

Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 25 January 2012 at 7.00 pm at Walworth Academy, 34 - 40 Shorncliffe Road, London SE1 5UJ

PRESENT:

The Worshipful the Mayor for 2011/12, Councillor Lorraine Lauder MBE

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 Chris Brown	Councillor Tim McNally
Councillor Michael Bukola	Councillor Darren Merrill
Councillor Denise Capstick	Councillor Victoria Mills
Councillor Sunil Chopra	Councillor Jonathan Mitchell
Councillor Poddy Clark	Councillor Michael Mitchell
Councillor Fiona Colley	Councillor Abdul Mohamed
Councillor Neil Coyle	Councillor Adele Morris
Councillor Robin Crookshank Hilton	Councillor Helen Morrissey
Councillor Rowenna Davis	Councillor Graham Neale
Councillor Patrick Diamond	Councillor Wilma Nelson
Councillor Dora Dixon-Fyle	Councillor David Noakes
Councillor Nick Dolezal	Councillor Paul Noblet
Councillor Toby Eckersley	Councillor the Right Revd Emmanuel Oyewole
Councillor Gavin Edwards	Councillor Lisa Rajan
Councillor Dan Garfield	Councillor Lewis Robinson
Councillor Mark Gettleson	Councillor Martin Seaton
Councillor Norma Gibbes	Councillor Rosie Shimell
Councillor Mark Glover	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 Mark Williams
Councillor Paul Kyriacou	Councillor Ian Wingfield

1. PRELIMINARY BUSINESS

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

The Mayor:

- Thanked Walworth Academy for allowing council assembly to use their school.
- Stated that a list of residents or people who lived or work in the borough who had received an honour in the Queen's New Year's Honour list had been circulated at the meeting.
- Announced that on Friday 27 January she would be attending the Holocaust Memorial Day "SpeakUp, SpeakOut" wreath laying ceremony at the Memorial Tree and Soviet War Memorial at Geraldine Hamsworth Park at 10.30am. She encouraged other members to attend.

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

There were no late items.

With the meeting's consent the Mayor announced that she intended to vary the order in which the deputations were considered as there were children and young people involved in two of the deputations. Following questions from the public the meeting would consider the deputations from John Donne Primary school and the City of London Academy followed by the deputations from Transition Town Peckham and StreetLeaders. The deputation from Save Your Riverside would then be considered, followed by the motion on Save Chambers Wharf.

The Mayor stated that following consultation with the political group whips and due to time constraints the meeting would not consider the deputation from Southwark Association of Street Traders; they had been advised that their deputation was more suitable for consideration by the cabinet. She also advised that item 5.1 – Badminton House, would be taken at the end of the meeting just in case the meeting needed to go into closed session.

This was agreed by the meeting, which agreed to suspend the relevant procedure rules.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

Item 2.3 - Deputation Requests – Save Your Riverside

Councillor Eliza Mann declared a personal and non prejudicial interest in this item as she lives in the local area.

Councillor Mark Glover declared a personal and non prejudicial interest in this item as a member of his staff had been consulted on the campaign but no remuneration was involved.

Councillor Peter John declared a personal and non prejudicial interests in this item as he is a school governor at Riverside Primary school which is adjacent to the Chambers Wharf site.

Councillor Wilma Nelson declared a personal and non prejudicial in this item as she lives near King's Stairs Gardens.

Item 2.3 - Deputation Requests – City of London Academy

Councillor Andy Simmons declared a personal and non prejudicial, interest in this item as he does voluntary work in the homeless day centre.

Item 4.2: Motion – Changes to NHS Southwark.

Councillor Andy Simmons declared a personal and non prejudicial interest in this item as he has several NHS contracts.

1.4 APOLOGIES FOR ABSENCE

Apologies for lateness were received on behalf of Councillor Lewis Robinson.

1.5 MINUTES

RESOLVED:

The minutes of the meeting held on 29 November 2011 be agreed and signed as a correct record.

2. ISSUES RAISED BY THE PUBLIC

2.1 PETITIONS

There were none.

2.2 PUBLIC QUESTION TIME

(See page 1 of supplemental agenda 2 and green papers circulated at the meeting)

There was one question from the public, the answer to which was circulated on green paper at the meeting. The public questioner asked a supplementary question. All questions and responses are attached as Appendix 1 to the minutes.

2.3 DEPUTATION REQUESTS

(See pages 59 – 62 of supplemental agenda 1)

The deputations are listed in the order taken at the meeting.

Deputation from John Donne Primary School

Council assembly considered whether to receive the deputation request from John Donne Primary School.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Andrea Fender, addressed the meeting.

The deputation asked a question of Councillor Barrie Hargrove, cabinet member for transport, environment and recycling who provided an oral response.

Councillors Fiona Colley, Geoffrey Thornton, Catherine McDonald and Rowenna Davis asked questions of the deputation.

