



## Council Assembly (Ordinary)

MINUTES of the Council Assembly (Ordinary) held on Wednesday 12 October 2011 at 7.00 pm at Harris Academy Peckham, 112 Peckham Road, London SE15 5DZ

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### PRESENT:

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

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

## **1. PRELIMINARY BUSINESS**

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

The Mayor made the following announcements:

- Thanked Harris Academy Peckham for allowing council assembly to use their school.
- Welcomed Councillor Chris Brown to his first meeting of council assembly.
- That she would be hosting a charity quiz night in support of The People Care Association and the Rheumatology Department at King's College Hospital. The quiz will be held on the 18 November 2011, starting promptly at 7.00pm at the council offices, Tooley Street. Entrance is £30 for a table of six and all proceeds will be shared by the Mayor's two chosen charities for this year.
- That she had given permission for the Latin American Recognition Campaign deputation to film themselves whilst making their presentation.
- That former Councillor and Mayor, Dot Winters, had passed away. Councillors Ian Wingfield, Denise Capstick and Michael Mitchell paid tribute. Thereafter a minute's silence was held.

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

The Mayor announced that the following had been received:

- A deputation request from Peckham Shed
- A late deputation request from residents of the Bermondsey Street area relating to item 6.2, Review of the Licensing Policy Statement – this request was received after the deadline for receipt of deputations
- A late amendment to item 6.3: Adoption of Byelaws under Part 111 of the Food Act 1984
- A late amendment to item 6.4: Date of council assembly meeting in November.

At this juncture Councillor Helen Morrissey, seconded by Councillor Tim McNally, moved that council assembly procedure rule 2.6(11), no more than three deputations shall be considered at any one meeting, be suspended in order to hear a deputation from Peckham Shed. The procedure motion was put to the vote and declared to be carried.

Councillor Tim McNally, seconded by Councillor Helen Morrissey, moved that council assembly procedure rules 2.6(11) and 2.6(7), no more than three deputations shall be considered at any one meeting and the deadline for receipt of deputations, be suspended in order to hear a deputation from residents of the Bermondsey Street area. The procedure motion was put to the vote and declared to be carried.

Councillor Helen Morrissey, seconded by Councillor Tim McNally, moved that council assembly procedure rule 11(3), deadline for receipt of amendments, be suspended in order that the late amendments could be heard. The procedure motion was put to the vote and declared to be carried.

The Mayor stated that she intended to vary the order of business as follows:

- The deputation from Peckham Shed would be heard as the fourth deputation.
- The deputation from residents of the Bermondsey Street area would be considered after the themed debate and motions on the theme and before members' question time.
- The licensing policy report would be considered after the deputation from the residents of the Bermondsey Street area.

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

#### **Item 6: Motion 1 – Payday Loans**

Councillors Sunil Chopra, Nick Dolezal, Althea Smith and Nick Stanton declared a personal and non prejudicial interest in this item as they are members of the London Mutual Credit Union.

#### **Item 8: The Licensing Act 2003 - Three Year Review of Statement of Licensing Policy**

Councillor Stephen Govier declared a personal and non prejudicial interest in this item as he works for a business crime reduction partnership, which is in another borough, and members of this partnership may be licensees in Southwark.

### **1.4 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Norma Gibbes and Linda Manchester. Apologies for lateness were received on behalf of Councillors Eliza Mann and Adele Morris.

### **1.5 MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 6 July 2011 be agreed and signed as a correct record with the following amendment to Appendix 2, Members' Question Time:

On page 32, question 33 in the table for figures for Borough and Bankside, in the period 2011/12 – 2013/14, should read "3" and not "9" as published and the total should read "29" not "35" as published.

## **2. ISSUES RAISED BY THE PUBLIC**

### **2.1 PETITIONS**

There were none.

### **2.2 PUBLIC QUESTION TIME**

*(See supplemental agenda 2, pages 1-2 and green papers circulated at the meeting)*

There were six questions from the public, the answers to which were circulated on green paper at the meeting. Five of the public questioners were present and each asked a supplementary question. The questions and responses are attached as Appendix 1 to the minutes.

### **2.3 DEPUTATION REQUESTS**

*(See pages 3-5 of the supplemental agenda 2)*

A deputation from the residents of the Bermondsey Street area was heard during consideration of item 6.2: The Licensing Act 2003 – Three year review of statement of licensing policy.

#### **Deputation request from the Latin American Recognition Campaign**

Council assembly considered whether to receive the deputation request from the Latin American Recognition Campaign.

#### **RESOLVED:**

That the deputation be received.

The deputation's spokesperson, Gladys Medina, addressed the meeting.

Councillors Abdul Mohamed, Graham Neale, Fiona Colley, Catherine Bowman and Neil Coyle asked questions of the deputation.

At 8.23pm the meeting adjourned so that the sound technician could reset the sound system. The meeting reconvened at 8.40pm.

#### **Deputation request from Peckham Voluntary Sector Forum**

The Mayor informed the meeting that the deputation was now only from the Peckham Voluntary Sector Forum as the Southwark Black Parents Forum had ceased trading.

Council assembly considered whether to receive the deputation request from the Peckham Voluntary Sector Forum.

**RESOLVED:**

That the deputation be received.

The deputation's spokesperson addressed the meeting.

Councillors Barrie Hargrove, Anood Al-Samerai, Columba Blango, Cleo Soanes, Martin Seaton and Catherine McDonald asked questions of the deputation.

**Deputation request from the Norwegian Church in London, St. Olav's**

Council assembly considered whether to receive the deputation request from the Norwegian Church in London.

**RESOLVED:**

That the deputation be received.

The deputation's spokesperson, Revd. Torbjørn Holt, Rector and Senior Chaplain, addressed the meeting.

Councillors Peter John, Jeff Hook and Paul Noblet asked questions of the deputation.

**Deputation request from Peckham Shed**

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

**RESOLVED:**

That the deputation be received.

The deputation's spokesperson, Danielle Baker, addressed the meeting.

Councillors Peter John, Mark Glover, Anood Al-Samerai, Cleo Soanes and Columba Blango asked questions of the deputation.

**3. THEME - STATE OF THE BOROUGH**

**3.1 THEMED DEBATE: STATE OF THE BOROUGH**

Councillor Peter John introduced the theme of the meeting.

**3.2 QUESTIONS FROM THE PUBLIC ON THE THEME**

There were no questions from the public on the theme.

### 3.3 MEMBERS' MOTIONS ON THE THEME: STATE OF THE BOROUGH

#### MOTION 1 - COMMUNITY RESPONSE TO AUGUST'S DISTURBANCES

*(See pages 5-6 of the main agenda)*

The Mayor stated that following consultation with the whips and in line with council assembly procedure rule 2.7(3) on allowing sufficient political balance in the themed debate she had agreed to vary the way that Motion 1 was considered as follows:

- The motion and each amendment would be moved and seconded and then all the items would be opened up for debate
- Towards the end of the themed section of the meeting the Mayor would move to the vote on each amendment and the substantive motion.

Councillor Michael Situ, seconded by Councillor Rowenna Davis, moved Motion 1.

Councillor Helen Hayes, seconded by Councillor Sunil Chopra, moved Amendment A.

Councillor Claire Hickson, seconded by Councillor Althea Smith, moved Amendment B.

Councillor Anood Al-Samerai, seconded by Councillor Paul Noblet, moved Amendment C.

During the debate (Councillors Lisa Rajan, Lewis Robinson and Catherine Bowman), at 10.18pm the bell was rang and the Mayor announced that the guillotine had fallen and each item would be voted upon without further debate.

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

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

Amendment C 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 notes the letter to all members from the leader of the council on 7 September outlining tonight's theme.
2. That council assembly notes the disturbances and looting that took place on 8 August 2011 and condemns the criminality and lawlessness which took place across the borough. However, it further notes residents' response in the days that followed, and the action by our community to come together and repair the damage that had been done.
3. That council assembly believes that this community response more accurately reflects the state of the borough than the disturbances themselves, but further believes that the causes of the disturbances require a genuine and thoughtful response.

4. That council assembly notes the authority's ongoing "community conversations", engaging with residents on the causes of the disturbances. It calls on the leader to update members on the council's response to disturbances of the initial findings of the "community conversations".
5. That council assembly believes that the themed debate ought to feed into that wider "community conversations" and notes the questions contained within the leader's letter:
  - What caused the outbreak of disturbances and looting in Southwark?
  - What caused the community to respond in the positive way that it did?
  - What can we all do to continue to build our civil society in Southwark?

Council assembly calls on all members to contribute their views on those three questions in the debate. It calls on the cabinet to take those views on board, to feed them into the ongoing community conversation and to feed back to council assembly on what action will be taken following the community conversations in no more than six months.

6. That council assembly calls on cabinet to ensure feedback from the council's community conversations informs how we can create a fairer future for all in Southwark.

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

## **MOTION 2 - STATE OF THE BOROUGH: SIGNIFICANTLY IMPROVED BUT COULD DO BETTER**

*(see pages 6-7 of the main agenda)*

The time allocated for the themed debate having expired, Motion 2 and Amendment D were formally noted having not been moved and seconded at the meeting.

## **4. ISSUES RAISED BY MEMBERS**

### **4.1 MEMBERS' QUESTION TIME**

*(See pages 8-14 of the main agenda and the blue and yellow papers circulated at the meeting)*

Prior to the commencement of members' question time the guillotine fell at 10.18pm, therefore all members' questions were noted.

There was one urgent question to the leader, the written response to which was circulated on blue paper at the meeting. The question and written response are attached as Appendix 2 to the minutes.

There were 50 members' questions, the written responses to which were circulated on yellow paper at the meeting. All questions and written responses are attached as Appendix 3 to the minutes.

## **4.2 MEMBERS' MOTIONS**

### **MOTION 1 - PAYDAY LOANS**

*(See pages 15-16 of the main agenda)*

The guillotine having fallen, Councillor Martin Seaton, seconded by Councillor Kevin Ahern, formally moved the motion.

Councillor Darren Merrill, seconded by Councillor Mark William, formally moved Amendment E.

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

The clerk announced that as Amendment F was substantially the same as part one of Amendment E, Amendment F therefore fell.

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

### **RESOLVED:**

1. That council assembly notes the large number of "payday loan" shops in the borough; particularly in Peckham and on the Walworth Road.
2. That council assembly notes that the interest rates charged on these loans can often be in excess of 2000% meaning that the average borrower ends up paying far more than the original cost of the loan.
3. That council assembly believes that charging such large interest rates on loans to often financially vulnerable people is exploitative and takes money away from individuals and families at a time when the cost of living is rising.
4. That council assembly also notes that many lenders use underhand means to lure consumers into automatic loan renewals, fail to disclose the true cost of the loan, or use other usurious tactics to sink consumers in a quagmire of debt.
5. That council assembly believes lending of this kind is both socially and financially irresponsible and a scourge on our communities. It condemns the prevalence of these businesses on Southwark high streets and calls for alternative low cost loans to be made available to our residents.
6. That council assembly believes this is an issue of concern to people across the political spectrum and calls for all political parties in Southwark to support and prioritise alternative affordable models of lending, particularly those provided by London Mutual Credit Union. Council assembly welcomes the proposal by London



Mutual Credit Union to introduce a new affordable loan which will be available to Southwark residents and calls on all members to contribute their views on this issue.

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

## **5. REPORTS FOR INFORMATION**

### **5.1 REPORT BACK ON MOTIONS REFERRED TO CABINET FROM COUNCIL ASSEMBLY**

*(See pages 17-20 of the main agenda)*

#### **RESOLVED:**

That the report be noted.

## **6. OTHER REPORTS**

### **6.1 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - SOUTHWARK SEX ESTABLISHMENTS LICENSING POLICY**

*(See pages 21-74 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(1), the chair of the licensing committee, Councillor Sunil Chopra, moved the report.

Following debate (Councillors Nick Stanton and David Noakes), the recommendation contained within the report was put to the vote and declared to be carried.

Councillor the Right Revd Emmanuel Oyewole left the room and did not take part in the vote on this item.

#### **RESOLVED:**

That the draft Southwark sex establishments licensing policy at Appendix A to the report be adopted.

