



Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 26 January 2011 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor for 2010/11, Councillor Tayo Situ

Councillor Kevin Ahern	Councillor Paul Kyriacou
Councillor Anood Al-Samerai	Councillor Lorraine Lauder MBE
Councillor James Barber	Councillor Richard Livingstone
Councillor Columba Blango	Councillor Eliza Mann
Councillor Catherine Bowman	Councillor Catherine McDonald
Councillor Michael Bukola	Councillor Tim McNally
Councillor Denise Capstick	Councillor Darren Merrill
Councillor Sunil Chopra	Councillor Victoria Mills
Councillor Poddy Clark	Councillor Michael Mitchell
Councillor Fiona Colley	Councillor Jonathan Mitchell
Councillor Neil Coyle	Councillor Abdul Mohamed
Councillor Robin Crookshank Hilton	Councillor Adele Morris
Councillor Patrick Diamond	Councillor Helen Morrissey
Councillor Dora Dixon-Fyle	Councillor Graham Neale
Councillor Nick Dolezal	Councillor Wilma Nelson
Councillor Toby Eckersley	Councillor David Noakes
Councillor Gavin Edwards	Councillor the Right Revd Emmanuel Oyewole
Councillor Dan Garfield	Councillor Lisa Rajan
Councillor Mark Gettleson	Councillor Lewis Robinson
Councillor Norma Gibbes	Councillor Martin Seaton
Councillor Mark Glover	Councillor Rosie Shimell
Councillor Stephen Govier	Councillor Andy Simmons
Councillor Renata Hamvas	Councillor Michael Situ
Councillor Barrie Hargrove	Councillor Althea Smith
Councillor Helen Hayes	Councillor Cleo Soanes
Councillor Claire Hickson	Councillor Nick Stanton
Councillor Jeff Hook	Councillor Geoffrey Thornton
Councillor David Hubber	Councillor Veronica Ward
Councillor Peter John	Councillor Ian Wingfield

1. PRELIMINARY BUSINESS

1.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

The Mayor announced the following:

- That a list of people who live or work in Southwark who had received an honour in the Queen's New Year's Honours list had been circulated around the chamber. The Mayor offered the meetings congratulations to all the recipients who had received an honour and to Richard Taylor who had received an Honorary Order of the British Empire.
- That permission had been given to the Liberal Democrat political assistant to film Liberal Democrat councillors when speaking. This was for internal training purposes only.

1.2 NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

The Mayor agreed to accept the following report as late and urgent for the reasons set out within the report:

- Constitutional issues arising from the Southwark Democracy Commission – Recording at council assembly meetings.

The Mayor announced that he intended to vary the order of business in line with the new procedure rules agreed by 1 December 2011 meeting so that motions would be considered before cabinet and officer reports.

At this juncture Councillor Nick Dolezal, seconded by Councillor Catherine Bowman, moved that under council assembly procedure rule 1.11 (m), the relevant rule be suspended in order that the order of business could be varied to allow the deputation on Tribute to Heroes to be considered first, followed by Motion 3 on the same subject and then the deputation on the educational maintenance allowance, followed by Motion 1 on the same subject. The relevant rule is set out as follows:

- Council assembly procedure rule 1.5(b) - Variation in the order of business in order to allow the relevant motions to be considered after the deputations on the same subjects.

The procedural motion was agreed.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members made the following declarations:

Item 9.2 – Motion 2: Repayment of major works charges by leaseholders

Councillors Catherine Bowman, Eliza Mann, Wilma Nelson and Tayo Situ declared a personal and non-prejudicial interest in this item as they are council leaseholders.

Item 9.4 – Motion 4: Choices that count

Councillors Dora Dixon-Fyle, Peter John and Veronica Ward declared a personal and non-prejudicial interest in this item as they sit on the local Olympic Delivery Board.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Linda Manchester and Paul Noblet.

2. MINUTES

Report: See Supplemental Agenda 1, pages 1-44

Councillor Fiona Colley, cabinet member for regeneration and corporate strategy, stated that the last paragraph in the response to question 27 in Appendix 2, reported to council assembly on 1 December 2010 was factually incorrect and had been amended by deleting the last paragraph.

RESOLVED:

1. That following a statement from Councillor Fiona Colley to delete the last paragraph of the response to question 27 in Appendix 2 reported to council assembly on 1 December 2010, the amended minutes (as circulated) of the ordinary meeting of 1 December 2010 be agreed and signed as a correct record.
2. That the minutes of the extraordinary meeting held on 1 December 2010 be agreed and signed as a correct record.

3. PETITIONS

There were no petitions.

4. DEPUTATION REQUESTS

Report: See pages 1-2 of the main agenda and supplemental agenda 1, pages 1-2

Item 4.1 – Deputation request from a group of students in Southwark on the government's withdrawal of the educational maintenance allowance

Council assembly considered whether to receive the deputation request from the students.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Tom Noble, addressed the meeting.

Councillors Michael Bukola, Tim McNally, Peter John, Barrie Hargrove and Anood Al-Samerai asked questions of the deputation.

The meeting then debated the motion on the withdrawal of the educational maintenance allowance (see Item 9.1: Motion 1).

Item 4.2 – Deputation request: Southwark Tribute to Heroes

Council assembly considered whether to receive the deputation request from local businesses and residents.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Barry Albin-Dyer, addressed the meeting.

Councillors Anood Al-Samerai, Peter John, Michael Mitchell, Denise Capstick, James Barber, Dora Dixon-Fyle and Paul Kyriacou asked questions of the deputation.

The meeting then debated the motion Southwark Council Tribute to Heroes (see Item 9.3: Motion 3).

Item 4.3 – Deputation request: Save Southwark Adult Learning

Council assembly considered whether to receive the deputation request from Southwark adult learners.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Dorothy Love, addressed the meeting.

Councillors Rosie Shimell, Veronica Ward, Lisa Rajan, Anood Al-Samerai and Peter John asked questions of the deputation.

5. PUBLIC QUESTION TIME

There were no questions from the public.

6. MEMBERS' QUESTION TIME

Report: See pages 3–9 of the main agenda, page 1 of the blue paper and pages 1–25 of the yellow pages circulated at the meeting

There were two urgent questions to the leader, the written answers to which were circulated on blue paper at the meeting. The leader answered supplementary questions on both questions, the answers to all questions are attached as an Appendix 1 to the minutes.

There were 49 members' questions, the written responses to which were circulated on yellow paper. There were 7 supplementary questions, the answers to which are attached as an Appendix 2 to the minutes.

The order of business having been varied earlier in the meeting at 10.05pm the bell was rang and the Mayor announced that the guillotine had fallen.

7. REPORT(S) FOR INFORMATION FROM THE CABINET

7.1 REPORT BACK ON MOTIONS REFERRED TO CABINET FROM COUNCIL ASSEMBLY

Report See pages 10-14 of the main agenda

Following a variation in the order of business earlier in the meeting, this report was considered after the guillotine had fallen.

RESOLVED:

That the report be noted.

8. OTHER REPORTS

8.1 THE COUNCIL TAX BASE FOR 2011/12

Report: See pages 15-27 of the main agenda

Following an earlier variation in the order of business, this report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12(3) & (4) the report was afford up to a maximum of 15 minutes.

Following debate (Councillors Richard Livingstone and Tim McNally), the recommendations were put to the vote and declared to be carried.

RESOLVED:

That the council tax base for 2011/12 be set at:

	Number of band D equivalent properties
For the parish of St. Mary Newington	13,521.88
For the parish of St. Saviour's	1,178.33
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	84,293.74
For the whole borough	98,993.95

8.2 APPOINTMENT OF VICE-CHAIR OF THE NUNHEAD AND PECKHAM RYE COMMUNITY COUNCIL

Report: See pages 28-29 of the main agenda

Following a variation in the order of business earlier in the meeting, this report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.10 (3) & (4) the report was afforded up to a maximum of 15 minutes.

The recommendation to remove the existing vice-chair of the Nunhead and Peckham Rye community council was put to the vote and declared to be carried.

Councillor Nick Dolezal, seconded by Councillor Richard Livingstone, nominated Councillor Mark Glover as vice-chair of the Nunhead and Peckham Rye community council. The nomination was put to the vote and declared to be carried.

RESOLVED:

1. That the existing vice-chair of the Nunhead and Peckham Rye community council be removed.
2. That Councillor Mark Glover be appointed vice-chair of the Nunhead and Peckham Rye community council for the remainder of the municipal year.

9. MOTIONS

9.1 MOTION 1 - EDUCATIONAL MAINTENANCE ALLOWANCE

Report: See page 31 of the main agenda

Councillor Catherine McDonald, seconded by Councillor Patrick Diamond, moved the motion.

Councillor Rosie Shimell, seconded by Councillor Graham Neale, moved Amendment A.

During the debate (Councillors Peter John and Columba Blango), Councillor Peter John made a point of personal explanation. Thereafter the debate continued (Councillors Richard Livingstone, Renata Hamvas, Mark Gettleson, Lewis Robinson, Gavin Edwards, Anood Al-Samerai, Andy Simmons, Victoria Mills, Nick Dolezal, Lisa Rajan, Helen Morrissey, Mark Glover, Adele Morris, Right Revd Emmanuel Oyewole and Michael Mitchell).

A procedural motion to put the question to the vote was moved and seconded. The procedural motion was put to the vote and declared to be carried.

Amendment A was put to the vote and declared to be lost.

Councillor Cleo Soanes, seconded by Councillor Helen Hayes, moved Amendment B.

A procedural motion to put the question to the vote was moved and seconded. The

procedural motion was put to the vote and declared to be carried.

Amendment B was put to the vote and declared to be carried.

Following debate (Councillor Veronica Ward), the substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly notes that over 20,000 young people in Southwark have benefitted from the educational maintenance allowance (EMA) which provides financial support to young people from financially disadvantaged backgrounds and enables them to afford to remain in post-16 education.
2. That council assembly also notes that before the 2010 general election both the Conservative and Liberal Democrat parties promised to retain the EMA.
3. That in the circumstances council assembly bitterly regrets the Conservative/Liberal Democrat coalition government's decision to withdraw the EMA to new students from January 2011 and existing students from July 2011.
4. That council assembly believes that the withdrawal of the EMA will have a significant and disproportionately adverse impact on the educational and life chances of thousands of young people in Southwark and will result in many more young people leaving full-time education at the age of 16.
5. That council assembly also notes and regrets the Conservative/Liberal Democrat coalition government attacks on young peoples' education through increasing university tuition fees, ceasing Bookstart and the withdrawal of the sport in schools programme and calls on the government to reconsider its approach and to invest in our young peoples' future rather than reduce services to them.
6. That council assembly also notes and regrets that the government's Adviser on Access to High Education, Rt Hon Simon Hughes MP, avoided the chance to prevent this attack on young people's education by voting with the government to abolish the EMA and by failing to vote against the trebling in university tuition fees.

That council assembly calls upon the cabinet and the relevant cabinet members:

7. To oppose the abolition of the educational maintenance allowance by the Conservative and Liberal Democrat coalition government from the 1 January 2011.
8. To lobby the Conservative and Liberal Democrat coalition government and the newly appointed advocate for access to higher education, Simon Hughes MP, to reconsider the abolition of the education maintenance allowance.
9. To secure the support of the three Southwark Members of Parliament to oppose the abolition of the education maintenance allowance.
10. To use all appropriate means to publicise the withdrawal of the EMA to young people in higher education in Southwark, particularly those from low-income families who

rely on the allowance to remain in education and to ensure Southwark's young people are informed of any alternative financial provision in place to help them to continue in post 16 education.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

9.2 MOTION 2 - REPAYMENT OF MAJOR WORKS CHARGES BY LEASEHOLDERS

Report: See pages 32-33 of the main agenda

With the consent of the meeting, this motion was deferred to council assembly on 6 April 2011.

9.3 MOTION 3 - SOUTHWARK COUNCIL TRIBUTE TO HEROES

Report: See page 33 of the main agenda

Councillor Denise Capstick, seconded by Councillor Paul Kyriacou, moved the motion.

Following debate (Councillors Ian Wingfield, Jeff Hook, Nick Dolezal, Geoffrey Thornton, Fiona Colley, Anood Al-Samerai, Catherine Bowman, Mark Gettleson and Peter John), Councillor Denise Capstick exercised her right of reply.

The motion was put to the vote and declared to be carried.

RESOLVED:

1. That council recognises and thanks the people of Southwark for all they have done to support the armed forces and to raise funds for Help for Heroes and Homes for Heroes.
2. That council notes that currently all servicemen and women who die in Afghanistan, are brought to Bermondsey before making their final journey to their resting places.
3. That council agrees to work with the relevant parties involved to facilitate an appropriate tribute from Southwark to recognise those who lose their lives whilst serving our country and make their final journey from our borough.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

9.4 MOTION 4 - CHOICES THAT COUNT

Report: See pages 33-34 of the main agenda

The guillotine having fallen, Councillors Anood Al-Samerai and Columba Blango, formally moved and seconded the motion.

Councillors Veronica Ward and Mark Glover, formally moved and seconded Amendment D.

Amendment D was put to the vote and declared to be carried.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council notes that London 2012 Olympics and Paralympics are now only a few months away. It notes that 2012 offers our residents and particularly our young people a unique opportunity to become involved - from volunteering at a big art institution or theatre to sports and dance events and learning new skills. It believes that 2012 is about London as a world city and that Southwark reflects the world in our communities. It believes it is an opportunity not to be missed.
2. That council notes that the administration has recognised the importance of 2012 and set up a modest structure to coordinate the priority areas we have identified:
 - Engaging young people
 - Getting active, being healthy
 - Promoting volunteering and providing opportunities for business and employment
 - Offering the Southwark experience - our world class arts and culture centres linking with the community
 - Communications
 - Public services operations.
3. That council believes that to succeed in setting up specific memorable projects, key organisations in the borough should be involved and that these relationships are important for the promotion of Southwark and its economy. It notes that the Olympic Legacy Fund is being set up with the intention of raising further outside money to fund capital projects which will improve access to and increase participation in physical activity and keep Olympic values alive after 2012. It notes that the community will be asked to submit ideas for high profile projects.
4. That council believes that the community games is important for our young people and for our aspirations for 2012.
5. That council is determined to maximise the benefits of 2012 against a backdrop of Government cutbacks to sport – which it believes are incredible in themselves as we build up to the Olympic year. It notes that the cuts include:
 - Working Neighbourhood Fund which funded part of the community games
 - The Schools Sports Partnership
 - The end of free swimming for young people
 - Cuts to sporting bodies.
6. That council notes that the authority also faces unprecedented cuts to its settlement from government, forcing serious cuts across all services.
7. That council notes, however, that a substantial sum has been identified to secure the games and to build up young peoples' sports for 2012 events. It notes that the administration will seek funding sources to secure the games for the future beyond 2012.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

10. AMENDMENTS

The amendments are set out in supplemental agenda 2.

11. CONSTITUTIONAL ISSUES ARISING FROM SOUTHWARK DEMOCRACY COMMISSION - RECORDING AT COUNCIL ASSEMBLY MEETINGS

Report: See report circulated at the meeting

The report had not been circulated seven clear working days in advance of the meeting. The report was accepted by the Mayor as urgent business because consideration of the changes made in response to the recommendations of the Democracy Commission could be incorporated into the revised council assembly procedure rules which were due to be printed following this meeting. The constitutional steering panel had met on 25 January 2011 to consider this report.

Following an earlier variation in the order of business, this report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.10(3) & (4) the report was afforded up to a maximum of 15 minutes.

Following debate (Councillor Anood Al-Samerai), the recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

1. That the constitutional change recommended by the constitutional steering panel be adopted to reflect the guidance set out under the heading 'General procedural provisions' (see Appendix 1 of the report) by amending council assembly procedure rule 1.9 as set out in paragraph 9 of the report to make it clear that the Mayor has the discretion to request the termination or suspension of the recording/filming/webcasting if, in the opinion of the Mayor, continuing to record/webcast the meeting would prejudice the proceedings of the meeting.
2. That officers be authorised to undertake any consequential and cross referencing changes arising from resolution 1 above.

The meeting closed at 10.18pm.

CHAIR:

DATED: