

COUNCIL MINUTES

(ORDINARY COUNCIL MEETING)

WEDNESDAY 24 OCTOBER 2012



PRESENT

The Mayor Councillor Belinda Donovan
Deputy Mayor Councillor Frances Stainton

Councillors:

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

20. MINUTES

The minutes of the Ordinary Council Meeting held on 4 July 2012 were confirmed and signed as an accurate record.

21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Victoria Brocklebank-Fowler, Donald Johnson, Jane Law, Mark Loveday and Rory Vaughan.

22. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Mayor's Announcements were circulated at the meeting.

23. DECLARATIONS OF INTERESTS

In respect of agenda item 6.6 Annual Report of the Audit and Pensions Committee 2011/12, Councillors Adronie Alford, Helen Binmore, Joe Carlebach, Michael Cartwright, Georgie Cooney, Stephen Cowan, Oliver Craig, Lisa Homan, PJ Murphy and Caroline Needham declared a significant interest as they were

members of the Local Government Pension Scheme. 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.

Councillor Michael Cartwright also declared a disclosable pecuniary interest in respect of agenda item 7.1 Special Motion 1 – London Airports and agenda item 7.7 Special Motion 7 – Heathrow Airport Third Runway, as he held shares in his own name and in nominee names in International Consolidated Airlines, a company that owns British Airways and Iberia, and was a major operator at Heathrow Airport. Councillor Cartwright therefore left the room during discussion of the matter without speaking or voting thereon.

24. PUBLIC QUESTIONS (20 MINUTES)

24.1 Question 1 - Mr John Grigg

7.06pm - The Mayor called on Mr John Grigg who had submitted a question to the Cabinet Member for Community Care (Councillor Marcus Ginn) to ask his question. The Cabinet Member for Community Care responded. Mr Grigg asked a supplementary question which was also answered.

(A copy of the public question submitted and the reply given is attached at **Appendix 1** to these minutes).

25. ITEMS FOR DISCUSSION/COMMITTEE REPORTS

25.1 Town Ward By-Election

7.10pm - The Council noted that Councillor Andrew Brown, the Conservative Party candidate, was elected Ward Councillor to the vacancy in Town Ward at the By-election held on 12 July 2012. The Mayor welcomed Councillor Andrew Brown to the chamber.

25.2 Earls Court Redevelopment - Application for Consent for Disposal of HRA Land

7.11pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

Speeches on the report were made by Councillors Nicholas Botterill and Andrew Johnson (for the Administration) and Councillors Daryl Brown and Stephen Cowan (for the Opposition), before being put to the vote:

The report and recommendations were put to the vote:

FOR	25
AGAINST	14
NOT VOTING	0

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

7.25pm **RESOLVED:**

That the Executive Director of Housing and Regeneration be authorised to submit an application for the Secretary of State's consent for the necessary disposal of Housing Revenue Account (HRA) land situated in the Estates to facilitate a comprehensive redevelopment of the Earl's Court and West Kensington area, following the completion and signing of the Conditional Land Sale Agreement with EC Properties LP, part of the Capital and Counties Properties plc group of companies (referred to as CapCo within the report).

25.3 Review of the Council's Statement of Gambling Principles

7.26pm - The report and recommendations were formally moved for adoption by the Deputy Leader of the Council and Cabinet Member for Residents Services, Councillor Greg Smith.

The report and recommendations were put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

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

7.26pm **RESOLVED:**

That the Council's revised Statement of Gambling Principles 2013, as set out in Appendix D of the report, be approved.

25.4 Review of the Council's Constitution - Revised Procedure for Executive Meetings and Access to Information

7.27pm - The report and recommendations were formally moved for adoption by Councillor Alex Karmel.

The report and recommendations were put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

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

7.27pm **RESOLVED:**

That the Constitution be amended to reflect the changes in section 3 of the report.

25.5 Treasury Management Outturn Report

7.28pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Nicholas Botterill.

Speeches on the report were made by Councillor Nicholas Botterill (for the Administration) and Councillor Andrew Jones (for the Opposition), before being put to the vote:

The report and recommendations were put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

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

7.34pm **RESOLVED**:

- (1) That the Council notes it has not undertaken any borrowing for the period 1 April 2011 to 31 March 2012; and
- (2) that the investment activity for the period 1 April 2011 to 31 March 2012 be noted.

25.6 Annual Report of the Audit and Pensions Committee 2011/12

7.35pm - 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 Councillors PJ Murphy, Stephen Cowan and Michael Cartwright (for the Opposition) and Councillors Nicholas Botterill and Michael Adam (for the Administration), before being put to the vote:

The report and recommendation were put to the vote:

FOR	25
AGAINST	14
NOT VOTING	0

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

8.05pm **RESOLVED**:

That the annual report be approved.

26. SPECIAL MOTIONS

8.06pm Under Standing Order 15(e) (iii), Councillor Alex Karmel moved, and seconded by Councillor Peter Graham, that Special Motion 7.6 - Objection to Hammersmith and Fulham's Conservative Administration's £2 million Funding of the Barclays Bank/Boris Bikes Scheme take precedence on the agenda and be considered next. The motion was unanimously agreed.

26.1 Special Motion 6 - Objection to Hammersmith and Fulham's Conservative Administration's £2 million Funding of the Barclays Bank/Boris Bikes Scheme

8.07pm – Councillor Lisa Homan moved, seconded by Councillor Stephen Cowan, the special motion standing in their names:

“This Council agrees to take all possible measures to block the payment of £2m of Hammersmith and Fulham public money to fund the Barclays Bank/Boris Bikes scheme.

Furthermore, it calls for an independent inquiry to discover what led the Conservative Administration to prioritise £2m of scarce Borough resources for the Conservative London Mayor’s pet project.”

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

Under Standing Order 15(e) (vi), Councillor Peter Graham moved, seconded by Councillor Alex Karmel, an amendment to the motion as follows:

“Delete all after “SPECIAL MOTION NO. 6 –” and replace with...

"BORIS BIKES

This Council notes that:

1. On 19 October 2011, it unanimously supported “the plans by the Mayor of London to extend the Barclays Cycle Hire scheme to Hammersmith and Fulham”.
2. On 19 October 2011 it further unanimously welcomed “the benefits this will bring in relieving pressure on congested roads and tube trains, reducing pollution and improving the health of all our residents”.
3. These benefits depend on new docking stations being funded.

This Council:

4. Acknowledges that Barclays Bank plc is contributing an additional £25 million towards the Phase 3 expansion of the scheme in London.
5. Continues acknowledges the financial support that developers such as Westfield make towards the Barclays Cycle Hire scheme, and supports using planning agreements for this purpose.
6. Recognises that the £2 million contribution from developers in the borough towards the Barclays Cycle Hire scheme is at no cost to the taxpayer.

This Council:

7. Deplores the conduct of the opposition, who backed this improvement to local transport infrastructure a year ago, but who now belittle it as the "Conservative Mayor's pet project".
8. Celebrates the fact that 4,000 residents in the borough are already registered users of the Barclays Cycle Hire scheme and acknowledges the overwhelming support amongst residents for bringing Boris Bikes to Hammersmith and Fulham.
9. Will work for the remaining parts of the Borough to be included in future phases of the Barclays Cycle Hire scheme."

Speeches on the amendment were made by Councillors Peter Graham, Andrew Johnson, Harry Phibbs and Peter Tobias (for the Administration) and Councillors PJ Murphy and Stephen Cowan (for the Opposition) before it was put to the vote:

FOR	26
AGAINST	13
NOT VOTING	0

The amendment was declared **Carried.**

Speeches on the substantive motion as amended were made by Councillors Stephen Cowan and Lisa Homan (for the Opposition) before it was put to the vote:

FOR	26
AGAINST	13
NOT VOTING	0

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

8.40pm – **RESOLVED:**

BORIS BIKES

This Council notes that:

1. On 19 October 2011, it unanimously supported “the plans by the Mayor of London to extend the Barclays Cycle Hire scheme to Hammersmith and Fulham”.
2. On 19 October 2011 it further unanimously welcomed “the benefits this will bring in relieving pressure on congested roads and tube trains, reducing pollution and improving the health of all our residents”.
3. These benefits depend on new docking stations being funded.

This Council:

4. Acknowledges that Barclays Bank plc is contributing an additional £25 million towards the Phase 3 expansion of the scheme in London.
5. Continues acknowledges the financial support that developers such as Westfield make towards the Barclays Cycle Hire scheme, and supports using planning agreements for this purpose.
6. Recognises that the £2 million contribution from developers in the borough towards the Barclays Cycle Hire scheme is at no cost to the taxpayer.

This Council:

7. Deplores the conduct of the opposition, who backed this improvement to local transport infrastructure a year ago, but who now belittle it as the "Conservative Mayor's pet project”.
8. Celebrates the fact that 4,000 residents in the borough are already registered users of the Barclays Cycle Hire scheme and acknowledges the overwhelming support amongst residents for bringing Boris Bikes to Hammersmith and Fulham.
9. Will work for the remaining parts of the Borough to be included in future phases of the Barclays Cycle Hire scheme.

26.2 Special Motion 1 - London Airports

8.41pm – Councillor Nicholas Botterill moved, seconded by Councillor Robert Iggulden, the special motion standing in their names:

- “1. This Council notes that:
 - A two and a half runway airport solution at Heathrow Airport can never provide the successful air transport hub which London needs;
 - Additional runway capacity at Heathrow would mean an unacceptable increase in aircraft noise for parts of Hammersmith and Fulham which have to date been less adversely affected, and that;
 - The recent operational freedom trials at Heathrow have proved to be highly damaging to borough residents who presently get some respite through runway alteration.
2. This Council utterly rejects any revised plans to build an additional short runway at Heathrow Airport.
3. This Council supports the Mayor of London in his bid to secure a new four runway airport to the east of London as the only practicable economic and environmental solution to London’s requirement for a truly resilient international airport hub.”

Speeches on the special motion were made by Councillors Nicholas Botterill and Robert Iggulden (for the Administration).

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

“Delete all listed in point 3 and replace with:

- “3. Notes that there has been no serious work on Boris Johnson’s (Con) Thames Estuary Airport since he first mentioned it during the 2008 election campaign and that it still remains a vague concept without even the beginnings of a proper plan. It further notes that there is a considerable amount of disarray amongst Conservative government ministers with the Rt Hon Philip Hammond MP (Con) describing the Mayor’s proposal as “a complete disaster” and the Rt Hon Grant Shapps MP, (Con), the Chairman of the Conservative Party, stating “Britain must consider building a third runway at Heathrow if it is to remain a great trading nation.”

The Council recognises that Prime Minister David Cameron (Con) and Chancellor George Osborne (Con) have appointed Sir Howard Davies, the economist, to lead a commission into whether Britain should increase the capacity of its airports. The Council affirms that it is gravely concerned about reports* that they have done this to *“open the door for the Conservatives to complete a U-turn on the third runway issue.”*

This Council therefore resolves to lobby the Mayor to begin to make headway on other options and to lobby the government at all levels to block any third runway at Heathrow Airport.”

Speeches on the amendment were made by Councillors Stephen Cowan and Lisa Homan (for the Opposition) and Councillors Peter Graham and Nicholas Botterill (for the Administration) before it was put to the vote:

FOR	12
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST**.

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

“Delete all after “This Council” and replace with:

“regrets the shambles surrounding the government’s position on airports in the south east of England and re-asserts its strong objections to Heathrow being granted permission to build a third runway.

The London Borough of Hammersmith and Fulham also agrees to work with residents, other London Boroughs, the GLA and the London Mayor to effectively campaign against the Heathrow third runway.”

Speeches on the amendment were made by Councillors Andrew Jones and Caroline Needham (for the Opposition) and Councillor Alex Karmel (for the Administration) before it was put to the vote:

FOR	12
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST**.

Speeches on the substantive motion were made by Councillor Stephen Cowan (for the Opposition) before it was put to the vote:

FOR	24
AGAINST	0
NOT VOTING	12

The motion was declared **CARRIED**.

8.26pm – **RESOLVED:**

1. This Council notes that:
 - A two and a half runway airport solution at Heathrow Airport can never provide the successful air transport hub which London needs;
 - Additional runway capacity at Heathrow would mean an unacceptable increase in aircraft noise for parts of Hammersmith and Fulham which have to date been less adversely affected, and that;
 - The recent operational freedom trials at Heathrow have proved to be highly damaging to borough residents who presently get some respite through runway alteration.
2. This Council utterly rejects any revised plans to build an additional short runway at Heathrow Airport.
3. This Council supports the Mayor of London in his bid to secure a new four runway airport to the east of London as the only practicable economic and environmental solution to London's requirement for a truly resilient international airport hub.

(Councillor 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.)

26.3 Special Motion 2 - Tri-Borough Working

9.27pm – Councillor Nicholas Botterill moved, seconded by Councillor Greg Smith, the special motion standing in their names:

“This Council notes with pride the progress made over the past 15 months in securing successful Tri-borough and Bi-borough working and the financial savings and service improvements which have resulted from this bold initiative now being copied up and down the country.”

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

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

“Delete all and replace with:

“We recognise that the Council has been imaginative in initiating the Tri-Borough programme and accepts that it is a good idea but it is concerned that it has missed genuine efficiency savings targets and has no objective tracking mechanisms on how this is affecting front line services.

The Council regrets that it chose to follow a DIY approach to these service mergers and that it decided to ignore all good practice models.

It therefore resolves to:

- Set up an independent critical friends board charged with rooting out vested interests and advising on best practice
- Re-visit savings targets that can still be made such as by reducing senior management numbers and stripping out duplication
- Re-consider best practice and take measures to resolve the confusion, low morale and inefficiency currently being experienced across many areas of vital council services.”

Speeches on the amendment were made by Councillors Andrew Jones, Caroline Needham and Stephen Cowan (for the Opposition) and Councillor Nicholas Botterill (for the Administration) before it was put to the vote:

FOR	12
AGAINST	24
NOT VOTING	0

The amendment was declared **LOST**.

The substantive motion was put to the vote:

FOR	24
AGAINST	0
NOT VOTING	12

The motion was declared **CARRIED**.

9.59pm – **RESOLVED**:

This Council notes with pride the progress made over the past 15 months in securing successful Tri-borough and Bi-borough working and the financial savings and service improvements which have resulted from this bold initiative now being copied up and down the country.

26.4 Special Motion 3 - Low Cost Home Ownership

10.01pm – Councillor Andrew Johnson moved, seconded by Councillor Harry Phibbs, the special motion standing in their names:

“This Council notes that:

- Since 2006, over 700 families who live or work in the Borough have been helped onto the property ladder through the Council’s low cost ownership programme;
- There are over 4,143 people currently on the Council’s Home Buy register for low cost homeownership properties, and that;
- For the years 2009-10, 2010-11, 2011-12, 68% of purchasers of low cost homeownership properties had an income of under £40,000.

This Council resolves to:

- Increase the overall levels of homeownership within Hammersmith and Fulham by increasing the supply of intermediate housing;
- Increase the ability of existing local authority tenants to become homeowners through the Right to Buy and access to other low cost homeownership properties, and to;
- Use the Local Housing Company to maximum effect to deliver a range of intermediate properties on HRA land through the Hidden Homes programme.”

The motion was put to the vote:

FOR	24
AGAINST	0
NOT VOTING	12

The motion was declared **CARRIED**.

10.01pm – **RESOLVED**:

This Council notes that:

- Since 2006, over 700 families who live or work in the Borough have been helped onto the property ladder through the Council’s low cost ownership programme;
- There are over 4,143 people currently on the Council’s Home Buy register for low cost homeownership properties, and that;
- For the years 2009-10, 2010-11, 2011-12, 68% of purchasers of low cost homeownership properties had an income of under £40,000.

This Council resolves to:

- Increase the overall levels of homeownership within Hammersmith and Fulham by increasing the supply of intermediate housing;
- Increase the ability of existing local authority tenants to become homeowners through the Right to Buy and access to other low cost homeownership properties, and to;
- Use the Local Housing Company to maximum effect to deliver a range of intermediate properties on HRA land through the Hidden Homes programme.

26.5 Special Motion 4 - Changes to Committee Membership

10.02pm – Councillor Alex Karmel moved, seconded by Councillor Peter Graham, the special motion standing in their names:

“The following changes to the Education and Children’s Services Select Committee membership will be made, effective from the day after the Council meeting:

Councillor Harry Phibbs - to come off the Education and Children’s Services Select Committee.

Councillor Andrew Brown – to be appointed a member of Education and Children’s Services Select Committee.”

The motion was put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

The motion was declared **CARRIED**.

10.02pm – **RESOLVED**:

The following changes to the Education and Children’s Services Select Committee membership will be made, effective from the day after the Council meeting:

Councillor Harry Phibbs - to come off the Education and Children’s Services Select Committee.

Councillor Andrew Brown – to be appointed a member of Education and Children’s Services Select Committee.

26.6 Special Motion 5 - The London Borough of Hammersmith and Fulham's Voluntary Declaration to Her Majesty's Revenue and Customs

10.03pm – Councillor Michael Cartwright moved, seconded by Councillor PJ Murphy, the special motion standing in their names:

“This Council regrets its *“careless”* approach to managing the Borough’s finances which has resulted in it setting aside almost £1m for possible back taxes and fines that may be liable for payment to Her Majesty’s Revenue and Customs. The Administration notes that it chose to ignore warnings that were consistently raised by the Opposition since December 2010 and apologises to the tax payers of the Borough for causing this vast waste of public monies in these austere times.”

The motion was put to the vote:

FOR	12
AGAINST	23
NOT VOTING	0

The motion was declared **LOST**.

26.7 Special Motion 7 - Heathrow Airport Third Runway

10.04pm – Councillor Andrew Jones moved, seconded by Councillor Caroline Needham, the special motion standing in their names:

“This Council regrets the shambles surrounding the government’s position on airports in the south east of England and re-asserts its strong objections to Heathrow being granted permission to build a third runway.

The London Borough of Hammersmith and Fulham also agrees to work with residents, other London Boroughs, the GLA and the London Mayor to effectively campaign against the Heathrow third runway.”

The motion was put to the vote:

FOR	12
AGAINST	23
NOT VOTING	0

The motion was declared **LOST**.

27. INFORMATION REPORTS - TO NOTE

27.1 Special Urgency Decisions - Monitoring Report

The report was noted.

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

Meeting started: 7.00 pm
Meeting ended: 10.05 pm

Mayor

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 24 OCTOBER 2012

Question by: Mr John Grigg

To: Councillor Marcus Ginn - Cabinet Member for Community Care

QUESTION

'Is the Council aware that under the Government's Welfare Reform Act 280,000 people with disabilities will lose Disability Living Allowance in order to save £2bn, and are there any estimates of the number of people in Hammersmith and Fulham who will be effected, and are the council planning to investigate all means the borough can employ to alleviate suffering caused by the government's cut in services for the disabled.'

ANSWER

Personal Independence Payments (PIP) is planned to replace Disability Living Allowance (DLA) in April 2013 for new claims in some areas of the country. During this period new claimants in all other parts of the country will continue to claim Disability Living Allowance as now.

PIP will be introduced in Hammersmith & Fulham in June 2013.

The Council does not hold data on all residents of Hammersmith & Fulham who receive DLA, however it is aware of those receiving care from the Council.

The Reform to replace DLA with PIP will only affect people of working age 16 to 64 who after reassessment are considered able to return to work. We do not know at this stage how many if any of our users in working age will be impacted.

DLA offers no objective way of assessing entitlement, no systematic reviews and significant over and under payments. PIP will be a fairer, more objective and more consistent benefit, that is sustainable for the future and allows the UK to keep providing the support that we know many disabled people need.