

## ROYAL BOROUGH OF KINGSTON UPON THAMES

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### STRATEGIC HOUSING AND PLANNING COMMITTEE

**19 MARCH 2019**

**7.30pm to 10.17pm**

Councillor Malcolm Self (Chair)  
Councillor Emily Davey (Vice-Chair)  
Councillor Roy Arora  
Councillor Fiona Boulton\*  
Councillor Tim Cobbett  
Councillor Emily Davey  
Councillor Sam Foulder-Hughes  
Councillor Lesley Heap  
Councillor Andreas Kirsch  
Councillor Sharon Young

\* Absent and gave apologies

#### Advisory members (non-Voting) in attendance:

Leaseholders joint representative	Hector Armando Rosales-Macedo
Resident representative	Harry Hall
Registered providers representative	Tim Willcocks

#### **31. Public Questions**

A Councillor spoke from the public gallery to raise a question on the programming for the Housing Delivery Test action plan and what consultation was proposed. In response it was explained that an answer would be in due course.

A further set of questions were raised by another Councillor in relation to the procurement process carried out for Community halls on the Cambridge Road Estate. It was explained that the halls were previously being managed by the Council however usage of the Hall was very low due to limitations on how the Council could process bookings, create invoices and accept payments especially regarding one off bookings and bookings which are out of hours.

Options were considered to deliver the services required including continue to use in-house resources and open market procurement. It was considered that although open market procurement did fit in with the strategic and procurement regulations it was noted that other local authorities had been unable to secure appropriate providers in this area and that this option was unlikely to deliver as much social

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value. Therefore the procurement route was a direct award with an exemption from Contract Standing Orders. A high level assessment was carried out and it was believed that due to One Norbitons history of working with the Council, knowledge of hall groups and users and status as a private limited company, along with One Norbitons connections with other local community groups that this would be the best placed community group to deliver the halls services.

A number of residents addressed the Committee to raise questions. A question was raised on how the densities were calculated for the number of homes on the Cambridge Road Estate. The officers present stated that they would provide a response in due course.

Another resident queried the future of the Cocks Crescent Site and the consultation organised by Create Streets. By way of response it was explained that this was sent out through the press distribution list to notify residents through local news but further notifications would follow.

### **32. Apologies for Absence and Attendance of Substitute Members**

Apologies were received from Councillors Fiona Boulton and Jon Tolley and Advisory Members Margaret Lloyd, Tom Wood and Tim Willcocks.

### **33. Declarations of Interest**

Advisory Member, Mr Harry Hall, declared a Disclosable Pecuniary Interest in relation to the Cambridge Road Estate Ballot item as he was a tenant of the Cambridge Road Estate. Prior to the debate of the item, Mr Hall addressed the Committee to raise his views as Chair of the Cambridge Road Estate Residents Association. Mr Hall did not participate in the formal debate of the item and as he was an Advisory Member it was noted that he could not vote. Mr Hall retired to the public gallery for the remainder of the meeting.

### **34. Minutes**

The minutes of the previous meeting held on 29 January 2019 were approved as a correct record.

### **35. Petitions**

Members noted that a Petition had been submitted in advance of the meeting, signed by 18 residents requesting the Council to:

- 1) Refund council tenants water rates that the council overcharged them for years.
- 2) Drop court case against council tenant who asked for water rate refund.
- 3) Set up an enquiry immediately into historic overcharging for water rates for council tenants.

Members noted that this petition would be processed in accordance with the processes outlined in the Council's Petition Scheme.

**36. Cambridge Road Estate (CRE) Ballot****Appendix A**

Members considered a report which sought approval for the arrangements relating to the resident ballot in respect of the Council's proposals for new homes at the Cambridge Road Estate (CRE). Members noted that on 17 April 2018 the Council resolved to carry out its own voluntary ballot of CRE residents. Members agreed that it was a key priority to ensure that residents were consulted on the regeneration proposals for the new homes including detailed designs, the new landlord offer and for a voluntary ballot on its proposals to be undertaken.

The Committee noted that on 18 July 2018 the Greater London Authority (GLA) published guidance on the requirement to hold a ballot on proposals for regeneration of social housing estates where the landlord was obtaining funding from the GLA. It was noted that although the Council was already in contract with the GLA for funding, and therefore would be able to apply for exemption from this requirement, the Council had decided to carry out a voluntary ballot for CRE.

Members noted that officers had undertaken further work to progress arrangements to hold a resident's ballot, which included the appointment of Electoral Reform Services, (ERS), as the independent body who would administer and oversee the ballot. ERS were appointed following an open tender process. Bids were assessed by a panel comprising of officers and members of the CRE Residents Steering Group.

Consultation on the ballot had also included a questionnaire of CRE residents undertaken between 1 and 15 February 2019 and door-knocking by council staff. This was to provide local residents with the opportunity to comment on the ballot arrangements and the outcomes from the residents workshops held in October 2018, and identify any individual issues or concerns relating to the ballot. It was envisaged that the ballot would take place in autumn 2019 subject to Committee approval.

A number of Councillors spoke from the public gallery and raised concerns with the ballot process and queried why GLA Guidance had been followed when this was not mandatory to hold a vote. Concern was also raised over fairness in relation to voting rights, as guidelines indicated only those named on tenancy agreements would be permitted to vote and this could restrict those eligible to only the males named on the agreements which would potentially disfranchise women on the estate. By way of response the legal advisor explained that in relation to voting eligibility the evidence showed the contrary and in fact there were more declared male partners than declared female partners who were not named tenants or resident leaseholders/freeholders on the estate. It was explained that the GLA Guidance was followed in order to minimise the risk of legal challenge. It was reiterated that the Mayor of London wanted to see estate regeneration carried out in a consistent way across London.

Concern was also raised in relation to Ely Court and why residents located there were not entitled to vote. It was explained that the GLA Guidance did not allow them

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to vote and there could be a risk of legal challenge and judicial review if the Council was to deviate from that guidance.

Residents and Councillors addressed the Committee with regards to the form of question posed and concerns that it was not clear enough for residents to understand. By way of response it was explained that the form of question had been used for previous regeneration ballots such as one in Lambeth. Representatives from Electoral Reform Services explained that residents would be sent Landlord Offer documents in advance of the vote outlining the Cambridge Road Estate regeneration proposal in full detail and this would be referenced on the ballot paper preamble. Members agreed an amendment to the question to include the word 'regeneration' so that the ballot question read: 'Do you support the Council's regeneration proposal for new homes on your estate?.'

**Resolved** that -

1. the arrangements as set out in Paragraphs 19 of the Committee report for the appointed independent body, the Electoral Reform Services, to hold a resident ballot at the Cambridge Road Estate in accordance with Greater London Authority (GLA) Guidance relating to the Council's proposals for the future of Cambridge Road Estate, be approved;
2. the Ballot Paper as set out in Annex 5 of the supplementary late material pack be approved, with the amendment that the form of the ballot question be: 'Do you support the Council's regeneration proposal for new homes on your estate?'
3. the Director of Growth be authorised, in consultation with the Portfolio Holder, Opposition spokesperson, and affected CRE residents, to issue the Landlord Offer document in accordance with Greater London Authority (GLA) Guidance as set out in Paragraph 46 of the Committee report.

Voting:

For: Councillors Malcolm Self (Chair), Emily Davey (Vice-Chair), Tim Cobbett, Sam Foulder-Hughes, Lesley Heap, Andreas Kirsch and Sharon Young. (7)

Against: (0)

Abstain: Councillors Roy Arora and Nicola Sheppard. (2)

**37. Urgent Items Authorised by the Chair**

There were no urgent items.

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

