Agenda

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Published on Monday 1 July 2019

Council

Date: Tuesday 9 July 2019
Time: 7:30 pm
Place: The Guildhall, Kingston upon Thames, KT1 1EU

Opening of Meeting
The Mayor will invite her Chaplain to open the meeting.

Emergency Evacuation Arrangements
On hearing the alarm which is a loud siren please leave the building by the nearest available fire exit and assemble by the triangle at the front of the Guildhall. Anyone requiring assistance to evacuate the building should proceed to the refuge areas which are situated outside Committee Room 1 and the Mayor’s Parlour where you will be met by a member of the building management team and assisted from the building.

Presentation of the Mayor’s annual Award for Policing
The Mayor will present the Mayor’s annual ‘Howard Jones’ Policing Award to Police Sergeant Luke McCusker, who has been nominated by his commanding officer for ‘professionalism and dedication in working to ensure the safety and security of the people of Kingston’. The citation will be read out by Chief Superintendent Sally Benatar, the BCU Commander for the South West London Police.

1. Apologies

2. Declarations of Interest

Members are invited to declare any disclosable pecuniary interests and any other non-pecuniary interests (personal interests) relevant to items on this agenda.

3. Minutes

To confirm as a correct record the minutes of the Annual Council meeting held on 14 May 2019.

4. Mayor’s Announcements
5. **Petitions**

To receive any petitions - members of the Council or a member of the public may present a petition to the Council on a matter in relation to which the Council has powers, duties or which affects the Royal Borough.

6. **Motion**

In accordance with Standing Order No 8(A)(5), the Council will debate a motion which has been submitted by Members of the Council.

This will alternate, from meeting to meeting, between a motion submitted on behalf of the Administration and a motion submitted on behalf of Opposition Members of the Council.

The following Motion has been received from the Administration:

Proposed by Councillor Mark Beynon
Seconded by Councillor Sam Foulder-Hughes

‘Liberal Democrat Administration Motion: Hate Crime

‘This Council notes:

- hate crime is a scourge on our society, which must be stamped out
- for many minority groups, public spaces such as public transport, have become less safe, with verbal and physical attacks driven by misogyny, homophobia and racism becoming more frequent
- hate crime levels have soared since the UK voted narrowly to leave the European Union in 2016
- there have been 316 recorded hate crimes in Kingston in the last 12 months
- Kingston ran a successful hate crime conference last month
- the Liberal Democrats, unlike the Conservatives, have accepted the All-Party Parliamentary Group working definition of Islamophobia

‘This Council believes:

- discrimination in all its forms and manifestations is not only immoral in itself but also undermines attempts at building the secure, prosperous, and decent society that we all want to live in
- there has been a lack of leadership across the national parties to confront discrimination

‘This Council resolves to:

- continue to work with Kingston Race & Equalities Council (KREC), Kingston Centre for Independent Living (KCIL), and Kingston LGBT network on how we can combat hate crime
- formulate a Tackling Hate Crime policy for Kingston to demonstrate our commitment
- urge central government to reverse recent cuts to the police service in order to restore confidence that people from minority groups are safe on our streets
- continue to work with all religious institutions which are vulnerable to hate attacks
- fly the LGBT flag from the Guildhall during Pride month next year, in accordance with a new flag protocol.’
7. **Questions**

In accordance with Standing Order 6 (1&2) replies will be given to questions of which notice has been given which may be addressed to the Mayor, the Leader of the Council, Portfolio Holders, the Leader of the Opposition, Chairs of the Standing and Neighbourhood Committees and Members representing the Council on Outside Bodies.

8. **Incorporated Company Structure containing a Wholly-Owned Property Investment Company**

To approve the recommendations to Council as made by Finance and Partnerships Committee on 27 June 2019. To seek Council’s approval of the ‘Guildhall Capital’ Business Plan 2019/2020 and approval for the establishment of a Shareholders Committee to provide Council oversight for all RBK company activities in future.

9. **Appointments to Committees, Panels and other bodies**

The Council is **RECOMMENDED** to make the following appointments:

(i) **South London Joint Committee on Waste Disposal**

- Councillor Tim Cobbett (who is currently a substitute) to replace Councillor Liz Green as the second Council member on this Committee.

- Councillor Dave Ryder Mills to be appointed as a substitute for the Joint Committee

(ii) **London Youth Games**

At its meeting on 21 June 2018, the Children’s & Adults’ Care & Education Committee re-appointed Chris Hayes as the Borough’s representative on London Youth Games (LYG) pending of a review by the LYG of its membership and constitution. On 14 June Chris Hayes confirmed that he wished to resign and therefore an alternative representative is to be appointed. The representative does not need to be an elected Member. (Arising from the above LYG review, there was no change to membership arrangements affecting this appointment.) The Liberal Democrat Group Office has been asked to nominate a representative to the London Youth Games

(iii) **Children’s and Adults’ Care and Education Committee**

A Liberal Democrat Member to be nominated to replace Councillor Munir Ravalia on this Committee.

(iv) **SWL Joint Overview and Scrutiny Committee**

A Liberal Democrat Member to be nominated to replace Councillor Munir Ravalia on this Joint Committee.

[The nominee should be a member of the Health Overview Panel]
10. **Approval of Member absence**

The law provides that where a Council member fails throughout a period of six consecutive months from the date of their last attendance to attend any meetings of the authority then, subject to certain exceptions, they cease to be a member of the authority unless the failure was due to some reason approved before the expiry of that period.

The authority’s approval if not limited in time (and most authorities in giving approval will specify both the reason to which the approval relates and the period for which it will run), lasts until it ceases to have effect because the councillor has resumed attendance, or the reason to which the approval relates no longer applies or the councillors’ term of office has ended.

When ill-health is a reason for absence, it is not always possible to provide a definite time for resumption of attendance. At its meeting on 24 April 2019 the Council approved the absence, on health grounds, of Councillor Fiona Boult until 10 July 2019, as it would potentially be the case by then that Councillor Boult would have been absent from meetings of the Council for six months, on the grounds of ill-health. The Council was advised that, should the request for a further leave of absence be required, this would be submitted to this meeting of the Council.

At the request of the Liberal Democrat Group Office, the Council is requested to approve a further period of 6 months’ absence for Councillor Fiona Boult until 9 January 2020.

11. **Waiver of the Community Call-In Procedure on Grounds of Urgency**

Under the urgency provisions in the Council’s Community Call in Procedure, community call-in shall not apply to a decision if any delay likely to be caused by the call in process to the implementation of that decision would seriously prejudice the Council’s or the public’s interests. Any decision considered urgent under these provisions must be reported to the next available meeting of the Council, together with the reasons for urgency.

The Finance and Partnerships Committee at its meeting on 27 June 2019 agreed recommendations relating to the Exchange Workspace as follows:

1. the Open Procedure under the Concession Contracts Regulations 2016 (CCR16) be utilised to secure a suitable provider for management and operations of the Exchange Workspace and other workspaces opportunities in the borough as they arise;
2. the Director of Growth be given delegated authority, in consultation with the Portfolio Holder for Finance and Contracts and the Portfolio Holder for Planning Policy and Economic Development, to sign a 25 year head lease (with a break clause at 15 years) between the Council and St George plc for the former Telephone Exchange;
3. the Director of Growth be given delegated authority, in consultation with the Portfolio Holder for Finance and Contracts and the Portfolio Holder for Planning Policy and Economic Development, to grant a 15 year minimum sublease to the preferred workspace operator;
4. the Director of Growth be given delegated authority, in consultation with the Portfolio Holder for Finance and Contracts and the Portfolio Holder for Planning Policy and Economic Development, to enter into a 15 year concessions/management contract between the operator and the Council to define the terms of the management and operations of the Exchange Workspace and other workspaces opportunities in the borough as they arise; and
5. the New Homes Bonus grant monies totalling £789,000 be allocated and expended on the Exchange Workspace project for capital fit out and revenue support subject to successfully procuring a workspace operator.

At the time of publication of this agenda, a request for the waiver of Call-in in respect of the above decision was being progressed and the outcome will be reported to the meeting. The reason for urgency for the waiver of Community Call-in for the above decisions is as follows: The Development Control Committee resolved to grant planning permission to develop the Old Post Office site to redevelop for a mixed use scheme for 319 Homes and 2000 sqm of commercial space. The Section 106 agreement signed in connection with this consent made provision for the Council to exercise an ‘option’ on the lease of B1 office space at the former Telephone Exchange workspace for a period of 12 months prior to practical completion. This was issued by St. George to the Council in October 2018 and therefore the option is due to expire on 12 October 2019. In order to be able to meet the terms of the S106 agreement with regards the Exchange and to have identified a suitable workspace provider willing to offer acceptable financial terms, the Council will need to have commenced the formal tender process by 8 July 2019. Failure to have secured an operator before the cut of date could result in St George exercising their rights under the S106 agreement to market the Exchange opportunity on the open market.

12. Urgent Items authorised by the Mayor

To consider any items which, in the view of the Mayor, should be dealt with as a matter of urgency because of special circumstances in accordance with S100B(4) of the Local Government Act 1972.

13. Exclusion of the Press and Public

The following resolution is included as a standard item which will only be relevant if any exempt matter is to be considered at the meeting for which the Committee wish to resolve to exclude the press and public: To exclude the public from the meeting under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it is likely that exempt information, as defined in paragraph “....of Part I 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.

(*relevant regulatory paragraph to be indicated)

Background Papers held by Democratic Support tel 020 8547 5023

• Relevant Committee Agendas.