code of Conduct for councillors](#)

Standards Committee report 22nd March 2018

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
	Director of Legal and Democratic Services	Author		
Standards Committee			22 nd March 2018	
External				
Mr John Beastall	Independent chair	Discussion only		1.3, 3.10, 3.12-3.18

Report History

Decision type:	Urgency item?
Non-key decision	No
Report no.:	Report author and contact for queries: Helen Harris
	First and surname, job title: Director of Legal and Democratic Services