

ROYAL BOROUGH OF KINGSTON UPON THAMES

THE DEADLINE FOR CALLING-IN ANY OF THE DECISIONS CONTAINED IN THESE MINUTES IS UP TO, AND INCLUDING FRIDAY 26 NOVEMBER 2004. AFTER THAT DATE, THEY WILL BE IMPLEMENTED WHERE APPROPRIATE. NOTIFICATION OF ITEMS TO BE CALLED-IN TO BE SENT TO:

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EXECUTIVE

16 NOVEMBER 2004

(7.30pm – 8.25pm)

Councillor Derek Osbourne (Chair)	Leader of the Council
Councillor Tricia Bamford	Transport and Sustainable Development
Councillor Rolson Davies	Health and Community
Councillor Barry O'Mahony	Economic Development and Regeneration
* Councillor Ian Reid	Improvement and Performance
* Councillor Mary Reid	Young People's Services and Member e-champion
Councillor Liz Shard	Sustainability and Diversity

*Absent

Apologies for absence were submitted by Councillors Ian Reid and Mary Reid.

Councillor Steve Mama attended.

Neighbourhood Committee Chairs/Co-Chairs by invitation

Ian McDonald	Maldens & Coombe
Patricia Franks	Surbiton

DECLARATIONS OF INTEREST

Councillor Liz Shard declared a personal and prejudicial interest in the item Proposed Fishponds Park Conservation Area (minute no. 85).
Reason: A friend lives in the area.

UPDATE BY EXECUTIVE MEMBERS

Councillor Derek Osbourne – Leader of the Council

Councillor Rachel O'Connor was elected on 11 November to the vacancy in the Grove Ward.

Councillor Tricia Bamford - Transportation and Sustainable Development

Park and Ride

The Christmas Park and Ride service has started and there is already a 9% increase in the number of users over the same period for last year.

Councillor Rolson Davies - Health and Community

A. Community Services Staff Awards

Congratulations were offered to all those staff in Community Care and Children and Family Services who were receiving awards at a ceremony being held this evening.

B. Connaught Opera Concert At Hampton Court 1st November 2004

With funding from the Association of London Government, the Connaught Opera Company offered a free concert in the Banqueting Suite at Hampton Court to older people living in the Royal Borough of Kingston. Service users from our four Resource Centres, Age Concern, Alfriston, Milaap, and the Community Activity Project attended. In addition to this Hampton Court gave service users the opportunity to enjoy a free tour of the Palace before the concert and afterwards the "Friends of Hampton Court" provided refreshments.

Councillor Barry O'Mahony - Economic Development and Regeneration

A. Kingston Business Improvement District (BID)

Kingston Businesses voted yes to the BID, by a majority of 66%. This is a significant day for Kingston, which is the first area to vote for a BID and the first to introduce it from January 2005. Thanks and congratulations are offered to all in Kingston First and officers who made the arrangements and promoted the BID, and to the businesses who voted for it.

B. Homelessness Report

The Housing Service in partnership with other organisations has published a very good report on homelessness achievements in 2003/04. The report headlines the achievement in meeting the Government's 2004 target of ending the use of bed and breakfast hotels for homeless people with children a year early. At the end of 2003/04, the Council was housing 840 households in temporary accommodation of which only 6 were living in bed and breakfast and none of these were families with children.

The report sets out many other achievements.

The order of the agenda was varied.

74. MINUTES

RESOLVED that the minutes of the meeting of 19 October 2004 be confirmed as a correct record and signed by the Chair.

75. PROPOSED CONSERVATION AREAS – GENERAL PRINCIPLES Appendix I

The general principles concerning the legislation and guidance for designating conservation areas was set out in the report to the Executive. Also included were details of the process which this authority has followed in recent years to fulfil the obligation to investigate areas, identify whether they warrant designation, carry out consultation, and follow up designations with action to satisfy the statutory duties and ensure their success.

The principles in the report will form a useful basis on which to understand the three proposed conservation areas, which the Executive was determining at this meeting, and any future areas under consideration, to ensure consistency throughout the Neighbourhoods, and to establish the priority for follow up action on all conservation areas designated.

RESOLVED that

1. the process and considerations set out in the report be taken into account when considering the proposed three conservation areas at Kingston Hill, Fishponds and Riverside North;
2. the process and considerations set out in the report be used for the investigation of any future conservation area designations; and
3. a report containing a Conservation Areas Management Plan be submitted to the Executive, and this Plan be a priority for the Conservation & Design Team work programme.

Reason for decision

To establish a consistent approach to the designation of all conservation areas.

76. PROPOSED DESIGNATION OF KINGSTON HILL CONSERVATION AREA Appendix J

Public consultation on the Proposed Kingston Hill Conservation Area was undertaken between March and April 2004. The results of the consultation were reported to the Maldens & Coombe Neighbourhood Committee for its comments.

The current proposals contain a minor amendment to the boundary of the area used for consultation. The issue of whether to include the whole University site in the area has been reviewed and a boundary which includes the whole site is recommended for

formal designation as the Kingston Hill Conservation Area. This designation makes the Kingston Hill Local Area of Special Character redundant for planning purposes and it is therefore being cancelled.

RESOLVED that

1. the Kingston Hill Conservation Area be designated as shown in Drawing No. 04/202/B;
2. the necessary statutory procedures for the designation of the Kingston Hill Conservation Area, under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, be carried out;
3. the owners and occupiers of properties and land within the designated conservation area be notified by letter of the designation;
4. special architectural or historic interest identified in the report at Appendix J to the agenda and related background papers be adopted as a material consideration for the purposes of Development Control and any other planning decisions, specifically in the application of UDP policies BE3 and BE4;
5. a conservation area leaflet be published to follow the existing series of conservation area leaflets;
6. a conservation area notice board to follow the existing set of conservation area notice boards, be installed in an appropriate location agreed with the Maldens and Coombe Conservation Area Advisory Committee and adjoining occupiers, subject to officers identifying the necessary budget;
7. the Kingston Hill Conservation Area shall fall within the remit of the Maldens & Coombe Conservation Area Advisory Committee; and
8. the Kingston Hill Local Area of Special Character be cancelled.

