

PRESENT

Members of the Committee

Councillor Sam Mackover (Chairman)
Councillor David Nicholls (Vice-Chairman)
Councillor Eve Allison
Councillor Judith Blakeman
Councillor David Campion
Councillor Maighread Condon-Simmonds
Councillor Matthew Palmer
Councillor Monica Press

Others in Attendance

Councillor Rock Feilding-Mellen (Deputy Leader and Cabinet Member for Housing,
Property and Regeneration)
Councillor Adrian Berrill-Cox
Ruth Angel (Strategy and Regeneration Manager)
Yvonne Birch (Executive Director of People and Performance – TMO)
Robert Black (Chief Executive – TMO)
Richard Egan (Interim Director for Corporate Property)
Mark Grant (Head of Investment and Development)
Jacqui Hird (Scrutiny Manager)
Laura Johnson (Director of Housing)
Steve Mellor (Group Finance Manager)
Martyn Carver (Governance Services)

A1. CHAIRMAN AND VICE-CHAIRMAN

The Committee confirmed the appointments of Cllr Mackover as Chairman
and Cllr Nicholls as Vice-Chairman for the ensuing municipal year.

A2. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Cllrs Pascall and Taylor-
Smith.

A3. MEMBERS' DECLARATIONS OF INTEREST

Cllrs Blakeman and Condon-Simmonds declared that they were Members of the TMO Board. Cllr Press declared she was a TMO leaseholder and a Trustee of the Westway Trust.

A4. MINUTES OF THE ORDINARY MEETING HELD ON 11 MAY AND OF THE SPECIAL MEETING HELD ON 25 MAY

The Minutes of the ordinary meeting held on 11 May and of the special meeting held on 25 May were confirmed as correct records and were signed by the Chairman.

Matters arising

Cllr Blakeman commented that some of the actions in the minutes had not been completed.

Cllr Press referred to the rota visit to Canalside House (A9). She tabled a copy of her visit report, a copy of which would be included in the minute book.

Action by: Governance Services

A5. CABINET MEMBER'S UPDATE ON PORTFOLIO PERFORMANCE

Cllr Blakeman and Press raised questions under the following paragraphs to which Cllr Feilding-Mellen responded:

1.2.5 – why were rent reviews within the General Fund rather than the Housing Revenue Account? Noted that the properties were held in the General Fund.

1.3.5 – was the Westway Information Centre squatted? Noted that the squatters had been removed.

1.3.7 – what were the criteria for purchases? Noted that each was considered on a case by case basis. Factors influencing a decision to purchase may include whether there was a good rental yield, whether there might be an operational use for the property and whether a purchase may free-up other properties.

1.8 – given the problems with the building, would there be compensation to the users of the Malton Road hub? Noted that this matter was still to be concluded. Noted also that there were no outstanding complaints to be dealt with.

2.8 – would there be a key decision about the Architects' Framework? Noted that there was no need for this as there were no costs involved in drawing up a list. Once agreed, the list would be in place for four years. Companies could be added during this period but would have to undergo a rigorous process. The next Cabinet Member report would give details of firms on the approved list.

2.12 – would there be a key decision on 140 Ladbroke Grove? Noted that this had been shown on the Forward Plan and had already been considered at Cabinet.

3.8 - ASC hub – noted that preliminary discussions had been held.

3.10 – North Kensington Library and Youth Centre – concern had been raised by residents about the youth club next door to the proposed library. Noted that the youth club would also need to be redesigned. A consultation document had been issued and concerns should be raised on that form. The Chairman suggested that Councillors also raise concerns directly with Mr Egan. Cllr Feilding-Mellen added that he would speak to Cllrs Campbell and Will, the relevant Cabinet Members, about this so matters were addressed during the design stages.

4.12 – what was the effect of the new charging policy? Noted that tenants in B&B would be charged for the full costs of services.

5.2 – how might the Coco be used? Noted that the Coco might be used to purchase properties, although this option was still to be clarified.

5.7 – the possible renewal of Burgess Field and some small sites had not been mentioned previously. Noted that this was yet to be consulted upon. There may be an option under the small sites programme to redevelop some small blocks. There was no list as yet. Officers would bring a list to Committee when ready.

Action by: Mrs Johnson

6 - Warwick Road Estate/Pembroke Road. Cllr Blakeman said that residents had been given the false impression that they could return after redevelopment. Noted that this would only apply to tenants and resident leaseholders. To be effective any decant strategy would need to be viable across sites and would need to take account of factors including succession rights and mortgages. Cllr Fielding- Mellen said he would consider putting the strategy to the TMO Homeowner Panel.

6 - Silchester Estate. Noted that West London Citizens had drawn up a Charter which Cllr Feilding-Mellen would consider. A further meeting with the group would be held in the Autumn.

Action by: Cllr Feilding-Mellen

A6. FINANCIAL VIABILITY WORKING GROUP – VERBAL UPDATE AND DISCUSSION

Cllr Berrill-Cox attended the meeting as Chairman of the Working Group. He advised that the Working Group had been due to meet on 28 June to discuss its final report. Following the result of the Referendum on the European Union the meeting had been postponed until such time as the impact of the decision to leave the Union on London's property market became clearer.

Cllr Press said that two key recommendations on the review mechanism and transparency of financial viability assessments were useful and should not be stopped from coming forward. The Chairman added that there was no suggestion that the work was now invalid; it was a matter of timing and presentation.

The Committee agreed (i) that a meeting of the Working Group be arranged to discuss how to proceed; and (ii) that Cllr Berrill-Cox, although no longer a member of the Scrutiny Committee, should remain as Chairman of the Working Group to conclude its work.

Action by: Governance Services

CORPORATE PROPERTY

A7. PURCHASE OF FREEHOLD INTEREST IN 71-73 LOTS ROAD, SW10

On paragraph 8.1, Cllr Blakeman asked whether external borrowing would be required. Cllr Feilding-Mellen clarified that there was no intention to purchase this interest through the COCO, the reference to external borrowing relates to the General Fund. He added that he was aware of a complaint from a resident about building accommodation on the site and would reply. The redevelopment of sites 1 and 2 would not depend on the successful acquisition of this site.

The report was received and noted.

A8. CANALSIDE HOUSE, 383 LADBROKE GROVE, W10

Cllr Press spoke of concerns about unsuitability referred to in paragraph 2.1. She asked that questions raised in her visit report be responded to. Cllr Feilding-Mellen commented that a decision would be taken to appoint a team to assess options for Canalside House, St Mark's and Acklam Road. No decisions had yet been taken on development. Cllr Press referred to the valuable work of voluntary organisations currently at Canalside House. She considered that 'social value' should be taken into account when looking at options. Cllr Feilding-Mellen said that social value was not

restricted to voluntary organisations but would also include housing and workspace. He added that any decision would not be based solely on financial considerations. Cllr Press said that this should be a 'three-diamond' key decision and should therefore come back to the Scrutiny Committee before approval.

Cllr Palmer referred to the continuing possibility of a Crossrail station at Kensal and the effect this would have on the site. Cllr Feilding-Mellen said that he was aware of this issue and it would be taken into account.

The report was received and noted.

HOUSING

A9. LIVE ISSUES REPORT BY DIRECTOR OF HOUSING

Referring to London Fire Brigade (LFB) enforcement notices, Cllr Nicholls asked whether the Council complies at other locations. Mrs Johnson confirmed that this was so but said that all blocks were different, although door-closers were uniformly fitted. She added that the Council would ensure that the required works to Adair and Hazlewood Towers were carried out. The Council would robustly defend itself against any LFB action as it had done all it could in the circumstances.

Cllr Blakeman commented that the Adair Tower fire was considered an act of arson. Residents had made earlier complaints about the incidents in respect of the flat in question. She considered that Housing Officers might need to be more proactive where complaints had been made about specific properties.

Cllr Press referred to paragraph 2.2 about homeless prevention legislation. At present there were no details about what might be included in the Bill. Cllr Feilding-Mellen said that he had written to the Bill's proposer, Bob Blackman MP, about concerns set out in paragraph 2.4. Cllr Press commented that most effort was around dealing with homelessness and not prevention. She asked if other boroughs were doing more in the private rented sector, such as voluntary registration for landlords or rent regulation. Cllr Feilding-Mellen disagreed that the Council could do more to prevent homelessness. He did undertake to look into Cllr Blakeman's suggestion that adult children would not be rehoused after estate regeneration.

Cllr Blakeman referred to paragraph 4.1 on the Council's Allocation Scheme and asked about adverse effects and the original intention. Mrs Johnson undertook to reply in writing.

Action by: Mrs Johnson

Referring to paragraph 4.2 Cllr Press asked how long prevention points would last. Mrs Johnson replied that prevention points would not be included in the policy.

Cllr Blakeman said that she found paragraph 5.3 on Vida Poshteh v. RBKC confusing. Cllr Feilding-Mellen agreed that the issue was complex, but the matter had been explained to him by the Council's lawyer. He would be happy to put members in touch with the lawyer should they require a more detailed explanation.

Cllr Allison left the meeting at this point.

A10. UPDATE ON BARLBY AND TREVERTON REGENERATION SCHEME

Mrs Johnson advised the Committee that the report would be submitted to Cabinet on 21 July. Cllr Feilding-Mellen asked that the Minutes record that the Council was looking at all options. There was a good case for partial regeneration but no decisions had yet been taken. He added that the programme described on page 2 was not specific to Barlby; other developments may also be joint ventures.

Members asked about consultation with residents. Mrs Johnson commented that so far there had been three drop-in events for residents, several newsletters and Council staff had knocked on doors to explain the options.

The report was received and noted.

A11. SILCHESTER EAST AND WEST – OUTCOME OF ESTATE REDEVELOPMENT OPTIONS APPRAISAL AND PROPOSALS FOR FURTHER WORK

Cllr Feilding-Mellen reminded the Committee that the report would be submitted to Cabinet on 21 July.

Cllr Blakeman asked whether the commitment to rehouse would be transferred to Registered Providers (RPs). She expressed concern that tenants were not getting answers from landlords. Cllr Feilding-Mellen said that he would discuss with RPs. He accepted that more could be done to encourage engagement. RPs would need to provide the same floorspace under planning policy. No firm decisions had yet been taken.

On page 12 under the paragraph on age, Cllr Blakeman said that there was no mention of procedures in respect of spare bedrooms or adult children. Cllr Feilding-Mellen said that he was aware of the issues. No firm decisions had yet been taken.

It was noted that there were around 80 leasehold properties on the estate and about 450 tenants, including leaseholders. Officers undertook to send to Members details about the numbers of owner-occupiers etc.

Action by: Ms Angel

Cllr Feilding-Mellen added that greenspace was an important consideration in any redevelopment, but it was too early to make any commitments. Cllr Nicholls referred to paragraph 5.7 about powers to ensure development. It was noted that Compulsory Purchase Orders could be issued but this would be a last resort.

The report was received and noted.

A12. TMO'S PERFORMANCE REVIEW 2015/16 AND PERFORMANCE AGREEMENT 2016/17

Cllr Press commented that resident engagement was not included in the TMO's Performance Indicators (PIs) until 2016/17. She suggested that there should be PIs to encourage this. Resident satisfaction was not the same as resident engagement. Mr Black replied that there were a series of key PIs behind those mentioned in the report. Mrs Johnson added that the Council could vary the PIs it reported on. Cllr Press asked to be sent the key PIs on resident engagement by the TMO.

Action by: Mrs Johnson

On page 30, Cllr Blakeman asked whether arrears would be repaid. It was noted that a voluntary organisation in an HRA property was in effect being subsidised by tenants. The Council was trying to normalise the position. There was a risk of some of these organisations being relocated.

Cllr Blakeman asked that it be minuted that the Council should thank the residents of Grenfell Tower for what they had been through over the previous four years of construction work.

Members referred specifically to improvements made to repairs and voids and the Committee agreed that the TMO had improved its performance over recent years.

A13. PROVISIONAL REVENUE AND CAPITAL OUTTURN 2015/16 – HOUSING GENERAL FUND

Mr Mellor explained the key points in the report. Net revenue overspend had been 0.86%. The temporary accommodation budget was overspent by £548k.

The report was received and noted.

Cllr Condon-Simmonds left the meeting at this point.

A14. PROVISIONAL REVENUE AND CAPITAL OUTTURN 2015/16 – HOUSING REVENUE ACCOUNT

Cllr Press referred to page 8 of the report and asked about refund plans for electricity, heating and hot water bills. It was noted that those affected had had letters about credits to their rent accounts.

Cllr Blakeman expressed concern about sub-standard works at Silchester Garages. Cllr Feilding-Mellen considered that any final payments should be withheld until works had been completed satisfactorily.

In respect of works to Tavistock Crescent, it was noted that the Council had now obtained eviction orders and works should begin in due course.

A15. MISCELLANEOUS MATTERS

Rota visits

No oral reports were given.

Working Groups

The Chairman suggested that it would be good to hear direct from providers such as Amey, rather than Council officers relaying second-hand information.

Forward Plan

Noted that the version of the Forward Plan circulated with the agenda was out of date. The correct version had been circulated to Members before the meeting and was tabled.

Cllr Press referred to page 13 and asked that the decant policy update (KD04274) also be brought to Committee.

Action by: Mrs Johnson

Cllr Blakeman asked whether the item on page 14 in respect of Barlby/Treverton (KD04808) was the same as the paper already discussed. If not, she asked that it be brought to the Committee.

Action by: Mrs Johnson

The Chairman referred to page 14 on St Mary Abbot's boundary wall (KD04798) and asked that Corporate Property officers advise him about the cost, what the Council was doing and any conclusions.

Action by: Mr Egan

The Forward Plan was noted.

A16. OTHER URGENT ORAL OR WRITTEN ITEMS WHICH THE CHAIRMAN

Tenants' Consultative Committee

Cllr Press asked, given the concerns about the Housing and Planning Act, whether there should be a meeting of the TCC in September. Cllr Feilding-Mellen replied that TCC was often poorly attended and such issues would be better discussed at a residents' conference or held over until the TCC meeting in January.

Co-opted Members

Cllr Press referred to the specialist co-opted members on the Family and Children's Services Scrutiny Committee and suggested that consideration be given to co-opting specialist property advisers onto the Scrutiny Committee. The Chairman said that he was open to this suggestion, particularly co-options onto working groups. Cllr Palmer reminded members that there was a scrutiny budget which could be used for this purpose.

Grenfell Tower

Cllr Palmer suggested as a future topic whether the Council had got value for money from Grenfell Tower. The Chairman said he would consider this with any other suggestions put forward by members.

KCSC report

Cllr Press suggested that the Kensington and Chelsea Social Council might give a short presentation to the September/October meeting on its recent report. The Chairman asked her to send him details and he would consider the suggestion.

Action by: Cllr Press

EXCLUSION OF THE PRESS AND PUBLIC

The Committee resolved that the press and public be excluded from the meeting for the following specific items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended:

B1. EXEMPT MINUTES OF THE MEETING HELD ON 11 MAY 2016

The Part B Minutes of the meeting on 11 May were confirmed as a correct record and were signed by the Chairman.

B2. PART B REPORT RELATING TO SILCHESTER ESTATE OPTIONS REPORT

The Committee noted the confidential information in the report.

The meeting ended at 8.45pm.

Chairman