

**ROYAL BOROUGH OF KINGSTON UPON THAMES**

**GROWTH COMMITTEE  
27 JUNE 2017**

**(7:30 pm – 10:59 pm)**

Councillor David Cunningham (**Chair**)  
Councillor Andy Johnson-Creek (**Vice Chair**)

Councillor Patricia Bamford  
Councillor Bill Brisbane  
Councillor Kevin Davis  
\* Councillor Sheila Griffin  
Councillor Chris Hayes  
\* Councillor Raju Pandya  
Councillor Cathy Roberts  
Councillor Malcolm Self  
Councillor Ken Smith  
Councillor Jon Tolley  
Councillor Gaj Wallooppillai

\*Absent

**65. QUESTIONS, PETITIONS AND PUBLIC PARTICIPATION.**

A number of questions were asked during question time. A summary of these is attached but they do not form part of the minutes of the meeting.

No petitions were submitted.

**66. APOLOGIES FOR ABSENCE AND ATTENDANCE OF  
SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Sheila Griffin and Raju Pandya. Councillors Linsey Cottington and Ian George attended as substitutes.

**67. MINUTES**

The minutes of the meeting held on 16 March 2017 were confirmed as a correct record.

**68. DECLARATIONS OF INTEREST**

Councillor Jon Tolley declared a pecuniary interest in item 7 (Eden Walk Regeneration – In principle use of compulsory purchase powers) and took no part in the consideration of this item and withdrew from the Committee room whilst it was being considered.

Reason: Councillor Tolley both lives and works in close proximity to the site in question.

Councillor Jon Tolley declared a personal interest in item 8 (Kingston Heritage Service – Heritage Lottery Fund).

Reason: Councillor Tolley is a regular hirer of All Saints Church.

Councillor Kevin Davis declared a personal interest in item 8 (Kingston Heritage Service – Heritage Lottery Fund).

Reason: Councillor Davis is a member of Kingston Arts.

**69. CAMBRIDGE ROAD ESTATE REGENERATION ACQUISITION STRATEGY** **Appendix A**

The Committee considered the acquisition of property interests, both on the Cambridge Road Estate and in areas of strategic importance close to the border of the site, in order to enable the effective overall development of the site as part its ongoing regeneration work.

The preferred regeneration option, as identified by residents on the estate following an extensive consultation programme, was for a phased demolition of the estate. This wholesale redevelopment of the site has significant benefits as it allows for a ‘clean’ master planning process to maximise the quality of the environment and best practice in urban design principles. It will also allow for the design to optimise site capacity and affordable housing provision.

Vacant possession of the entire site will be needed on a phased basis in order to carry out the full development therefore a comprehensive acquisitions strategy is required in order to achieve this and to mitigate the risks of delays and additional costs to the project. The properties that need to be acquired consist of both residential and commercial interests and they are currently owned by leaseholders (resident and non-resident) and freeholders (residents and non-resident) and other third parties.

The acquisition of the leaseholder residential properties will follow the offer as set out in a Decant Policy. The Decant Policy is scheduled to be considered by the Housing Sub-Committee on 7 September 2017. The acquisition of all residential and non-residential interests will be led by the Council’s appointed real estate advisors (BNP Paribas) and all offers will need to demonstrate appropriateness and value for money. The order of acquisitions, which will also be in accordance with the Decant Policy, will be influenced by the agreed ‘phasing’ of the building programme. The initial priorities will be based on advice from the consultant’s team.

Initial acquisitions will be funded by a GLA loan of £25m which will be paid to the Council between 2017 and 2019 subject to the signing of an Intervention Agreement. It is envisaged that additional funding will be provided as necessary by the joint venture, following appointment of the joint venture partner, in the Summer of 2018.

The Housing Sub-Committee agreed to the serving of demolition notices at their meeting on 22 June 2017. This will enable the Council to suspend, and subsequently remove entirely, the statutory 'right to buy' option for tenants on the estate. This will help to limit the number of third party interests that need acquiring and ensure that associated acquisition costs for the scheme do not increase and affect viability.

The Committee were asked to recommend that Council agrees the 'in principle' use of its compulsory purchase powers within the boundary of the proposed development site. Although this will a last resort option, which would only be used once the agreed negotiation process has been exhausted, it may be necessary to use these powers in order to ensure that the development programme can progress within a reasonable timeframe.

During their consideration of the report Members noted that the Council will ensure that the services of an independent assessor and valuer will be made available to the estates residents.

**Resolved that:**

1. the Director of Place is authorised, in consultation with Councillor Terry Paton, Deputy Leader, to acquire property interests, through negotiation, both on the Cambridge Road Estate and those of strategic importance close to the boundary of the estate, to enable the most effective overall development of the site; and
2. the Committee recommends full Council to approve that the Council proceed 'in principle' with making Compulsory Purchase Orders (CPOs) on property interests identified within the proposed regeneration site that have not been acquired voluntarily through negotiation.

Voting: Unanimously in favour.

**70. CAMBRIDGE GARDENS**

**Appendix B**

The Committee's approval was sought for the bringing forward of land at Cambridge Gardens for residential development. One of the major challenges facing the Council is the increasing difficulty of delivering affordable homes and finding appropriate sites for these new homes that meet the needs for purpose-built housing of all types. The Council's current housing target, as set out in the London Plan, is to deliver at least 643 additional new homes per year. Accordingly the Council must identify where new housing can be delivered in the borough whilst at the same time protecting the environment and supporting the local economy.

In accordance with the objectives set out in the Council's Housing Strategy Delivery Plan, ongoing assessment of the Council's land holdings has identified land at Cambridge Gardens as having the potential for the development of additional homes. The Council is the freeholder of this housing estate which is comprised of 165 residential units and significant areas of landscaped open space.

The Committee were asked to consider the delegation of authority to the Director of Place, in consultation with the Deputy Leader and the Portfolio Holder for Regeneration, to seek a Development Partner to undertake the master-planning and recommended delivery strategy for the potential development of the HRA. The project offers the Council the opportunity to increase housing delivery.

In their consideration of the report it was the view of some Members that the scale of the development proposed does not require the acquisition of a development partner. It was the view of these Members that the Council could achieve considerable savings by undertaking this work in house through the Council's own newly formed development company. It was also the view of these Members that a masterplan should be developed by the Council, working alongside residents, in order to identify what is possible on the site as well the appropriate scale of any future development.

It was moved that the motion before the Committee should be amended to include:

1. Engagement with residents on the production of a masterplan; and,
2. once the masterplan has been completed to the satisfaction of both Council and residents, then any subsequent proposals should be implemented by the Council's newly formed development company.

The amending motion fell.

Voting:

Those for: Councillors Malcolm Self, Bill Brisbane, Jon Tolley and Patricia Bamford.  
Those against: Councillors David Cunningham, Andy Johnson-Creek, Kevin Davis, Ken Smith, Chris Hayes, Gaj Wallooppillai, Cathy Roberts, Ian George and Linsey Cottingham.

It was the Committee's view that it is important to ensure that residents are engaged with the programme from the outset and that this engagement work can take place alongside the procurement of a development partner. The Committee noted that the Council's own development company is still being formed and, in its infancy, it is not yet at a stage where it can begin to develop its own proposals as the Council does not yet have the in-house expertise required to undertake this work independently. The Committee agreed that a briefing paper on the Council's Development Company should be brought before the Committee's Affordable Homes Working Group so that they can be updated on the Company's development.

**Resolved** that:

1. authority is delegated to the Director of Place, in consultation with the Deputy Leader and the Portfolio Holder for Regeneration, to seek proposals for a Development Partner to undertake the master-planning and recommended delivery strategy for the potential development of HRA land at Cambridge Gardens; and
2. the Director of Place is to engage with residents in all the stages of the development program, as appropriate.

Voting:

Those for: Councillors David Cunningham, Andrew Johnson-Creek, Kevin Davis, Ken Smith, Chris Hayes, Gaj Wallooppillai, Cathy Roberts, Ian George and Linsey Cottington.

Those against: Councillors Malcolm Self, Bill Brisbane, Jon Tolley and Patricia Bamford.

**71. EDEN WALK REGENERATION - IN PRINCIPLE USE OF  
COMPULSORY PURCHASE POWERS**

**Appendix C**

The Committee were asked to recommend that Council agrees, in principal, to use its compulsory purchase powers for the acquisition of land necessary for the delivery of the Kingston Town Centre regeneration scheme. The regeneration of the part of Kingston Town Centre area known as Eden Walk was granted planning permission on 8 December 2016. A further planning application to develop Gough House, also within the Town Centre area, has been made to the Council and is due for determination in July/August 2017.

The Eden Walk part of the scheme will be developed by the Universities Superannuation Scheme and British Land. The redevelopment of Gough House will be carried out by another developer. The Council supports the scheme and wishes to bring forward the regeneration of Kingston Town centre as soon as possible as the scheme is expected to bring significant housing, jobs and economic investment to Kingston.

It is envisaged that use of the Council's powers to acquire land by a compulsory purchase order (CPO) may be required in order to assemble all of the land interests and rights required to develop the Scheme in a timely manner. Subject to agreement by Council, it should be noted that all requests to pass a resolution to make and serve CPO's will be made in separate future decision(s) by the Growth Committee only once the following conditions have been reached, namely:

- I. An approach has been made to all landowners with a view to acquiring the land or rights required voluntarily;
- II. The Developer has entered into an indemnity agreement with the Council and the Council is satisfied that the Developer has satisfactory resources and development strategy to implement the Scheme; and
- III. A Statement of Reasons setting out the justification of the CPO has been prepared and the Council is satisfied it meets all the statutory tests and complies with the Guidance (defined below).
- IV. The land which Officers recommend in due course may be subject to CPO powers, if necessary, includes Eden Walk, Gough House and other areas around Kingston Town Centre needed to facilitate the development and is referred to in this report as Regeneration Area.

**Resolved** that the Committee:

- 1) recommends that Council agrees in principle to use compulsory purchase powers to acquire the land and new rights within the area described in the report and shown edged red on the plan attached to the report. The Council being of the view that compulsory acquisition of the land may be necessary in order to achieve the following:
  - a) Secure the delivery of the Kingston Town Centre regeneration scheme and its housing, job-creation and transformational objectives;
  - b) Facilitate the carrying out of the development by way of an agreed programme and timescale in partnership with the developer; and
  - c) Contribute to the promotion and improvement of the economic, social and environmental well-being of the Borough.
- 2) recommends that Council delegates authority to the Growth Committee to make compulsory purchase orders arising out of the 'in principle' decision.
- 3) authorises Officers to begin preparatory work to use its compulsory purchase powers, including subject to the 'in-principle' decision being made, serving requisitions on land owners and appointing land referencing agents to thoroughly investigate all land interests, the preparation of a Statement of Reasons and all other necessary documentation.
- 4) notes that all necessary expenditure associated with such preparatory work (including legal fees, consultants' fees, and any other investigation work or research) as well as any compensation payable to owners as a result of a future compulsory purchase order will be met in full by the developer and approve the entering of an indemnity agreement with the developer to secure this.
- 5) notes that, subject to consideration by Council, a further report will come forward to the Committee recommending the making of a compulsory purchase order, if necessary, in relation to specific land.

Voting: Unanimously in favour.

Councillor Jon Tolley declared a pecuniary interest and took no part in the consideration of this item and withdrew from the Committee room whilst it was being considered.

Reason: Councillor Tolley both lives and works in close proximity to the site in question.

## **72. KINGSTON HERITAGE SERVICE - HERITAGE LOTTERY FUND      Appendix D**

The Committee's agreement was sought for the relocation of the Kings and Saxons collection to a new centre built within the grounds of All Saints Church and for the remodelling of the existing museum provision. Using a combination of Heritage Lottery Funding and Capital Investment the new building at All Saints Church will place Kingston's heritage at the heart of the town and enable the current museum to

be refurbished so that it can better display the Eadweard Muybridge, Wren and Martinware collections.

The overall programme across the two sites will cost £9.5m. The project will seek to obtain £4.5 million from the Heritage Lottery Fund and the Committee were asked to recommend to the Treasury Committee that the remaining £4m is allocated as capital funding.

In their consideration of the report it was the view of some Members that further consideration needs to be given to the suitability of existing Council buildings in the Town Centre before authority is granted for the construction of a new building. It was suggested that the collection could be equally, and less expensively, well housed in the Market House.

It was moved to defer consideration of the issue until full consideration can be given to the Market House as the host site for the Kings and Saxons collection. The motion fell.

Voting:

Those for: Councillors Bill Brisbane, Jon Tolley, Malcolm Self and Patricia Bamford.  
Those against: Councillors Andy Johnson-Creek, Cathy Roberts, Chris Hayes, David Cunningham, Gaj Wallooppillai, Ian George, Ken Smith, Kevin Davis and Linsey Cottington.

The Committee noted that All Saints was chosen as the preferred site following an options appraisal and that All Saints is the town centre site that is most likely to deliver the vision that the Council has for this collection. The Committee also noted that the Market House is a building that comes with expensive running costs and poor accessibility.

**Resolved that:**

1. the Committee agrees, subject to the award of Heritage Lottery Funding and Treasury Committee approval of a capital funding allocation, that the 'Kings and Saxons' collection is relocated to a new centre built within the grounds of All Saints Church and the subsequent remodelling of the existing museum provision.
2. the Treasury Committee are recommended to invest £4m of capital funding into the development proposed.

Voting:

Those for: Councillors Andy Johnson-Creek, Cathy Roberts, Chris Hayes, David Cunningham, Gaj Wallooppillai, Ian George, Ken Smith, Kevin Davis, Linsey Cottington and Patricia Bamford.

Those against: Councillors Bill Brisbane and Malcolm Self.

Abstained: Councillor Jon Tolley.

Councillor Jon Tolley declared a personal interest in this item.

Reason: Councillor Tolley is a regular hirer of All Saints Church.

Councillor Kevin Davis declared a personal interest in this item.

Reason: Councillor Davis is a member of Kingston Arts.

**73. SCHOOL PLACE PLANNING STRATEGY****Appendix E**

The Committee were asked to approve a strategy, as set out in Annex 1 of the report, for providing additional school places in order to meet forecast demand during the next two decades. The strategy sets out:

1. the forecast need for primary and secondary places, SEND (special educational needs and disabilities) school and resource provision places and early years places within the borough in the next decade;
2. a strategy for providing those places; and
3. assesses what work will be needed to assess the forecast need beyond the next decade.

For the primary phase, the strategy outlines forecast demand for Reception entry places within eight school place planning areas, each of which is coterminous with one or more electoral wards of the borough, and recommends actions to be taken to meet that demand. For the secondary phase, the strategy outlines forecast demand for Year 7 places on a whole-borough basis. For SEND provision, the strategy outlines forecast demand across all phases. For early years provision, the strategy gives an overview of current provision as preparations are made for the advent of parents/carers' entitlement to 30 hours' free childcare per week.

**Resolved** that:

1. the Council's proposed strategy for providing additional school places within the borough in the next two decades, as set out in the report, is approved for implementation.
2. annual updates on the progress of the strategy's implementation are provided to the Committee from March 2018 onwards.

Voting:

Those for:

Councillors Andy Johnson-Creek, Bill Brisbane, Cathy Roberts, Chris Hayes, David Cunningham, Gaj Walloppillai, Ian George, Jon Tolley, Ken Smith, Kevin Davis, Linsey Cottington and Patricia Bamford.

Abstained: Councillor Malcolm Self.

**74. ACQUISITION OF KING'S PLACE & CONQUEST HOUSE, WOOD STREET, KINGSTON**

The Committee's approval was sought for the acquisition of the freehold interest of Kings Place & Conquest House. The Council already owns a portfolio of property, some of which is held for investment purposes, to deliver a rental income to the revenue account. After factoring in the costs of the borrowing needed to finance the



acquisition it has been calculated that the property will generate a surplus income which would help the Council's medium term financial position.

Before considering the report the Committee agreed that the press and public should be excluded from the meeting, and that Annex 1 of the report be exempt from publication, under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it is likely that exempt information as defined in paragraphs 3 or 5 of Part 1 of Schedule 12A to the Act would be disclosed and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**Resolved** that the Committee:

1. approves the acquisition of the freehold interest of Kings Place & Conquest House, Kingston.
2. delegates authority to the Head of Property to complete all the necessary legal documents in connection with the purchase.
3. recommends to the Treasury Committee that the acquisition of Kings Place & Conquest House (including the stamp duty and other associated costs of the transaction) be added to the approved capital programme, and that the Head of Finance-Strategy & Accounting be authorised to make arrangements for the drawdown of the necessary borrowing to finance the transaction.

**75. DISPOSAL OF THE COUNCIL'S LEASEHOLD INTERESTS IN THE SURFACE CAR PARK WITHIN THE SITE KNOWN AS TOLWORTH TOWER** **Appendix F**

Due to a number of legal considerations that require further investigation this item was withdrawn and not considered by the Committee.

**76. BI-ANNUAL S106 AND CIL MONITORING REPORT** **Appendix G**

The Committee were updated on s106 and CIL income, and new agreements entered into, between 1 October 2016 and 31 March 2017. The Committee were also provided with a summary of affordable housing contributions and completions over the same period. The total s106 contributions signed for this period total £435,080.00. The total s106 money received during this period totals £1,114,021.24. Affordable housing obligations have been signed for the provision of 22 affordable units over this period. The total CIL receipts collected through the Kingston upon Thames Community Infrastructure Levy for the period totals £213,818.37. The total CIL receipts collected on behalf of the Mayor through the Mayoral Community Infrastructure Levy for the period totals £920,304.63.

**Resolved** that the Committee

1. notes the information and analysis provided on new s106 financial contributions agreed, financial contributions received, expenditure, MCIL and

CIL income received and affordable housing agreed for the period commencing 1<sup>st</sup> October 2016 to 31<sup>st</sup> March 2017.

2. agrees the allocation of funds to education projects as set out in the report
3. agrees the allocation of funds to Local Infrastructure Projects as set out in the report.
4. agrees the allocation of £20k of S106 and/ or CIL contributions towards the Thames Landscape Strategy subject to legal clearance.

Voting: Unanimously in favour.

## 77. MEMBERSHIP OF WORKING GROUPS

Appendix H

The Committee considered appointments to its internal Member working groups for the 2017/18 Municipal year.

**Resolved** that Committee agrees the following appointments to its Working Groups for the 2017/18 municipal year:

**Affordable Homes Working Group:** Councillors Roy Arora, Cathy Roberts, Patricia Bamford, Bill Brisbane and Linsey Cottington.

Councillor David Cunningham. Portfolio Holder – Regeneration is an ex officio member.

**Small To Medium Sized Businesses and Working Group:** Councillors Gaj Wallooppillai, Andrea Craig, Hugh Scantlebury, Jon Tolley, Thay Thayalan and Linsey Cottington.

Voting: Unanimously in favour.

## 78. URGENT ITEMS AUTHORISED BY THE CHAIR

There were no urgent items

## QUESTION TIME

Mr Richard Davies asked a number of detailed questions about the Cambridge Road Estate Regeneration. These questions included:

- How many people currently live on the estate?
- When will the estate's design be decided?
- Will there be new recreational areas? If so will they be accessible to all?
- Will there be onsite parking and, if so, how will it be managed?

- Will the project result in rent rises?
- How will decanted residents be dealt with?
- Who will advocate for residents?
- Will there be a welfare officer?

The Committee asked officers to reply to Mr Davies in writing.

Mr Harry Hall presented the Committee with a report produced joint by CREst, CRERA and One Norbiton on a survey that was undertaken by the three residents groups in June 2017. The survey sought to establish residents' awareness of the regeneration proposals and to also gauge levels of support for the scheme proposed.

192 residents responded to the survey. 58% of respondents 'object entirely to the Council's plan to regenerate the Estate and want the process stopped for more discussions with residents'. 37% 'understand the council's intention with regard to regeneration but want the Council to engage with residents' representatives to achieve a fairer deal'. 4.6% 'are fully in support of the Council and the plans for generation as they (currently) stand'. In addition, anecdotally, all three residents groups have reported that existing residents are concerned about the changes proposed and that they have fears about the both the rents and allocations that could result.

All three residents groups have asked the Council to ensure that they continue to work closely with them as this regeneration work progresses. The Committee thanked Mr Hall for submitting the survey and asked the project team to consider the results. The Committee are aware that this regeneration work is daunting and it wishes to continue to work with residents groups in order to ensure that the project fulfils its purpose by producing high quality new homes for residents.

Signed.....Date.....  
Chair