

PRESENT

Members of the Council

THE MAYOR: CLLR. ROBERT FREEMAN

THE DEPUTY MAYOR: CLLR. MARIE-THERESE ROSSI

AHERN, Tim
ATKINSON, Robert
BAKHTIAR, Mohammed
BERRILL-COX, Adrian
BLAKEMAN, Judith
CAMPBELL, Barbara
CAMPBELL, Elizabeth
CAMPION, David, BA (Arch), Dip
TP, FRIBA, MBCS, CITP
COATES, Professor Sir Anthony Bt,
BSc, MD, FRC Path, FRCP
COLERIDGE, Tim
COLLINSON, Deborah
FAULKS, Catherine
FEILDING-MELLEN, Rock
GARDNER, Joanna
HARGREAVES, Gerard
HUSBAND, James
LASHARIE, Beinazir
LIGHTFOOT, Warwick

LINDSAY, David
LITTLER, Harrison
LOMAS, Andrew
MACKOVER, Sam
MASON, Pat
MILLS, Julie
MOYLAN, Daniel
NICHOLLS, David
PALMER, Matthew
PRESS, Monica
RINKER, Andrew
RUTHERFORD, Mrs Elizabeth
SPALDING, Malcolm
TAYLOR-SMITH, Kim
THOMPSON, Robert
WADE, Linda
WARRICK, Paul
WEALE, Mary
WILL, Emma
WILLIAMS, Charles

A G E N D A

1. MINUTES OF THE MEETING HELD ON 14 OCTOBER 2015

The minutes of the meeting of the Council held on 14 October were confirmed as a correct record and were signed by the Mayor.

2. SPECIAL ANNOUNCEMENTS BY THE MAYOR

With much sadness the Mayor reported the deaths of two former members of the Council, Michael Cocks and Sir Christopher Walford.

Michael Cocks was first elected in 1964 to serve as one of three Members representing the Pembridge Ward. He lost his seat in 1971, but was co-opted to serve on the Housing Committee. In the 1974 election Pembridge became a two-member ward. Doreen Weatherhead and David Campion were re-elected and Michael Cocks did not stand again. He was a bachelor and lived in a flat in Kensington Park Gardens until his death on Thursday 8th October 2015.

Sir Christopher Walford was first elected in 1962, representing Brompton Ward and, after amalgamation in 1964 he represented Holland Ward until elected a member of Campden Ward in 1974.

Christopher Walford served on a wide range of committees, including most of the major committees, Town Planning and the Earl's Court Study Sub-Committee. He also represented the Council on the Campden Charities, the Greater London Joint Council for Local Authorities' Services (Manual Workers) and the London Transport Passengers Committee.

He was Deputy Mayor in 1974-75 and Mayor in 1979-80.

His mother, the late Mrs G I Walford, was active in local government and voluntary organisations in the area for over 30 years, and was Mayor of Kensington in 1962-65. She was also admitted as an Honorary Freeman of the Royal Borough in 1971.

He was a member of the City of London Solicitors Company and of the Worshipful Company of Makers of Playing Cards. He served as an Alderman for the Ward of Farringdon Within on the Corporation of the City of London from 1982-2002 and was Lord Mayor of the City of London in 1994-95.

Sir Christopher died on 21st October 2015.

The Mayor said that the Council's sympathies went to the families of both Michael Cocks and Sir Christopher Walford. He invited the Council to place on record its sadness at the news of their deaths and to join him in standing in silent remembrance.

Members stood in silent remembrance of both former Councillors.

Mayor's Carol Service

On a happier note, the Mayor reminded Councillors that his Carol Service would take place the following evening, 3 December, at 7pm at Our Lady of Victories Church. He hoped that as many Members as possible would support the event.

3. TOWN CLERK'S REPORTS AND COMMUNICATIONS

(i) Apologies

Apologies for absence were submitted on behalf of Cllrs Allison, Aouane, Borwick, Condon-Simmonds, Dent Coad, Healy, Marshall, Paget-Brown, Pascall and Powell.

Apologies for lateness were submitted on behalf of Cllr Coleridge.

(ii) Declarations of Interest

No such declarations were made.

Cllr Palmer said that he would be grateful for the opportunity to make a short statement. He referred to the speech he made at the Council meeting on 14 October as part of item 9. He apologised unreservedly:

- To the Mayor, for failing to sit down when he asked;
- To the Mayor and fellow councillors for making a speech which he now accepts was not a matter of local concern within the terms of Standing Order 11;
- To Cllrs Healy and Dent Coad for his comments about them during his speech as he accepted he could have made the points he wanted to make without causing offence to them; and
- To Cllr Dent Coad's daughter who he now knows was in the public gallery and who he understood was upset by his comments.

4. PETITIONS

(i) Grenfell Tower

Cllr Blakeman presented a petition of 60 signatures with the following prayer:

"We, the under-signed residents of Grenfell Tower, ask the Chairman of the Housing and Property Scrutiny Committee to undertake an urgent scrutiny of the TMO and Rydon's management of the refurbishment project currently underway at Grenfell Tower. Time and again residents' views have been ignored or down played. Despite interventions from our MP, Victoria Borwick, and our ward councillors, our day-to-day concerns are belittled and sidelined. While we recognise that, once completed, the Tower will – at long last – be fit for the 21st Century, during this process we have had to endure living conditions that at times have been intolerable. We understand that the Council will be commencing a major programme of regeneration throughout the borough and that this may involve refurbishment rather than demolition of some other tower blocks. In view of this, it is vital that all the lessons from the Grenfell Tower project are learned, so that the terrible daily living conditions inflicted upon us for so long are not replicated

elsewhere. As part of this investigation, the residents of Grenfell Tower ask that their views and experiences be canvassed and included in the scrutiny report."

Pursuant to Standing Order 10, the petition was referred to Cllr Marshall, Chairman of the Housing and Property Scrutiny Committee, for consideration and response.

5. ORDER OF BUSINESS

The Mayor announced that the order of debate would be as set out in the agenda.

6. REPORTS FROM THE CABINET

(i) Annual Treasury Strategy Mid-Year Review

The reception of the report was moved by Cllr Lightfoot and seconded by Cllr Ahern.

RESOLVED -

That the recommendation in paragraph 6 be adopted.

(ii) Statement of Licensing Policy

The reception of the report was moved by Cllr Ahern and seconded by Cllr Feilding-Mellen.

RESOLVED -

That the recommendation in paragraph 10 be adopted.

(iii) Statement of Gambling Policy

The reception of the report was moved by Cllr Ahern and seconded by Cllr Feilding-Mellen.

RESOLVED -

That the recommendation in paragraph 9 be adopted.

THE DEPUTY MAYOR, CLLR ROSSI, IN THE CHAIR

7. MATTERS REFERRED TO THE COUNCIL BY COUNCIL-SIDE COMMITTEES

There were no such reports.

8. MATTERS REFERRED TO THE COUNCIL BY SCRUTINY COMMITTEES

There were no such reports.

9. QUESTIONS TO CABINET MEMBERS

(i) By Cllr Pascall of Cllr Feilding-Mellen

In the absence of Cllr Pascall, his question was asked by Cllr Ahern:

"Our government grant is shrinking year on year and will likely continue to do so until 2019/20, can you set out for us the role being played by our property portfolio in plugging the gap?"

Reply:

Cllr Feilding-Mellen referred to the 2011 Corporate Property Strategy which aimed to raise revenue in order to protect front-line services. Rental income had increased from £4.7m p.a. in 2011 to £10.9m. An additional £2.3m had been saved by improved running costs. This increased income had helped the Council avoid looking at cuts to discretionary services or increasing Council Tax. He was hopeful that such savings could be doubled over the next four years.

(ii) By Cllr Palmer of Cllr Gardner

"The Kensington and Chelsea Community police team has been active for over one year. Made up of 1 Inspector, 4 Sergeants and 36 police constables, it is a team directly under the control of the Council.

Could the Cabinet member tell the full Council; what this team has been doing, are there any clear examples that the new approach has served the Borough better than the previous arrangements, how this approach differs from other London Boroughs, what has been learnt and what changes need to be made for any further improvements?"

Reply:

Cllr Gardner gave details of the work undertaken by the community police team. She spoke of the differences between PCSOs and the new team, which numbered 41 officers. The team held weekly meetings with the Council's Community Safety Officer to set their tasks. Councillors were welcome to submit tasking requests to the team.

(iii) By Cllr Coates of Cllr Coleridge

"Why is the Council allowing chaos in narrow streets from builders blocking the carriageway with no control or enforcement at all? For example when no CTMP is applicable. When councillors and residents

ask questions about this, it takes the Council six months to respond. Please explain."

Reply:

Cllr Coleridge spoke of the Council's Basement Policy which limited the extent of development and reduced vehicle traffic. A Construction Traffic Management Plan (CTMP) was now a requirement for all planning applications for basements, though this could not be currently be required of developments made under Permitted Development Rights. Cllr Coleridge said that 103 basement applications had been granted this year, compared with 295 in the previous year. The Council had also expanded its enforcement team to nine officers. This team had served 23 notices for breaches of CTMPs between June 2014 and June 2015; this was more than any other local authority in the country. He hoped that in April 2016 the Council would be introducing an Article 4 direction which would require planning permission and CTMPs for all basements. He added that the six month delay referred to by Cllr Coates related to developments in Clareville Grove which had been particularly complex. There would be discussions with residents and amenity societies in January on the matter of skips.

Supplementary Question by Cllr Coates:

"Why doesn't the Council control construction noise through the use of planning conditions by ensuring that they comply with a Construction Method Scheme, as other councils do and this Council has done so previously for instance in the case of 33 Hasker Street? And why does the Planning Department fail to consult the Environmental Health Department (as stated in Policy CE6) or use an external expert (paid for by the Applicant) to report on construction noise, loss of amenity and mitigation and envisaged by the National Planning Policy Framework Guidance on Noise, when construction noise is a factor (particularly in basement construction)? When planning permission can be refused when construction noise results in too great a loss of amenity to residents, why does this Council ignore and fail to address and control construction noise in contravention of Policies CE6, CL7 and the National Planning Policy Framework Guidance on Noise by:

- i) instructing an independent expert (at the Applicants cost) or asking the Environmental Health Department to report on the construction method statement, mitigation and the best practicable means
- ii) having a planning condition for a detailed Construction Method Statement that other Councils do and that this Council has done for instance in the case of 33 Hasker Street in 2013?"

Reply:

Cllr Coleridge said that he was consulting about mitigation as part of a review of a revised SPD for basements. He added that the Council had in-house expertise to deal with the matters raised by Cllr Coates.

(iv) By Cllr Linda Wade of Cllr Lightfoot

"Since the closure of the Earl's Court Exhibition Centre, and with the anticipated sale of Olympia with planning permission, there has been a downturn in trade between 30-60% in Earl's Court.

The combination of high rents and business rates with the reduction of footfall is creating a situation where Earl's Court is losing approximately one business a month; this is unsustainable for local businesses and residents alike.

Therefore, I would like the Council consider helping affected businesses to obtain a discount on their business rates and 'breaks' for start ups so that the area might retain its diversity of businesses and amenities that are essential to maintaining the community."

Reply:

Cllr Lightfoot replied that the Council had limited power to modify local taxes and assist businesses. He had received no requests from Earl's Court businesses for assistance with business rates in the past year. He queried the figure of a 30-60% downturn in trade cited by Cllr Wade. Rents did not go up if businesses were in decline. He disputed that the area was a dying business community and saw it as dynamic. He called on businesses in the area to come together and consider ways to brand and promote their businesses.

Supplementary Question by Cllr Wade:

Cllr Wade referred a precedent in the assistance given to businesses in Kensington Church Street and Kensington High Street on the opening of the Westfield Shopping Centre. She considered that independent businesses and new start-ups needed support and was happy to meet Cllr Lightfoot to show her evidence of the problems.

Reply:

Cllr Lightfoot said that some businesses had closed down and recognised it was a time of upheaval. However, there were big opportunities in the area, with some 20,000 more residents expected as part of the current developments. He spoke against using the tax system to preserve the current business community. He suggested that businesses might consider approaching the Valuation Agency to change their rateable values.

THE MAYOR, CLLR FREEMAN, IN THE CHAIR

10. MATTERS RAISED UNDER STANDING ORDER 11

Earl's Court Post Office

Cllr Atkinson spoke in favour of the retention of Earl's Court Post Office. It was a valued service, particularly for less mobile elderly residents who would not be able to get to another Post Office. Given the residential development in the area, demand for such a service would increase over time. He said the Council needed to be more proactive and look to defend the Post Office, perhaps by considering a co-located service on a Council site or by using S106 money more imaginatively.

The Council noted the matter raised.

11. MOTIONS FOR DEBATE

(i) Grenfell Tower

It was moved by Cllr Blakeman and seconded by Cllr Atkinson:

"This Council recognises that the residents of Grenfell Tower have been extremely patient throughout all the works undertaken on behalf of the Council beside and inside their homes. This has included the construction of the Kensington Aldridge Academy and the new Kensington Leisure Centre and all the associated environmental and public realm works.

The residents of the Tower are living in their homes while the Tower itself now undergoes a major regeneration. This includes replacing the communal heating and hot water system that was no longer fit for purpose, installing new boiler units, radiators, associated pipework and new windows in the homes, external cladding of the entire Tower and the construction of new flats for social rent, a boxing club, crèche, community facilities and a new entrance. While the residents recognise that, once completed, the Tower will – at last - be fit for the 21st Century, during this process they have had to endure living conditions that at times have been intolerable.

This Council acknowledges that, when residents are decanted from their homes to enable a regeneration programme, they are eligible for a statutory disturbance allowance of £4,900. Yet, despite having to live in very harrowing conditions for so long, the residents of Grenfell Tower have been offered a meagre £50 in compensation.

Because of the new size of the windows, residents will have to purchase replacement blinds and/or curtains. The internal decorations damaged

by the installation of the windows, radiators and pipework are not to be made good by the Council's contractors and residents advise that £50 does not represent full compensation for these factors alone.

The residents understand that £12 million is being spent on this refurbishment. However, compared to the cost of demolishing and replacing the Tower, this is a very modest sum. Excluding demolition expenses, it would cost the Council at least £25,000,000 to decant residents and replace the homes lost at Grenfell Tower, so a £12 million refurbishment programme represents a significant saving for the Council.

The Council therefore resolves to ask the Cabinet to consider recompensing all residents of Grenfell Tower with a sum well in excess of the paltry £50 currently on offer to take better account not just of the costs incurred to restore their homes to their former condition, but also for the daily disturbance and disruption that construction works have caused to their lives ever since 2012."

It was then moved by Cllr Husband and seconded by Cllr Mackover:

To amend the Motion so that it reads as follows (amendments in bold):

"This Council recognises that the residents of Grenfell Tower have been extremely patient throughout all the works undertaken on behalf of the Council beside and inside their homes. This has included the construction of the Kensington Aldridge Academy and the new Kensington Leisure Centre and all the associated environmental and public realm works.

*The residents of the Tower are living in their homes while the Tower itself now undergoes a major regeneration. This includes replacing the communal heating and hot water system that was no longer fit for purpose, installing new boiler units, radiators, associated pipework and new windows in the homes, external cladding of the entire Tower and the construction of new flats for social rent, a boxing club, crèche, community facilities and a new entrance. While the residents recognise that, once completed, the Tower will – at last - be fit for the 21st Century, during this process they have had to endure living conditions that at times have been **very inconvenient**.*

*This Council acknowledges that, when residents are decanted from their homes to enable a regeneration programme, they are eligible for a statutory disturbance allowance of £4,900. **The residents of Grenfell Tower have not been decanted as works could take place whilst they were in occupation.***

*Because of the **replacement** of the windows, residents **may want to** purchase replacement blinds and/or curtains. **There may also need to be some internal decorations following the installation of the***

windows, radiators and pipework. The Council's contractors have offered residents either a replacement back board behind the radiator as the new fitting is smaller than the previous one or help in finding a solution to any damage / repair works that need to undertaken.

*The residents understand that **£10.6 million** is being spent on this refurbishment **which is a very substantial amount when considered as part of the total resources available in the HRA Capital programme.***

This Council therefore resolves to continue to work with K&C TMO and Rydon to ensure that when approached by residents of Grenfell Tower they will try to assist them to re-hang curtains or blinds or find a solution to help them put up new window fittings."

Debate ensued.

The amendment was put to the vote and was declared by the Mayor to be carried.

The Motion as amended was then put to the vote and was declared by the Mayor to be carried.

(ii) Intermediate Housing

It was moved by Cllr Feilding-Mellen and seconded by Cllr Faulks:

"This Council notes and supports the findings and recommendations in the Centre for London's recent publication 'Fair to Middling: Report of the Commission on Intermediate Housing'.

In particular, the Council recognises that as property prices across London have sky-rocketed over the last 15 years, a growing number of hard-working local households have found themselves unable to afford market housing anywhere near their family and social networks, but equally unable to secure a social housing tenancy as they are not deemed sufficiently 'in need' to be awarded high priority points.

This challenge is particularly acute in Kensington and Chelsea but it is a growing problem across ever more of London. Left unchecked, this affordability crisis will not only change the character and social make-up on London, but it will threaten its continuing economic growth, and undermine London's promise to all those hardworking, aspiring households that contribute to the city's success.

Therefore, in order to protect its historic mixed-income neighbourhoods, this Council resolves that it will review its Housing and Planning policies and consult on significantly increasing the delivery of intermediate

housing across the borough. As recommended in the Centre for London report, the focus will be on delivering homes for intermediate rent, whose rent levels will be set in accordance with the Council's new Intermediate Rent Setting Policy so as to ensure that rents do not exceed 40% of the eligible households' net income."

It was then moved by Cllr Press and seconded by Cllr Thompson:

To delete all after: "... that contribute to the city's success" and insert:

"The Commission Chairs 'did not want to recommend any reduction in resources for social renting in order to increase the supply of intermediate housing provision' and 'given that part of the justification for offering intermediate housing in central London is to promote income mix, it follows that intermediate rent will be a particularly appropriate type of intermediate housing for more expensive areas' and 'intermediate ownership can be particularly valuable in helping an area with a backbone of owner occupiers'.

"Therefore, in order to promote mixed income neighbourhoods, this Council resolves that it will review its Housing and Planning policies and consult on significantly increasing the delivery of intermediate housing across the borough. As recommended in the Centre for London report, the focus will be on delivering homes for intermediate rent, whose rent levels will be set in accordance with the Council's new Intermediate Rent Setting Policy so as to ensure that rents do not exceed 40% of the eligible households' net income.

Furthermore, this Council notes that workers crucial to the success of London's economy, including employees in health and social care, the emergency services, education, transport, construction, retail, hospitality, administration and facility services need low cost housing in order to bring up the families that will contribute to London's future success. It therefore resolves that its review of the Intermediate Housing Policy will include the offer of two and three bedroomed homes at no more than 40% of gross income for those workers."

Debate ensued.

The amendment was put to the vote and was declared by the Mayor to be lost.

The Motion was then put to the vote and was declared by the Mayor to be carried unanimously.

12. RESIGNATIONS FROM AND APPOINTMENTS TO COMMITTEES AND OUTSIDE ORGANISATIONS

There were no appointments.

13. OTHER URGENT MATTERS

None.

The meeting ended at 8.30pm.

Mayor