



# Council Assembly (Council Tax Setting Meeting)

MINUTES of the Council Assembly (Council Tax Setting Meeting) held on Tuesday 22 February 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 Lorraine Lauder MBE
Councillor Anood Al-Samerai	Councillor Richard Livingstone
Councillor James Barber	Councillor Linda Manchester
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 Paul Noblet
Councillor Dan Garfield	Councillor the Right Revd Emmanuel Oyewole
Councillor Mark Gettleson	Councillor Lisa Rajan
Councillor Norma Gibbes	Councillor Lewis Robinson
Councillor Mark Glover	Councillor Martin Seaton
Councillor Stephen Govier	Councillor Rosie Shimell
Councillor Renata Hamvas	Councillor Andy Simmons
Councillor Barrie Hargrove	Councillor Michael Situ
Councillor Helen Hayes	Councillor Althea Smith
Councillor Claire Hickson	Councillor Cleo Soanes
Councillor Jeff Hook	Councillor Nick Stanton
Councillor David Hubber	Councillor Geoffrey Thornton
Councillor Peter John	Councillor Veronica Ward
Councillor Paul Kyriacou	Councillor Ian Wingfield

## **1. PRELIMINARY BUSINESS**

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

The Mayor made the following announcements:

- He encouraged everyone to attend the Mayor's Ball in aid of the Macmillian charity on Saturday 14 May 2011, at the Hilton Tower Bridge. Tickets cost £70 and the ball will start at 7.00pm and finishes at 1.00am.
- He reminded everyone that UK census day on 27 March 2011 was less than 4 weeks away. An accurate census is crucial to the borough as it affects the funding the council gets from the government. The Mayor encouraged members to work closely with residents and partners to make sure all households in Southwark send in their responses. At the last census, 1 in 4 households in Southwark did not respond and it is estimated that this caused a funding reduction of up to £60 million over 10 years.
- 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.
- That the press were present and that permission had been given for a photographer from the Evening Standard to take pictures during the meeting.

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

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

- Item 2.1: Policy and resources strategy – 2011/12 – Revenue budget (The budget and policy framework)
- Item 2.1: Policy and resources strategy – 2011/12 – Revenue budget: Cabinet recommendations of 15 February 2011

At this juncture Councillor Catherine Bowman, seconded by Councillor Anood Al-Samerai, moved that under council assembly procedure rule 1.11(m), the relevant rules be suspended in order that four deputation requests could be considered.

The relevant rules are set out as follows:

- Suspend council assembly procedure rule 2.6(1)) - to allow deputations at the council tax setting meeting
- Suspend council assembly procedure rule 2.6(7) - deadline for receipt of deputations
- Suspend council assembly procedure rule 2.6(8) - to consider the deputations in order of receipt

- Suspend council assembly procedure rule 2.6(11) - to allow four deputations (limit is three)
- Suspend council assembly procedure rule 1.5(b) - to vary the order of business in order to allow the deputations to be consider before item 2.1.

The procedural motion was put to the vote and declared to be lost.

At this juncture Councillor Nick Dolezal, seconded by Councillor Cleo Soanes, moved that under council assembly procedure rule 1.11(m), the relevant rule be suspended in order that Late Amendment C could be considered. The relevant rule is set out as follows:

- Council assembly procedure rule 2.11(3) - notice for amendments to be delivered.

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

### **1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Members declared interests regarding the following agenda item:

#### **Policy and Resources Strategy - 2011/12 - Revenue Budget (The Budget and Policy Framework)**

Councillor Andy Simmons declared a personal and non prejudicial interest in this item as he has an employment contract with SLAM and is a parent who sends his children to primary school in Southwark.

Councillor Dan Garfield declared a personal and non prejudicial interest in this item as an employee of the Local Government Information Unit.

Councillor Neil Coyle declared a personal and non prejudicial interest in this item as he is chair of the Coalition on Charges, which looks at how councils apply their charging policies across England.

### **1.4 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **2. REPORT(S) FOR DECISION FROM THE CABINET**

### **2.1 POLICY AND RESOURCES STRATEGY - 2011/12 - REVENUE BUDGET (THE BUDGET AND POLICY FRAMEWORK)**

*Report: See pages 1-107 of supplemental agenda 1 and pages 1-10 of supplemental agenda 2*

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 the council has an

obligation to set a lawful budget by the statutory deadline of 11 March 2011.

The Mayor referred everyone to the recommendations from the cabinet meeting held on 15 February 2011, which were contained within supplemental agenda 2.

There were seven questions from members, the written responses to which were circulated on yellow paper. There were five supplementary questions, the answers to which are attached as Appendix 1 to the minutes.

The cabinet member for finance, resources and community safety, Councillor Richard Livingstone, presented the report.

Councillor Tim McNally, seconded by Councillor Anood Al-Samerai, moved Amendment A.

During the debate on Amendment A (Councillors Peter John and Fiona Colley), Councillor Tim McNally made a point of personal explanation. Thereafter the debate continued (Councillors Poddy Clark, Abdul Mohamed, Nick Stanton, Gavin Edwards, Helen Morrissey, Graham Neale, Nick Dolezal, Mark Gettleson, Ian Wingfield, Columba Blango, Andy Simmons, Lisa Rajan, Catherine McDonald, Rosie Shimell, Claire Hickson, Catherine Bowman, Helen Hayes, Adele Morris, Victoria Mills, Denise Capstick and Veronica Ward).

Councillor Cleo Soanes, seconded by Councillor Althea Smith, moved that the question be now put. The procedural motion was put to the vote and declared to be carried.

Following Councillor Richard Livingstone's right of reply Amendment A was put to the vote and declared to be lost.

In accordance with council assembly procedure rule 1.15(5) the following members requested that their vote in favour of Amendment A be recorded in the minutes: Councillors Anood Al-Samerai, James Barber, Columba Blango, Catherine Bowman, Michael Bukola, Denise Capstick, Poddy Clark, Robin Crookshank Hilton, Mark Gettleson, Jeff Hook, David Hubber, Paul Kyriacou, Linda Manchester, Eliza Mann, Tim McNally, Jonathan Mitchell, Adele Morris, Graham Neale, Wilma Nelson, David Noakes, Paul Noblet, Lisa Rajan, Rosie Shimell, Nick Stanton and Geoffrey Thornton.

Councillors Michael Mitchell, seconded by Councillor Lewis Robinson, moved Amendment B.

During the debate on Amendment B (Councillors Lisa Rajan, Renata Hamvas, Dan Garfield and Councillor Nick Stanton), financial advice was sought on Amendments B and C. The finance director advised that both amendments were arithmetically correct and would provide for robust budgets. Thereafter the debate continued (Councillors Michael Bukola and Peter John).

Councillor Nick Dolezal, seconded by Councillor Mark Glover, moved that the question be now put. The procedural motion was put to the vote and declared to be carried.

Following Councillor Richard Livingstone's right of reply Amendment B was put to the vote and declared to be lost.

Councillor Neil Coyle, seconded by Councillor the Right Revd Emmanuel Oyewole, moved Amendment C.

Following debate (Councillors Anood Al-Samerai, Patrick Diamond and David Noakes), Councillor Nick Dolezal, seconded by Councillor Peter John, moved that the question be now put. The procedural motion was put to the vote and declared to be carried.

In accordance with council assembly procedure rule 1.15(5), Councillor Toby Eckersley requested that his vote against the procedural motion be recorded in the minutes.

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

During the debate on the substantive motion (Councillors Toby Eckersley, Peter John, Tim McNally, Dora Dixon-Fyle, Lisa Rajan and Abdul Mohamed), the bell was rang and the Mayor announced at 10.05pm that the guillotine had fallen.

The clerk advised that in accordance with council assembly procedure rule 1.12(3 & 4), the meeting had 15 minutes in which to conclude the debate on this item, thereafter a vote would be taken.

Following the continued debate on the substantive motion (Councillors Jonathan Mitchell, Barrie Hargrove, Paul Noblet, Althea Smith and Anood Al-Samerai), Councillor Neil Coyle exercised his right of reply.

In accordance with council assembly procedure rule 1.16(2), 45% of those members present requested a recorded vote by roll call on the substantive motion, the result of which were as follows:

In favour of the substantive motion (33)

Councillors Kevin Ahern, Sunil Chopra, Fiona Colley, Neil Coyle, Patrick Diamond, Dora Dixon-Fyle, Nick Dolezal, Gavin Edwards, Dan Garfield, Norma Gibbes, Mark Glover, Stephen Govier, Renata Hamvas, Barrie Hargrove, Helen Hayes, Claire Hickson, Peter John, Lorraine Lauder, Richard Livingstone, Catherine McDonald, Darren Merrill, Victoria Mills, Abdul Mohamed, Helen Morrissey, the Right Revd Emmanuel Oyewole, Martin Seaton, Andy Simmons, Michael Situ, Tayo Situ, Althea Smith, Cleo Soanes, Veronica Ward and Ian Wingfield.

Against the substantive motion (28)

Councillors Anood Al-Samerai, James Barber, Columba Blango, Catherine Bowman, Michael Bukola, Denise Capstick, Poddy Clark, Robin Crookshank Hilton, Toby Eckersley, Mark Gettleson, Jeff Hook, David Hubber, Paul Kyriacou, Linda Manchester, Eliza Mann, Tim McNally, Jonathan Mitchell, Michael Mitchell, Adele Morris, Graham Neale, Wilma Nelson, David Noakes, Paul Noblet, Lisa Rajan, Lewis Robinson, Rosie Shimell, Nick Stanton and Geoffrey Thornton.

In abstention (nil)

Absent (1)

The Mayor declared that the substantive motion was carried.

The cabinet recommendation had been amended, therefore in accordance with the budget and policy framework procedure rule 2(g), the leader gave his consent to the amendment thus enabling the decision to be implemented with immediate effect.

**RESOLVED:**

1. That the recommendations of the cabinet on 15 February 2011 for a general fund budget for 2011/12 of £323.0m and a nil council tax increase for 2011/12 be agreed (see Appendix 1 of the report which had previously been circulated on Supplemental Agenda No. 1).
2. That the draft indicative balanced budgets of £308.3m for 2012/13 and £311.6m for 2013/14, based on a council tax increase of 2.5% for 2012/13 and 2.5% for 2013/14 subject to formal budget reports to council assembly for each of these years, be noted (see Appendix 1 of the report which had previously been circulated on Supplemental Agenda No. 1).
3. That the savings required to deliver a balanced housing revenue account for 2011/12 be noted along with the recommendation of the cabinet for the proposals to deliver the savings (see Appendix 2 of the report which had previously been circulated on Supplemental Agenda No. 1).
4. That council assembly notes that the voluntary sector transition fund allows for day care and lunch club providers to bid for funds to sustain their activity through a period of transformation.
5. That council assembly invites the cabinet member for finance, resources and community safety to instruct the finance director to earmark from the contingency fund for 2011/12 a sum of £500,000 directly in support of those contracts with day care and lunch club providers due to end on 19 April 2011 to allow these providers to engage with the council on developing a model of delivery within future resources available.

**3. OTHER REPORTS**

**3.1 ESTABLISHING A COUNCIL TAX SETTING COMMITTEE**

*Report: See pages 1-7 of the main agenda*

The Mayor stated that in accordance with council assembly procedure rule 2.11(2), this being an officer report, the recommendations set out in the report were deemed to have been moved and were subject to amendment only.

The recommendations contained within the report were put to the vote and declared to be carried.

The Mayor stated that he had received the following nominations for the council tax setting committee membership:

Labour: Councillors Peter John, Richard Livingstone, Fiona Colley and Althea Smith.  
Reserves: Councillors Barrie Hargrove, Ian Wingfield and Veronica Ward.

Liberal Democrat: Councillors Tim McNally and Graham Neale. Reserve: Councillor Jeff Hook.

Conservative: Councillor Michael Mitchell. Reserve: Councillor Toby Eckersley.

No further nominations were forthcoming, therefore the nominations were agreed.

The Mayor stated that nominations had been received for the positions of chair and vice-chair of the council tax setting committee, Councillors Peter John and Richard Livingstone respectively. No further nominations were forthcoming, therefore the nominations were put to the vote and council assembly appointed Councillor Peter John as chair of the council tax setting committee and Councillor Richard Livingstone as vice-chair of the council tax setting committee.

#### **RESOLVED:**

1. That the Greater London Authority (GLA) proposal to set a precept level on 23 February 2011 be noted.
2. That a council tax setting committee be established in accordance with section 67 of the Local Government Finance Act 1992, to set the council tax for the year 2011/12, with the role and functions, matters reserved and political composition as set out in Appendix A of the report.
3. That the following councillors be appointed to the council tax setting committee:
  - Labour: Councillors Peter John, Richard Livingstone, Fiona Colley and Althea Smith. Reserves: Councillors Barrie Hargrove, Ian Wingfield and Veronica Ward.
  - Liberal Democrat: Councillors Tim McNally and Graeme Neale. Reserve: Councillor Jeff Hook.
  - Conservative: Councillor Michael Mitchell. Reserve: Councillor Toby Eckersley.
4. That Councillor Peter John be appointed chair and Councillor Richard Livingstone be appointed vice-chair of the council tax setting committee.
5. That the existing local war widows schemes for housing benefits and council tax benefits be continued in 2011/12.

### **3.2 TREASURY MANAGEMENT STRATEGY 2011/12, INCLUDING - ANNUAL INVESTMENT STRATEGY, PRUDENTIAL INDICATORS, AND ANNUAL MINIMUM REVENUE PROVISION STATEMENT**

*Report: See pages 8–31 of the main agenda*

The Mayor stated that in accordance with council assembly procedure rule 2.11(2), this being an officer report, the recommendations set out in the report were deemed to have been moved and were subject to amendment only.

Following debate (Councillor Fiona Colley), the recommendations contained within the report were put to the vote and declared to be carried.

**RESOLVED:**

1. That it be noted that the treasury management strategy 2011/12 is to be managed by the finance director under financial delegation.
2. That the annual investment strategy 2011/12 set out in Appendix A of the report be agreed, keeping capital preservation as a key objective, in line with government guidance on investments.
3. That prudential indicators covering capital finance, borrowing and cash management for the years 2011/12 to 2013/14 as set out in Appendix B of the report be agreed.
4. That the annual minimum revenue provision statement 2011/12, which sets aside prudent sums from revenue to reduce debt, as set out in Appendix C of the report, be agreed.
5. That a capital allowance of £168m, as described in paragraphs 22–24 of the report, enabling the council to continue retaining capital receipts for affordable housing and regeneration be agreed.

**4. AMENDMENTS**

Amendments are set out in supplemental agenda 3.

The meeting closed at 10.40pm.

**CHAIR:**

**DATED:**