Reason for decision

To preserve the special architectural or historic interest of the Kingston Hill Conservation Area.

77. PERFORMANCE MANAGEMENT IN SOCIAL SERVICES

Appendix A

The Annual Review Meeting process enables the Commission for Social Care Inspection (CSCI) to identify, from a range of evidence, strengths and areas for improvement. It also gives the Council the opportunity to present its highlights and challenges and identify its future direction in Social Services. Social Services has been able to demonstrate continuous improvement in both Adult and Children's services and the CSCI have reflected this in its Review. The areas identified by the CSCI for improvement will form a central part of Social Services planning and performance management.

RESOLVED that

1. the contents of the Performance Assessment Report and priorities set for the Council for the coming year be noted; and
2. the reports be referred to the Chairs of the appropriate Overview Panels for them to decide whether any areas should be further scrutinised.

Reason for decision

To publicise the outcome of the Review and support the on-going work on service improvement.

78. AMY WOODGATE FEASIBILITY FOR NIGEL FISHER WAY **Appendix B**

By using existing Council owned land at Nigel Fisher Way together with an adjacent small site which is being purchased, the Council has the opportunity to re-provide Amy Woodgate House at the site. This will ensure continuity of residential and day services for people with dementia, and meet future needs. The most appropriate and cost effective method of funding is still to be considered.

The possibility of extending day services in the area by utilising Hook Youth Centre needs to be examined, and a feasibility study will be carried out to determine the type of service which could be offered. It is not intended that Hook Youth Centre should cease to be a youth centre but that the building be developed for joint use.

RESOLVED that

1. the provision of a residential and nursing home and day centre on the areas of land shown hatched and by thick black edge on plan number EM4320 as a replacement for the services at Amy Woodgate House be approved; and
2. a feasibility study be undertaken with a view to utilising the Hook Youth Centre for day services for older people, and a report presented to the Executive early in 2005.

Reason for decision

To ensure an adequate supply of residential and nursing home care to meet future requirements and, in particular, to provide an early replacement facility for Amy Woodgate House.

79. AUDIT OF ACCOUNTS 2003/04 **Appendix D**

The draft accounts for 2003/04 were approved by the Executive on 29 June 2004 and this approval was ratified by the Council on 13 July 2004. The District Auditor has given an unqualified opinion on the Council's accounts. This means that the accounts have been prepared properly and present fairly the Council's financial transactions

during the 2003/04 financial year and its financial position at 31 March 2004. The District Auditor has required that the final accounts should be presented to Members.

Issues raised by the Auditor were addressed by the Director of Finance in his report and action is being recommend in relation to the recovery of "older" Council Tax debts,.

RESOLVED that

1. the amended published accounts be approved;
2. the comments of the Director of Finance in regard to the matters raised in the District Auditor's report be noted;
3. the actions being taken in regard to the recovery of "older" Council Tax debts be approved;
4. the use of bankruptcy proceedings to recover Council Tax debts in appropriate cases be approved; and
5. the possible impact on future Council Tax increases if it is necessary to increase significantly the provision for bad debts be noted.

Reason for decision

To approve the accounts and receive the District Auditor's report (SAS610) as required by the regulations and to approve action to recover Council Tax debts in certain cases.

80. BUDGET MONITORING MONTH 6

Appendix E

The budget monitoring position at 30 September 2004 (month 6) was outlined in the report and shows that there is a projected net overspending of £491,000. The Corporate Development Team is taking appropriate action to bring spending into line with approved budget by the end of the financial year.

RESOLVED that

1. the position be noted; and
2. the action being taken by the Corporate Development Team and managers in closely monitoring the position, exercising tight financial control, managing budgets, properly scrutinising expenditure, identifying underspending trends, together with a programme for reviewing in detail the areas of budget pressure and for continuing scrutiny of the overall position, be endorsed

Reason for decision

To ensure that the Council's expenditure remains within the approved budget.

81. LOCAL IMPLEMENTATION PLAN**Appendix F**

The Local Implementation Plan (LIP) provides an opportunity to draw up and agree an integrated transport strategy for the Royal Borough, setting out short, medium and long term objectives, particularly in respect of delivering the Mayor for London's Transport Strategy and priorities. The Plan will also reflect the Council's Policy Programme and the Community Plan priorities. Officers have prepared and agreed with Transport for London (TfL) the programme for developing the LIP and submitting it to TfL by the summer of 2005. The process will involve Neighbourhood Committees which will need to comment on local priorities, and the Transport & Infrastructure Overview Panel which will be looking at, and recommending strategies. The Executive Members for Transport and Sustainable Development and for Economic Development and Regeneration will work closely with officers during the LIP process.

RESOLVED that

1. the programme prepared by Officers and agreed with TfL be approved;
2. the Executive Member for Transport and Sustainable Development and Economic Development and Regeneration Continue work closely with officers to ensure that the Council's Policy Programme, Community Plan and other relevant Strategies are reflected in the draft LIP;
3. Neighbourhood Committees be requested to establish their local priorities, traffic and transportation proposals in the context of the proposed strategies within the emerging draft LIP; and
4. the work being undertaken by the Transport & Infrastructure Overview Panel (LIP working group) in relation to the following Mayoral priorities be supported:
 - Priority III - relieving traffic congestion and improving journey time reliability including through the use of travel demand measures and
 - Priority V - Improving accessibility and social inclusion on the transport network.

Reason for decision

To ensure that a clear process is established that secures direct input from Members to the Royal Borough's LIP and that ensures the LIP reflects the Mayor of London's Transport strategy and priorities and this authority's developing policies and strategies.

**82. EXTENDING THE PRIVATE LEASING AND TENANT
FINDER SCHEMES****Appendix G**

The Council through its Private Leasing Scheme, Tenant Finder Service and other initiatives has been very successful in maintaining low bed and breakfast usage and has met the Government's target, of having no families with children in bed and breakfast, one year early.

Extending the Private Leasing Scheme and Tenant Finder Service on a limited basis to accommodate other groups, such as key workers, “non priority” homeless single people and childless couples and Housing Register applicants would help to meet the aims of the Affordable Housing Action Plan. These aims include increasing the supply of affordable housing, improving access to existing housing (including empty homes in the private sector) and providing for key workers.

RESOLVED that

1. surplus accommodation within the Council’s Private Leasing Scheme be offered on a fixed term basis to key workers; homeless single people and childless couples not in priority need and “first time” applicants on the Housing Register in points order as set out in the report at Appendix G to the agenda;
2. surplus accommodation within the Council’s Tenant Finder Service be offered to key workers on a fixed term basis provided the cost of the deposit/rent-in-advance loan is met in full via an employer’s contribution or by the applicant; and
3. for the purpose of this initiative, the definitions set out below be used:
 - (a) Key workers to be defined as set out in the Government definition as subsequently amended and/or supplemented by a local definition agreed by the Executive.
 - (b) Homeless single people and childless couples not in priority need to be defined in accordance with the relevant homelessness legislation and guidance.
 - (c) “first time” applicants to be defined as applicants eligible for rehousing from Kingston’s Common Housing Register who are not Council Tenants, Housing Association Tenants or accepted for rehousing under the homelessness provisions.
 - (d) “vulnerable” households to be defined as being those in priority need as defined by the relevant homelessness legislation and guidance.

Reason for decision

To offer an additional rehousing opportunity to key workers, single homeless people and applicants on the Housing Register.

**83. LOCAL CODE OF CONDUCT FOR ISSUING EDUCATION
RELATED PENALTY NOTICES**

Appendix H

The Anti-Social Behaviour Act of 2003 gave the Police, Headteachers and the Local Authority the power to issue a Penalty Notice to parents whose children are absent from school without authorisation. In response to a requirement of the Act, a Local Code of Conduct for Education Related Penalty Notices has been prepared following

consultation with the relevant managers and practitioners of the Local Education Authority, Kingston Police and all Kingston schools.

RESOLVED that

1. the Code of the Conduct be approved;
2. the agreed procedure for issuing a Penalty Notice be noted; and
3. the Local Authority's role in issuing a Penalty Notice be noted.

Reason for decision

To ensure the Local Authority, the Police and Headteachers have clear guidance on the issuing of Penalty Notices, within an agreed policy for RBK.

84. HOUSING OPTION APPRAISAL

Appendix C

Since the outcome of the ballot on stock transfer, discussions have taken place with the Government Office for London (GOL) and the Community Housing Task Force (CHTF) on the way forward. The Government now requires all housing authorities to carry out an Option Appraisal by July 2005. The Appraisal must show how the authority intends to meet the Government's Decent Homes Standard by 2010. However, the work carried out during the ballot process and the fact that tenants and leaseholders have recently been through a lengthy ballot is recognised by GOL so this Authority's Appraisal will take this into account.

Technical work on assessing the condition of properties is underway and the outcome will help determine whether the Council will be able to meet the Decent Homes Standard from within its own resources or whether additional resources will be needed and if so, where they will be found.

RESOLVED that

1. the requirement to have a Housing Option Appraisal completed and signed off by July 2005 be noted;
2. the Head of Housing be authorised to appoint appropriate external consultants and an Independent Tenants' Adviser; and
3. a progress report be submitted as soon as possible to the Executive, this to include a detailed Project Plan for approval and proposals for a working group to oversee the detailed aspects of the project.

Reason for decision

To allow for the start of an Option Appraisal on the future of the Council's housing stock, for completion by July 2005.

85. PROPOSED FISHPONDS PARK CONSERVATION AREA

Appendix K

Following a full assessment a new conservation area is to be designated based on Fishponds Park and properties in the King Charles Crescent Local Area of Special Character. Some properties in Alpha Road, King Charles Road and 198-206 Ewell Road will also be included.

Public consultation on the Proposed Fishponds Park Conservation Area has been undertaken and the results reported to the Surbiton Neighbourhood Committee, which favours the proposal. A boundary is recommended for formal designation as the Fishponds Park Conservation Area. Such a designation would make the King Charles Crescent Local Area of Special Character redundant for planning purposes and it is therefore being cancelled.

RESOLVED that

1. the Fishponds Park Conservation Area be designated as shown in Plan No.04/203/M;
2. the necessary statutory procedures for the designation of the Fishponds Park Conservation Area, under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, be carried out;
4. the owners and occupiers of properties and land within the designated conservation area be notified by letter of the designation;
5. special architectural or historic interest identified in the report attached as Appendix K to the agenda and related background papers be adopted as a material consideration for the purposes of Development Control and any other planning decisions, specifically in the application of UDP policies BE3 and BE4;
6. a conservation area leaflet be published to follow the existing series of conservation area leaflets;
7. a conservation area notice board to follow the existing set of conservation area notice boards, be installed in an appropriate location to be agreed with the Surbiton Conservation Areas Advisory Committee and adjoining occupiers, subject to officers identifying the necessary budget;
8. the Fishponds Park shall fall within the remit of the Surbiton Conservation Areas Advisory Committee; and
9. the King Charles Crescent Local Area of Special Character be cancelled;

Reason for decision

To preserve the special architectural or historic interest of the Fishponds Park Conservation Area.

86. RIVERSIDE NORTH PROPOSED CONSERVATION AREA**Appendix L**

The Kingston Town Neighbourhood Committee has considered an assessment of an area, which forms part of the Thames-side Strategic Area of Special Character, to determine if it had sufficient special interests worthy of conservation area designation. The Committee also considered the results of public consultation on the proposed Riverside North Conservation Area. The boundary of the proposed area has been carefully reviewed and amended in response to an assessment of the consultation representations. A boundary is recommended for formal designation as the Riverside North Conservation Area.

RESOLVED that

1. the Riverside North Conservation Area be designated as shown in Drawing. No. 04/212/B Plan 3;
2. the necessary statutory procedures for the designation of the Riverside North Conservation Area, under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, be carried out;
3. the owners and occupiers of properties and land within the designated conservation area be notified by letter of the designation;
4. the special architectural or historic interest identified in Appendix L to the agenda and related background papers be adopted as a material consideration for the purposes of Development Control and any other planning decisions, specifically in the application of UDP policies BE3 and BE4;
5. a conservation area leaflet be published to follow the existing series of conservation area leaflets;
6. a conservation area notice board to follow the existing set of conservation area notice boards, be installed in an appropriate location agreed with the Kingston Town Neighbourhood Conservation Area Advisory Committee and adjoining occupiers, subject to officers identifying the necessary budget; and
7. the Riverside North Conservation Area shall fall within the remit of the Kingston Town Neighbourhood Conservation Area Advisory Committee.

Reason for decision

To preserve the special architectural or historic interest of the Riverside North Conservation Area.

87. REFERENCES FROM OTHER PANELS/COMMITTEES

Appendix M

A. Mayor For London - A Tree And Woodland Framework For London
(Environment & Neighbourhoods Overview Panel – 18 September)

The Mayor of London, the Greater London Authority and the Forestry Commission have drafted a document entitled '*London's Forest – A Tree and Woodland Framework for London*' as a strategic guide to those involved in maintaining and enhancing London's trees and woodlands. Following consideration by the Environment and Neighbourhoods Overview Panel, a letter signed by the Executive Member for Sustainability and Diversity containing comments on the document was sent to the Mayor. The Overview Panel drew to the Executive's attention and for possible action, some of the Mayor's objectives.

RESOLVED that it be noted that a response has been sent to the Mayor of London concerning the proposals for a Tree And Woodland Framework For London, and that this response incorporated the issues referred by the Overview Panel, so no further action is needed.

Reason for Decision

To note the action taken following consideration by the Environment and Neighbourhoods Overview Panel.

B. Local Procedure In Managing Education Other Than At School (Education At Home) (Children, Youth and Culture Overview Panel - 23 September 2004)

Although there is no specific legal requirement to carry out regular inspection of home education, Kingston Local Education Authority has an inspection regime which discharges its duty under the Section 7 of the Education Act 1996 which requires all school-aged children to receive suitable education. The Children, Youth and Culture Overview Panel having considered a report on this matter decided to bring to the Executive's attention the absence of legislation and regulation for the Education of Children at Home.

RESOLVED that the comments by the Children, Youth and Culture Overview Panel concerning the absence of legislation and regulation for the Education of Children at Home be noted.

Reason for Decision

To note the comments of the Children, Youth and Culture Overview Panel.

88. ACTION TAKEN UNDER STANDING ORDER NO 32
LAND AT NIGEL FISHER WAY

Urgent action has been taken to purchase land at Nigel Fisher Way to enlarge the adjacent Council owned site where a day centre and residential/nursing home could be constructed. The loss of this opportunity would have presented significant problems for the Council's ability to secure the future provision of residential and nursing home care in the borough.

PROPOSED RIVERSIDE NORTH CONSERVATION AREA

Report by the Director of Environmental Services
Executive Member for Transport and Sustainable Development

Purpose

On 20th October 2004 the Kingston Town Neighbourhood Committee considered an assessment of an area, which forms part of the Thames-side Strategic Area of Special Character, to determine if it had sufficient special interests worthy of conservation area designation. The Committee also considered the results of public consultation on the proposed Riverside North Conservation Area. This was undertaken between July and September 2004 and reported to the Committee for their comments. The boundary of the proposed area has been carefully reviewed and amended in response to an assessment of the consultation representations. A boundary is recommended for formal designation as the Riverside North Conservation Area.

Action proposed by the Executive Member for Transport and Sustainable Development:

The Executive is requested to:

1. designate the Riverside North Conservation Area as shown in Annexe 3 Drwg. No. 04/212/B Plan 3;
2. agree that the necessary statutory procedures for the designation of the Riverside North Conservation Area, under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, be carried out;
3. agree that the owners and occupiers of properties and land within the designated conservation area be notified by letter of the designation;
4. agree the special architectural or historic interest identified in this report and related background papers be adopted as a material consideration for the purposes of Development Control and any other planning decisions, specifically in the application of UDP policies BE3 and BE4;
5. agree that a conservation area leaflet be published to follow the existing series of conservation area leaflets;
6. agree the installation of a conservation area notice board to follow the existing set of conservation area notice boards, in an appropriate location agreed with the Kingston Town Neighbourhood CAAC and adjoining occupiers, subject to officers identifying the necessary budget; and
7. agree that the Riverside North Conservation Area shall fall within the remit of the Kingston Town Neighbourhood Conservation Area Advisory Committee;

Reason for action proposed

To preserve the special architectural or historic interest of the proposed Riverside North Conservation Area.

BACKGROUND

1. A report on the process and considerations used during the designation of all conservation areas is found on this agenda. These are the considerations and processes followed in the investigation of the proposed Riverside North Conservation Area.
2. In November 2002, an independent consultant, 'Conservation Architecture & Planning' (CAP), considered an assessment of two Thames-side Strategic Areas of Special Character. The proposed Riverside North area was part of a joint assessment with the Riverside South area, which at that time suffered from the threat of demolition of several attractive turn of the century houses fronting the river, whilst in the Riverside South area a public inquiry was imminent for a proposed residential development on the riverside Filter Beds. The consultants concluded that the character and appearance of these areas was of special architectural and historic interest and that both should be designated as conservation areas. The Executive agreed the designation of the Riverside South Conservation Area on 11 February 2003.
3. On 20th October 2004 the Kingston Town Neighbourhood Committee considered a report on the proposed Riverside North Conservation Area, identified on drawing No. 04/212/B Plan 3 (Annex 3), to determine whether it had sufficient special interests worthy of conservation area designation, and their minute is attached in Appendix 4. The area forms part of the Thames-side Strategic Area of Special Character (SASC). The area also adjoins the Woodside Road/Eastbury Road Local Areas of Special Character (LASC) and the Richmond Road Conservation Area as identified on drawing No. 04/083/B Plan 2 in Annex 2. Public consultation on the proposed Riverside North Conservation Area has now been completed. A copy of the report to that Committee has been circulated separately to Members of the Executive only.

THE ASSESSMENT AND BOUNDARY USED FOR PUBLIC CONSULTATION

4. The full background to the assessment of the character of the area is set out in the consultant's report¹. The Kingston Town Neighbourhood Committee report of 20 October 2004² contains a summary of the assessment, and the defined character of the area is the basis for considering the responses to the consultation and the final boundary of the proposed conservation area. The Thames-side Strategic Area of Special Character (SASC), as identified in the adopted and emerging alterations to the Unitary Development Plan was the basis for the assessment of the area. Drawing No. 04/165/B Plan 1a (Annex 1) shows the boundaries upon which the public consultation has been undertaken, and are very similar to the boundary recommended for designation in this report.

RESULTS OF PUBLIC CONSULTATION

5. As indicated the public consultation process used for the designation of all conservation areas is explained in the report on general principles about Conservations Areas set out elsewhere on this agenda. Details of the format of the public consultation are contained in the report to the Kingston Town Neighbourhood Committee of 20th October 2004³. An exhibition display used during consultation, that

¹ See background paper 1

² See background paper 2

³ See background paper 2

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has been amended to show the recommended boundary contained within this report, will be on display at the meeting.

Kingston Town Neighbourhood Committee Recommendation:

6. The Committee supports the proposed designation of the Riverside North Conservation Area as an area of special architectural and historic interest and the proposed boundary as shown on Drwg. No. 04/212/B Plan 3.

Organisations

7. Responses were received from the following organisations: -
 - The Kingston Town Neighbourhood Conservation Area Advisory Committee (KTN CAAC)
 - Maldens and Coombe Conservation Area Advisory Committee (M&C CAAC)
 - Kingston upon Thames Archaeological Society
 - London Borough of Richmond upon Thames
 - The Friends of the Canbury Gardens
 - The Friends of Kingston Museum & Heritage Service
 - Canbury and Riverside Association
 - Kingston Friends of the Earth
 - The River Thames Boat Project
 - English Heritage
 - Environment Agency
 - Thames Landscape Officer
8. The representations made and a response to the KTN and M&C CAACs, Kingston upon Thames Archaeological Society, Friends of Kingston Museum and Heritage Service and Canbury and Riverside Association, particularly in respect of whether “The Albany” should be within the conservation area and be joined with the adjacent Richmond Road Conservation Area (No 13), is considered below at para. 12 and more fully in the Kingston Town Neighbourhood Committee report of 20th October (paras. 17-23, ⁴. In conclusion, the response to the representations recommends that the boundary should exclude “The Albany”, but include the whole of the “Albany Mews” and King’s Passage.

Owners & occupiers within the proposed Conservation Area and existing Local Area of Special Character

9. In reply to the 90 letters sent out in the proposed conservation area a total of 31 responses were received. (This is a 34 per cent response rate). 27 (87 %) responses agree with the designation, and 4 (13%) are against the designation. A response to 4 objections was contained in paragraph 26 of the report to Kingston Town Neighbourhood Committee of 20th October⁵ There are no amendments to the proposed boundary as a result of consultation with owners and occupiers.

Key land owner

10. A response to an objection from an adjoining Land Owner regarding the Former Power Station Site was contained in paragraph 27 of the same Committee report⁶

⁴ See background paper 2

⁵ See background paper 2

⁶ See background paper 2

REVIEW OF THE PROPOSED CONSERVATION AREA BOUNDARY AND SPECIAL INTERESTS

11. Public consultation has shown widespread support for the proposed conservation area from the owners and occupiers within the area and local and national amenity bodies and organisations. An amendment to extend the area to include the remainder of Albany Mews to the north east of the area and all of King's Passage is recommended in response to suggestions made by some organisations.
12. It is recognised that several local amenity bodies wished to see the 3, eight storey blocks of flats known as "The Albany", together with the west part of Albany Park Road as far as the Albany Mews, included within the proposed conservation area and adjoin the Richmond Road Conservation Area. They indicated that the blocks were a good standard of technical design and considered that their scale, in relation to the breadth of the river at this point, was well judged. However the Consultants, English Heritage and the Thames Landscape Officer saw the tower blocks as having a negative impact on the residential character, composition of the landscape and distant views. In particular the blocks were considered incongruous in scale and inappropriate in design and would not support the character of this riverside location. In relation to Albany Park Road the properties on the west side of this road were built at a much later date than the distinctive group of late Victorian red brick houses on the east side. Hence their exclusion from the Richmond Road Conservation Area. Furthermore the properties on the west side of Albany Park Road do not form part of the river setting of the proposed conservation area and therefore there would be no strong reason for including them within the proposed conservation area boundary. As a result both "The Albany" and the west part of Albany Park Road have been omitted from the proposed area.
13. The definitive proposed conservation area boundary, including the amendments, is illustrated in Annex 3 drawing no.04/212/B, Plan 3, which can be compared with Annex 1 and 2 Plans 1a and 2, the boundary used for consultation and the SASC/ Thames Policy Area boundary.
14. The special interests of the proposed conservation area have been set out in the Consultant's report of November 2002⁷, summarised at paragraphs 6-15 of the Kingston Town Neighbourhood Committee report of 20 October 2004⁸. For future reference purposes, and to establish the material consideration of the character and appearance of the area in accordance with policy BE3 (Development in Conservation Areas) and BE4 (Demolition of Buildings in Conservation Areas) of the adopted UDP (or any successor) the features which are considered to contribute to the special architectural or historic interest of the area and their character or appearance is therefore considered worthy of preservation or enhancement are listed as: -
 - (a) The intimate relationship with the River Thames, the islands, the Barge Dock and the riverside buildings on the opposite bank, which include Victorian boathouses and large Victorian houses within landscaped grounds;
 - (b) Its historic pattern of development, association with ancient riverside estates and later Victorian benefactors such as 18th century Bank Grove Estate and the more recent Albany Estate, together with its original boundary garden walls and landscaping;
 - (c) The importance and quality of the 19th century public works that established the municipal parkland of Canbury Gardens identified as a major open space and an area of high landscape value, containing avenues of trees, pavilions, tennis

⁷ See background paper 1

⁸ See background paper 2

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courts and a bandstand. Elsewhere the contribution made by the informally managed landscape of Ham Lands, the river embankments, the promenade and the barge walk at a lower level and their associated built structures, which are still used and maintained;

- (d) The presence of a number of buildings of architectural interest which address the river and make a positive contribution to the character and appearance of the area. In particular, the large Victorian/Edwardian houses at 84 Lower Ham Road and between 100 –112 (even) Lower Ham Road and the late Victorian boathouses which are associated with navigation and leisure such as the Albany Boathouse built in 1893 and the lengths of old garden wall to The Albany Estate, which are now Buildings of Townscape Merit.

In conclusion a summary description of the character and appearance of the area is: -
“A linear area whose form and mature landscape is influenced by the spatial and/or visual relationship with the River Thames, alongside which lie ancient riverside estates, important 19th century public works that established Canbury Gardens and a group of large Victorian/Edwardian houses and late Victorian boathouses fronting the river.”

IMPLEMENTATION OF THE PROPOSED CONSERVATION AREA

15. The decision to designate a new Conservation Area not only involves additional statutory requirements but also the need to ensure owners or occupiers of land are aware of the controls and policies and understand the positive benefits of designation. To achieve this a leaflet would be produced, a Conservation Areas Advisory Committee representative appointed, and a notice board installed, in order to raise the profile of the conservation area and to provide a forum for the display of material. These actions and mechanisms are picked up in recommendations 5-7 of this report and referred to in Paragraphs 40-47 of the report on general principles about Conservation Areas found elsewhere on this Agenda.

ENVIRONMENTAL IMPLICATIONS

16. The designation of any new conservation area would impose a duty on the Planning Authority to pay special attention to the preservation or enhancement of the character or appearance of that area (as described in this and background reports) in exercising any powers under the Planning Acts, including amongst others development control decisions. Additionally there is a duty to formulate and publish proposals for the preservation and enhancement of the area.

ANNEXES

1. Plan No. 04/165/B Plan 1a, Public Consultation on the Proposed Conservation Area
2. Plan No. 04/083/B Plan 2, Existing Designations, showing the SASC and Thames Policy Area boundaries.
3. Plan No.04/212/B Plan 3, Proposed Riverside North Conservation Area
4. Kingston Town Neighbourhood Committee 20 October 2004, Proposed Riverside North Conservation Area, Appendix J - Minute

BACKGROUND PAPERS held by Tony Hall, author of the report 020 8547 4652 e-mail : Tony.hall@rbk.kingston.gov.uk

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1. Assessment of the Thames-side Strategic Area of Special Character November 2002 by Conservation Architecture & Planning;
2. Kingston Town Neighbourhood Committee report 20 October
3. Consultation letters dated 11 June and 17 August 2004;
4. 15 representations from organisations;
5. 32 (5 disagree & 27 agree) representation forms and letters from owners or occupiers and/or adjoining landowners;
6. Letter from Indigo Planning Ltd dated 9th July containing the NHP (Kingston) Ltd Objection.

38. RIVERSIDE CONSERVATION AREA**Appendix J**

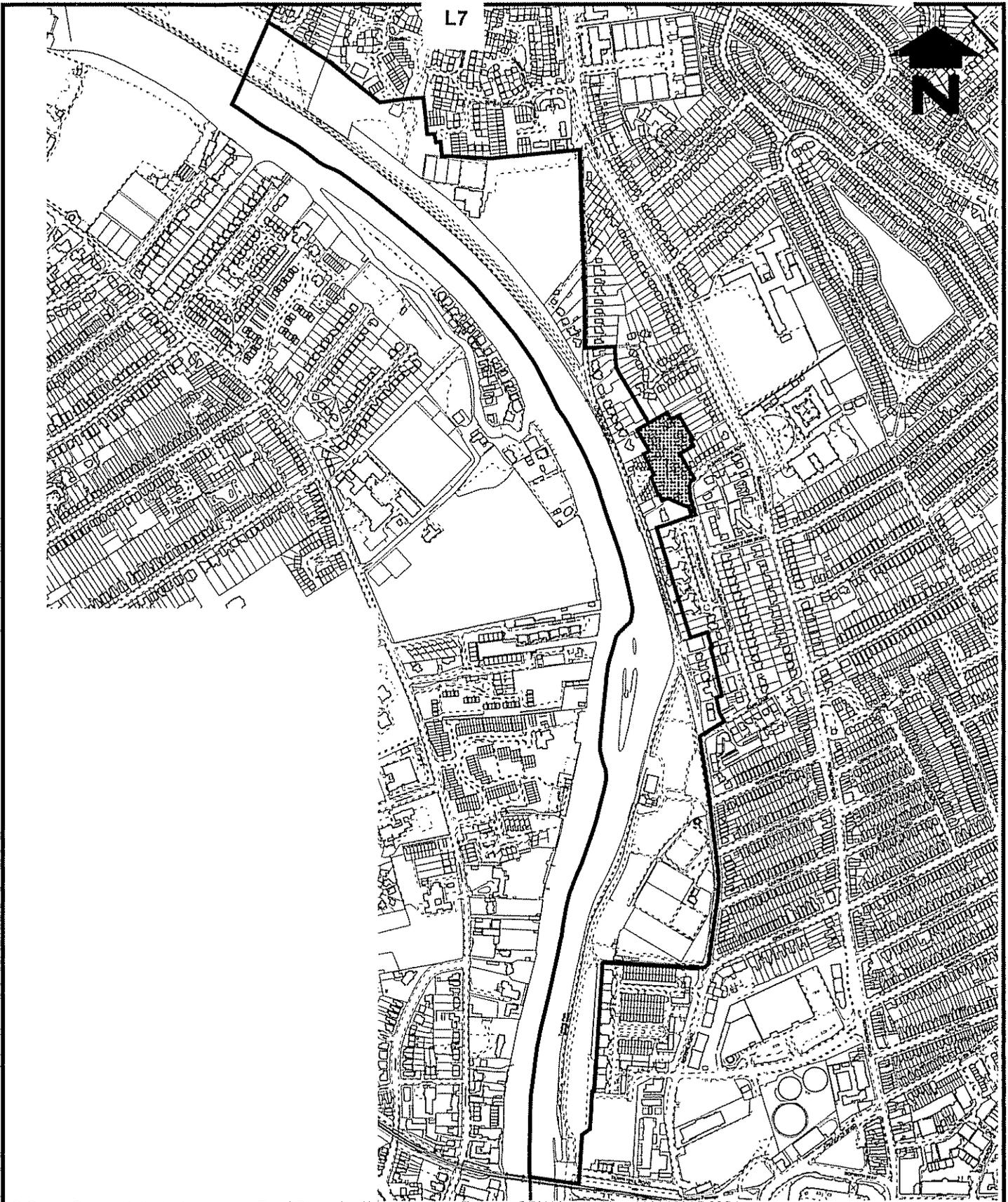
The proposed conservation area, to be known as Riverside North, has been consulted on extensively. The Riverside South Conservation Area was designated due in part to the importance of the setting of the River Thames landscape, particularly in relation to Hampton Court Park. The river landscape also extends to the north of Kingston Town Centre and the character of this riverside location on its west bank, including important views has been recognised by being designated a Conservation Area by the London Borough of Richmond. However, the east bank in this borough remains under threat, particularly due to development pressures for residential development adjacent to the Thames. The consultations indicate widespread support for the conservation area proposal.

RESOLVED that:

1. the results of the public consultation on the Proposed Riverside North Conservation Area be noted;
2. the Executive be advised that this Committee supports the proposed designation of the Riverside North Conservation Area as identified on drawing 04/165/B in Plan 3,
3. the Kingston Town Neighbourhood Conservation Area Advisory Committee (CAAC) be asked to bring the proposed Riverside North Conservation Area within their remit and to appoint a representative from the area;
4. a notice board dedicated to the Proposed Riverside North Conservation Area be installed in a location to be agreed with the Kingston CAAC and adjacent owners and occupiers, and a leaflet be published and distributed to all properties in the area, subject to officers identifying a budget of £1500.

Reason for decision

To give views to the Executive upon which to make a resolution on the designation and to enable the proposed designation to be effectively implemented and a management regime established.



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PROPOSED RIVERSIDE NORTH CONSERVATION AREA (Consultation Boundaries) PLAN 1a

-  **BOUNDARY USED FOR STAGE 1 CONSULTATION**
-  **BOUNDARY USED FOR STAGE 2 CONSULTATION**
-  **BOROUGH BOUNDARY**

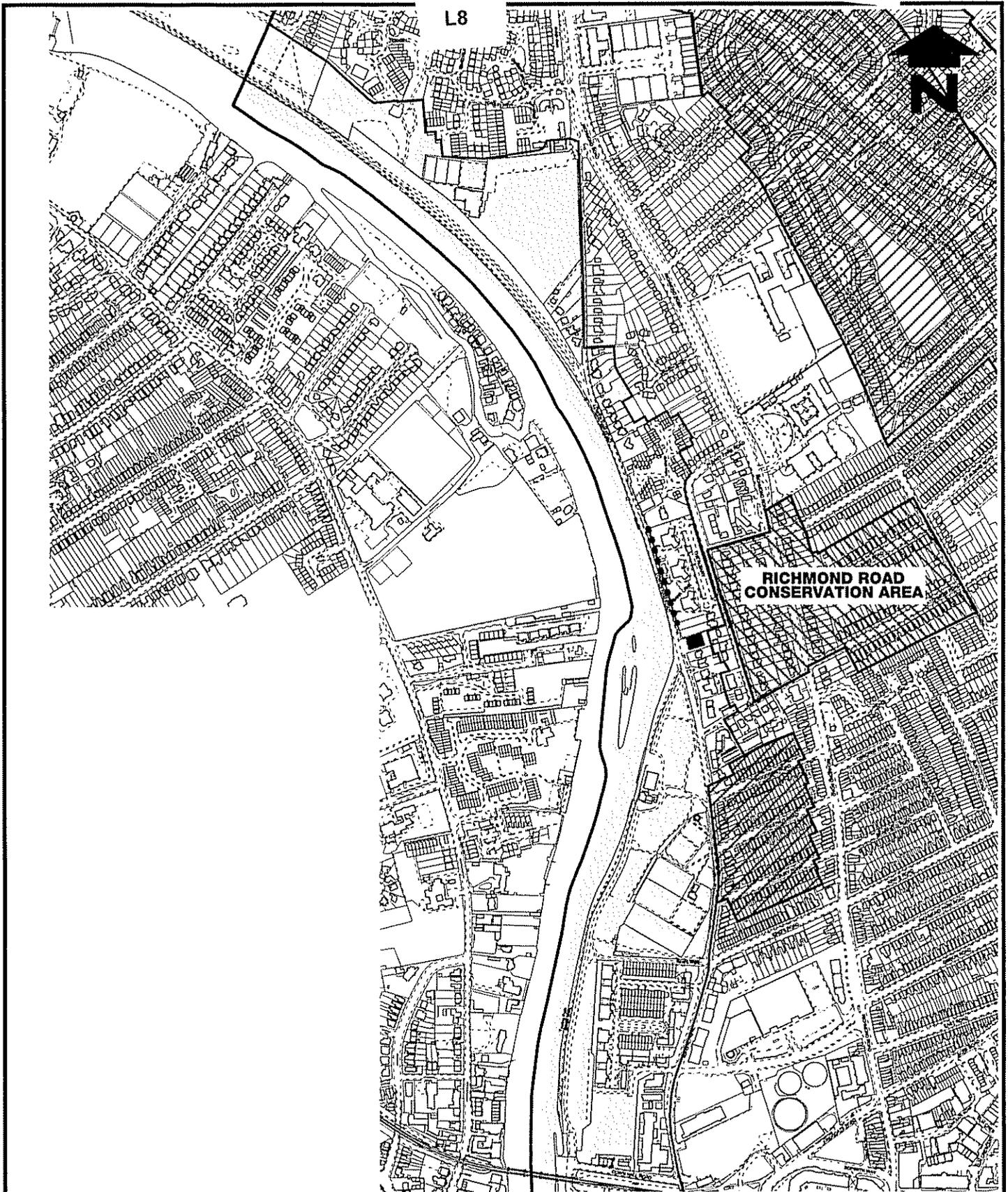
Devendra Saksena BSc.Eng FIE MBA
 Director of Environmental Services
 Guildhall 2, Kingston upon Thames,
 Surrey KT1 1EU

Date: **JULY 2004**

Ref: **CA 25 / AJH**

Scale: **1/8000**

Dwg No: **04/165/B**



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EXISTING DESIGNATIONS
 (RELATED TO THE PROPOSED RIVERSIDE NORTH
 CONSERVATION AREA)

PLAN 2

 **LASCS**

 **BUILDINGS OF
 TOWNSCAPE MERIT**

 **SASC AND
 THAMES POLICY AREA**

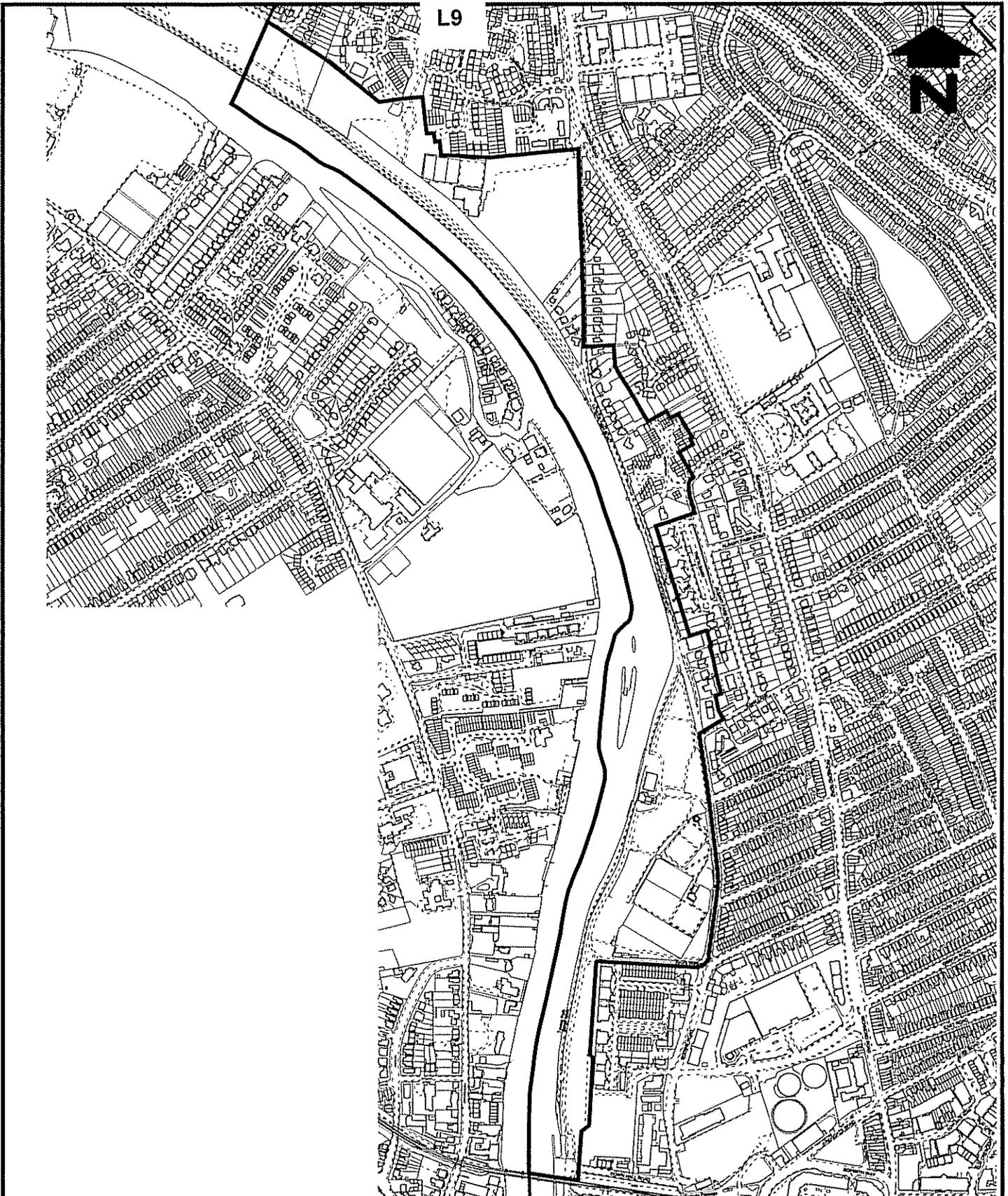
 **BOROUGH
 BOUNDARY**

Date: **APRIL 2004**

Ref: **CA 25 / AJH**

Scale: **1/8000**

Dwg No: **04/083/B**



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**PROPOSED RIVERSIDE NORTH
CONSERVATION AREA**

PLAN 3

 **PROPOSED
CONSERVATION AREA**

 **BOROUGH
BOUNDARY**

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Surrey KT1 1EU

Date: **SEPT. 2004**

Ref: **CA 25 / AJH**

Scale: **1/8000**

Dwg No: **04/212/B**