



## COUNCIL ASSEMBLY

MINUTES of the Council Assembly held on Wednesday July 8 2009 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** The Worshipful the Mayor for 2009-10 Councillor Jeff Hook

Councillor Anood Al-Samerai	Councillor Alison McGovern
Councillor James Barber	Councillor Tim McNally
Councillor Paul Bates	Councillor Kirsty McNeill
Councillor Columba Blango	Councillor Jonathan Mitchell
Councillor Denise Capstick	Councillor Abdul Mohamed
Councillor Fiona Colley	Councillor Adele Morris
Councillor Dora Dixon-Fyle	Councillor Gordon Nardell
Councillor Toby Eckersley	Councillor Wilma Nelson
Councillor Mary Foulkes OBE	Councillor David Noakes
Councillor John Friary	Councillor Paul Noblet
Councillor Mark Glover	Councillor Olajumoke Oyewunmi
Councillor Aubyn Graham	Councillor Chris Page
Councillor James Gurling	Councillor Andrew Pakes
Councillor Barrie Hargrove	Councillor Caroline Pidgeon
Councillor Robin Crookshank Hilton	Councillor Lisa Rajan
Councillor Michelle Holford	Councillor Sandra Rhule
Councillor David Hubber	Councillor Lewis Robinson
Councillor Kim Humphreys	Councillor Jane Salmon
Councillor Helen Jardine-Brown	Councillor Martin Seaton
Councillor Peter John	Councillor Mackie Sheik
Councillor Jenny Jones	Councillor Tayo Situ
Councillor Susan Elan Jones	Councillor Bob Skelly
Councillor Paul Kyriacou	Councillor Robert Smeath
Councillor Jelil Ladipo	Councillor Althea Smith
Councillor Adedokun Lasaki	Councillor Nick Stanton
Councillor Lorraine Lauder MBE	Councillor Richard Thomas
Councillor Evrim Laws	Councillor Dominic Thorncroft
Councillor Richard Livingstone	Councillor Nick Vineall
Councillor Linda Manchester	Councillor Veronica Ward
Councillor Eliza Mann	Councillor Ian Wingfield
Councillor Danny McCarthy	Councillor Lorraine Zuleta

## **1. PRELIMINARY BUSINESS**

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

The Mayor offered the meeting's condolences to the relatives of those who died in the Lakanal House fire in Camberwell and its best wishes to those still in hospital.

Councillors Nick Stanton, Kim Humphreys and Peter John each made a statement in respect of the fire at Lakanal House.

The Reverend David Wade, the Mayor's spiritual adviser, said a few words on behalf of the multi-faith forum.

Thereafter a minutes silence was held for the six victims of the fire.

The Mayor went on to announce that a list of people who live or work in Southwark who had received an honour in the Queen's Birthday Honour's List 2009 had been circulated at the meeting. The meeting offered its congratulations to all those who had received an honour.

The Mayor announced the death of Pat Topley, long term community activist, and extended the meeting's condolences to her family and friends.

In response to a point of order from Councillor Paul Bates, the Mayor confirmed that a request to broadcast the meeting had been received but having consulted with senior officers, the Mayor had decided not to grant the request.

The executive member for community safety, Councillor Linda Manchester, read out her statement on 'making knife crime history', and congratulated the organisers of the campaign, pupils of the Globe Academy School, who were seated in the public gallery.

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

The Mayor agreed to circulate the following:

- Late Amendment to item 6.1 – Sustainable Communities Act proposals
- Revised Late Motion – Fire at Lakanal House.

The Mayor announced that Item 9 – Exemption from the rules governing failure of a member to attend meetings, had been withdrawn. As a result the late amendment set out in supplemental agenda 2 fell.

At this juncture Councillor Paul Bates, seconded by Councillor Peter John, moved that under council assembly procedure rule 1.11(m), the following rule be suspended in order that the revised late motion and the late amendment could be debated and the order of business varied to allow the revised late motion to be considered following public question time:

- Council assembly procedure rule 2.9(3) – Notice for motions to be delivered.
- Council assembly procedure rule 2.9(4) – Notice for amendments to be delivered.
- Council assembly procedure rule 1.5(b) – Variation in the order of business.

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

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

Councillor Susan Elan Jones declared a personal but non prejudicial interest in item 7.1 – Regeneration of the Elephant and Castle as she is a non remunerated director of Estmanco, 58-60 St Georges' Road Limited, which owns a site next to one of the regeneration sites.

Councillor Richard Thomas declared a personal but non prejudicial interest in items 7.2 and 7.4 – Primary school places in Dulwich and primary school provision in Dulwich, as he has just completed the 2010 school admissions process for schools in the Dulwich area for his daughter.

### **1.4 APOLOGIES FOR ABSENCE**

Apologies for lateness were submitted on behalf of Councillor Andrew Pakes.

## **2. MINUTES**

### **RESOLVED:**

That the minutes of the council assembly meeting held on Wednesday May 20 2009 be agreed as a correct record of the proceedings.

## **3. PETITIONS**

There were none.

## **4. PUBLIC QUESTION TIME** (see page 1 of the lilac paper circulated at the meeting)

Two members of the public submitted a written question, the answers to which were circulated at the meeting. The public questioners were not in attendance at the meeting. The questions and answers are attached as an Appendix 1 to the minutes.

## **5. MEMBERS' QUESTION TIME** (see page 1 of the blue paper and pages 1-22 of the yellow pages circulated at the meeting)

There was one urgent question to the leader, the answer to which was circulated on blue paper at the meeting. The leader answered a supplemental question. The questions and answers are attached as Appendix 2 to the minutes.

There were 41 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 23 supplementary questions, the answers to all questions are attached as Appendix 3 to the minutes.

## **6. OTHER REPORTS**

### **6.1 SUSTAINABLE COMMUNITIES ACT PROPOSALS** (see pages 9-21 of the main agenda and pages 1-2 of supplemental agenda 1)

In accordance with council assembly procedure rule 2.10(2) the Mayor formally moved the recommendations contained in the report.

Councillor Fiona Colley formally moved the late amendment, which was seconded by Councillor Tayo Situ.

Following debate (Councillors Nick Stanton and James Barber), the late amendment was put to the vote and declared to be lost.

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

#### **RESOLVED:**

That the proposals recommended by the panel (as set out in paragraph 12 of the report) be submitted to government under the Sustainable Communities Act 2007.

### **6.2 MEMBER AND OFFICER PROTOCOL** (see pages 22-37 of the main agenda)

In accordance with council assembly procedure rule 2.10(2) the Mayor formally moved the recommendations contained in the report.

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

#### **RESOLVED:**

That the Member and Officer Protocol attached as Appendix A to the report be agreed.

### **6.3 REVIEW OF THE COMMUNICATION PROTOCOL** (see pages 38-47 of the main agenda)

In accordance with council assembly procedure rule 2.10(2) the Mayor formally moved the recommendations contained in the report.

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

#### **RESOLVED:**

That the Communication Protocol as set out in Appendix A to the report be agreed.

**6.4 TREASURY MANAGEMENT PERFORMANCE – 2008-09 ANNUAL REPORT AND PRUDENTIAL INDICATORS FOR CAPITAL FINANCE AND TREASURY MANAGEMENT** (see pages 48-57 of the main agenda)

In accordance with council assembly procedure rule 2.10(2) the Mayor formally moved the recommendations contained in the report.

There was one question to this report, the answer to which had been circulated around the chamber on white paper. Councillor Richard Livingstone asked a supplemental question which was answered by the executive member for resources, Councillor Tim McNally. The questions and answers are attached as Appendix 4 to the minutes.

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

**RESOLVED:**

That the outturn report on borrowing, investments, capital finance and prudential indicators for 2008-09 be noted.

**6.5 ANNUAL REPORT ON WORK AND PERFORMANCE OF THE AUDIT & GOVERNANCE COMMITTEE IN 2008-09** (see pages 58-67 of the main agenda)

The chair of the audit and governance committee, Councillor Bob Skelly, moved the report.

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

**RESOLVED:**

That the work and performance of the audit and governance committee in 2008-09 be noted.

**7. MOTIONS**

**7.1 REGENERATION OF THE ELEPHANT & CASTLE** (see page 69 of the main agenda)

The clerk advised that if Amendment A was carried, the change to paragraph 3 of the motion set out in Amendment B would fall. This was because paragraph 3 was deleted by Amendment A. The remainder of Amendment B could be debated and voted upon.

Councillor Chris Page, seconded by Councillor Peter John, moved the motion.

Councillor Ian Wingfield, seconded by Councillor Kirsty McNeill, moved Amendment A.

Following debate (Councillors Richard Thomas, James Gurling, Nick Stanton, Paul Bates, Kim Humphreys, Jenny Jones, David Noakes, Dora Dixon-Fyle, Peter John, Martin Seaton, Tim McNally, Toby Eckersley and Alison McGovern), Councillor Chris Page exercised his right of reply.

Councillor Richard Thomas made a point of personal explanation. Thereafter Amendment A was put to the vote and declared to be lost.

Councillor Nick Stanton, seconded by Councillor Paul Noblet, moved Amendment B.

Following debate (Councillors John Friary, Peter John, Kim Humphreys, Gordon Nardell, James Gurling and Linda Manchester), the Mayor announced that the guillotine had fallen and the bell was rung.

Under council assembly procedure rule 1.10(6) Councillor Paul Bates, seconded by Councillor Chris Page, moved that the guillotine rule be suspended for a period of 30 minutes. The procedural motion was put to the vote and declared to be lost.

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

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

In accordance with council assembly procedure rule 1.13 (5) the following members requested that their vote against the substantive motion be recorded in the minutes: Councillors Paul Bates, Fiona Colley, Mark Glover, Mary Foulkes, John Friary, Dora Dixon-Fyle, Aubyn Graham, Peter John, Barrie Hargrove, Susan Elan Jones, Lorraine Lauder, Evrim Laws, Richard Livingstone, Alison McGovern, Kirsty McNeill, Abdul Mohamed, Gordon Nardell, Ola Oyewunmi, Chris Page, Andrew Pakes, Sandra Rhule, Martin Seaton, Tayo Situ, Robert Smeath, Althea Smith, Dominic Thorncroft, Veronica Ward and Ian Wingfield.

#### **RESOLVED:**

1. That council assembly notes that residents in Southwark have waited too long for the regeneration of the Elephant & Castle which extends beyond the 'footprint' of the Heygate Estate and shopping centre, and which was first promised by the Labour administration in the late 1990s.
2. That council assembly notes that the current recession has had a major impact on private sector led developments but supports the continued efforts of the executive and chief officers to secure the best possible deal for local residents.
3. That council assembly further notes that the executive and council officers are bound by EU procurement rules which do not allow the council to vary significantly from the original 'best and final offer' accepted in July 2007, and that achieving the best value for money for Southwark's taxpayers should be paramount.
4. That council assembly believes that the regeneration of the Elephant & Castle has to put the needs of residents first, and ensure local residents who want to can move back to the area.

5. That council assembly calls on the executive to ensure that any development includes a high proportion of affordable homes and does not sacrifice the needs of residents simply because of the current property market. Council assembly agrees with the vision for the area which will provide more high quality homes, including socially rented affordable home to replace existing units on the Heygate Estate, new public squares and open spaces, and new retail units, especially for small independent traders.
6. That council assembly regrets that the recent government announcements on social housing could well result in the loss of funding for bringing existing homes in Southwark up to the 'decent' standard' and will do little to reduce the massive number of Southwark residents on the housing waiting list.
7. That council assembly notes that some developments, including at Steedman Street and Wansey Street, have already been completed and have provided both new private and affordable units.
8. That council assembly recognises the successful completion of St Mary's Churchyard, the securing of money to improve the southern roundabout, the progress being made at Strata Tower which will provide 90 shared-equity units, and the advanced negotiations with the Homes and Communities Agency to help kick start developments at the Oakmayne Plaza and London Park Hotel sites which will provide a new home for the Southwark Playhouse and new units for small independent traders.
9. That council assembly further notes the successful negotiations with the Homes and Communities Agency which have led to an increase of 200 social rented homes above the levels granted at the six Elephant and Castle housing sites.
10. That council assembly further notes and laments the failure of the former London Mayor, Ken Livingstone, to include improvements to the transport infrastructure into Transport for London's funding plans.
11. That council assembly looks forward to welcoming former US President Bill Clinton who plans to visit the Elephant and Castle to see the innovative work being undertaken to reduce carbon emissions by creating the Multi Utility Service Company (MUSCO).
12. That council assembly further notes that the previous Labour administration decided to demolish the Heygate in 1998 but then ten years later called for the council to stop the process of decanting tenants and leaseholders.
13. That it be noted that had councils like Southwark been allowed to invest in building new homes by the Labour government, then it would have been possible to have developed all the planned "early sites" at the Elephant and Castle by now.
14. That council assembly calls on the executive to move forward the regeneration vision for Elephant and Castle by using all the tools and options at its

disposals.

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

## **7.2 PRIMARY SCHOOL PLACES IN DULWICH** (see page 69 of the main agenda)

The guillotine having fallen, Councillors Toby Eckersley and James Barber, formally moved and seconded the motion.

Councillors Veronica Ward and Robert Smeath, formally moved and seconded Amendment C.

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:
  - i) That Village Ward councillors had identified the need for increased primary school provision in North Dulwich, previously recognised in the corporate plan.
  - ii) The recent complaints amongst parents in Dulwich about the perceived lack of places available for children, and about how their cases were handled by education service.
2. That council assembly requests:
  - i) The executive to request a report from education officers which clarifies the number of children in Dulwich who have not received a primary school place offer within one mile of their residence, maps their location, and considers whether pressure on primary school places will increase in the Dulwich area over the next five years.
  - ii) To identify best practice in communication with parents and providing advice at what is a difficult time for many parents who do not receive an offer for which they have indicated a preference.
  - iii) If continued pressure on primary school places in the Dulwich area, or parts of it, is predicted, to present to the executive options that may be available to expand existing provision and costs associated with these options.

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

## **7.3 ONE HOUR BUS TICKET PROPOSAL** (see page 70 of the main agenda)

The guillotine having fallen, Councillors Caroline Pidgeon and Paul Kyriacou, formally moved and seconded the motion.



Councillors Barrie Hargrove and Fiona Colley, 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 this council believes in affordable public transport and in the need to ensure that passengers who use “Pay As You Go” Oyster cards have a fair deal.
2. That council notes that in other European capital cities bus passengers have the benefit of a time-limited bus ticket which enables them to use two or three buses within a set time without having to pay again.
3. That council notes that almost a million car journeys every day in London are less than one mile in length, and supports effective ways of encouraging modal shift to public transport.
4. That council views with concern at this time of economic recession that even short journeys in London may involve using two or three buses and can cost up to £3.00 if more than one bus is needed.
5. That council notes that the average bus journey length is 3.54 km (2.2 miles, 9 stops), and that Transport for London estimate that 16% of bus journeys on Oyster ‘Pay As You Go’ involve using a second bus within 60 minutes of the first.
6. That council commends the proposal for a One Hour Bus Ticket to be available on “Pay As You Go” Oyster card, enabling passengers to use more than one bus during a 60-minute period without paying more than £1.00.
7. That council calls on the leader of the council and the lead executive member for transport to write to the Mayor of London promoting the One Hour Bus Ticket proposal; and to ask the Mayor of London to request that Transport for London investigates the practicalities of implementing such a scheme.
8. That council assembly also notes the extremely low take-up of the income support and job seeker allowance half price fares scheme in Southwark. It notes that take-up for those on job seekers allowance is 3.14% in Southwark and for income support is 2.02%.
9. That council assembly calls on the executive to explore ways to promote this scheme more widely, for instance by including an article in Southwark Life, Southwark Housing News and other council publications and ensuring information is available in One Stop Shops, housing offices, libraries and leisure centres.

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

**7.4 PRIMARY SCHOOL PROVISION IN DULWICH** (see pages 70-71 of the main agenda)

Following the voting on Motion 2, Motion 4 fell.

**8. REVISED LATE MOTION - FIRE AT LAKANAL HOUSE** (revised late motion circulated on white paper at the meeting)

The motion was considered after public question time prior to the guillotine having fallen.

An earlier version of the late motion had been published in supplemental agenda 1 but following consultation between political groups this was superseded by the revised late motion, which became the subject of the debate.

Councillor Ian Wingfield, seconded by Councillor Alison McGovern, moved the revised late motion.

Following debate (Councillors Veronica Ward, Kim Humphreys, Peter John, Dora Dixon-Fyle, John Friary, Linda Manchester and Nick Stanton), Councillor Ian Wingfield exercised his right of reply.

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

**RESOLVED:**

1. That council assembly notes, with deep sadness, the awful events at Lakanal House in Camberwell on July 3 2009, which led to the death of 6 people and a number of injuries.
2. That council assembly expresses sympathy and condolences to the families and friends of those who lost their lives. Council assembly shares the deep sense of loss, bereavement and disbelief that is felt by the whole community as a result of these terrible events.
3. That council assembly also extends its sympathies to the numerous residents of Lakanal House who have been made homeless as a result of the fire. Council assembly calls upon the executive to work with maximum speed and commitment to ensure that these residents are satisfactorily and comfortably housed in the shortest possible time.
4. That council assembly pays tribute to the bravery demonstrated by the emergency services on July 3 2009, whose work undoubtedly saved many lives. Council assembly also expresses its gratitude and sincere thanks to the professionalism and dedication shown by Southwark council officers across many departments who, since Friday, have worked tirelessly to assist those affected by this tragedy.
5. That council assembly believes that there may be serious lessons to be learnt from these tragic events, which will be relevant to similar buildings in Southwark and those owned by other local authorities and housing bodies across the

country. In that event, council assembly therefore believes it is imperative that a full and independent public inquiry be held at the earliest possible opportunity once the local investigations are complete.

6. That council assembly notes and welcomes the decision by the Secretary of State to instruct Sir Ken Knight, the government's chief fire and rescue advisor to report back to him on the various investigations into the fire and seeks assurances that this information will be shared with Southwark and other housing authorities urgently.

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

## **CLOSED AGENDA**

## **MINUTES**

### **RESOLVED:**

That the closed minutes of the meeting held on May 20 2009 be agreed as a correct record of the proceedings.

## **9. EXEMPTION FROM THE RULES GOVERNING FAILURE OF A MEMBER TO ATTEND MEETINGS**

This item was withdrawn. As a result the late amendment fell.

The meeting closed at 10.10pm.

**CHAIR:**

**DATED:**