



EXECUTIVE

MINUTES of the OPEN section of the meeting of the EXECUTIVE held on Tuesday September 23 2008 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Nick Stanton, Leader of the Council
Councillor Kim Humphreys, Deputy Leader and Housing
Councillor Paul Kyriacou, Community Safety
Councillor Tim McNally, Resources
Councillor Adele Morris, Citizenship, Equalities and Communities
Councillor David Noakes, Health and Adult Care
Councillor Paul Noblet, Regeneration
Councillor Lisa Rajan, Children's Services and Education
Councillor Lewis Robinson, Culture, Leisure and Sport

1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jeff Hook.

2. **NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS AS URGENT**

There were no late items.

3. **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

None were declared.

4. **PUBLIC QUESTION TIME**

The following public question was submitted by Mr. Hewitt:

"Currently how much is the Southwark Tenants Fund levy (in pence per week) and is it compulsory to pay it?"

Councillor Kim Humphreys provided the following response:

“The 1985 Housing Act gives local authorities the power to "make such reasonable charges as they may determine for the tenancy or occupation of their houses". Southwark Council's tenants are not being charged a tenants' fund "levy" on top of their rent and other charges: the contribution to the tenants' fund comes from the rent that tenants pay. Therefore, tenants may not opt out of paying this portion of their rent.

In 2008/09, of the rent that tenants pay each week 21 pence goes towards the tenants' fund. This amounts to £10.92 per annum”

Mr. Hewitt was not present and it was agreed to send him a copy of this response.

5. **MINUTES**

RESOLVED: That the open minutes of the meeting held on June 24 2008 be agreed as a correct record and signed by the chair.

The executive considered the items set out on the open agenda, a copy of which has been incorporated in the minute file. Each of the following paragraphs relates to the item bearing the same number on the agenda.

6. **SOUTHWARK TREE REVIEW** (see pages 1-19)

Councillor Robin Crookshank Hilton attended the meeting to present the scrutiny report.

RESOLVED: The recommendations of the scrutiny report were considered with an agreement to provide a written response to the overview and scrutiny committee within two months.

7. **GATEWAY 1 – PROCUREMENT STRATEGY APPROVAL – ARBORICULTURAL SERVICES CONTRACT** (see pages 20-27)

RESOLVED: That the external procurement strategy outlined in the report for the Arboricultural Services Contract be approved.

8. **MICHAEL FARADAY PRIMARY SCHOOL – PERMANENT ENLARGEMENT AND INCREASE IN ADMISSION NUMBER** (see pages 28-39)

RESOLVED: That, in the light of the outcome of the statutory consultation process, agreement be given to permanently enlarge Michael Faraday School's capacity from 315 to 420 pupils and to increase the School's admission number from 45 to 60 from September 1 2010.

- **DEPUTATION REQUEST FROM MR. CHRIS HORN, ENGLEWOOD PLC (OWNERS OF EILEEN HOUSE)**

RESOLVED: That the deputation be heard.

Mr. Chris Horn addressed executive as a representative of Englewood Plc in support of the adoption of the Elephant and Castle Enterprise Quarter SPD. Englewood Plc are the owners of Eileen House at the junction of Southwark Bridge Road and Keyworth Street and they welcomed the adoption of the Elephant and Castle Enterprise Quarter SPD.

9. **ELEPHANT AND CASTLE ENTERPRISE QUARTER, WALWORTH ROAD, AFFORDABLE HOUSING, RESIDENTIAL DESIGN STANDARDS AND TRANSPORT SUPPLEMENTARY PLANNING DOCUMENTS** (see pages 40-50 & appendices pages 1-225)

Executive considered written submissions made in respect of this item from Mr. Richard Lee, Ms. Sam West, Al-Issa Munu (committee member and delegate to Borough and Bankside Forum) and Rockingham Community Association. Executive also heard a deputation from Mr. Chris Horn from Englewood Plc.

RESOLVED: That consideration of this item be deferred to an adjourned meeting of the executive to take place on Friday September 26 2008 at 3.30pm.

10. **DISPOSAL OF 34 HAYLES STREET, LONDON SE11 4SS** (see pages 51-56)

RESOLVED: 1. That the deputy chief executive be authorised to dispose of the Council's freehold interest in 34 Hayles Street, London SE11 4SS, either at auction or by an alternative method of sale.

2. That the deputy chief executive be authorised set the level of reserve, below which the property will not be sold, prior to any sale at auction; or, in the event of an alternative method of sale, set the minimum price at a sum that equates to best consideration.

11. **GATEWAY 2 – CONTRACT AWARD APPROVAL AND GATEWAY 3 CONTRACT VARIATION – HOUSING REPAIRS AND MAINTENANCE** (see pages 57-66)

RESOLVED: 1. That the award of the housing repairs and maintenance contract be approved as follows :

- a. Morrison FS (lot 3 & 4)
- b. Morrison FS – elements of programmed internal work (lots 3 & 4), subject to recommendation 3
- c. Kier Support Services Ltd – elements of programmed internal work for lot 1 & 2 subject to recommendation 3

2. The retention 'in house' with Southwark Building Services of Lots 1 & 2 for the repairs and maintenance service be approved.

3. That the executive member for housing be given delegated authority to approve the award of 1b and/ or 1c above subject to final clarifications.

4. That the current contractual arrangements (RM2000 contract) with Morrison and SBS for the repairs and maintenance service (repairs contract & out of hours contract) are extended until the start of the new contractual arrangements, allowing for mobilisation, expected to be in January 2009.

5. Future extension arrangements are delegated to an appropriate chief officer.

6. That officers arrange a Member briefing on the implementation of this contract.

12. **NOMINATIONS TO LONDON COUNCILS GRANTS COMMITTEE 2008-2009** (see pages 67-69)

RESOLVED: That Councillor Kim Humphreys be appointed as the representative on the London Councils Grants Committee.

NOTE: In accordance with the provisions of section 22.1 (b) of the overview and scrutiny procedure rules (decisions for urgent implementation) the chair of overview and scrutiny committee has agreed that this decision may be treated as a matter of urgency and is therefore not subject to call in.

13. **MOTIONS REFERRED FROM COUNCIL ASSEMBLY** (see pages 70-75)

Bus and Tram Discount Card

- RESOLVED:**
1. That it be noted that the Mayor of London Boris Johnson announced over the late May bank holiday weekend that the bus and tram discount card would not be renewed from this August with the last cards becoming invalid in late February next year.
 2. That it be noted that the bus and tram discount card was funded through an agreement between the Mayor, Transport for London and Venezuelan Oil Company Petroleos de Venezuela Europa, which provided a 20% reduction in the price of fuel for London's bus fleet, which was passed on by providing the discount card.
 3. That it be noted that gross domestic product (GDP) per head in Venezuela is \$4810, less than one tenth that in the UK, where GDP per head is \$54,602. It is believed that it is inconsistent, inappropriate and unfair to expect Venezuela's poor to subsidise transport discounts for London's poor.
 4. That it be noted that as of November 2007, there were 17,320 Southwark residents receiving income support, making them eligible for the discount card, but that as of June 18 2008, less than 1 in 5 - 3178 residents - had taken up the discount card. It is believed that this low take-up rate makes it appropriate to review the efficacy of the discount scheme.
 5. That it be noted that in answer to a question from London Assembly Member Darren Johnson, the Mayor stated that he had asked Transport for London "to investigate more suitable forms of fares concession for low income Londoners for consideration at the next fares revision.
 6. That the Mayor's recent announcement to provide free travel in Greater London to all injured war veterans, war widowers and eligible dependents not eligible for freedom passes as of November 2 in recognition of their service to the country and hardships they have faced be welcomed.

7. That the executive write to the Mayor of London expressing its concerns over the effect that the removal of the discount card will have on some of the most vulnerable families in Southwark but welcoming his decision not to force vulnerable families in Venezuela to subsidise their transport.
8. That the executive requests the Mayor to investigate more suitable forms of fares concession and for him to come forward with new proposals at the next fares revision, as he has already undertaken to do.

East Street Market

- RESOLVED:**
1. That the strong support for the petition on the repair of East Street Market be noted.
 2. That it be noted that the decisions on road resurfacing are based on a strict assessment of risks posed by the state of the road. It is further noted that this risk assessment is based on a scanner survey of all of the boroughs roads which gives a priority score for each road, together with other factors including usage, proximity to services and location.
 3. That it be noted that Southwark's road network consists of 349km of roads and that under the risk assessment criteria, East Street is not a priority for resurfacing, being 1783rd on the list of 2072 roads for resurfacing.
 4. That it is noted that under the last Labour administration, regular preventative maintenance of the borough's road network was not undertaken and that this has only been undertaken since 2005, when this administration created a £5 million fund for the maintenance of highways and lighting.
 5. That it be noted on average, there are 210 pitches in use at East Street market today, compared to 240 ten years ago, a reduction of 12.5% and that this compares well with other London markets, where the reduction in usage is much greater, in some cases being as much as 42%. It is believed that this proves the continuing appeal of the market and the success of the council's efforts to support it.
 6. That the market is a genuine part of the Walworth area's heritage, that it has the potential to attract a significant number of people to the area and that a broader regeneration of the market is desirable.
 7. That it be noted however that under the London Local Authority Act 1990, any improvements to markets must be funded solely from receipts generated by the fees and charges paid by market traders.
 8. That to increase the charges payable by market traders in order to fund significant regeneration is unfair and untenable.

9. That it be noted that the future of all of Southwark's markets, including the market at East Street and how they can be improved is being investigated.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and,

RESOLVED: That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in category 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the decisions taken in the closed section of the meeting.

1. **MINUTES**
2. **GATEWAY 1 – PROCUREMENT STRATEGY APPROVAL – ARBORICULTURAL SERVICES CONTRACT**

The decision relating to this item is set out under item 7 of the open minutes.

3. **GATEWAY 2 – CONTRACT AWARD APPROVAL AND GATEWAY 3 – CONTRACT VARIATION – HOUSING REPAIRS AND MAINTENANCE**

The decision relating to this item is set out under item 11 of the open minutes.

NOTE: Executive stands adjourned until Friday September 26 2008 at 3.30pm, so as to enable consideration of item 9, Elephant and Castle Enterprise Quarter, Walworth Road, Affordable Housing, Residential Design Standards and Transport Supplementary Planning Documents.

The meeting ended at 8.55pm

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 18 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY OCTOBER 1 2008.

THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE, WITH THE EXCEPTION OF ITEM 12, NOMINATIONS TO LONDON COUNCILS GRANTS COMMITTEE 2008-2009 (URGENT IMPLEMENTATION). SHOULD A DECISION OF THE EXECUTIVE BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.