Deputation from City of London Academy

Council assembly considered whether to receive the deputation request from the City of London Academy.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Michael Ginzo, addressed the meeting.

The deputation asked a question of Councillor Barrie Hargrove, cabinet member for transport, environment and recycling who provided an oral response.

Councillors Rosie Shimell, Mark Glover and Graham Neale asked questions of the deputation.

Deputation from Transition Town Peckham

Council assembly considered whether to receive the deputation request from Transition Town Peckham.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Paula Orr, addressed the meeting.

The deputation asked a question of Councillor Barrie Hargrove, cabinet member for transport, environment and recycling who provided an oral response.

Councillors Neil Coyle, Geoffrey Thornton and Fiona Colley asked questions of the deputation.

Deputation from StreetLeaders

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

RESOLVED:

That the deputation be received.

The deputation's spokesperson, John Gorsuch, addressed the meeting.

The deputation asked a question of Councillor Barrie Hargrove, cabinet member for

transport, environment and recycling who provided an oral response.

Councillors Veronica Ward and David Noakes asked questions of the deputation.

Deputation from Save Your Riverside

Council assembly considered whether to receive the deputation request from Save Your Riverside.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Dr Rita Cruise O'Brien, addressed the meeting.

The deputation asked a question of Councillor Peter John, leader of the council, who provided an oral response.

Councillors Paul Noblet and Anood Al-Samerai asked questions of the deputation.

Following questions to the deputation the meeting debated the motion on Save Chambers Wharf (see item 4.2: Motion 3).

Southwark Association of Street Traders

The meeting decided due to time constraints to not hear the deputation from Southwark Association of Street Traders, who had been advised that their deputation was more suited for consideration by the cabinet.

3. THEMED DEBATE - ENVIRONMENT

3.1 CABINET MEMBER STATEMENT

Councillor Barrie Hargrove, cabinet member for transport, environment and recycling, introduced the theme of the meeting.

The lead opposition spokesperson on environment, Councillor Geoffrey Thornton, replied to the cabinet members' statement.

3.2 QUESTIONS FROM THE PUBLIC ON THE THEME

(See supplemental agenda 2, page 2 and green papers circulated at the meeting)

There were two questions from the public, the answers to which were circulated on green paper at the meeting. The public questioners each asked a supplementary question. All questions and responses are attached as Appendix 2 to the minutes.

3.3 MEMBERS' MOTIONS ON THE THEME

MOTION 1 - CARBON NEUTRAL COUNCIL BY 2020

(See pages 5 - 6 of the main agenda)

The meeting agreed to suspend council assembly procedure rule 1.14 (4) to allow for a

single debate on the motion and the amendment. The meeting consented to a change in the mover and seconder of the motion.

Councillor James Barber, seconded by Councillor Paul Noblet, moved the motion.

Councillor Dan Garfield, seconded by Councillor Darren Merrill, moved Amendment A.

Following debate (Councillors Lisa Rajan, Lewis Robinson, Fiona Colley, Graham Neale, Peter John, Nick Dolezal and Mark Gettleson), Amendment A was put to the vote and declared to be carried.

Following debate (Councillors Anood Al-Samerai and Barry Hargrove), the substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly believes that even in times of austerity protecting our natural environment is one of the most important issues for the borough and must remain a key priority for the council.
2. That council assembly believes this is recognised by all political parties and so calls on councillors to work together to suggest innovative ways for the council and Southwark residents to tackle carbon emissions and protect our natural environment.
3. That council assembly notes that the majority of emissions from transport in Southwark are from road vehicles and welcomes the council's transport plan which aims to reduce the impact of transport on air quality by encouraging sustainable travel choices within the borough.
4. That council assembly believes that the council should set an example in energy efficiency and welcomes the fact that it has delivered on its promise to reduce carbon emissions in council buildings by 8.5%.
5. That council assembly welcomes the introduction of food waste recycling to all street-based properties in the borough and notes the impact this is already having in areas involved in the scheme where recycling has increased to 51%.
6. That council assembly calls on members to consider these issues and discuss:
 - How the council can encourage more sustainable travel, especially safe cycling and walking
 - How the council can promote energy efficiency, not just in buildings owned by the council, but in all properties
 - Given the huge reductions in the council's budget this year and in the coming years, how the council can protect the public realm, Southwark's parks and green spaces.
7. That council assembly notes the stated aim of the coalition government to be the "greenest government ever" and calls on members to consider how Southwark can use government funding to support green investment and green jobs in our borough.

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

MOTION 2 - ENVIRONMENT

(See pages 6 - 7 of the main agenda)

As Amendment A to Motion 1 was agreed Motion 2 fell.

MOTION 3 - MAKING SOUTHWARK A CYCLING BOROUGH

(See page 7 of the main agenda)

The time allocated for the themed debate having expired, Motion 3 and Amendment B were formally noted having not been moved and seconded at the meeting.

4. ISSUES RAISED BY MEMBERS

4.1 MEMBERS' QUESTION TIME

(see pages 9 - 16 of the main agenda and the blue and yellow papers circulated at the meeting)

There was one urgent question to the leader, the response to which was circulated on blue paper at the meeting. Two supplemental questions were asked of the leader by Councillor Anood Al-Samerai, the leader of the majority opposition group. All questions and responses are attached as Appendix 3 to the minutes.

There were 49 members' questions, the responses to which were circulated on yellow paper at the meeting. There were four supplemental questions, all questions and responses are attached as Appendix 4 to the minutes.

At the close of members' question time Councillor Nick Stanton made a point of personal explanation.

At 10.05pm the bell was rang and the Mayor informed the meeting that the guillotine had fallen. The remainder of the members' question were formally noted.

4.2 MEMBERS' MOTIONS

MOTION 1 – POST OFFICES FOR SOUTHWARK

(see page 18 of the main agenda)

The motion was withdrawn by the movers with the request that it be submitted to the next ordinary meeting of council assembly.

MOTION 2 – CHANGES TO NHS SOUTHWARK

(see pages 18 - 19 of the main agenda)

The guillotine having fallen, Councillors Neil Coyle and Mark Williams, formally moved and seconded the motion.

Councillors Helen Morrissey and Patrick Diamond, formally moved and seconded Amendment D.

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

Councillors David Noakes and Denise Capstick, formally moved and seconded Amendment E.

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

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

RESOLVED:

1. That council assembly recognises and appreciates the excellent work done by doctors, nurses and other health workers in Southwark.
2. That council assembly believes the government's Health and Adult Social Care Bill is creating uncertainty in the NHS at a time when budgets are already tight and regrets that Southwark PCT will be required to hold back £21 million, which could be spent on patient care, to pay for the government's reorganisation.
3. That council assembly believes the government's top down reorganisation lacks direction and is an unnecessary distraction to Southwark's NHS staff at a time when they want to focus on patient care.
4. That council assembly also notes that the number of people in Southwark waiting more than 18 weeks from referral to treatment has increased by 168% since May 2010 – the largest increase in London.
5. That council assembly believes the government's decision to abolish waiting time targets has led to this increase in Southwark and now means fewer than 90% of Southwark patients are being treated within 18 weeks.
6. That council assembly believes giving patients' certainty about when they will be treated is fundamentally important to their health and that low waiting times are a benchmark for excellence in the NHS.
7. That council assembly welcomes the opposition of Harriet Harman and Tessa Jowell to the government's NHS reforms and notes Simon Hughes's comments on 8 December that there had been a "particular issue" in Southwark regarding waiting times. It hopes that instead of blaming hardworking NHS staff in Southwark Simon Hughes will take their side and oppose the government's NHS reforms.
8. That council assembly rejects David Cameron's assertion that there was a "real problem" with nursing in UK hospitals and believes that if the Conservative/Liberal Democrat government really wants to help nurses in Southwark to focus on patient care, it should listen to what nurses are saying and drop this unnecessary health bill.

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

MOTION 3 – SAVE CHAMBERS WHARF

(see pages 19 – 20 of the main agenda)

This motion was considered after the deputation from Save Your Riverside and prior to the guillotine having fallen.

The Mayor announced that Amendment F had been withdrawn. Thereafter the meeting agreed to suspend council assembly procedure rule 1.14 (4) to allow for a single debate

on the motion and the remaining amendment.

Councillor Peter John, seconded by Councillor Claire Hickson, moved Motion 3.

Councillor Anood Al-Samerai, seconded by Councillor Eliza Mann, moved Amendment G.

Following debate (Councillors David Hubber, Fiona Colley, Jeff Hook and Catherine Bowman), Councillor Peter John exercised his right of reply.

Amendment G 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 assembly notes the unquestionable importance of a clean River Thames, but notes the purchase of Chambers Wharf by Thames Water and that it is the company's preferred construction site in Southwark for a "Super Sewer" junction.
2. That council assembly notes that 150 residential properties, two schools with over 1000 students and the Thames Path are situated very near to the Chambers Wharf site.
3. That council assembly regrets the impact Thames Water's plans could have on the local community and notes that construction will take at least seven years, three years of which will be 24 hours a day for seven days a week. This will not only lead to an increase in noise pollution but to increased heavy vehicle traffic on the local roads, which are not only narrow but also where the schools are located posing a real danger to school children and local residents.
4. That council assembly believes construction so close to residents and schools for such a length of time would be a major source of air pollution possibly causing respiratory illnesses, asthma and bronchitis.
5. That council assembly is also concerned that Southwark residents' water bills are likely to increase by £70 per year if Thames Water's proposal goes ahead and, once completed, Thames Water cannot guarantee there will not be sewage smells from the site.
6. That council assembly requests the cabinet to call on Thames Water to find an alternative non-residential site to Chambers Wharf that will have no impact on Southwark residents and welcomes the report of the Selborne Commission which has been set up by a number of riverside London councils to examine alternatives to the Thames Tunnel.
7. That council assembly calls on all political groups in Southwark and local MPs to stand up to Thames Water in opposing Chambers Wharf as a construction site and to respond to the phase 2 consultation. Council assembly also welcomes Simon Hughes MP's calls for a debate on the floor of the House of Commons and calls for all Southwark's MPs to take part in this.
8. That council assembly recognises and formally thanks the Save Your Riverside campaign for all their hard work in raising awareness of the issue and detailing credible technical arguments to challenge Thames Water.

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

5. REPORT FROM THE CABINET

5.1 BADMINTON HOUSE, QUORN ROAD, SE22 - DISPOSAL OF FREEHOLD INTEREST

(see pages 21 – 30 of the main agenda, pages 1 – 8 of the closed agenda and page 3 of supplemental agenda 2)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

There were three questions on the report to the cabinet member for finance, resources and community safety, the responses to which were circulated on lilac paper at the meeting. Two supplemental questions were asked of the cabinet member. All questions and responses are attached as Appendix 5 to the minutes.

In accordance with council assembly procedure rule 2.11 (1), Councillor Richard Livingstone moved the report.

Councillor Tim McNally, seconded by Councillor Michael Bukola, moved Amendment H.

Following debate (Councillor Ian Wingfield), Amendment H was put to the vote and declared to be lost.

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

RESOLVED:

1. That the cabinet decision of the 31 May 2011 to dispose of Badminton House, SE22 (“the property”) as contained in the report entitled ‘East Dulwich Estate Regeneration Scheme Update and Proposals for revision’ be noted.
2. That the cabinet decision of the 13 December 2011 to approve the disposal of the property on the terms outlined in the closed version of that report be noted.
3. That following a recommendation by cabinet on the 13 December 2011, an application to the Secretary of State for the Department of Communities and Local Government (DCLG) for consent to the disposal of the property be approved.

5.2 REPORT BACK ON MOTIONS REFERRED TO CABINET FROM COUNCIL ASSEMBLY

(see pages 31 – 33 of the main agenda)

RESOLVED:

That the report be noted.

6. OTHER REPORTS

6.1 COUNCIL TAX BASE 2012/13

(see pages 34 – 45 of the main agenda)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

In accordance with council assembly procedure rule 2.11 (2), the report was formally moved by the Mayor.

There was one question to the cabinet member for finance, resources and community safety on the report, the response to which was circulated on lilac paper at the meeting. The question and response are attached as Appendix 6 to the minutes.

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

RESOLVED:

1. That the council tax base for 2012/13 be set at:

	Number of band D equivalent properties
For the parish of St. Mary Newington	13,420.12
For the parish of St. Saviour's	1,184.39
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	85,426.83
For the whole borough	100,031.34

2. That the council tax assumed collection level be increased from 96% to 96.25%.

6.2 APPLICATION FOR THE REGISTRATION OF A NEW TOWN OR VILLAGE GREEN AT KING'S STAIRS GARDENS, JAMAICA ROAD, LONDON SE16

(see pages 46 – 71 of the main agenda)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

In accordance with council assembly procedure rule 2.11 (2), the report was formally moved by the Mayor.

Following debate (Councillors Jeff Hook, Toby Eckersley and Barrie Hargrove), the recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

1. That the contents of the report and the summary of the evidence provided with the application as set out in Appendix 1 of the report be noted.
2. That the application to register King's Stairs Gardens, Jamaica Road, London SE16 as a Village Green be agreed.

6.3 DATE OF COUNCIL ASSEMBLY IN FEBRUARY

(see pages 72 – 73 of the main agenda)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

In accordance with council assembly procedure rule 2.11 (2), the report was formally moved by the Mayor.

Following debate (Councillors Anood Al-Samerai, Althea Smith and Paul Noblet), the recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

1. That council assembly procedure rule 2.1 (Dates and frequency of meetings agreed by annual council) be suspended.
2. That the 22 February 2012 council tax setting meeting of council assembly be rescheduled to 29 February 2012.

7. AMENDMENTS

Amendments to motions and reports are set out in Supplemental Agenda No.2.

PART B - CLOSED BUSINESS

8. BADMINTON HOUSE, QUORN ROAD, SE22 - DISPOSAL OF FREEHOLD INTEREST

This closed report was considered in conjunction with item 5.1 in the open part of the meeting.

The decision is set out in item 5.1 above.

The meeting closed at 10.38pm.

CHAIR:

DATED: