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CABINET

Monday 11 July 2016 at 7.00 pm

MINUTES

PRESENT:

Cabinet Members:

Councillor Matthew Bennett
Councillor Jennifer
Brathwaite
Councillor Jim Dickson

Councillor Jane Edbrooke
Councillor Jack Hopkins
Councillor Paul McGlone
Councillor Jackie Meldrum
Councillor Lib Peck
Councillor Jane Pickard

Portfolio:

Cabinet Member for Housing
Cabinet Member for Environment & Transport

Cabinet Member for Healthier and Stronger Communities
(job-share)
Cabinet Member for Children and Schools
Cabinet Member for Regeneration, Business and Culture
Deputy Leader of the Council (Investment and Partnerships)
Cabinet Member for Adult Social Care
Leader of the Council
Cabinet Member for Families and Young People

Apologies for absence

Councillor Imogen Walker,

Also present:

Councillor Donatus Anyanwu, Councillor Tim Briggs and
Councillor Mohammed Seedat

*Action
required by*

1. DECLARATIONS OF PECUNIARY INTEREST

There were none.

2. MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the previous meeting held on 6th June 2016 be approved and signed by the Chair as a correct record of the proceedings.

4. LAMBETH'S OLDER PEOPLE'S HOUSING PROGRAMME-2016 REVIEW

The report was introduced by the Cabinet Member for Adult Social Care, Councillor Jackie Meldrum, the Lead Commissioner and Strategic Director for Adults and Health, who highlighted that:

- Lambeth was a relatively young borough with the older population likely to increase by 25% in the next 10 years.
- The main goal of the Older People's Housing Programme was to increase the choice and quality of housing for older people throughout the borough, and the review was undertaken closely with those affected.
- The work carried out to date represented a positive outcome for users as many of the homes in sheltered housing schemes have been updated.
- Cheviot Gardens, a new extra care housing scheme developed in partnership with Notting Hill Housing was opened in the last few weeks.
- Where schemes were being closed, officers ensured that friends and groups of tenants could move together if they wish. Consideration was given to the details that our older residents consider to be important.
- The newly refurbished communal areas have desktop computers and it was recognised some additional support and training for the residents was needed in this area.

Paul Minyo, Vice Chair of the Sheltered Tenants' forum and Queenswood Court tenant informed the meeting that:

- The residents were very grateful for the investment made by the Council to improve their homes over the last 2 years and was pleased with the cooperative approach of the review.
- This approach of improving schemes where possible was welcomed as many older residents were more attached to their properties.
- There was clear evidence that the Council listened to the residents which resulted in some of the schemes remaining open.
- Overall those affected were pleased with the approach and the outcome of the review.

The Cabinet Member for Healthier and Stronger Communities, Councillor Jim Dickson, advised the meeting that he was pleased with the way the review was carried out. He noted that a huge amount of work on the specifications and focusing on the best outcomes were the main considerations while working on this review. He further noted some learning points, mainly that people affected should have been informed in a more timely manner whether their scheme was to be closed or not.

Cabinet Members made the following comments:

- The work carried out showed that the Council was responsive to the needs of its residents and that the older persons programme could be tailored to specific requirements if needed.
- The improvements to communal areas was very positive and encouraged more of a community feel.
- The Council needed to explore how the Digibuddies scheme could help train sheltered housing residents in use of the computers provided.

The Leader of the Council, Councillor Lib Peck, was pleased with the work on the review and expressed her appreciation to officers and those affected for their positive contributions.

RESOLVED:

1) That the proposed update to the Lambeth Older People's Housing Programme, including the additional funding requirement be approved.

2) That the sheltered housing schemes at 269 Leigham Court Road (now known as Macintosh Court) and Queenswood Court be retained and improved.

3. INVESTING IN BETTER NEIGHBOURHOODS AND BUILDING THE HOMES WE NEED TO HOUSE THE PEOPLE OF LAMBETH – FENWICK ESTATE

The report was introduced by the Cabinet Member for Housing, Councillor Matthew Bennett, who noted that:

- This programme was part of a significant investment in housing across the borough and the Administration were tackling the housing crisis head on despite cuts and reduced funding from central government.
- This particular programme would see an increase of between 50 and 100 social housing properties (in addition to the 55 homes to be delivered in Phase 1 by Transport for London (TfL)), that all existing tenants would be guaranteed a property on the re-developed estate, and would provide options to allow leaseholders to remain on the estate.
- It was recognised that there would be disruption and heightened anxiety due to the re-development but the Council were committed to supporting those affected and ensuring the programme was delivered.

The Ward Councillors, Andy Wilson, Tina Valcarcel and Marsha de Cordova addressed Cabinet and advised of the following:

- There have been a number of events and workshops to raise awareness and share information about the programme.
- There was a strong Resident Engagement Panel, which worked well and was chaired by a local resident.
- They were pleased to see the strong levels of engagement as set out in paragraph 1.18 of the report (page 17).
- The same level on engagement needed to be retained going forward and specific plans needed to be made for the underground car park which needed to be fed back to residents and Councillors.
- They were pleased to see that the Council had listened in regard to the odd-numbered properties along Willington Road and removed these from the scheme.

The Leader of the Council, Councillor Lib Peck, asked for one resident at the meeting to address Cabinet on behalf of those in attendance, even though they had not registered in advance. The resident representative advised that:

- There was uncertainty on the change in tenancy, rents, service charges and loss of right to buy.
- It was unclear what the financial implications were for leaseholders

and what support would be available to assist, such as with re-mortgage applications.

- The ward Councillors did not represent the entire estate and they only engaged with a minority.
- The Council had previously said they would invest in the estate through new kitchens and bathrooms which was not carried out.
- Any questions raised by leaseholders such as service charge levels were deferred, and so it was unclear how a decision could be made without clear evidence or information.

The Programme Director for Capital Programmes and the Director of Strategy and Commissioning Housing and Communities responded to some of the points raised and advised that:

- The equalities impact assessment would be built into the work programme going forward.
- That a small change to the Equalities Impact assessment was suggested by the Equalities Impact Assessment Panel (i.e. remove sentence “The outcome of the proposals would positively benefit these households” on page 254 of the agenda pack).
- More consultation on the key guarantees would be undertaken.
- They acknowledged that more work needed to be done with residents and that further information would be picked up once the housing needs assessment was done in more detail.
- There was huge pressure on the Housing Revenue Account and a deficit for the Lambeth Housing Standards programme, which was in part why the Council had been considering redevelopment of some estates.

Cabinet Members made the following comments and observations:

- They were pleased that the equalities impact would be built into the work programme going forward.
- The approach and focus on private renters was welcomed.
- The programme did disproportionately affected black and minority ethnic (BME) residents on the estate and this needed to be managed carefully.
- More detail on what percentage of properties would be accessible for less able people needed to be clearly defined.
- Re-development represented better value for money (as opposed to refurbishment).

The Leader of the Council encouraged the residents to engage with the consultation process and local representatives, she thanked everyone for their contributions at the meeting. She further advised that the Council was committed to continue the dialogue with residents and that the consultation process had not ended.

RESOLVED:

1) That the redevelopment of the Fenwick Estate, in accordance with the approach set out in Section 2 of this report, and to procure a development management team to progress the redevelopment of the estate through the planning process be approved.

2) That the Key Guarantees as included in Appendix H (pending any improvement to the Key Guarantees through further consultation with residents) and to negotiate purchase of leaseholder properties under the

shadow of a compulsory purchase order (CPO), as set out in paragraphs 2.7 to 2.9 be implemented.

3) That the inclusion of additional land holdings within the masterplan for Fenwick Estate (excluding the odd-numbered properties on Willington Road – see paragraph 2.5), where such land lies on the boundary of the Estate, and where such inclusions can be shown through the masterplanning process to improve the place-making outcomes and/or deliver a net increase in the number of homes (see paragraph 2.6) be approved.

4) That officers and the procured development management team to work closely with residents in the procurement and formulation of the masterplan, including a phasing strategy and a local lettings policy for the Estate.

5. EVENTS STRATEGY 2015-18

Guillotine

During the discussion of this item, the guillotine fell at 9.00pm.

MOVED by the Chair, and:

RESOLVED: That in accordance with Council and Committee Procedures 9.5 – 9.7 set out in the constitution, the meeting continue for a further period of up to half an hour.

The report was introduced by the Cabinet Member for Regeneration, Business and Culture, Councillor Jack Hopkins, who noted that:

- A key principle of the strategy was to increase charges to commercial operators and reinvest funds into host parks. Local groups would continue to receive discounted rates for the use of parks.
- The Parks Investment Levy (PIL) had been increased, replacing the Environmental Impact Levy.
- The free Lambeth Country Show was funded directly by the income generated from events held in Lambeth parks.
- The number of major events held in larger parks would be limited.
- The definition of a 'major event' was related to the number of people relative to the capacity of a given park.
- The proposed rise in noise levels from 70dB to 75dB would be a maximum potential decibel level.
- The strategy would help to ensure that events and park venues were appropriately suited.
- The strategy would make event organisers more accountable to the Council and to community groups. Ward Councillors and park management committees would be involved at the early stages of the event planning process and officers would work alongside commercial operators to address any community concerns.
- The strategy would continue to develop to ensure that community concerns could be registered and addressed throughout the process. The Council would work collaboratively with local residents to solidify appropriate governance processes allowing for commercial operators to be held to account.

Marcus Hope, Chair of the Friends of Clapham Common (FCC), addressed the committee and explained that:

- The FCC membership agreed that it would be acceptable to hold eight major events on Clapham Common per year.
- The length of occupation of the events site was a serious concern for local residents. Event organisers should be charged more for set-up and take-down days, and required to repair any damage.
- Members of the FCC would prefer small, locally driven, family-oriented events on the site.
- Lambeth Council needed to provide better consultation and greater transparency on financial returns. An alternative (bidding) model should also be considered.
- The FCC welcomed new arrangements for the discussion of events at an early stage in the planning process.
- The Council could not afford to continue hosting the free Lambeth Country Show.
- Lambeth should seek permission from the Secretary of State before approving the erection of temporary structures on metropolitan commons.

Simon Millson, Chair of the Clapham Common Management Advisory Committee (CCMAC), addressed the committee and explained that:

- The report made no reference to the legal distinction between parks and commons. Commons were regulated by the Commons Act which enshrined that common land was unenclosed. Events caused the enclosure of parts of Clapham Common.
- The Commons Act limited the amount of commercial activity that could take place on Clapham Common. The intensification of revenue-generating activity could be illegal under the Commons Act.
- The CCMAC welcomed the proposed early consultation exercise.
- The definition of 'major events' remained ambiguous and needed to be clarified. Ill-defined events could have significant impacts on the environment and local community.
- The impact assessments should take account of the total use of a common at any one time rather than solely the impact of the event in question.
- Penalties should be introduced for commercial operators that had contravened their agreements.

Richard Payne from the Streatham Common Co-operative (SCCoop) addressed the committee and explained that:

- Events currently caused a high level of disruption to the lives of local residents and the proposed strategy would allow for a significant increase in noise levels.
- The Council should commit to publish the noise limits for each event within the events calendar.
- Residents were concerned with the level of disruption to be caused on weekends directly preceding GCSEs and other exams. Events should not be allowed on weeknights during term time.
- The revenue generated by events was used to fund the Lambeth Country Show rather than support community-based events. A full independent review was required to assess the value for money provided by the Lambeth Country Show.
- The commissioning, policing and spending related to Lambeth

events should not be controlled by a single team. An alternative team should be given the responsibility to make final recommendations on events.

- Established local groups with existing relationships with the Council should be granted full control over funding which is redistributed towards the improvement of local parks.
- The Events Strategy should be initially adopted as a two year trial period.
- It remained unclear whether local friends groups would continue to be able to use commons and parks free of charge.

Jean Kerrigan, Vice Chair of the Lambeth Parks and Green Spaces Forum, addressed the committee and explained that:

- The Lambeth Parks and Green Space Forum welcomed the introduction of an Events Strategy and supported the principle of safe, popular, community-based events in Lambeth. However, the chief function of a public park was not to generate revenue.
- Green spaces were primarily designed for the improvement of community wellbeing and this should have constituted a central pillar of the strategy.
- The strategy did not sufficiently reference the ecological integrity of Lambeth's green open spaces.
- Further detail was required regarding the proposed Community Events Fund.
- Whilst the proposed PIL was welcomed, it would provide no substitute for a properly funded parks service. The Council should reconsider the cuts to the open parks budget.
- Greater community involvement should be facilitated through forum members.
- Greater transparency on financial returns was required. It remained unclear whether parks would benefit directly from hosting filming activities.
- There was great concern about the number of events and the amount of time used for setting up and breaking down structures.
- Smaller parks could not always afford the requisite insurance of £5m required by the proposed strategy. This figure should be reconsidered.

The Chair acknowledged the amount of comments and requested that officers responded to most points in writing. The Director of Policy and Communications, Jullian Ellerby, also provided the following verbal responses to issues raised by registered speakers:

- The Community Events Fund would be an annual amount of money that could be bid for by local groups.
- Accountability, planning, governance were all key themes that would be properly considered by officers when progressing with the Events Strategy. In particular, work would be carried out to provide efficient timetabling and transparency of financial returns. It was important to maintain accountability regarding the reinvestment of money generated through events in Lambeth.
- Advice surrounding the legality of the Events Strategy had been sought from central government. Written clarification of this would be provided in due course.
- More detail would be provided about the definitions of events and how these responded to different settings. The proposed framework would provide a new limit to the amount of event days

and the Council sought to diversify the types of events in line with community preferences.

Lou Muscat, a resident of Windmill Drive, addressed the committee and raised the following points:

- Residents of Windmill Drive took the brunt of any event held on Clapham Common and each event had a devastating impact on residential amenity.
- Mr Muscat had previously been given assurances by the Council but the problem was now worse than ever.
- Local people could not tolerate further events on Clapham Common.

Fred Uhde, a local resident, addressed the committee and raised the following points:

- The current noise level of events in Lambeth was excessive and beyond those set by similar London boroughs. There was no evidence to suggest that the proposed limit of 75dB was suitable for events in the borough.
- Similarly, the proposed bass limit of 80dB was too high and needed to be reduced.

The Ward Councillor for Streatham Wells, Councillor Amélie Treppass, addressed the committee and raised the following points:

- Councillor Treppass fully supported the principle of holding events in Lambeth's public spaces and noted the importance of their income generation. However actions were required to mitigate the impact of events on residents.
- The noise consultation, as an evidence base, appeared flawed on the grounds that it was not advertised in accordance with Lambeth's standard consultation procedures and quantitative data had been extracted from qualitative research methods. Ward Councillors who took part in the Culture 2020 consultation had also not been notified on the 2016 noise consultation.
- It was misleading to represent the sound limit as an increase from 70dB to 75dB. Varying pre-existing levels of background noise meant that for some areas the increase would be more significant. The proposed increase to 75dB was unnecessary.
- The report's definition of a 'major event' was ambiguous and it was not clear whether it referred to 15,000 or 20,000 people per day.
- The Council had a responsibility to protect local residents against litter, anti-social behaviour and public urination associated with events.

The Ward Councillor for Clapham Common and Leader of the Opposition, Councillor Tim Briggs, raised the following points:

- The report indicated that 83 per cent of people were opposed to the Events Strategy.
- It was unclear whether the Community Events Fund would work in the interests of local residents.
- Local residents in Clapham Common experienced a serious loss of residential amenity as a result of the events.
- The proposed increase in the limit of bass was unacceptable.
- The Council's need to raise revenue was not a justifiable argument in support of the Events Strategy.

Following the representations of registered speakers, Cabinet Members made the following comments and observations:

- A clear Events Strategy was required to set the parameters within which commercial operators could hold events. It should provide a consistent approach to event organisation and a formal process for community engagement.
- There remained areas for improvement and the implementation of the strategy had to be handled properly. This included the monitoring of noise levels across the borough.
- There were lessons to be learned from festivals recently held in Brockwell Park.
- The issue to noise was key to maintaining a fair balance between events and the safeguarding of residential amenity.
- Resources needed to be redistributed directly to local communities. It was also important that small, diverse local groups benefitted from the strategy.
- Young people needed to be able to enjoy themselves and for many residents, events held in local parks was a large part of how they accessed public spaces.
- Lambeth's central London setting needed to be taken into account by local residents.
- Commercial operators of badly run events were told they could not return to Lambeth.
- The free Lambeth Country Show was value-driven and underpinned the entire Events Strategy.

The Director of Policy and Communications, reaffirmed that written responses would be provided in response to points raised by registered speakers. Officers would particularly take action to enhance the themes of planning, governance, accountability and enforcement throughout the Events Strategy.

The Cabinet Member for Regeneration, Business and Culture, Councillor Jack Hopkins, summarised by noting that the collective wisdom of local communities and Ward Councillors would be used as a driving force behind the organisation and improvement of future events in Lambeth. The strategy should work to penalise commercial operators that breached their agreements and as a result help to improve the responsibility of the industry.

The Leader of the Council, Councillor Lib Peck, then proposed to approve the Events Strategy in line with the recommendations outlined in the report subject to officers working through the following issues prior to implementation:

- Bass and noise level testing.
- Close collaboration with residents and friends of parks to shape pre-conditions for events.
- Commitment to review the Events Strategy two years after implementation.
- Protecting children and young people against the impact of events during exam periods.
- Provision for enforcement.

RESOLVED:

(1) To approve the implementation of the new Events Strategy 2016-2020

including all its key components:

- a) Licensing of the five main Parks and Open Spaces in Lambeth; Kennington Park, Clapham Common, Brockwell Park, Streatham Common and Norwood Park;
- b) Delivery of a programme of a maximum of eight major event days in each of the five zones of Lambeth;
- c) The introduction of a new Sound Guidance Policy including increasing the levels for only the major events in line with other Parks and Open Spaces in London;
- d) Generating Income for Council and the introduction of a Parks Investment Levy. By charging more for high quality commercial events which goes back to the community to support local events and spaces;
- e) Creating a funding pot that community events can bid for and training to those community groups creating a skill base for the future; and,
- f) Keep the annual Lambeth Country Show free.

6. LOCAL APPLICATION REQUIREMENTS REVIEW

RESOLVED:

To adopt the revised Local Application Requirements (2016) set out in Appendix 1.

7. ARTICLE 4 DIRECTIONS FOR CHANGE OF USE FROM OFFICE TO RESIDENTIAL

RESOLVED:

- 1) That the Council as Local Planning Authority make a non-immediate Article 4 direction with an intended coming into force date of 15 September 2017 to remove permitted development rights for change of use from office (use class B1(a)) to residential (use class C3), to cover Brixton town centre, parts of Clapham and ten Key Industrial and Business Areas (whole or part), in the terms set out in Appendix 1.
- 2) That Cabinet delegates to the Programme Director of Planning, Transport & Development the preparation of the Article 4 direction and instructs officers to carry out all necessary consequential arrangements to give effect to the terms of Recommendation 1 which shall include publishing the making of the direction, notifying affected property owners/occupiers and the Secretary of State and seeking representations on the making of the direction.

8. PERFORMANCE Q4

RESOLVED:

- 1) To endorse the conclusions and recommendations for improvement activity.

The meeting ended at 9.25 pm

CHAIR
CABINET
Monday 5 September 2016

Date of Despatch: Friday 15 July 2016

Call-in Date: Friday 22 July 2016

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