

Agenda

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Council

Date: Tuesday 13 October 2020

Time: 7:30 pm

A virtual meeting which members of the public can view online at this link: <https://www.youtube.com/user/KingstonCouncil>

Remote meeting Protocol: Before the meeting, Councillors are requested to read the guidance protocol for remote meeting participation which has been circulated with the agenda, and follow this guidance to assist the smooth proceedings of this remote meeting.

Opening of Meeting

The Mayor will invite Rabbi Rene Pfertzel to open the meeting.

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 meeting of the Council held on 7 July 2020.

4. Mayor's Announcements

5. Petitions

To receive petitions submitted by Councillors, or by members of the public who live, work or study in the Borough, on a matter in relation to which the Council has powers or duties or which affects the Royal Borough. The petition must contain at least 20 signatures, and notice of the intention to submit the petition must be given in writing to democratic.services@kingston.gov.uk by 10am the day before the meeting. The petitioner will have up to 2 minutes speaking time to present the petition. Up to 5 petitions can be presented at the meeting which will be presented in order of the number of signatories. (Any remaining petitions can be submitted, without speaking.)

Petitions will be processed in accordance with the [Council's Petition Scheme](#).

6. Public Questions

The following public questions were received by the deadline as set out in the Council's Meeting Procedure Rule 17(A):

Cristina Gosney -	Flooding concerns on Wolverton Avenue
Isabella Topley -	Covid lockdown and the effect on schools
Adya Manoj -	Mental health of young people during Covid pandemic
James Giles -	Council Standing Orders
Coral Russell -	Council motion debates
Bob Tyler -	Council's Recovery Task Force
Justin Quirk -	Seething Wells filter beds
Simon Bentham -	Planning legislation and preserving character of Kingston
Shelly Perera -	Low Traffic Neighbourhood at Albert Road
Rukhshana Bilimoria -	Low Traffic Neighbourhood at King Charles Road

A period of up to 30 minutes shall be allowed at each Ordinary Meeting of the Council during which any person who resides, studies or works in the Borough other than Members of the Council may ask questions of the Mayor, the Leader of the Council, Leaders of the other Party Groups, any Portfolio Holder, Chairs of the Strategic and Neighbourhood Committees, and members representing the Council on outside bodies

any question on any matter in relation to which the Council has powers or duties or which affects the Royal Borough.

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

Questions will be asked in the order in which notice of them was received, unless the Mayor decides otherwise in the interests of the efficient conduct of the meeting.

One supplementary question shall be allowed provided it is for clarification, arises directly out of the original question/response and is not a statement.

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non attendance of the Member, to whom it was to be put, will be dealt with by a written answer and a copy of the answer will be recorded with the minutes of the meeting.

7. Motion: Consultation in the Royal Borough

In accordance with Procedure Rule 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 Opposition Group (Conservative Group):

Proposed by Councillor Jason Hughes

Seconded by Councillor Ian George

“Consultation in the Royal Borough

Background

Effective consultation is the lifeblood of healthy local democracy, not only in its delivery but also its public perception to honestly engender and maintain the trust of communities. Resident participation in decision-making is critical to the responsible and expedient delivery of local government services. This imperative extends beyond the ballot box every four years. It is a continuous journey of consultation and engagement to ensure that reflecting residents’ priorities, achieving value for money and providing excellent service delivery are at the epicentre of the Royal Borough’s activities.

To this end, words must be matched by deeds. The Royal Borough has more to do to reflect this aspiration and to make it a reality.

This Council notes: -

1. The fundamental difference between ‘consultation’ and ‘engagement’ as vital disciplines in local government, the former is a component of the latter, specifically it recognises that: -
 - a. Consultation involves obtaining residents’ feedback on proposals as a *corollary* of engagement and should regularly consult communities on long, medium and short-term plans, to appropriately determine the Council’s strategic direction, set its budgets and prioritise projects;

- b. Engagement is the broader ongoing process of *sharing* information with residents and to seek feedback with the core objective of involving communities in the decision-making process, and that consultation is the *formal process* to meet the Council's statutory and regulatory requirements;
2. That trusted, effective and efficient consultation is needed now more than ever giving the ongoing impact of the Covid-19 pandemic;
3. According to the Council's most recent Residents' Survey, the majority of residents *do not* believe that it seeks their views before taking decisions;
4. *Only a third* of residents believe that the Council acts on residents' concerns;
5. The majority of residents *do not* believe that the Council explains the decisions it takes;
6. The Council's Community and Engagement Committee is a toothless body which does not look at, or provide oversight to, consultations in the Royal Borough;
7. The Council's approach to consultation is disparate and fragmented across council departments, lacking centralisation and a dedicated core with strategic focus;
8. The recent absence of any meaningful consultation with residents on the imposition of Low Traffic Neighbourhood trials;
9. The vast difference in quality of recent important consultation efforts, specifically on the Cambridge Road Estate and Cumberland House regeneration schemes, the latter of which is a primary poor example which has understandably shaken residents' confidence in the Royal Borough's consultation efforts.

This Council resolves to: -

1. Continually seek to adopt and exemplify best practice in consultation, by joining the Consultation Institute;
2. Conduct a comprehensive audit of the capabilities, competences and resources of all relevant committees and operations across council departments, including the training of relevant officers, committee chairmen and members;
3. Reconfigure the Community and Engagement Committee to ensure that it examines, approves and reviews all consultations on significant Council activities in highways, parking and planning with the following thresholds set at: -
 - a. All highways, parking and traffic schemes in excess of £50,000 cost;
 - b. And all proposed residential developments exceeding ten new units;
4. Consolidate all consultation delivery by council officers into a dedicated and centralised 'Consultation Team', removing disparate and fragmented consultation delivery in individual departments with a view to making cost savings or cost neutrality;
5. Set up a Consultation Team which will be a part of the Chief Executive's Department, but with separate management arrangements from communications to reflect the different disciplines of consultation and engagement/communications;
6. Enhance the examination of the new consultation arrangements, as above, via a more comprehensive revamp of the Council's Residents' Survey and to review at

the Community and Engagement Committee, reporting back to Full Council, one year after adoption.”

8. Member Questions

In accordance with Procedural Rule 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.

9. Terms of Reference of Strategic Committees

In July 2020 Council was informed of the intention to ask this meeting to approve the change of name of the Finance and Partnerships Committee to the Finance and Regeneration Committee and the Strategic Housing and Planning Committee to the Place and Culture Committee.

In order to align Committee functions with Portfolio Holder remits it is further proposed to make the following minor modifications to the terms of reference of the Strategic Committees:

Function	Committee From	Committee To
Covid Recovery (Economic Recovery Task Force)	New function	Finance & Regeneration
Covid Recovery (Community Task Force)	New function	Communities & Engagement
Equalities	Childrens & Adults Care & Education	Communities & Engagement
Human Resources	Finance & Regeneration	Communities & Engagement
Economic Development	Strategic Housing & Planning	Finance & Regeneration
Business and Skills	Strategic Housing & Planning	Finance & Regeneration
Culture, including the Museum, History Centre, Music Service and The Rose Theatre	Communities & Engagement	Place & Culture
Libraries	Communities & Engagement	Place & Culture
Public Health	Childrens and Adults Care & Education	Place & Culture

RECOMMENDED that -

the amendments to the names and Terms of Reference of the Strategic Committees set out above be approved.

Background papers: held by author of the report - Gary Marson, Head of Democratic and Electoral Services, email gary.marson@kingston.gov.uk - None

10. Review of Emergency Decision Making Arrangements**Appendix A**

To propose the adoption of revised arrangements for the operation of meetings of the Council and its Committees during the remainder of the 2020/21 Municipal Year in light of the ongoing Covid-19 pandemic.

11. Repatriation of Powers from Joint Health Overview and Scrutiny Committee for South West London and Surrey County Council

This report proposes that the Council reviews its previous decision to delegate to the South West London and Surrey Joint Health Overview and Scrutiny Committee (JHOSC) the power of referral to the Secretary of State.

The JHOSC has responsibility for responding to consultations on substantial service change affecting multiple boroughs across the area. It is presently primarily concerned with consideration of the Epsom and St Helier NHS Trust's programme "Improving Healthcare together 2020-2030" through a Sub-Committee of the constituent Authorities.

In May 2018 the Council delegated to the JHOSC the statutory power to refer to the Secretary of State proposals for substantial development or variations to health services in respect of cross borough matters being considered by the Committee. However, it has subsequently become clear that most of the other participants in the JHOSC have not similarly delegated this function. Croydon, Merton, Sutton and Wandsworth have retained their individual power of referral. Surrey County Council initially delegated powers to the JHOSC but is now considering repatriating them.

Given that there is this no practical benefit in leaving this power vested in the JHOSC because it cannot be exercised on this basis, and that it is highly unlikely that the proposals being put forward in respect of the IHT programme will have a significant impact on the residents of this Borough, it is proposed that the Council now resolves to rescind the earlier decision to delegate to the JHOSC its powers of referral to the Secretary of State. This would not preclude the subsequent delegation of the power of referral to the JHOSC in respect of any future proposals for substantial development or variations to health services to the Secretary of State where it may be appropriate to do so.

Nothing in this report affects the power of referral in respect of all matters outside the remit of the JHOSC (principally those where the impact of any reconfiguration is restricted solely to Kingston). This has always been retained by Kingston's Health Overview Panel and will continue to do so.

The Council is **RECOMMENDED** to resolve that its delegation to the Joint Health Overview and Scrutiny Committee of the power of referral to the Secretary of State in respect of matters being considered by that Committee, be rescinded and the powers repatriated to the Royal Borough of Kingston to be exercised by the Health Overview Panel.

12. **Appointments of Members to Committees, Panels and other bodies**

The Council is **RECOMMENDED** to make any appointments of Members to Committees, Panels and other bodies.

13. **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.

Background Papers held by Democratic Support 020 8547 5023

- Relevant Committee Agendas.

14. **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)