

# **COUNCIL MINUTES**

(ORDINARY COUNCIL MEETING)

WEDNESDAY 30 JANUARY 2013



## PRESENT

The Mayor Councillor Belinda Donovan  
Deputy Mayor Councillor Frances Stainton

### Councillors:

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

### **28. MINUTES**

The minutes of the Council Meeting held on 24 October 2012 were confirmed and signed as an accurate record.

### **29. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Michael Adam and Oliver Craig. Apologies for lateness were received from Councillors Alex Chalk, Elaine Chumnerly and Jane Law.

### **30. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS**

The Mayor's Announcements were circulated and tabled at the meeting.

The Mayor announced the sad death of Councillor Jean Campbell, Ward Councillor for Wormholt and White City. The Council observed a minute silence in her memory.

Tributes were paid by Councillors Dame Sally Powell, Colin Aherne, Mercy Umeh, Nicholas Botterill and Stephen Cowan.

### **31. DECLARATIONS OF INTERESTS**

In respect of agenda item 6.5, Business Rate Forecast 2013/14, Councillor Michael Cartwright declared a significant interest as he was a senior member of the Valuation Tribunal for England. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

In respect of agenda item 6.6, H&F Response to the TfL Consultation on the Criteria for New Aviation Capacity, Councillor Michael Cartwright declared a disclosable pecuniary interest as he held shares in his name and in nominee names in International Consolidated Airlines, which was the owner of British Airways and Iberia. Councillor Cartwright therefore left the room during discussion of the matter without speaking or voting thereon.

In respect of agenda item 7.1, Special Motion 1 Cuts to Blue Light Services, Councillor Lucy Ivimy and Councillor Rory Vaughan declared significant interest as they were members (Councillor Ivimy was the Chairman) of the North West London Joint Health Overview and Scrutiny Committee. They considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

### **32. PUBLIC QUESTIONS**

There were no public questions received.

### **33. ITEMS FOR DISCUSSION/COMMITTEE REPORTS**

#### **33.1 South Fulham Riverside Supplementary Planning Document (SPD)**

7.20pm - The report and recommendation were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

An addendum had been circulated which included some changes to Appendix 1 of the report.

Speeches on the report were made by Councillors Nicholas Botterill, Jane Law and Steve Hamilton (for the Administration) and Councillors Andrew Jones and Lisa Homan (for the Opposition), before being put to the vote:

The report and recommendation were put to the vote:

FOR	28
AGAINST	14
NOT VOTING	0

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

7.50pm **RESOLVED**:

That the South Fulham Riverside Supplementary Planning Document (Appendix 1 of the report, as amended by the addendum circulated at the meeting) be adopted.

### 33.2 Localising Council Tax Support 2013/14

7.51pm - The report and recommendation were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

The report and recommendation were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.51pm **RESOLVED**:

That the Council continues to award a Council Tax discount as though the current regulations were still in place, as published in the DCLG's "default scheme", meaning that no one currently in receipt of Council Tax benefit will be worse off.

### 33.3 Council Tax Discounts and Exemptions 2013/14

7.52pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.52pm **RESOLVED:**

That the following recommendations be approved for the financial year 2013/14 and subsequent years until revoked:

- (1) Reduce the council tax discount on second homes from 10% to 0%;
- (2) Determine that the council tax discount on empty and unfurnished dwellings be 0%; and
- (3) Determine that the council tax discount on empty and unfurnished dwellings undergoing major repair be 0%.

33.4 Council Tax Base and Collection Rate 2013/2014

7.53pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.53pm **RESOLVED:**

That the following recommendations be approved for the financial year 2013/14:

- (1) That the estimated numbers of properties for each Valuation Band as set out in the report, be approved;
- (2) That an estimated Collection rate of 97.5% be approved; and
- (3) That the Council Tax Base of 67,895 Band "D" equivalent properties be approved.

33.5 Business Rate Forecast 2013/2014

7.54pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.54pm **RESOLVED:**

- (1) That the Business Rates forecast as summarised in Table 1 below and set out in more detail in NNDR1 at Appendix A of the report, be agreed:

Table 1:  
Forecast Yield and Amount Retained by the Council (before tariff)

	£m
Projected net yield	164.20
Amount payable to Government	82.10
Amount payable to GLA	32.84
Amount retained by the Council	49.26

- (2) that it be noted that the Council's income will be protected at £49.98m under the new systems safety net arrangements.

33.6 H&F Response to the TfL Consultation on the Criteria for New Aviation Capacity

7.55pm - The report and recommendation were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

Speeches on the report were made by Councillor Donald Johnson (for the Administration) and Councillors PJ Murphy and Stephen Cowan (for the Opposition), before being put to the vote:

The report and recommendation were put to the vote:

FOR	28
AGAINST	0
NOT VOTING	12

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

8pm **RESOLVED:**

That the draft response to the consultation, as attached to the report, for submission to TfL, be agreed.

(Councillor Michael Cartwright had declared a disclosable pecuniary interest in respect of this item and therefore left the room during discussion of the matter without speaking or voting thereon.)

### 33.7 Treasury Mid Year Review 2012-13

8.01pm - The report and recommendation were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

The report and recommendation were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

8.01pm **RESOLVED**:

That the Council's debt, borrowing and investment activity up to 30 September 2012, be noted.

### 34. **SPECIAL MOTIONS**

8.02pm Under Standing Order 15(e) (iii), Councillor Mark Loveday moved, and seconded by Councillor Jane Law, that Special Motion 7.2 – Borough Policing take precedence on the agenda and be considered next. The motion was unanimously agreed.

#### 34.1 Special Motion 2 - Borough Policing

8.03pm – Councillor Greg Smith moved, seconded by Councillor Andrew Brown, the special motion standing in their names:

“This Council welcomes news from the Mayor for London’s Office for Policing and Crime (MOPAC) that Hammersmith and Fulham will have 92 extra beat police officers under its New Policing Plan.

This Council resolves to continue working shoulder-to-shoulder with local police to further cut crime in the borough.”

Speeches on the special motion were made by Councillors Greg Smith and Andrew Brown (for the Administration).

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

“Delete all after this “This Council” in the first paragraph and insert:

“... notes the headline figures relating to police officers in Hammersmith & Fulham in the Mayor for London’s Policing and Crime Plan, and believes that the figures quoted by this council are incorrect and therefore misleading. If the plan is implemented in 2015, under the new policing model, officers will not be dedicated

to beat duties. Therefore the borough will gain only 3 police officers compared to police numbers in 2011. However, that means that the total number of police officers in Hammersmith & Fulham will be 556. This is 32 fewer police officers than were deployed in 2010.

The council therefore:

- I. Regrets the Conservative Administration's attempts to mislead the public about their party's cuts to the numbers of front line police officers serving in the London Borough of Hammersmith and Fulham
- II. Regrets the reduction in police numbers and notes this is contrary to the pledges made by Conservative councillors, Boris Johnson, the Mayor of London and the Conservative led government
- III. Also notes that 4 police sergeant positions were removed in the last eighteen months
- IV. Confirms it will cut all its unnecessary expenditure on expensive senior bureaucrats, on "political propaganda on the rates," on legal and other costs associated with its defence, its many unpopular schemes with its favoured property speculators and on other waste. It will use a proportion of the savings to fund extra police
- V. Recognises that police numbers are critical to reducing crime and therefore pledges to set out a realistic time table to delivering all sixteen wards with 24/7 neighbourhood police task squad cover."

Speeches on the amendment were made by Councillors Lisa Homan and Stephen Cowan (for the Opposition) and Councillors Charlie Dewhirst and Greg Smith (for the Administration) before it was put to the vote:

FOR	13
AGAINST	27
NOT VOTING	0

The amendment was declared **LOST**.

The substantive motion was put to the vote:

FOR	27
AGAINST	0
NOT VOTING	13

The motion was declared **CARRIED**.



8.35pm – **RESOLVED:**

This Council welcomes news from the Mayor for London's Office for Policing and Crime (MOPAC) that Hammersmith and Fulham will have 92 extra beat police officers under its New Policing Plan.

This Council resolves to continue working shoulder-to-shoulder with local police to further cut crime in the borough.

#### 34.2 Special Motion 1 - Cuts to Blue Light Services

8.36pm – Councillor Lisa Homan moved, seconded by Councillor Stephen Cowan, the special motion standing in their names:

“This council notes with alarm the number of cuts being proposed to blue light services threatening the health and safety of people who live and work in Hammersmith & Fulham. We resolve to lobby the London Mayor and the Government to reconsider the closure of the counter service at Shepherds Bush Police Station, the reduction in opening hours of the counter service at Fulham Police Station and the closure of the A&Es at Charing Cross and Hammersmith Hospitals”

Speeches on the special motion were made by Councillor Lisa Homan and Rory Vaughan (for the Opposition).

Under Standing Order 15(e) (vi), Councillor Greg Smith moved, seconded by Councillor Marcus Ginn, an amendment to the motion as follows:

“Amend title of Special Motion to: “Support for “blue light” services”

Delete all after “This Council notes” and insert:

- Getting more police officers on to the borough's streets has cut crime since 2006
- Every under-used police station public counter has an under-used police officer stuck behind it
- Every under-used police officer could be out on the borough's streets
- A police station counter is not a “blue-light service” – but a police officer on the street certainly is

This Council supports:

- The administration's campaign to save our local hospitals
- The Mayor of London's plans to get more police onto the borough's streets.”

Speeches on the amendment were made by Councillors Marcus Ginn, Lucy Ivimy and Peter Graham (for the Administration) and Councillor Stephen Cowan (for the Opposition) before it was put to the vote:

FOR	27
AGAINST	0
NOT VOTING	13

The amendment was declared **CARRIED.**

Speeches on the substantive motion as amended were made by Councillor Lisa Homan (for the Opposition) before it was put to the vote and a roll-call was requested:

FOR	NOT VOTING
ALFORD	AHERNE
BINMORE	BROWN (D)
BOTTERILL	CARTWRIGHT
BROCKLEBANK-FOWLER	CHUMNERY
BROWN (A)	COWAN
CARLEBACH	HARCOURT
COONEY	HOMAN
CROFTS	JONES
DE LISLE	MURPHY
DEWHIRST	NEEDHAM
DONOVAN (G)	POWELL
FORD	UMEH
GINN	VAUGHAN
GRAHAM	
HAMILTON	
IGGULDEN	
IVIMY	
JOHNSON (A)	
JOHNSON (D)	
KARMEL	
LAW	
LOVEDAY	
PHIBBS	
SMITH	
STANTON	
THORLEY	
TOBIAS	

FOR	27
AGAINST	0
NOT VOTING	13

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

9.12pm – **RESOLVED:**

Support for “blue light” services

This Council notes:

- Getting more police officers on to the borough’s streets has cut crime since 2006
- Every under-used police station public counter has an under-used police officer stuck behind it
- Every under-used police officer could be out on the borough’s streets
- A police station counter is not a “blue-light service” – but a police officer on the street certainly is

This Council supports:

- The administration’s campaign to save our local hospitals
- The Mayor of London’s plans to get more police onto the borough’s streets.

### 34.3 Special Motion 3 - West London Free School

9.13pm – Councillor Helen Binmore moved, seconded by Councillor Georgie Cooney, the special motion standing in their names:

“This Council:

1. Notes:

- The popularity of the West London Free School which opened in September 2011.
- The secondary school will move to its permanent site at Palingswick House in September 2013.

2. Believes that:

- The Borough of Opportunity should continue to support the development of a first class state education for all those who want it.
- Parents deserve a genuine choice of good local school.

3. Welcomes the West London Free School Primary School due to open in September.

4. Resolves to:

- Continue to support parental choice when it comes to deciding where they send their children to school.
- Support a second West London Free School primary school in the Earls Court Opportunity Area as part of the wider regeneration of this part of the borough.”

Speeches on the special motion were made by Councillors Helen Binmore and Georgie Cooney (for the Administration).

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

“Delete the second bullet point on point 4 and replace with:

“Does not support the demolition of the homes of 800 families on the West Kensington and Gibbs Green Estates nor does it support the demolition of the Earls Court exhibition centres.””

Under Standing Order 14 (h) the Mayor ruled that the amendment did not relate to the original motion and was not valid.

Under Standing Order 15(e) (vi), Councillor Caroline Needham moved, seconded by Councillor Stephen Cowan, a further amendment to the motion as follows:

“Delete the second bullet point on point 4.”

Speeches on the amendment were made by Councillors Caroline Needham and Stephen Cowan (for the Opposition) and Councillor Harry Phibbs (for the Administration) before it was put to the vote and a roll-call was requested:

FOR	AGAINST
AHERNE	ALFORD
BROWN (D)	BINMORE
CARTWRIGHT	BOTTERILL
CHUMNERY	BROCKLEBANK-FOWLER
COWAN	BROWN (A)
HARCOURT	CARLEBACH
HOMAN	COONEY
JONES	CROFTS
MURPHY	DE LISLE
NEEDHAM	DEWHIRST
POWELL	DONOVAN (G)
UMEH	FORD
VAUGHAN	GINN
	GRAHAM
	HAMILTON
	IGGULDEN
	IVIMY
	JOHNSON (A)
	JOHNSON (D)
	KARMEL
	LAW
	LOVEDAY
	PHIBBS
	SMITH
	STANTON
	THORLEY
	TOBIAS

FOR	13
AGAINST	27
NOT VOTING	0

The amendment was declared **LOST**.

Speeches on the substantive motion were made by Councillor Helen Binmore (for the Administration) before it was put to the vote:

FOR	27
AGAINST	0
NOT VOTING	13

The motion was declared **CARRIED**.

9.47pm – **RESOLVED**:

This Council:

1. Notes:

- The popularity of the West London Free School which opened in September 2011.
- The secondary school will move to its permanent site at Palingswick House in September 2013.

2. Believes that:

- The Borough of Opportunity should continue to support the development of a first class state education for all those who want it.
- Parents deserve a genuine choice of good local school.

3. Welcomes the West London Free School Primary School due to open in September.

4. Resolves to:

- Continue to support parental choice when it comes to deciding where they send their children to school.
- Support a second West London Free School primary school in the Earls Court Opportunity Area as part of the wider regeneration of this part of the borough.

#### 34.4 Special Motion 4 - European Union Public Procurement Regime

9.48pm – Councillor Andrew Johnson moved, seconded by Councillor Greg Smith, the special motion standing in their names:

“This Council notes:

1. The concerns raised by the Local Government Association that “ridiculous EU procurement rules are making it harder for councils to save money by sharing services”.
2. That opportunities to promote local jobs and economic growth are being missed, and the opaque internal market regulations are standing in the way of delivery of better value for money to taxpayers by local authorities in the UK.
3. That the proposed reform of the current procurement regime by the European Union risks making matters “even more convoluted and costly” for local government, by “making it virtually impossible for councils to give preference to local suppliers” and “force those wishing to pool services with neighbouring local authorities into an unnecessarily lengthy and costly EU-wide tendering process”.
4. That millions of pounds in additional savings would be created through shared service agreements if more appropriate EU reforms were introduced.

This Council calls on government:

1. To take the fight to Brussels on behalf of the residents of Hammersmith & Fulham to promote a re-write of the rules stifling public service innovation.
2. To allow more freedom to award contracts to local suppliers, including relaxing rules that demand that procurement contracts to employee organisations or staff mutuals must be opened to providers across Europe.
3. To increase the “ludicrously low” £170,000 procurement threshold above which local government has to open contracts to the entire EU.”

Speeches on the special motion were made by Councillors Andrew Johnson and Greg Smith (for the Administration) before it was put to the vote:

FOR	27
AGAINST	12
NOT VOTING	0

The motion was declared **CARRIED**.

10pm – **RESOLVED:**

This Council notes:

1. The concerns raised by the Local Government Association that “ridiculous EU procurement rules are making it harder for councils to save money by sharing services”.
2. That opportunities to promote local jobs and economic growth are being missed, and the opaque internal market regulations are standing in the way of delivery of better value for money to taxpayers by local authorities in the UK.
3. That the proposed reform of the current procurement regime by the European Union risks making matters “even more convoluted and costly” for local government, by “making it virtually impossible for councils to give preference to local suppliers” and “force those wishing to pool services with neighbouring local authorities into an unnecessarily lengthy and costly EU-wide tendering process”.
4. That millions of pounds in additional savings would be created through shared service agreements if more appropriate EU reforms were introduced.

This Council calls on government:

1. To take the fight to Brussels on behalf of the residents of Hammersmith & Fulham to promote a re-write of the rules stifling public service innovation.
2. To allow more freedom to award contracts to local suppliers, including relaxing rules that demand that procurement contracts to employee organisations or staff mutuals must be opened to providers across Europe.
3. To increase the “ludicrously low” £170,000 procurement threshold above which local government has to open contracts to the entire EU.

### **35. INFORMATION REPORTS - TO NOTE**

#### 35.1 Special Urgency Decisions - Monitoring Report

The report was noted.

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

Meeting started: 7.00 pm  
Meeting ended: 10.01 pm

Mayor .....