

# **COUNCIL MINUTES**

**(ORDINARY COUNCIL MEETING)**

**WEDNESDAY 28 JANUARY 2015**



## PRESENT

The Mayor Councillor Mercy Umeh  
Deputy Mayor Councillor Ali Hashem

### Councillors:

Michael Adam  
Adronie Alford  
Colin Aherne  
Hannah Barlow  
Nicholas Botterill  
Andrew Brown  
Daryl Brown  
Joe Carlebach  
Michael Cartwright  
Iain Cassidy  
Elaine Chumnery  
Ben Coleman  
Adam Connell  
Stephen Cowan  
Larry Culhane

Alan De'Ath  
Charlie Dewhirst  
Belinda Donovan  
Sue Fennimore  
Caroline Ffiske  
Marcus Ginn  
Steve Hamilton  
Wesley Harcourt  
Sharon Holder  
Lisa Homan  
Lucy Ivimy  
Andrew Jones  
Alex Karmel  
Robert Largan  
Jane Law

Mark Loveday  
Vivienne Lukey  
Sue Macmillan  
PJ Murphy  
Caroline Needham  
Viya Nsumbu  
Natalia Perez Shepherd  
Harry Phibbs  
Max Schmid  
Greg Smith  
Frances Stainton  
Rory Vaughan  
Guy Vincent

## **29. MINUTES**

### **RESOLVED:**

That the minutes of the Ordinary Council Meeting held on 22 October and the Extraordinary Council Meeting held on 5 November 2014 were confirmed and signed as an accurate record.

## **30. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Donald Johnson.

Apologies for lateness were received from Councillors Joe Carlebach and Jane Law.

### **31. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS (IF ANY)**

The Mayor announced that in France, Belgium, Nigeria and throughout the world in the past few weeks, there had been terrible reminders as to how cheaply life was valued, how difficult it was to hear hatred and how difficult it was to strive for compassion and tolerance of others.

The Council held a minute silence to remember those who had lost their lives and their loved ones.

### **32. DECLARATIONS OF INTERESTS**

In respect of agenda item 6.5 Bi-Borough LGPS Pension Administration Services from 1 April 2015 , the following significant interests were declared:

- Councillors Adronie Alford, Michael Cartwright, Stephen Cowan, Larry Culhane, Lisa Homan, Alex Karmel, PJ Murphy and Caroline Needham as they were members of the LBHF local government pension scheme
- Councillors Elaine Chumnerly and Alan De'Ath as they were members of the RBKC local government pension scheme

The above Councillors 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 Special Motion 3 - Sullivan Primary School and the Borough's Primary School Results, the following significant interests were declared:

- Councillor Caroline Ffiske as she was a governor of the West London Free School
- Councillor Steve Hamilton as he was a governor of Sullivan Primary School

The above Councillors 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 the amendment to Special Motion 3 - Sullivan Primary School and the Borough's Primary School Results, the following significant interests were declared:

- Councillors Colin Aherne and Sue Macmillan as they were governors of Wormholt Park Primary School
- Councillor Joe Carlebach as he was vice chair of governors of Avonmore Primary School
- Councillor Elaine Chumnerly as she was a governor of Old Oak Primary School
- Councillor Wesley Harcourt as he was chair of governors at The Good Shepherd RC Primary School
- Councillor Alex Karmel as he was chair of governors of Sir John Lillie Primary School
- Councillor Natalia Perez Shepherd as she was a governor of Larmenier and Sacred Heart Catholic Primary School

The above Councillors 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.

### 33. **PUBLIC QUESTIONS**

There were no public questions submitted.

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

#### 34.1 Council Tax Empty Homes Premium

7.08pm - The report and recommendation were formally moved for adoption by the Cabinet Member for Finance, Councillor Max Schmid.

A speech on the report was made by Councillor Lisa Homan (for the Administration).

The report and recommendation were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

#### 7.11pm **RESOLVED:**

That the following recommendation be agreed for the financial year 2015/16 and subsequent years until revoked:

Determine that the council tax on dwellings that have been empty (unoccupied and unfurnished) for more than two years be 150% of the normal council tax charge.

#### 34.2 Localised Council Tax Support Scheme 2015/16

7.12pm - The report and recommendation were formally moved for adoption by the Cabinet Member for Finance, Councillor Max Schmid.

The report and recommendation were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

#### 7.12pm **RESOLVED:**

That the Council continues to award a council tax discount as though the Council Tax Benefit regulations were still in place, meaning that no one currently in receipt of council tax support will be worse off.

34.3 Council Tax Base and Collection Rate 2015/16 and Delegation of the Business Rates Estimate

7.13pm - The report and recommendations were formally moved for adoption by the Cabinet Member for Finance, Councillor Max Schmid.

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.13pm **RESOLVED:**

That approval be given to the following recommendations for the financial year 2015/16:

- (i) That the estimated numbers of properties for each Valuation Band as set out in the report be approved.
- (ii) That an estimated Collection rate of 97.5% be approved.
- (iii) That the Council Tax Base of 71,983 Band "D" equivalent properties be approved.
- (iv) That authority be delegated to the Executive Director of Finance and Corporate Governance, in consultation with the Leader of the Council, to determine the business rates tax base for 2015/16 as set out in section 11 of the report.

34.4 Review of the Council's Constitution - In Year Revisions

7.14pm - The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

A speech on the report was made by Councillor Stephen Cowan (for the Administration).

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.16pm **RESOLVED:**

- (1) That the creation of a Lead Member Representative for the Armed Forces post be approved and Councillor Alan De'Ath be appointed into this post.
- (2) That the creation of a Local Business Champion post be approved and Councillor Ben Coleman be appointed into this post.
- (3) That the Constitution be amended to allow Members to receive Summons electronically.
- (4) That the minor amendments made to the Officer Schemes of Delegation by the Monitoring Officer, as set out in Appendix 1 of the report, be agreed.

34.5 Bi-Borough LGPS Pension Administration Services from 1 April 2015

7.17pm - The report and recommendations were formally moved for adoption by the Cabinet Member for Finance, Councillor Max Schmid.

The report and recommendations were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.17pm **RESOLVED:**

For H&F Council to approve and make arrangements for the discharge of its functions under section 101 of the Local Government Act 1972 and to delegate the H&F pension administration service and pensioner payroll service to SCC from 1 April 2015, for an initial period of five (5) years. (An agreement will be drafted with SCC to formalise the arrangements between the parties. It is anticipated that the agreement will contain a minimum four (4) month termination clause).

34.6 Treasury Mid Year Review 2014/2015

7.17pm - The report and recommendation were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendation were put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

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

7.17pm **RESOLVED:**

That the Council's debt, borrowing and investment activity up to the 30 September 2014 be noted.

### **35. SPECIAL MOTIONS**

7.18pm – Under Standing Order 15 (e)iii, Councillor Mark Loveday moved a motion that Special Motion 7 Employment in Hammersmith and Fulham, takes precedence on the agenda after Special Motion 1. This was put to the vote:

FOR	17
AGAINST	24
NOT VOTING	0

The motion was declared **LOST**.

#### **35.1 Special Motion 1 - Extra Funding for Extra H&F Police**

7.20pm – Councillor Michael Cartwright moved, seconded by Councillor Sue Fennimore, the special motion standing in their names:

“The Council supports the new Labour administration's decision to put the largest number of council-funded police officers onto the streets and estates of Hammersmith and Fulham in the borough's history.

The Council also welcomes the fact that ALL the funds for the extra police officers have come about after the new Labour administration won millions of pounds in extra funding by renegotiating property deals that H&F's previous Conservative administration had agreed and closed the book on.

This Council notes that the Labour administration will have agreed to fund more police officers in its first eight months in office than the previous Conservative administration funded in its eight years in power.”

Speeches on the Special Motion were made by Councillors Michael Cartwright, Sue Fennimore, Hannah Barlow, PJ Murphy and Caroline Needham (for the Administration).

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

“Delete all and insert:

"This Council:

- welcomes the continuing Council policy of funding additional police officers in the borough.
- notes that much of the proposed funding is coming from Section 106 funds agreed under the previous administration but which had not yet been allocated.

- resolves that details of the Section 106 negotiations relating to police funding be published in the transparency section of the Council's website and that these should include minutes of meetings between Council officers and developers as well as those between councillors and developers.
- is concerned about the proposed cut to police funding of £578,000 a year from the Council's General Fund, which means policing is entirely dependent on deals with property developers. In the longer term this would mean securing further planning agreements with developers to which the new Labour administration is hostile."

Speeches on the amendment to the Special Motion were made by Councillors Greg Smith and Harry Phibbs (for the Opposition) and by Councillor Stephen Cowan (for the Administration), before it was put to the vote:

FOR	18
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST**.

The substantive motion was put to the vote:

FOR	25
AGAINST	18
NOT VOTING	0

The motion was declared **CARRIED**.

7.57pm – **RESOLVED**:

The Council supports the new Labour administration's decision to put the largest number of council-funded police officers onto the streets and estates of Hammersmith and Fulham in the borough's history.

The Council also welcomes the fact that ALL the funds for the extra police officers have come about after the new Labour administration won millions of pounds in extra funding by renegotiating property deals that H&F's previous Conservative administration had agreed and closed the book on.

This Council notes that the Labour administration will have agreed to fund more police officers in its first eight months in office than the previous Conservative administration funded in its eight years in power.



## 35.2 Special Motion 2 - A&E Crisis

7.58pm – Councillor Vivienne Lukey moved, seconded by Councillor Sharon Holder, the special motion standing in their names:

“This Council notes with alarm the government’s A&E crisis and its impact on our borough, with official NHS figures revealing that the trusts which run St. Mary’s, Charing Cross, West Middlesex, Ealing and Northwick Park hospitals have all failed to meet A&E waiting time targets in the last three months of 2014.

The Council also notes the findings of the Care Quality Commission’s (CQC) inspection of Imperial College Healthcare NHS Trust and is concerned about the failures identified at St. Mary’s Hospital A&E as opposed to the strengths identified at Charing Cross Hospital’s A&E.

This Council resolves to defend our local hospitals and A&E and to support the Independent Healthcare Commission’s urgent review of healthcare in West London.”

Speeches on the Special Motion were made by Councillors Vivienne Lukey, Sharon Holder, Guy Vincent, Rory Vaughan and PJ Murphy (for the Administration).

Under Standing Order 15(e) (vi), Councillor Andrew Brown moved, seconded by Councillor Joe Carlebach, an amendment to the motion as follows:

“After “This Council” delete all and insert:

1. Notes with alarm the national pressures on Accident and Emergency services and the impact on our borough’s residents, with official NHS figures revealing that the trusts which run St. Mary’s, Charing Cross, West Middlesex, Ealing and Northwick Park hospitals (despite the hard work of the incredible doctors, nurses and other staff and due to the increased pressures and demand at this time of year) have all failed to meet A&E waiting time targets in the last three months of 2014.
2. Recognises the exceptional performance of Chelsea & Westminster Hospital NHS Foundation Trust’s A&E, which serves a significant proportion of the borough’s residents, one of the best performing trusts for the NHS 4 hour waiting time target this measure over the last year.
3. Notes the findings of the Care Quality Commission’s (CQC) inspection of Imperial College Healthcare NHS Trust and its inspection of Chelsea & Westminster Hospital NHS Foundation Trust.
4. Is concerned about any services that are judged to be inadequate or requires improvement, but congratulates the trusts on services that are judged good or outstanding.
5. Resolves to defend our local hospitals.
6. Welcomes the confirmation that Charing Cross Hospital will continue to have a consultant led A&E.
7. Looks forward to the publication of the Healthcare Commission’s urgent review of healthcare in West London and urges it and any other new proposals to be fully evidenced and supported by expert clinical consensus.

8. Accepts that pressure on A&E services is due to interconnected factors throughout the health and social care system.
9. Welcomes seven day GP access in the borough.
10. Further accepts that through its role with the Health & Wellbeing Board, and with its public health responsibility and budget, the Council has the opportunity to reduce demand on A&Es.
11. Will use the resources at its disposal to help reduce pressure on A&Es through public health and social care measures”.

Speeches on the amendment to the Special Motion were made by Councillors Andrew Brown and Joe Carlebach (for the Opposition) and by Councillor Vivienne Lukey (for the Administration), before it was put to the vote:

FOR	19
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST**.

Speeches on the substantive motion were made by Councillors Robert Largan and Andrew Brown (for the Opposition) and by Councillors Max Schmid, Stephen Cowan and Vivienne Lukey (for the Administration). The substantive motion was put to the vote:

FOR	25
AGAINST	19
NOT VOTING	0

The motion was declared **CARRIED**.

9.09pm – **RESOLVED**:

This Council notes with alarm the government’s A&E crisis and its impact on our borough, with official NHS figures revealing that the trusts which run St. Mary’s, Charing Cross, West Middlesex, Ealing and Northwick Park hospitals have all failed to meet A&E waiting time targets in the last three months of 2014.

The Council also notes the findings of the Care Quality Commission’s (CQC) inspection of Imperial College Healthcare NHS Trust and is concerned about the failures identified at St. Mary’s Hospital A&E as opposed to the strengths identified at Charing Cross Hospital’s A&E.

This Council resolves to defend our local hospitals and A&E and to support the Independent Healthcare Commission’s urgent review of healthcare in West London.

### 35.3 Special Motion 3 - Sullivan Primary School and the Borough's Primary School Results

9.10pm – Councillor Sue Macmillan moved, seconded by Councillor Caroline Needham, the special motion standing in their names:

“This Council welcomes the fact that most primary schools in the borough achieved at least 100% value-added in the national key stage 2 school league tables. The Council notes that Sullivan Primary School came top of the list of Hammersmith and Fulham schools.

The Council regrets the actions of the borough’s former Conservative administration in trying to close Sullivan Primary School and the distress this caused to Sullivan’s children, parents, teachers and governors.

The Council pledges to support all the borough’s schools and also congratulates Sullivan Primary School and the Good Shepherd RC Primary School on jointly having the highest number of pupils achieving level 4 or above in the borough.”

Speeches on the Special Motion were made by Councillors Sue Macmillan, Caroline Needham and Alan De’Ath (for the Administration) and by Councillor Steve Hamilton (for the Opposition).

Under Standing Order 15(e) (vi), Councillor Caroline Ffiske moved, seconded by Councillor Charlie Dewhirst, an amendment to the motion as follows:

“Delete all after “This Council” and insert:

“notes that 84% per cent of pupils leaving primary schools in our borough last summer achieved level 4 or above in reading, writing and maths. This is above the national average and is an increase on the 79% who achieved this standard in the previous year. The Council congratulates all those children and their schools.

This Council particularly congratulates Good Shepherd RC Primary School and Sullivan Primary School on jointly having the highest number of pupils achieving level 4 or above in the borough at 97%. St Stephens Church of England Primary is congratulated on achieving 96%. The Council also congratulates New Kings School on its score of 93%.

The Council notes that New Kings School plans to become an academy sponsored by Thomas's London Day Schools and wishes this new arrangement every success. It further notes that proposals to merge Sullivan School and New Kings are not proceeding and wishes Sullivan School continued success in the future.

The Council also congratulates primary schools that saw a dramatic improvement in results for the proportion of pupils reaching Level 4 - with Avonmore Primary School seeing an increase from 63% to 85%, Greenside Primary School from 75% to 89%, Fulham Primary School from 67% to 91%, Lena Gardens Primary School from 78% to 88%, Melcombe Primary School from 82% to 94%, Old Oak Primary School from 74% to 83%, Queens Manor School from 60% to 83%, St Marys Catholic Primary School from 83% to 96%, Sir John Lillie Primary School from 62% to 85% and Wormholt Park Primary School from 73% to 88%.

The Council also notes that Ark Conway Primary Academy is the best performing school in England at Key Stage 1 with 88% of pupils achieving the highest test results by the age of seven, and congratulates the teachers, staff, pupils, and parents just three years after opening.”

Speeches on the amendment to the Special Motion were made by Councillors Caroline Ffiske and Charlie Dewhirst (for the Opposition) and by Councillor Sue Macmillan (for the Administration), before it was put to the vote:

FOR	19
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST**.

Speeches on the substantive motion were made by Councillors Stephen Cowan and Sue Macmillan (for the Administration). The substantive motion was put to the vote:

FOR	25
AGAINST	17
NOT VOTING	0

The motion was declared **CARRIED**.

9.14pm – **RESOLVED**:

This Council welcomes the fact that most primary schools in the borough achieved at least 100% value-added in the national key stage 2 school league tables. The Council notes that Sullivan Primary School came top of the list of Hammersmith and Fulham schools.

The Council regrets the actions of the borough’s former Conservative administration in trying to close Sullivan Primary School and the distress this caused to Sullivan’s children, parents, teachers and governors.

The Council pledges to support all the borough’s schools and also congratulates Sullivan Primary School and the Good Shepherd RC Primary School on jointly having the highest number of pupils achieving level 4 or above in the borough.

*(Under Standing Order 24 (3), Councillor Colin Aherne moved that the guillotine be extended by 15 minutes which was unanimously agreed.)*

35.4 Special Motion 4 - Speaking Rights for Residents at the Borough's Planning and Development Control Committee

9.55pm – Councillor Adam Connell moved, seconded by Councillor Wesley Harcourt, the special motion standing in their names:

“This Council supports the new Labour administration’s decision to give speaking rights to residents at the borough’s Planning and Development Control Committee meetings.

The Council regrets that the previous Conservative administration did not do this during its time in office, despite being urged to do so by residents’ associations, amenity groups and many individual residents.”

Speeches on the Special Motion were made by Councillors Adam Connell and Wesley Harcourt (for the Administration).

Under Standing Order 15(e) (vi), Councillor Lucy Ivimy moved, seconded by Councillor Nicholas Botterill, an amendment to the motion as follows:

“Delete “regrets that the previous” and insert “notes that the previous Labour administrations and”.

Delete “its” and insert “their”.

Speeches on the amendment to the Special Motion were made by Councillors Lucy Ivimy, Alex Karmel and Nicholas Botterill (for the Opposition) and by Councillor Stephen Cowan (for the Administration), before it was put to the vote:

FOR	19
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST**.

The substantive motion was put to the vote:

FOR	25
AGAINST	19
NOT VOTING	0

The motion was declared **CARRIED**.

10.16pm – **RESOLVED:**

This Council supports the new Labour administration's decision to give speaking rights to residents at the borough's Planning and Development Control Committee meetings.

The Council regrets that the previous Conservative administration did not do this during its time in office, despite being urged to do so by residents' associations, amenity groups and many individual residents.

35.5 Special Motion 5 - North End Road Festive Market

10.17pm – Councillor Ben Coleman moved, seconded by Councillor Andrew Jones, the special motion standing in their names:

"This Council welcomes the success of the North End Road Festive Market in attracting over 10,000 shoppers to the shops, stalls and other businesses in that important part of Fulham. It commits to working with residents, business people, stallholders and councillors on further measures to improve North End Road and the borough's other main and secondary retail centres."

Under Standing Order 15(e) (vi), Councillor Steve Hamilton moved, seconded by Councillor Lucy Ivimy, an amendment to the motion as follows:

" Add:

"In particular, the Council welcomes:

- The huge benefits the new Earls Court Redevelopment will bring for North End Road and which will help promote a vibrant, diverse and prosperous retail centre for existing and future market stallholders, shops, bars, and restaurants.
- The vital role the redevelopment will play in combating traffic congestion in the most congested borough in London, in particular the new proposed north-south route known as The Broadway and the new east-west route known as The High Street.
- The numerous other benefits of the redevelopment including a new primary school and nursery, a new health hub, new homes including homes for social rent, discount market sale and private sale as well as other transport improvements to enhance connectivity and permeability throughout the borough.

The Council resolves to work with the other parties involved in the Earls Court redevelopment to ensure it is delivered as soon as possible so the Council can fulfil their duty to improve North End Road and the borough's other main and secondary retail centres."

The amendment was put to the vote:

FOR	19
AGAINST	25
NOT VOTING	0

The amendment was declared **LOST.**

The substantive motion was put to the vote:

FOR	unanimous
AGAINST	0
NOT VOTING	0

The motion was declared **CARRIED**.

10.18pm – **RESOLVED:**

This Council welcomes the success of the North End Road Festive Market in attracting over 10,000 shoppers to the shops, stalls and other businesses in that important part of Fulham. It commits to working with residents, business people, stallholders and councillors on further measures to improve North End Road and the borough's other main and secondary retail centres.

35.6 Special Motion 6 - Ark Conway Primary Academy

This motion was withdrawn.

35.7 Special Motion 7 - Employment in Hammersmith and Fulham

This motion was withdrawn.

**36. INFORMATION REPORTS - TO NOTE (IF ANY)**

There were no information reports to this meeting of the Council.

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

Meeting started: 7.00 pm  
Meeting ended: 10.19 pm

Mayor .....