

Item No. 8.1	Classification: Open	Date: June 27 2007	Meeting Name: Council Assembly
Report title:		Report back on motions referred to executive from council assembly	
Ward(s) or groups affected:		All	
From:		Executive	

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – FREE TRAVEL ON BUSES

Executive on April 24 2007 considered the following motion referred from council assembly on February 21 2007, which had been moved by Councillor Barrie Hargrove and seconded by Councillor Andrew Pakes:

1. That council assembly notes the budget proposal brought by some London Assembly members to remove free bus travel for under 18s in full time education and under 16s.
2. That council assembly notes that free travel for under 18s in full time education and for under 16s is a benefit that saves families with school-age children £350 a year for each child. In addition to this financial benefit it also gives young people in Southwark the freedom to take advantage of the great cultural opportunities available to them across London. The suggested replacement of this London-wide scheme with a pilot school bus programme in just 6 boroughs would be wholly inadequate.
3. That council assembly also notes the unproven complaints of some London Assembly members that anti-social behaviour on buses has increased since the introduction of the scheme. Council assembly believes that anti-social behaviour on London's bus network by a tiny minority of recipients of these free passes should be tackled by greater use of the powers to remove free travel passes from the perpetrators rather than from all young people.
4. That council resolves to ask the executive to:
 - (i) Support free bus travel for under 18s in full-time education and under-16s;
 - (ii) Represent this position at meetings of London Councils; and,
 - (iii) Write to all London Assembly Members expressing Southwark's support for the scheme.

We agreed the above motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – LEGAL AID

Executive on April 24 2007 considered the following motion referred from council assembly on March 28 2007, which had been moved by Councillor Paul Noblet and seconded by Councillor Mackie Sheik:

1. That council assembly noted:

- (1) The plans by the government, led by Harriet Harman MP and other ministers, for changes to the funding regime for legal aid cases;
- (2) That changes will involve a move towards national fixed fees on a 'type of law' basis with no additional London weighting;
- (3) That the demands on legal aid have increased sharply since 1997 as a result of the increased number of offences on the statute book;
- (4) That spending on civil legal aid has fallen in real terms by over 20% since 1997; and,
- (5) That nine legal firms in Southwark have stopped undertaking legal aid cases in the past 12 months due to past changes in the funding regime and that this represents a fall of 43%.

2. That council assembly believed:

- (1) That higher costs and longer case lengths in London will act as a disincentive to firms to undertake legal aid work under the new funding regime;
- (2) That black and ethnic minority firms are worried that they may be forced into mergers, which interfere with their identity or that leading lawyers will no longer be able to head up firms, providing important role models for their communities;
- (3) That fewer firms undertaking legal aid will have an adverse effect on the residents of Southwark who will find it more difficult to find a solicitor willing to take on their case;
- (4) That the cost of providing services for people for whom English is not a first language is likely to be higher and consequently that fewer firms will be willing to take them on; and,
- (5) That black and minority ethnic populations could suffer disproportionate cuts in their access to services as a result of these changes.

3. That council assembly resolved:

- (1) To ask the executive to campaign to urge Harriet Harman MP and the government to halt the move towards the fixed fee funding regime for legal aid cases; and,
- (2) To ask the executive to make local groups who have an interest in these matters aware of the changes and the potential effect on them and to urge them also to have their say.

We agreed the above motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – DISTRICT HEATING SYSTEMS

Executive on April 24 2007 considered the following motion referred from council assembly on March 28 2007, which had been moved by Councillor Kirsty McNeill and seconded by Councillor Paul Bates. An amendment to the motion was moved by Councillor Kim Humphreys and seconded by Councillor Jane Salmon and the amended motion was referred to executive as follows:

1. That council assembly note:

- (1) When the Heygate heating fails it also fails on the neighbouring Salisbury estate, which is run off the same system;
- (2) So far this year, the heating has been out for 3 days in January, 9 days in February and 5 days in March. Outages occur with no warning and can last for several hours;
- (3) Heating outages have also taken place on the Aylesbury estate over this period including during Christmas when the heating failed on a number of blocks;
- (4) That this is taking place at the time when heating charges for Southwark's tenants are increasing by 46%;
- (5) These cost increases come following increases in charges of more than 29% for tenants across the borough last winter; and
- (6) Leaseholder charges do not just reflect gas prices - they include the costs of repairs to the system, boiler house running costs and management. The cost of gas has risen by 47% but this compares to a 70% increase in prices over the same period and our rates still being 30% lower than current domestic rates.

2. That council assembly believes:

- (1) Responsibility for the disrepair and poor maintenance of the heating falls squarely with the council and that in order to fix the problem responsibly, pipes will need replacing at a cost of £227,000;
- (2) Residents and leaseholders should pay a fair amount for provision of heating and hot water with the cost of fuel solely accounting for the 46% the increase in heating charges;
- (3) Residents should be adequately compensated for the loss of heating and hot water experienced during this very cold and wet winter, including on one day of snow and as such recognises that an existing, ongoing review of compensation processes is already underway;

- (4) That every effort is been made to ensure that the Heygate estate remains habitable. This has been reflected by policy announcements on repairs & maintenance, including the repairs action plan; policy on pest control provision including changes to treatment of block infestations, bedbugs and to bring the service back in-house. This has also been seen in the successful estate blitz which tackled anti-social behaviour, issued fixed penalty notices and stormed a crack house among other things and was followed up by a comprehensive audit. An action plan on the Heygate is currently being prepared which will proactively tackle issues on the Heygate in a similar manner to the success that the housing office has had at the Aylesbury; and,
- (5) Council assembly believes that regeneration should not be an excuse to abandon the residents of the Heygate, Aylesbury estates and wider Elephant and Castle neighbourhood.

3. That council assembly therefore resolves:

- (1) To request the executive or the relevant decision maker to agree to the proposal of replacing the pipework on the Heygate at a cost of £227,000;
- (2) To call on the executive to complete its review of compensation arrangements as quickly as feasible.

We noted the advice given by the council's strategic director of environment and housing and the plans in place for interim, mid-term and long-term solutions.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – SOUTHWARK SCHOOLS FOR THE FUTURE

Executive on April 24 2007 considered the following motion referred from council assembly on March 28 2007, which had been moved by Councillor Caroline Pidgeon and seconded by Councillor Bob Skelly:

1. That council assembly welcomes:

- (1) The commitment from the executive to providing the best possible learning environment for Southwark's children and young people;
- (2) The detailed pupil place planning work which shows the need for additional secondary school places, particularly in the north of the borough;
- (3) The exceptional performance by Southwark pupils and many schools, in particular Boutcher, Beormund and Cobourg primary schools which came at the top of their respective league tables;
- (4) The success of Southwark's bid to the Department for Education and Skills (DfES) for approximately £186 million for state of the art school buildings through the Southwark Schools for the Future programme
- (5) The addition of £20 million of Southwark's own capital funds to the schools building programme; and,
- (6) The commitment to opening a temporary site for the new Harris Boys Academy East Dulwich for September 2008 and on its permanent site in September 2009.

2. That council assembly believes that the best way of ensuring that every Southwark child receives the best possible education is for all local schools to be of a high quality.
3. That council assembly requests the executive:
 - (1) To continue to work with the Harris Foundation and other interested parties to ensure that the new Harris Boys school opens on its temporary site in September 2008 and on its permanent site in September 2009;
 - (2) To press ahead with the plans for a new secondary school in the Rotherhithe area and another in the Walworth area, to ensure that the borough meets the projected demand for secondary school places;
 - (3) To ensure that one of the new secondary schools is an eco-school, where the environment and sustainability is at the heart of the curriculum, as well as the build and to press the government to release funds to build schools to higher eco-standards;
 - (4) To ensure where possible, that school facilities are opened up to the wider community out of school hours, ensuring that schools are genuinely at the heart of the community and a resource for adult and family learning; and,
 - (5) To lobby the government finally to change the legislation to ensure that VAT is not payable on new school buildings if they are rented out to community groups for extended school activities.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – UNITARY DEVELOPMENT PLAN

Executive on April 24 2007 considered a motion referred from council assembly on March 28 2007, which had been moved by Councillor Richard Thomas and Councillor Nick Vineall. Council assembly agreed two amendments to the motion and referred the motion, as amended, to the executive as follows:

1. That council assembly note:
 1. The suburban character of Rotherhithe, East Dulwich, Nunhead and Herne Hill;
 2. The proposal to retain the designation of these areas as suburban in the council's new unitary development plan (UDP);
 3. That the UDP would limit housing densities to a maximum of 350 habitable rooms per hectare in these areas;
 4. The strong support shown by Southwark residents for this aspect of the council's UDP;
 5. That the provision of affordable homes in Southwark is a crucial issue and that the council is on course to meet its targets in this regard – something that was recognised by the Inspector who scrutinised the draft UDP;

6. The decision by the Mayor of London to object to the designation of the 'suburban north zone' including Rotherhithe, East Dulwich, Herne Hill, Nunhead and North Dulwich;
 7. The decision by the secretary of state to direct Southwark to amend its UDP overruling the clear recommendations of the independent inspector; and,
 8. That the UDP has received unanimous cross party backing within this council chamber on its recommendations with regards to density;
 9. The request by the executive to assembly to consider taking legal action in support of its campaign on development density; and
 10. The subsequent decision by the government to return to the negotiating table.
2. That council assembly welcomed the support shown for its campaign by local MPs and GLA member.
 3. That council assembly welcome the decision by the government to negotiate in good faith on these issues.
 4. That council assembly affirm its support for local planning policies that enable the council to resist development at densities that are inappropriate to local character. We note that the secretary of state's reasons for her direction include the draft Further Alterations to the London Plan, which characterise "urban" areas as those with 'for example terraced houses, a mix of different uses, medium building footprints and typically buildings of two to four storeys', and the observation that 'the lower density range (which overlaps with that of suburban) is appropriate for less accessible sites'. These provide welcome scope for negotiation of modifications to UDP policy that are acceptable to local communities while meeting the concerns behind the secretary of state's direction.
 5. That council assembly welcome the recommendations made by the planning committee, and accepted by the executive, on March 20 and calls on the executive:
 - To negotiate with the government to seek an agreement which will recognise the suburban character of Rotherhithe, East Dulwich, Herne Hill, Nunhead and North Dulwich;
 - To consider what further action, including a legal challenge, might be appropriate if negotiations fail to achieve an acceptable resolution.

We noted the current position and that events had moved on since the above motion.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive agenda and minutes	Constitutional Team, Town Hall, Peckham Road, London SE5 8UB	Paula Thornton 020 7525 4395

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Team Manager	
Report Author	Paula Thornton, Constitutional Team	
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Finance Director	No	No
Executive Member	No	No
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