



Council Assembly Ordinary Meeting

MINUTES of the Council Assembly (Ordinary) held on Wednesday 27 January 2010 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor for 2009-10, Councillor Jeff Hook (Chair)

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

1. PRELIMINARY BUSINESS

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

The Mayor announced the following:

- That a list of Southwark residents who had received an honour in the Queen's New Year's Honour List 2010 had been circulated around the chamber on white paper. The meeting offered its congratulations to all the recipients' of the award.
- That the New Year's Day parade had raised £2,000 for the Mayor's charity.

The Mayor offered the meeting's condolences to the families of:

- Joan Khachik, former councillor and Mayor of Southwark
- Peter Moore, town crier and assistant mace bearer and
- Cyril Herbert, President of Bermondsey and Rotherhithe Branch of the British Legion.

Tributes were paid by Councillors Nick Stanton, Barrie Hargrove and Kim Humphreys.

The meeting also offered its condolences to Councillor Toby Eckersley on the death of his mother.

Thereafter a minutes silence was held and members were also asked to remember:

- The victims of the Holocaust as 27 January was Holocaust Memorial Day
- The victims of the Haiti earthquake.

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

There were none.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members' made the following declarations:

Item 7.1 – Canada Water Publication/Submission Area Action Plan

Councillors Jeff Hook, David Hubber, Lisa Rajan, Helen Jardine-Brown, Fiona Colley and Paul Noblet declared a personal and non-prejudicial interest in this item as they live in or near the area action zone.

Councillor Paul Noblet also declared a personal and non-prejudicial interest in this item as he is a trustee of Surrey Docks farm and a governor of Redriff Primary school, both of

which are near the area action zone.

Councillor Gordon Nardell declared a personal and non-prejudicial interest in this item as he is a member of Southwark cyclist group, which made representation on the report.

Item 7.2 – Adoption of Local Development Document: Aylesbury Area Action Plan

Councillors Lorraine Lauder and Martin Seaton declared a personal and non-prejudicial interest in this item as they live within the area action zone.

Councillor Gordon Nardell declared a personal and non-prejudicial interest in this item as he is a member of Southwark cyclist group, which made representations on the report.

Councillor Chris Page declared a personal and non-prejudicial interest in this item as he is on the management committee of Inspire, which is inside the Aylesbury Area Action zone.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Denise Capstick, Mary Foulkes, Peter John, Evrim Laws and Danny McCarthy.

2. MINUTES

Report: See pages 1-61 of Supplemental Agenda No.1

RESOLVED:

1. That the minutes of the ordinary meeting of council assembly held on 4 November 2009 be agreed as a correct record.
2. That the minutes of the extraordinary meeting of council assembly held on 4 November 2009 be agreed as a correct record.

3. PETITIONS

There were none.

4. PUBLIC QUESTION TIME

Report: See page 1 of the main agenda and 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. One public questioner was in attendance at the meeting and asked a supplemental question. All questions and answers are attached as Appendix 1 to the minutes.

5. DEPUTATION REQUESTS

Report: See pages 2-9 of the main agenda

The meeting agreed to hear two deputations on the Aylesbury Area Action Plan (see item 7.2 on the agenda)

The representative for the Burgess Park Action Group, Donnachadh McCarthy, addressed the meeting. Councillors Caroline Pidgeon and James Gurling asked the deputation questions. The Mayor thanked the deputation which then withdrew to the public gallery.

The representative for Aylesbury tenants and residents addressed the meeting. Councillors Paul Bates, Richard Thomas, Abdul Mohamed, Kim Humphreys and Caroline Pidgeon asked the deputation questions. The Mayor thanked the deputation which then withdrew to the public gallery.

At this point in the proceedings, the Mayor stated that he intended to vary the order of business to consider item 7.2 – Adoption of Local Development Document: Aylesbury Area Action Plan (see relevant minute below).

6. MEMBERS' QUESTION TIME

Report: See pages 2-9 of the main agenda, page 1 of the blue paper and pages 1-21 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. There was no supplemental question. The question and answer are attached as Appendix 2 to the minutes.

There were 40 members' questions, the written responses to which were circulated on yellow paper. There were 22 supplementary questions, the answers to which are attached as Appendix 3 to the minutes.

7. REPORT(S) FOR DECISION FROM THE EXECUTIVE

7.1 CANADA WATER PUBLICATION/SUBMISSION AREA ACTION PLAN

Report: See pages 17-23 of the main agenda

The executive member for regeneration, Councillor Paul Noblet, presented the report.

Councillor Paul Bates withdrew Amendment A.

Following debate (Councillors Richard Livingstone, David Hubber, Chris Page, Lisa Rajan and Nick Stanton), Councillor Paul Noblet exercised his right of reply.

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

The clerk stated that in accordance with the budget and policy framework procedure rule 2 (g), the decision was implementable with immediate affect as the executive recommendation had not been amended.

RESOLVED:

1. That the comments of the planning committee and the Government Office for London on the Canada Water Area Action Plan publication/submission version (Appendix A of the report) and the executive's response to these comments as set out in the report (Appendix G of the report) be noted.
2. That the Canada Water Area Action Plan publication/submission version (Appendix A of the report), consultation plan (Appendix B), consultation report (Appendix C), sustainability appraisal (Appendix D), equalities impact assessment (Appendix E) and appropriate assessment (Appendix F) be agreed.
3. That the publication and submission of the Canada Water Area Action Plan publication/submission version (Appendix A of the report) to the Secretary of State in March 2010 together with any representations received be agreed.
4. That the approval of any minor amendments to the Canada Water Area Action Plan Publication/Submission Version be delegated to the strategic director of regeneration and neighbourhoods in consultation with the executive member for regeneration before submission to Secretary of State.

7.2 REPORT - ADOPTION OF LOCAL DEVELOPMENT DOCUMENT: AYLESBURY AREA ACTION PLAN

Report: See pages 34-40 of the main agenda

The executive member for regeneration, Councillor Paul Noblet, presented the report.

Following debate (Councillors Richard Thomas, Paul Bates, Kim Humphreys, Jenny Jones, Nick Stanton and Gordon Nardell), Councillor Paul Noblet exercised his right of reply.

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

The clerk stated that in accordance with the budget and policy framework procedure rule 2 (g), the decision was implementable with immediate affect as the executive recommendation had not been amended.

RESOLVED:

That council assembly having considered:

- a) the recommendations of the executive;
- b) the binding recommendations of the Planning Inspector on the Aylesbury Area Action Plan (Appendix A2 of the report) and the comments of planning committee; and,
- c) the Aylesbury Area Action Plan – final (Appendix A1 of the report) incorporating the binding recommendations of the Inspector and the change proposed by executive and planning committee, adoption statement (Appendix B), consultation report (Appendix C), sustainability appraisal (Appendix D), equalities impact assessment (Appendix E) and appropriate assessment (Appendix F);

thereafter adopted the Aylesbury Area Action Plan – final (Appendix A1 of the report) incorporating the binding recommendations of the Inspector and the change proposed by executive and planning committee and the sustainability appraisal (Appendix D).

8. REPORT(S) FOR INFORMATION FROM THE EXECUTIVE

8.1 REPORT BACK ON MOTIONS REFERRED TO EXECUTIVE FROM COUNCIL ASSEMBLY

Report: See pages 41-45 of the main agenda

RESOLVED:

That the report be noted.

9. OTHER REPORTS

9.1 THE COUNCIL TAX BASE 2010-11

Report: See pages 46-59 of the main agenda

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

Councillor Richard Livingstone, seconded by Councillor Mark Glover, moved Amendment B.

Following debate (Councillor Tim McNally), Amendment B was put to the vote and declared to be lost.

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

RESOLVED:

That the council tax base for 2010-11 be set at:

	Number of band D equivalent properties
For the parish of St. Mary Newington	13,348.53
For the parish of St. Saviour's	1,150.92
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	81,919.50
For the whole borough	96,418.95

9.2 PROPORTIONALITY REPORT

Report: See pages 60-65 of the main agenda and pages 1-4 of supplemental agenda 2

In accordance with council assembly procedure rule 2.10(2) the Mayor formally moved the recommendation contained within the addendum report, which had been circulated in Supplemental Agenda No.2.

