

COUNCIL MINUTES

ORDINARY COUNCIL MEETING

WEDNESDAY 19 JULY 2017



PRESENT

The Mayor Councillor Michael Cartwright Deputy Mayor Councillor Mercy Umeh

Councillors:

Colin Aherne Daryl Brown	Sue Macmillan David Morton	Joe Carlebach Charlie Dewhirst
lain Cassidy	PJ Murphy	Belinda Donovan
Adam Connell	Caroline Needham	Caroline Ffiske
Stephen Cowan	Natalia Perez	Marcus Ginn
Larry Culhane	Max Schmid	Steve Hamilton
Alan De'Ath	Rory Vaughan	Lucy Ivimy
Sue Fennimore	Guy Vincent	Alex Karmel
Wesley Harcourt	Michael Adam	Jane Law
Ali Hashem	Adronie Alford	Mark Loveday
Sharon Holder	Jacqueline Borland	Harry Phibbs
Andrew Jones	Nicholas Botterill	Greg Smith
Vivienne Lukey	Andrew Brown	Frances Stainton

At the start of the meeting the Mayor led the Council in a minute of silence to remember the victims of the Grenfell Tower fire and their families.

1. MINUTES

7.03pm - RESOLVED

That the minutes of the Annual Council Meeting held on 17 May 2017 were confirmed and signed as an accurate record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ben Coleman, Lisa Homan, Elaine Chumnery, Donald Johnson, and Viya Nsumbu.

3. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS

There were no announcements.

4. <u>DECLARATIONS OF INTERESTS</u>

In respect of Special Motion 2 – 'Recognises that the Government plans to demolish Charing Cross Hospital and calls on government bureaucrats and the Conservative group of councillors to apologise for misleading people about the future of Charing Cross as a hospital' – the Leader of the Opposition, Councillor Joe Carlebach, declared a non-pecuniary interest as he was the Vice Chair of the Board of the Royal National Orthopaedic Hospital. 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.

5. PUBLIC QUESTIONS

There were no public questions.

6. <u>ITEMS FOR DISCUSSION/COMMITTEE REPORTS</u>

6.1 Party Appointments for the 2017-18 Municipal Year

7.04pm – The report on the party appointments for the 2017-18 municipal year was noted.

6.2 Results of the Local Government By-Elections on 8 June 2017

7.04pm – The report on the results of the local government by-elections on 8 June 2017 was noted.

6.3 Allocation of Seats and Proportionality

7.04pm – The report on the allocation of seats and proportionality was noted.

6.4 Committee Membership Updates and Outside Body Appointment

An amendment to this report was tabled at the start of the meeting.

7.05pm – The report and recommendations, as amended, were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendations, as amended, were then put to the vote:

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

The report and recommendations, with the amendment noted below, were declared **CARRIED**.

7.05pm - RESOLVED

That Council agrees the following committee membership changes for the municipal year 2017/18:

Planning and Development Control Committee

Councillor Michael Cartwright (to fill a vacancy)
Councillor Jacqueline Borland (to fill a vacancy)

Licensing Committee

Councillor Jacqueline Borland (to fill a vacancy)

Audit, Pensions and Standards Committee

Councillor David Morton (to replace Councillor Ben Coleman)

Health, Adult Social Care and Social Inclusion Policy and Accountability Committee

Councillor David Morton (to replace Councillor Daryl Brown)

Amendment

Economic Regeneration, Housing and the Arts Policy and Accountability Committee

Councillor Donald Johnson (to replace Councillor Lucy Ivimy)

Finance and Delivery Policy and Accountability Committee

Councillor Lucy Ivimy (to replace Councillor Greg Smith)

6.5 **Licensing Fees 2017-18**

7.05pm – The report and recommendations were formally moved for adoption by the Cabinet Member for Environment, Transport & Residents Services - Councillor Wesley Harcourt.

The report and recommendations were then put to the vote:

FOR	22
AGAINST	0
NOT VOTING	19

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

7.05pm - RESOLVED

That the Council approved the proposed fees in Appendix 2 of the report.

6.6 Financial Regulations 2017

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

The report and recommendations were then put to the vote:

FOR	UNANIMOUS
AGAINST	0

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

7.08pm - RESOLVED

- That the Council approved the revised Financial Regulations in Appendix 1 of the report.
- 2. That a review of the Financial Regulations be carried out on an annual basis, and reported to Full Council.

6.7 Review of the Constitution

7.08pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

Speeches on the report were made by Councillors Charlie Dewhirst and Joe Carlebach (for the Opposition), and Councillors Stephen Cowan and Sue Fennimore (for the Administration).

The report and recommendations were then put to the vote:

FOR	22
AGAINST	18
NOT VOTING	1

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

7.18pm - RESOLVED

That Council approves the changes to the Officer Scheme of Delegation in Appendix 1 of the report.

7. SPECIAL MOTIONS

Under Standing Order 15(e)(3), Councillor Mark Loveday moved to give precedence to Special Motions 5 and 7 after Special Motion 1. The motion to give precedence was then put to the vote.

FOR	18
AGAINST	22
NOT VOTING	1

The motion was declared **LOST**.

7.1 Special Motion 1 - Thanking Hammersmith & Fulham's residents, tenants and residents' associations, businesses, charities, faith groups, council and NHS staff, and the emergency services for all they did and all they are doing to support the victims of the Grenfell Tower fire

7.20pm – The Leader of the Council - Councillor Stephen Cowan moved, seconded by Councillor Sue Fennimore, the special motion in their names:

"The Council reaffirms its deepest sympathies for all who are victims of the fire in Grenfell Tower.

It recognises and formally thanks all in Hammersmith & Fulham for their hard work, generosity, and many kindnesses who helped people during the Grenfell disaster.

We pay tribute to our emergency services for their determined bravery that, as is always the case, saw them running towards danger to save and protect others."

Speeches on the special motion were made by Councillors Stephen Cowan and Sue Fennimore (for the Administration).

Under Standing Order 15(e)(6), Councillor Lucy Ivimy moved, seconded by Councillor Harry Phibbs, an amendment to the special motion as follows:

"Add new paragraph after 'disaster':

It further thanks officers and staff of this Council and the many voluntary organisations of this borough for their exemplary work to assist with the consequences of the fire."

Speeches on the amendment to the special motion were made by Councillors Lucy Ivimy, Harry Phibbs, and Joe Carlebach (for the Opposition) and Councillor Stephen Cowan (for the Administration).

Councillor Lucy Ivimy withdrew the amendment.

Councillor Joe Carlebach made a speech on the substantive motion then Councillor Stephen Cowan made a speech winding up the debate. The substantive motion was then put to the vote.

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

The substantive motion was declared **CARRIED**.

7.50pm - RESOLVED

The Council reaffirms its deepest sympathies for all who are victims of the fire in Grenfell Tower.

It recognises and formally thanks all in Hammersmith & Fulham for their hard work, generosity, and many kindnesses who helped people during the Grenfell disaster.

We pay tribute to our emergency services for their determined bravery that, as is always the case, saw them running towards danger to save and protect others.

7.2 Special Motion 2 - Recognises that the government plans to demolish Charing Cross Hospital and calls on government bureaucrats and the Conservative group of councillors to apologise for misleading people about the future of Charing Cross as a hospital

7.51pm – Councillor Andrew Jones moved, seconded by Councillor Sue Fennimore, the special motion in their names:

"The Council condemns health bureaucrats for attempting to gag the London Borough of Hammersmith & Fulham and stop us campaigning against the demolition of Charing Cross Hospital.

It recognises that: it was thoroughly wrong for Conservative councillors to falsely claim they had "saved" Charing Cross Hospital in 2013; wrong for them to have consistently accused all those opposing its demolition and closure of not telling the truth; and wrong to have mislead local residents by claiming their administration had led to the A&E at Charing Cross being "retained".

The Council notes that the department of health, the CCG and Imperial Collage Healthcare Trust have said they will "continue" with the proposals for Charing Cross Hospital "set out in the service strategy [Shaping a Healthier Future (SaHF)] for NW London which was signed off by the Secretary of State for Health in 2013 and that those plans include:

- Demolishing the current Charing Cross Hospital and selling off most of the site
- Replacing the current Charing Cross Hospital with a series of clinics on a site no more than 13% the size of the current hospital
- Re-branding these clinics as a "local hospital"
- Replacing the current A&E with an urgent care clinic
- Losing more than 300 and possibly all acute care beds.

The Council concludes that the government's approach to telling the public of the plans for Charing Cross Hospital are, at best, thoroughly disingenuous - and calls on them to listen to the borough's Labour administration and take a different approach."

Speeches on the special motion were made by Councillor Andrew Jones, Sue Fennimore, David Morton (his maiden speech), Max Schmid, Caroline Needham, Guy Vincent, and Rory Vaughan (for the Administration), and Councillors Joe Carlebach, Andrew Brown, and Caroline Ffiske (for the Opposition).

Councillor Mark Loveday moved under Standing Order 15(e)(8) that the motion be put to the vote. A vote on the motion was taken and the motion was lost.

Councillor Stephen Cowan then made a speech winding up the debate. The motion was then put to the vote.

FOR 22 AGAINST 18 NOT VOTING 1 The substantive motion was declared **CARRIED**.

8.46pm - RESOLVED

The Council condemns health bureaucrats for attempting to gag the London Borough of Hammersmith & Fulham and stop us campaigning against the demolition of Charing Cross Hospital.

It recognises that: it was thoroughly wrong for Conservative councillors to falsely claim they had "saved" Charing Cross Hospital in 2013; wrong for them to have consistently accused all those opposing its demolition and closure of not telling the truth; and wrong to have mislead local residents by claiming their administration had led to the A&E at Charing Cross being "retained".

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- Re-branding these clinics as a "local hospital"
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- Losing more than 300 and possibly all acute care beds.

The Council concludes that the government's approach to telling the public of the plans for Charing Cross Hospital are, at best, thoroughly disingenuous - and calls on them to listen to the borough's Labour administration and take a different approach.

7.3 Special Motion 3 - Ending 'Tri-Borough'

8.47pm – Councillor Max Schmid moved, seconded by Councillor Sue Macmillan, the special motion in their names:

"The Council notes that on Monday, 27 March 2017 the Royal Borough of Kensington & Chelsea and Westminster City Council synchronised their cabinet meetings and press announcements and set out their intention to end the "triborough". They gave no prior notice of their plan to the London Borough of Hammersmith & Fulham despite a meeting of the three leaders taking place the previous working day in Hammersmith Town Hall.

The Council notes that in November 2015, a senior tri-borough official advised councillors and officers in Hammersmith & Fulham that Westminster City Council had modelled pulling out of the tri-borough and proposed to trigger their plan early in 2017. Westminster City Council's political leadership denied they were planning to do that when confronted.

The Council recalls how on 22 October 2010 the Rt Hon Eric Pickles MP (the then communities secretary) told the BBC that the three councils had agreed in principle to merge all their services and that this could save up to £100m.

It notes that merging all of our council services with Kensington and Chelsea and Westminster Councils would have been a dreadful mistake and:

- The three councils never came close to saving the £100m foretold by Mr Pickles
- That many of the £13m savings the tri-borough claimed to have saved Hammersmith & Fulham were savings that would have to been made anyway and were made by other councils not in shared services
- That the tri-borough declined to formally attribute losses it caused but, for example, problems with just one tri-borough contract, procured and let by Westminster City Council, has cost Hammersmith & Fulham over £5m
- That of the £31 million of savings Hammersmith & Fulham's Labour administration made in the last two budgets, the tri-borough contributed no more than £200,000, which is less than 1%
- That tri-borough officials complained of conflicts of interests
- That Hammersmith & Fulham residents and their representatives suffered a loss of sovereignty because of flaws intrinsic to the tri-borough
- That there were significant problems with the tri-borough's commissioning, procurement and management of services that put vulnerable people at risk and made it difficult for staff to undertake the most basic day-to-day functions
- That the callous indifference demonstrated by the Conservative administrations in Kensington & Chelsea and Westminster councils towards children with special educational suffering the failures of their school transport service was one of the factors that always made the "high trust" triborough model difficult.

The Council notes that in 2014, the Critical Friends' Report identified how the triborough had a "complex operating model" in which "services have been integrated through shared management from the top down" causing structures that are "difficult to navigate internally". That was a polite reference to the horse-trading, rather than business process engineering, that characterised the tri-borough from the start.

The Council supports the decision of the Labour administration, following the Critical Friends' Report, to discontinue sharing a Chief Executive with the Royal Borough of Kensington and Chelsea.

The Council supports the Labour administration's pragmatic approach to focussing on the evidence and prioritising services and value for money for Hammersmith & Fulham's residents and businesses."

Speeches on the special motion were made by Councillors Max Schmid, Sue Macmillan, PJ Murphy, and Stephen Cowan (for the Administration), and Councillor Nick Botterill (for the Opposition). Councillor Max Schmid made a speech winding up the debate and the motion was put to the vote.

FOR 22 AGAINST 18 NOT VOTING 1

The substantive motion was declared **CARRIED**.

9.17pm - RESOLVED

The Council notes that on Monday, 27 March 2017 the Royal Borough of Kensington & Chelsea and Westminster City Council synchronised their cabinet meetings and press announcements and set out their intention to end the "triborough". They gave no prior notice of their plan to the London Borough of Hammersmith & Fulham despite a meeting of the three leaders taking place the previous working day in Hammersmith Town Hall.

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- That of the £31 million of savings Hammersmith & Fulham's Labour administration made in the last two budgets, the tri-borough contributed no more than £200,000, which is less than 1%
- · That tri-borough officials complained of conflicts of interests
- That Hammersmith & Fulham residents and their representatives suffered a loss of sovereignty because of flaws intrinsic to the tri-borough
- That there were significant problems with the tri-borough's commissioning, procurement and management of services that put vulnerable people at risk and made it difficult for staff to undertake the most basic day-to-day functions
- That the callous indifference demonstrated by the Conservative administrations in Kensington & Chelsea and Westminster councils towards children with special educational suffering the failures of their school transport service was one of the factors that always made the "high trust" triborough model difficult.

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The Council supports the Labour administration's pragmatic approach to focussing on the evidence and prioritising services and value for money for Hammersmith & Fulham's residents and businesses.

7.4 Special Motion 4 - Business Rates and Local Government Finance

9.18pm – Councillor Andrew Jones moved, seconded by Councillor Max Schmid, the special motion in their names:

"This Council notes that:

From 2010, annual government funding to the London Borough of Hammersmith and Fulham has been reduced by £83 million.

Over the same period, central government has imposed £13.5 millions of unfunded new burdens on the Council.

Since the end of 2015/16, the government no longer pays a grant to councils that freeze or cut council tax.

Annual funding is forecast to reduce by a further £19 million from 2017/18 to 2020/21.

In October 2015, the Government announced that by 2020 local authorities would keep 100 per cent of the business rates they raise locally. A consultation was concluded in February 2017 on the proposals and a Local Government Finance Bill was published.

As of April 2017, there were advanced discussions between the Department of Communities and Local Government to pilot business rates localization in London from April 2018.

Following the recent general election, on 26 June 2017 an agreement was reached between the government and the Democratic Unionist Party that provided £1 billion extra funding to Northern Ireland over two years.

A similar funding injection, on a per capita basis, for Hammersmith and Fulham would deliver just over £100 million of spending in the borough over two years.

One 27 June 2017 the government presented a Queen's Speech that dropped the Local Government Finance Bill from the legislative programme for the next two years. No plans to address the significant gap in funding for social care and local government more widely were proposed.

The Conservative Local Government Association chair, Lord Porter, said: "It is hugely concerning that the government has not reintroduced the Local Government Finance Bill in the Queen's Speech."

The council resolves to write to the Prime Minister and Chancellor of the Exchequer to:

- Detail the significant cuts in funding to the borough at the same time as the council has faced demographic and government-imposed spend pressures;
- Explain the damage caused by ongoing government indecision over local government finance to forward financial planning;
- Call on the government to rapidly make clear its plans for funding local government that address the well-recognised funding gap and, in the interim, to abandon any plans to reduce further the Revenue Support Grant; and
- Ask the government to set out how the further funding announced for Northern Ireland will translate to proportionate further funding for Hammersmith and Fulham and other authorities in Great Britain, in line with the Barnett formula."

Councillor Andrew Jones made a speech (for the Administration) before the motion was put to the vote.

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

The substantive motion was declared **CARRIED**.

9.23pm - RESOLVED

This Council notes that:

From 2010, annual government funding to the London Borough of Hammersmith and Fulham has been reduced by £83 million.

Over the same period, central government has imposed £13.5 millions of unfunded new burdens on the Council.

Since the end of 2015/16, the government no longer pays a grant to councils that freeze or cut council tax.

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- Call on the government to rapidly make clear its plans for funding local government that address the well-recognised funding gap and, in the interim, to abandon any plans to reduce further the Revenue Support Grant; and
- Ask the government to set out how the further funding announced for Northern Ireland will translate to proportionate further funding for Hammersmith and Fulham and other authorities in Great Britain, in line with the Barnett formula."

7.5 Special Motion 5 - Supports H&F Council's investment into Fire Safety Plus

9.23pm – Councillor Stephen Cowan moved, seconded by Councillor Larry Culhane, the following special motion:

"The Council notes that the fire at Grenfell Tower came some eight years after the Lakanal House fire in Southwark and four years after recommendations were made to the Secretary of State for Communities and Local Government by the Coroner of the Lakanal fire.

The Council deeply regrets the Government's failure to address all the recommendations of the Coroner's Inquest into the Lakanal fire and pledges to campaign to secure their full implementation, backed by the appropriate Government funding.

While recognising the need for the Government to act, the Council nevertheless pledges to introduce its own Fire Safety Plus for all the homes it owns and manages.

The Council will support significant investment into Fire Safety Plus which is being put together with residents and being designed by independent experts.

The new Fire Safety Plus packages includes:

- Installing new fire sprinklers
- New fire safety checks for every home
- New, free front and internal fire doors and walls for leaseholders and other council residents
- New free replacement of appliances that fail safety checks
- New free plug adapters
- And more to be agreed with the borough's new Residents' Fire Safety Review Panel

The Council determines to continue to work openly and share fire safety information with the fire services, residents, and the new Residents' Fire Safety Review Panel to ensure the continuing safety of all who live in a council home.

It also calls on the Government to implement the findings of the previous inquest by the Coroner, presented in 2013, into the deaths of those who lost their lives at Lakanal House."

Speeches on the special motion were made by Councillors Larry Culhane, Natalia Perez, and Stephen Cowan (for the Administration), and Councillors Mark Loveday, Lucy Ivimy, and Belinda Donovan (for the Opposition).

During the debate, Councillor Mark Loveday, under Standing Order 15(e)(5), moved to extend the time limit of his speech for an additional 5 minutes. The motion to extend the time of his speech was then put to the vote.

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

The motion was declared **CARRIED**.

Councillor Stephen Cowan made a speech winding up the debate and the motion was put to the vote.

FOR	UNANIMOUS	
AGAINST	0	
NOT VOTING	0	

The substantive motion was declared **CARRIED**.

9.55pm - RESOLVED

The Council notes that the fire at Grenfell Tower came some eight years after the Lakanal House fire in Southwark and four years after recommendations were made to the Secretary of State for Communities and Local Government by the Coroner of the Lakanal fire.

The Council deeply regrets the Government's failure to address all the recommendations of the Coroner's Inquest into the Lakanal fire and pledges to campaign to secure their full implementation, backed by the appropriate Government funding.

While recognising the need for the Government to act, the Council nevertheless pledges to introduce its own Fire Safety Plus for all the homes it owns and manages.

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- New free plug adapters
- And more to be agreed with the borough's new Residents' Fire Safety Review Panel

The Council determines to continue to work openly and share fire safety information with the fire services, residents, and the new Residents' Fire Safety Review Panel to ensure the continuing safety of all who live in a council home.

It also calls on the Government to implement the findings of the previous inquest by the Coroner, presented in 2013, into the deaths of those who lost their lives at Lakanal House.

7.6 **Special Motion 6 - Grenfell Tower**

The special motion was withdrawn.

7.7 Special Motion 7 - Housing Safety

9.56pm – Councillor Harry Phibbs moved, seconded by Councillor Belinda Donovan, the special motion in their names:

"1. This Council reaffirms the commitment to the safety of tenants, leaseholders, residents and their families in its housing stock which lies at the heart of its public service provision.

2. This Council notes:

- a. The 'Limited Assurance' audit report issued in July 2016 in respect of the Council's Housing and Regeneration Department ("HRD") Health and Safety Checks.
- b. The reports to Audit Pensions and Standards Committee of 13th September 2016, 7th December 2016, 13th March 2017 and 21st June 2017 relating to deficient and late implementation of health and safety checks and remedial works, which included gas safety, electrical installation, asbestos management, communal hot water tank chlorination and fire risk assessments.

3. This Council welcomes:

- a. The action taken since the tragic events at Grenfell Tower to review fire risk assessments for the 15 council housing blocks of 12 storeys or more in the borough, including the Charecroft Estate and Edward Woods Estate.
- b. The similar action taken to identify any hazardous materials including cladding to housing stock.
- c. The fact that copies of fire risk assessments have been provided for all four tower blocks on the Charecroft Estate to Chris Took, the Tenants and Residents Association Chairman for that estate, but notes with dismay the deficiencies in those reports.

4. This Council resolves to:

- a. Eliminate immediately the backlog of HRD health and safety checks and remedial works of <u>all</u> kinds identified by the reports to Audit Committee.
- b. Install sprinkler systems in all blocks of Council flats.
- c. Set for a date for the removal of the hazardous panels to the Charecroft Estate.
- d. Set a date for fitting sprinklers in the Charecroft Estate as requested by residents of that estate.
- e. Publish immediately copies of fire risk assessments and other health and safety reports for all Council owned housing blocks in the borough on the Council's website."

Councillor Harry Phibbs made a speech (for the Opposition) winding up the debate as the guillotine had fallen.

The amendment standing in the names of Councillors Adam Connell and Sue Fennimore was then put to the vote without debate:

"Delete all after 'public service provision' and insert:

"2. This council resolves not to wait for government action and instead support significant investment into Fire Safety Plus which is being put together with

residents and being designed by independent experts. The new Fire Safety Plus packages includes:

- Installing new fire sprinklers
- New fire safety checks for every home
- New, free front and internal fire doors and walls for leaseholders and other council residents
- New free replacement of appliances that fail safety checks
- New free plug adapters
- And more to be agreed with the borough's new Residents' Fire Safety Review Panel

The Council determines to continue to work openly and share fire safety information with the fire services, residents, and the new Residents' Fire Safety Review Panel to ensure the continuing safety of all who live in a council home.

It also calls on the Government to implement the findings of the previous inquest by the Coroner, presented in 2013, into the deaths of those who lost their lives at Lakanal House.""

FOR	22
AGAINST	18
NOT VOTING	1

The amendment was declared **CARRIED**.

The special motion as amended was then put to the vote.

FOR	UNANIMOUS
AGAINST	0
NOT VOTING	0

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

10.04pm - RESOLVED

- 1. This Council reaffirms the commitment to the safety of tenants, leaseholders, residents and their families in its housing stock which lies at the heart of its public service provision.
- 2. This council resolves not to wait for government action and instead support significant investment into Fire Safety Plus which is being put together with residents and being designed by independent experts. The new Fire Safety Plus packages includes:
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 And more to be agreed with the borough's new Residents' Fire Safety Review Panel

The Council determines to continue to work openly and share fire safety information with the fire services, residents, and the new Residents' Fire Safety Review Panel to ensure the continuing safety of all who live in a council home.

It also calls on the Government to implement the findings of the previous inquest by the Coroner, presented in 2013, into the deaths of those who lost their lives at Lakanal House.

	Meeting started: Meeting ended:	
Mayor		