### **6.2 THE LICENSING ACT 2003 - THREE YEAR REVIEW OF STATEMENT OF LICENSING POLICY**

*(See pages 75-153 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.

Council assembly considered whether to receive the deputation request from the residents of the Bermondsey Street area regarding the licensing policy.

**RESOLVED:**

That the deputation be received.

The deputation's spokesperson, Alistair Turnham, addressed the meeting.

Councillors Richard Livingstone and Tim McNally asked questions of the deputation.

In accordance with council assembly procedure rule 2.11(1), the chair of the licensing committee, Councillor Sunil Chopra, moved the report.

In introducing the report the chair of the licensing committee stated that the Police and Social Responsibility Bill mentioned in the report and Amendment G became the Police and Social Responsibility Act 2011 as of 15 September 2011, at which stage it received royal assent.

At this point the 15 minutes allocated to this report expired and therefore Councillor Mark Gettleson, seconded by Councillor Adele Morris, formally moved Amendment G.

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

The substantive motion, including the recommendations contained within the report were put to the vote and declared to be carried.

**RESOLVED:**

1. That the document at Appendix A to the report be adopted as the Southwark Statement of Licensing Policy for 2011-2014.
2. That it be noted that a further report will be provided to the council's licensing committee, on the impacts of the licensing provisions contained within the Police and Social Responsibility Act 2011 upon the council's policy statement, once these become clear.
3. That the licensing committee has made decisions about local saturation areas based on crime statistics, nuisance complaints and ambulance figures. Council recognises that some areas such as Bermondsey Street, Shad Thames and Dulwich have lower crime figures, and therefore, have not at this time decided to consider these for saturation area status. However, when considering new saturation areas there should be an opportunity to pre-emptively address problems by taking into account the proportion of licensed premises in particular streets. Under the legislation contained in the Police and Social Responsibility Bill introducing new or extended saturation zones will become less burdensome. Council assembly asks the licensing committee to review and consider the locations of Southwark's saturation areas and the local criteria for choosing them as the Police and Social Responsibility Bill is now passed.

### 6.3 ADOPTION OF BYELAWS UNDER PART III OF THE FOOD ACT 1984

*(See pages 154-161 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.

Councillor Barrie Hargrove, seconded by Councillor Tim McNally, moved the Late Amendment as follows:

That on page 160 of the main agenda, paragraph 6 insert 'ride' in between 'a' and 'cycle' so that the sentence reads "No person shall bring a vehicle or ride a cycle into the market place during market hours without reasonable excuse."

The Late Amendment was put to the vote and declared to be carried.

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

#### **RESOLVED:**

That byelaws governing the operation of Southwark's markets under Part III of the Food Act 1984 be adopted, subject to the following amendment to Appendix 1:

Page 160 of the main agenda, paragraph 6 insert 'ride' in between 'a' and 'cycle' so that the sentence reads "No person shall bring a vehicle or ride a cycle into the market place during market hours without reasonable excuse."

### 7. DATE OF COUNCIL ASSEMBLY MEETING IN NOVEMBER

*(See pages 162-163 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.

At the beginning of the meeting, the clerk announced a correction to Supplemental Agenda No.3 in that Amendment H should have read moved by Councillor Linda Manchester and seconded by Jeff Hook.

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

In Councillor Manchester's absence and with the consent of the meeting, Councillor Jeff Hook, seconded by Councillor Paul Noblet, moved Amendment H.

Following debate (Councillors Peter John, Lewis Robinson, Richard Livingstone, Anood Al-Samerai and Adele Morris), Amendment H was put to the vote and declared to be lost.

Councillor Helen Morrissey, seconded by Councillor Peter John, moved the Late Amendment as follows:

‘That council assembly agrees to bring forward the date for the 30 November meeting by one day to 29 November 2011.’

The Late Amendment 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 procedure rule 2.1 (Dates and frequency of meetings agreed by annual council) be suspended.
2. That council assembly agrees to bring forward the date for the 30 November meeting by one day to 29 November 2011.

**8. AMENDMENTS**

Amendments to motions and reports are set out in Supplemental Agenda No.3.

The meeting closed at 11.05pm.

**CHAIR:**

**DATED:**