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

RESOLVED:

That in light of recent membership changes on the council the most proportionate allocation on ordinary committees be agreed as option 3:

Option 3 – The total number of seats on ordinary committee remains at 35 seats, with a revised allocation on corporate parenting committee (see paragraph 8 of the addendum report and appendix).

	Lib Dem	Lab	Cons	Total
Committee 1 (Appointments Committee)	3	3	1	
Committee 2 (Planning Committee)	3	3	1	
Committee 3 (Disciplinary Appeals Committee)	4	4	0	
Committee 4 (Audit and Governance Committee)	2	2	1	
Committee 5 (Corporate Parenting Committee)	4	3	1	
Total no. of seats	16	15	4	35

10. MOTIONS

Report: See pages 66-71 of the main agenda

10.1 MOTION 1 - TRANSFORMING SOUTHWARK COUNCIL

Report: See page 67 of the main agenda

Councillor Paul Bates sought the consent of the meeting to allow Councillor John Friary to move Amendment E in the absence of Councillor Peter John. The consent was granted.

Councillor Nick Stanton, seconded by Councillor Kim Humphreys, moved the motion.

Councillor Lisa Rajan, seconded by Councillor Caroline Pidgeon, moved Amendment C.

During debate (Councillors Veronica Ward, Paul Noblet, Chris Page, Andrew Pakes, Dominic Thorncroft, Alison McGovern, Bob Skelly, Anood Al-Samerai and Lewis Robinson), Councillor Kim Humphreys made a point of personal explanation. Following which Councillor Nick Stanton exercised his right of reply.

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

Councillor Paul Kyriacou, seconded by Councillor James Barber, moved Amendment D.

During debate (Councillors Barrie Hargrove and Nick Stanton), the bell was rang. The Mayor then announced that the guillotine had fallen.

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

The guillotine having fallen, Councillors John Friary and Martin Seaton, 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 notes the transformation of Southwark over the last eight years, from one of the worst performing London boroughs under Labour control to one of the best.
2. That in particular council assembly notes how prudent budgeting and financial competence has meant Southwark residents have benefited from cost of living tax rises, rather than inflation busting rises under Labour, illustrated by Band D council tax increasing 94% from £397 to £776 between 1994 and 2002 and by just 17.5% (to £912) since then, protecting pensioners and those on fixed incomes.
3. That council assembly also notes the rise in council tax collection rates from just 80% under Labour to 96% last year and believes they are set to rise further as a result of the council's decision to bring the service in-house.

4. That council assembly is pleased to record that local peoples' satisfaction with the council has increased in this time from 57% in 2000 to 67% in 2008 and notes that local environments are much improved with people feeling much safer walking outside their homes, and more satisfied with street lighting, street cleaning and recycling than they were under the previous Labour administration.
5. That council assembly further notes that after many years' delay and lack of commitment under Labour, all of the big regeneration schemes – Bermondsey Spa, Canada Water, Aylesbury and Elephant and Castle – are together on course to transform the borough.
6. That in addition, council assembly notes the council's record housing investment that has seen, over the last five years, a £374m major works programme (over and above the Labour government's basic standard) including roof repairs, window replacements, electrical rewiring, boiler replacements, concrete repairs, external decorations, cavity wall and loft insulation and kitchen and bathroom refurbishment (including a doubling of spending from £4.1m pa to £8.7m pa on lifts, heating, electrics and tank room refurbishments); recognises this approach has widespread support from the tenants' movement and is reflected in increased tenants' satisfaction with housing services and believes much more could be achieved if the government ended the spending restrictions on the council.
7. That council assembly welcomes Simon Hughes MP's Town and Country Planning Act (Amendment) private member's bill which by proposing to lift restrictions on the use of planning gain would significantly increase resources for Southwark's social housing of all types, and calls on all the borough MPs to support it in the House of Commons.
8. That council assembly is delighted at the continued achievements of Southwark school students, with the highest ever pass rates at GCSE in 2009 – with the total gaining five or more A* to C grades including English and maths increasing to 46.0% and the number of those achieving five or more A* to C grades in total improving from 56.3% in 2008 to 67.5% in 2009. Assembly further notes this improvement is mirrored in the borough's primary schools which now boast results better than leafy shires such as Essex and East Sussex.
9. That council assembly notes that educational achievement was so poor under the Labour administration, with woeful pass rates for GCSE and barely half of 11 year olds competent in English and maths, that the education department had to be put in special measures by the government and handed to the private sector.
10. That council assembly welcomes the recognition for Southwark's recent educational improvement from local MPs and others, and particularly notes comments from Harriet Harman that "In the past only a few Southwark young people went on to further and higher education. This is now changing. Previously only 185 Camberwell and Peckham young people started university. This year there are 525 young people entering further and higher education" (Source: Annual Report 2009). And congratulates all students, staff and parents for all their hard work and dedication.

11. That council assembly notes the six fold increase in recycling in the last eight years, from just 3.6% in 2002 under the previous Labour administration to 21% in 2009 and strongly regrets the lack of priority given to recycling and environmental issues by the previous Labour administration.
12. That council assembly notes the various initiatives taken by the current administration to boost recycling including the current introduction of a simple single co-mingled recycling bin to replace the various containers and the introduction of the clear bag collection service now available to over 41,000 properties including residents living in flats above shops and other hard to reach dwellings. Further notes there are now also 553 publicly accessible bring sites in the borough, 410 recycling sites within Southwark's private estates, commuter bins in and around transport hubs, a recycling enforcement programme and a complementary incentivisation scheme to boost recycling participation.
13. That council assembly notes the additional materials that residents are now able to recycle in Southwark with battery points installed in all libraries in the borough, the Town Hall and Manor Place offices (in addition to the household waste reuse and recycling centre) and two additional tetra pak sites have been put in place, with another two to follow in the near future. Notes there are now a total of 25 locations in the borough where textiles can now be recycling.
14. That council welcomes the decision to extend further the range of materials recycled with the introduction of food waste collections, which will be in place by 2015 at the latest, and a programme of improvements on council, housing association and private estates right across the borough, expanding the clear bag scheme and installing or improving recycling centre facilities and believes that all these initiatives will mean Southwark will further massively boost recycling rates to 40% and beyond.

10.2 MOTION 2 - SOCIAL CARE IN SOUTHWARK

Report: See pages 67-68 of the main agenda

The guillotine having fallen, Councillors Dora Dixon Fyle and John Friary, formally moved and seconded the motion.

Councillors David Noakes and Nick Stanton formally moved and seconded Amendment F.

Amendment F 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 is grateful for the hard work and dedication of both the council's own social care staff and those of partner organisations providing care in the borough.
2. That council assembly regrets the publication of the recent draft report from the Care Quality Commission (CGC) without any input from the council because of the

commission's refusal to discuss their findings with the council and notes the significant flaws, inaccuracies and factual errors including:

- a) criticism of the the council's customer service centre based on a small sample survey which ignored evidence from the council's own customer service surveys showing increasing satisfaction. Council assembly also notes the inspector failed to visit the dedicated and specialist call centre dealing with the most vulnerable residents.
 - b) contradictory assumptions about the council's spending on adult social care including the claim that "the proportion of council spend directed to adult social care was in the lowest quartile nationally", when the Audit Commission confirms that the council spends in the highest quartile nationally and the social care component of the council's formula grant as calculated by the Department for Communities and Local Government (DCLG) is in fact £22 million less than actual spending.
 - c) failure to recognise the council's beacon status for promoting cohesion, equality and driving out discrimination.
3. That council assembly welcomes the statement by Labour Minister of State for Care Services, Phil Hope, who in his letter to the council on 2 December acknowledges that the council is not a poor performer.
 4. That council assembly believes that if the CQC report was a true reflection of a deterioration in service that this would have been picked up through complaints, MPs casework and council questions and motions. Council assembly notes that Harriet Harman states in her most recent annual report that social care issues were just 1.5% of the total, for Simon Hughes these were just 2% of the total caseload and that opposition members asked not a single question on the quality of social care in the last two years.
 5. That council assembly supports the call for the findings to be subject to independent scrutiny to establish the facts, to allow the council to agree where improvement is actually needed and take action to improve services.

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

10.3 MOTION 3 - LOCAL RAIL SERVICES

Report: See page 69 of the main agenda

The guillotine having fallen, Councillors Toby Eckersley and Nick Vineall, formally moved and seconded the motion.

Councillors Fiona Colley and Mark Glover formally moved and seconded Amendment G.

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 in light of the potentially detrimental effect on the amenity of the Herne Hill and Elephant and Castle area, the council views with serious concern the proposals by Network Rail and/or First Capital Connect to terminate the Thameslink Wimbledon loop services at Blackfriars. Council notes concern amongst residents over adequate consultation and calls upon the executive and officers to liaise with other affected London boroughs to explore alternative options for the continuation of the current service providing through trains to Farringdon (for Cross Rail), to Kings Cross St Pancras (for Eurostar and other mainline services) and points north to Bedford.
2. That council assembly welcomes the recent extension of SouthEastern services from Nunhead, Peckham Rye, Denmark Hill and Elephant & Castle stations through the Thameslink tunnel from Blackfriars to Kentish Town, providing through trains for residents in Nunhead, East Dulwich, Peckham Rye and Camberwell to City Thameslink, Farringdon, Kings Cross St Pancras and Kentish Town. Council supports the proposal that these services should be retained on completion of the Thameslink programme in 2015 and calls on the executive to lobby to protect these services and indeed for additional services and destinations to be added for these stations when the increased capacity through the Thameslink tunnel is available.
3. That council assembly also notes the abysmal service currently being provided by First Capital Connect (FCC) and calls on the executive to support local MPs and London Assembly members in lobbying to ensure that a full service is restored, including removing the franchise from FCC if services do not improve rapidly, and to ensure that commuters are properly compensated for the disruption.

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

10.4 MOTION 4 - IMPROVING PUBLIC TRANSPORT ON THE RIVER THAMES

Report: See pages 69-70 of the main agenda

The guillotine having fallen, Councillors David Hubber and Lewis Robinson, formally moved and seconded the motion.

Councillors Barrie Hargrove and Althea Smith formally moved and seconded Amendment H.

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

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

RESOLVED:

That council assembly notes:

1. The River Thames is an integral part of the London Borough of Southwark, not just

as a landmark, but as part of our transport system.

2. The recent publication of the report “At a Rate of Knots – Improving Public Transport on the Thames”, that contains a number of proposals to improve river transport.

That council assembly believes:

3. That the restoration of the River Thames on the next edition of the standard tube map, recognising its potential as part of London’s transport network, should be welcomed.
4. Improved river transport will attract more visitors to the borough, as demonstrated by the successful shuttle service which runs between Tate Modern and Tate Britain.
5. The council’s plans to complete the Thames Path in Southwark will provide greater accessibility to river transport and enable visitors to explore the borough with greater ease.
6. That the potential for the expansion of river services exists, although it would wish to be assured that increased public subsidy for river services (as recommended by “At a Rate of Knots”) could be achieved without a knock-on effect on subsidy levels for those transport modes on which a wider range of Southwark residents rely, including buses, underground and mainline rail.
7. That improving cross-river links is of equal importance to the borough. Council assembly therefore regrets the indications from the Mayor of London that Transport for London (TfL) is unlikely to contribute towards the development of a foot and cycle bridge over the Thames at Rotherhithe.

That council assembly requests the executive:

8. To consider how Southwark can promote greater awareness amongst our residents of existing river services and how they can use them.
9. To request that Southwark’s transport policy team consider the proposals in the report, liaise with Transport for London (TfL) and the London Mayor’s office, produce a report to executive on their viability and how Southwark could support them.
10. To request that Southwark’s transport policy team also consider as part of this report any public realm improvements associated with the completion of the Thames Path.
11. To request that the executive re-iterates its support for a new foot and cycle river crossing in the east of the borough and writes to the Mayor of London asking him to reconsider his position on such a project.

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

10.5 MOTION 5 - SOUTHWARK’S RECYCLING SHAME

Report: See page 70 of the main agenda

Motion 5 and Amendment I fell. This was because Amendment D to Motion 1 (Transforming Southwark Council), which was on a similar subject, had been carried.

11. AMENDMENTS

The amendments are set out in Supplemental Agenda 3.

The meeting closed at 10.08pm.

CHAIR:

DATED: