



COUNCIL ASSEMBLY
(ORDINARY MEETING)

MINUTES of the OPEN section of the meeting held on MONDAY 24TH FEBRUARY 2003 at 7.00 .P.M. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Denise Capstick

Councillor Margaret Ambrose	Councillor Eliza Mann
Councillor Alfred Banya	Councillor Abdul Mohamed
Councillor Mick Barnard	Councillor Alison Moise
Councillor Beverley Bassom	Councillor Kenny Mizzi
Councillor Paul Bates	Councillor Catriona Moore
Councillor Columba Blango	Councillor Vicky Naish
Councillor Catherine Bowman	Councillor Graham Neale
Councillor David Bradbury	Councillor Gavin O'Brien
Councillor Fiona Colley	Councillor Dr. Abdur-Rahman Olayiwola
Councillor Dora Dixon-Fyle	Councillor Michelle Pearce
Councillor Toby Eckersley	Councillor Caroline Pidgeon
Councillor Stephen Flannery	Councillor Catriona Moore
Councillor John Friary	Councillor Richard Porter
Councillor Norma Gibbes	Councillor Mark Pursey
Councillor Mark Glover	Councillor Lisa Rajan
Councillor Aubyn Graham	Councillor Tony Ritchie
Councillor James Gurling	Councillor Lewis Robinson
Councillor Barrie Hargrove	Councillor William Rowe
Councillor Alun Hayes	Councillor Andrew Simmons
Councillor Jeffrey Hook	Councillor Tayo Situ
Councillor David Hubber	Councillor Robert Smeath
Councillor Kim Humphreys	Councillor Charlie Smith
Councillor Johnathan Hunt	Councillor Bob Skelly
Councillor Peter John	Councillor Nick Stanton
Councillor Billy Kayada	Councillor Richard Thomas
Councillor Paul Kyriacou	Councillor Dominic Thorncroft
Councillor Jelil Ladipo	Councillor Veronica Ward
Councillor Lorraine Lauder	Councillor Neil Watson
Councillor Danny McCarthy	Councillor Sarah Welfare
Councillor Dermot McInerney	Councillor Ian Wingfield
Councillor Linda Manchester	Councillor Anne Yates
	Councillor Lorraine Zuleta

66. PRELIMINARY BUSINESS

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

The Mayor announced Rod Jarman was leaving the post of Southwark Borough Commander to take over a new central command role within the Metropolitan Police. On behalf of the Council, she thanked Commander Jarman for his very significant contribution over the past six years, and welcomed Chief Superintendent Ian Thomas who is his replacement.

The Mayor reminded Members of the Blue Plaque scheme, which the Council was running in partnership with Southwark News. She stated the scheme was about fostering a sense of pride in the borough and reminding people that many of this country's great social pioneers, artists, writers and innovators can claim Southwark as their home. The Mayor encouraged Councillors to complete the nomination form that had been placed on their desk and put it in the box by the attendance book in the lobby.

The Mayor encouraged Members to attend the Mayor's Charity Ball on Friday 25th April 2003 at the Globe Theatre, as it would be her last charity event as Mayor.

The Mayor announced it was Councillor Lorraine Zuleta's birthday and extended the meeting's congratulations to her. Councillor Ian Wingfield added it was also Simon Hughes M.P. 20th anniversary as an M.P. in Southwark.

66.2 NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

The Mayor agreed to accept the following items as late and urgent for the reasons set out in the reports:-

- Item 69.1 : The Capital Programme and Draft Capital Strategy
- Item 69.2 :The Council's Medium Term Financial Strategy and the 2003/04 Revenue Budget – The Budget and Policy Framework
- Item 69.3 : Setting the Council Tax – 2003/04
- Item 69.4 : Budget 2003/04 Additional Information – CPA, ICT and Climbie Inquiry
- Item 70.4 : Constitutional Issues – Community Councils – Addendum Report.
- Item 70.5 : General Budget Fund Position – Report for Information.

The Mayor also accepted Supplemental Agenda No.4 as late. This had been circulated around the Chamber on green paper and included:

- A technical amendment to the Council Tax Base resolution contained in the January 22nd Minutes to reflect the agreed collection rate.
- One Amendment received for Item 69.1 "The Capital Programme and Draft Capital Strategy".
- Nominations received to date for Chairs and Vice-Chairs of Community Councils.

Concurrent reports to the following items were also received as late and urgent:-

- Item 68.2 – Deputation Request from the Residents of the Pelican Estate and the Pelican Estate T&RA
- Item 71 – Members Motions : Comments of the Chief Executive to Motion 10.

DISCLOSURE OF INTERESTS AND DISPENSATIONS

At the beginning of the meeting, the following interests were declared:

- Councillors Catherine Bowman and Paul Kyriacou declared personal and prejudicial interests in Item 71.8 as they were exercising their right to buy.
- Councillor Stephen Flannery declared personal interests in Items 69.2 and 71.10 as he was employed by an organisation funded by the Council
- Councillor Tony Ritchie declared a personal and prejudicial interest in Item 71.9 as he was in dispute with the Council on a related issue.
- Councillors Linda Manchester, Stephen Flannery and Eliza Mann declared personal interests in Item 71.9 as leaseholders with the Council.

During consideration of Item 69.1, Councillors Peter John and Paul Bates declared personal interests as school governors at Tower Bridge School.

APOLOGIES FOR ABSENCE

Apologies for lateness were received on behalf of Councillor William Rowe.

67. MINUTES

RESOLVED: That the open Minutes of the Ordinary meeting of Council Assembly held on 22nd January 2003 be agreed as a correct record and signed by the Mayor with the following amendments:-

- Include replacement figures provided by the Chief Finance Officer in respect of Minute 64.1 “The Council Tax Base for 2003/04” as set out in Item 67 on the agenda.
- That Councillor Kenny Mizzi’s name be delete from those voting against both the amendment and the substantive motion in item 64.1.

At 7.35 p.m. there was a disruption in the public gallery and the Mayor formally adjourned the meeting.

RESOLVED: That the meeting do adjourn for 15 minutes.

The meeting reconvened at 8.10 p.m.

68. DEPUTATION REQUESTS

68.1 GROSVENOR TENANTS & RESIDENTS ASSOCIATION REGARDING 'KIDS COMPANY'
(see pages 1413 – 1416)

Council Assembly agreed to accept a deputation from Grosvenor Tenants and Residents Association.

Members were addressed by the deputation's spokesperson Ms Helen Jones, following which Councillors Nick Stanton, Alun Hayes, Tony Ritchie, Vicky Naish, and Dora Dixon-Fyle asked questions.

The Mayor concluded by thanking the deputation for attending and inviting its members to withdraw to the Public Gallery.

At this juncture the Mayor altered the order of business to consider a motion on the issues raised by the deputation. Please see item 71.3 elsewhere on the agenda.

68.2 RESIDENTS OF THE PELICAN ESTATE AND THE PELICAN ESTATE TENANTS AND RESIDENTS ASSOCIATION REGARDING THE INCREASE IN VIOLENCE IN THE VICINITY OF THE PELICAN ESTATE (see pages 1416 – 1418 and Supplemental Agenda No.3)

Council Assembly agreed to accept a deputation from residents of the Pelican Estate and the Pelican Estate Tenants and Residents Association.

Members were addressed by the deputation's spokesperson Ms Bernie Saunders, following which Councillors Mark Glover, Barrie Hargrove, Andy Simmons, and Richard Porter asked questions.

The Mayor concluded by thanking the deputation for attending and inviting its members to withdraw to the Public Gallery.

69. REPORTS FROM THE EXECUTIVE

69.1 THE CAPITAL PROGRAMME AND DRAFT CAPITAL STRATEGY (See Supplemental Agenda No.2, pages 1618 – 1661)

Councillors Peter John and Paul Bates declared a personal interest in this item.

In accordance with Council Procedure Rule 3.10(1), Councillor Lorraine Zuleta presented the report.

Councillor Andy Simmons, seconded by Councillor John Friary moved an Amendment.

Following debate (Councillors Dominic Thorncroft, Toby Eckersley, Nick Stanton and Michelle Pearce), and Councillor Lorraine Zuleta's right of reply, the 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 Council Assembly:

- (1) agrees to use £16.6 million of right to buy useable receipts as capital funding in 2003/04;

- (2) agrees to a revised de minimis level of £100,000 for capital schemes;
- (3) agrees that the capital programme for 2003/04 be allocated as follows:

Modernisation Fund- ICT infrastructure, e-Government, planned preventative maintenance and Disabilities Discrimination Act adaptations	8.000
School Improvement Projects	3.000
Match funding for the target bid at Spa School	0.030
Upgrading a number of leisure centres	0.500
Regeneration of Mellish Fields and St Pauls Sports Ground	0.100
Parks Lottery match funding at Peckham Rye and Dulwich Parks	0.250
Private Housing Renewal	1.726
InSpire	0.200
Community Councils Capital Allocation for Community Safety and Environmental Improvements	3.914
Tennis Court at Burgess Park	0.075
Football Pitches at Burgess Park	0.200
Russia Docks Woodland	0.150
Paterson Park	0.050
TOTAL:	18.195

69.2 2003/04 REVENUE BUDGET (see Supplemental Agenda No.1, pages 1546 – 1577)

Councillor Stephen Flannery declared a personal interest in this item.

The Mayor drew Members attention to Item 69.4 which contained additional information from the Chief Executive on the Comprehensive Performance Assessment / Information and Communications Technology Investment and Climbie / Social Services budget.

In accordance with Council Procedure Rule 3.10 (1), Councillor Nicholas Stanton presented the report.

Councillor Toby Eckersley, seconded by Councillor David Bradbury, moved Amendment A.

Following debate (Councillor Andy Simmons), and Councillor Nicholas Stanton's right of reply, Amendment A was put to the vote and declared to be lost.

Councillor Kim Humphreys, seconded by Councillor William Rowe, moved Amendment B.

Following Councillor Nicholas Stanton's right of reply Amendment B was put to the vote and declared to be lost.

Councillor Andy Simmons, seconded by Councillor Ian Wingfield, moved Amendment C.

Following debate (Councillors Peter John, Dominic Thorncroft, Caroline Pidgeon, Barrie Hargrove, James Gurling, Kim Humphreys, Michelle Pearce, Bob Skelly, Catherine Bowman, Tony Richie, and John Friary), and Councillor Nicholas Stanton's right of reply, Amendment C was put to the vote and declared to be lost.

The time having reached 10.00 p.m. the Mayor announced the Guillotine had been reached and in accordance with Council Procedure Rule 1.13 the meeting should move straight to the vote on this and all future items. In accordance with Council Procedure Rule 8.1 it was moved, seconded and

- RESOLVED:**
1. That Council Procedure Rule 1.13 be suspended.
 2. That each remaining item on the agenda be considered for 15 minutes.

Councillor Lorraine Zuleta, seconded by Councillor Nicholas Stanton, formally moved Amendment D.

Following debate (Councillors Andy Simmons and John Friary), and Councillor Nicholas Stanton's right of reply, Amendment D was put to the vote and declared to be carried.

Without further debate the substantive motion was put to the vote and declared to be carried.

- RESOLVED:**
1. That the Medium Term Financial Strategy set out in Appendix 4 of the report be approved.
 2. That a budget of £379,411 million as modified by the appendix to Amendment D be approved (see attached).
 3. That a Council Tax increase for Southwark only purposes of 4.3% be agreed and that a rate of £809.78 for a Band D property be approved.

NOTE: In accordance with Council Procedure Rule 1.17(5) the following Members requested that their vote against both Amendment D and the substantive motion be recorded:-

Councillors Alfred Banya, Mick Barnard, Paul Bates, Fiona Colley, Dora Dixon-Fyle, John Friary, Norma Gibbes, Mark Glover, Aubyn Graham, Barrie Hargrove, Alun Hayes, Peter John, Billy Kayada, Dermot McInerney, Abdul Mohamed, Alison Moise, Vicky Naish, Michelle Pearce, Tony Ritchie, Andy Simmons, Tayo Situ, Robert Smeath, Charlie Smith, Dominic Thorncroft, Veronica Ward, Sarah Welfare and Ian Wingfield.

69.3 SETTING THE COUNCIL TAX – 2003/04 (see Supplemental Agenda No. 1, pages 1578 – 1588)

The Clerk advised that having agreed the revenue budget for 2003/04, Council Assembly now had to take a technical vote to set the Council Tax and as a result of the budget decision Amendments A and B to the report were deemed to have fallen.

Amendment C 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 it be noted that new Greater London Authority precept level of £224.40 (up 29.1%) pushes the Council's Band D Tax to over £1,000.
 2. That the Council Tax for Band D properties in Southwark be set at:
 - (i) the former parish of St Mary Newington
£1,033.94
 - (ii) the former parish of St. Saviours
£1,032.61
 - (iii) the remainder of the Borough
£1,034.18

That the formal resolution re. Council Taxes in 2003/2004 (shown in Appendix C of the report) and as modified by paragraph 2 above be approved.

4. That the local schemes for Housing Benefits and Council Tax benefits be continued in 2003/2004.

69.4 BUDGET 2003/04 ADDITIONAL INFORMATION – COMPREHENSIVE PERFORMANCE ASSESSMENT, INFORMATION COMMUNICATIONS TECHNOLOGY INVESTMENT AND CLIMBIE INQUIRY (see Supplemental Agenda No.1, pages 1589 – 15892)

This information report was considered in conjunction with Item 69.2.

70. OTHER REPORTS

70.1 TREASURY MANAGEMENT STRATEGY AND BORROWING LIMITS 2003/04 (see pages 1419 – 1426)

- RESOLVED:**
1. That the following borrowing limits for the financial year 2003/04 be agreed:

Overall Borrowing Limit	£ 830m
Short Term Borrowing Limit	£ 110m
Variable Rate Limit	30%

2. That the borrowing and cash management strategy proposed for 2003/04 be noted.

70.2 CONSTITUTIONAL ISSUES – COMMUNITY COUNCILS (see pages 1427 – 1530)

The Mayor drew Members attention to Item 70.4 : Constitutional Issues – Community Councils – Addendum Report on Supplemental Agenda No.1, which contained the recommendations of the Standards Committee held on 12th February 2003. The Mayor stated that in accordance with Council Procedure Rule 1.15(2) the recommendations of the Standards Committee were deemed to have been moved and were subject to amendment only.

In respect of Amendment A, the Mayor advised that it comprised of two parts, the first related

to recommendation 14 and the second to recommendation 21, therefore as they were separate matters she intended to take a separate vote on each issue.

Councillor Caroline Pidgeon, seconded by Councillor David Hubber, moved Amendment A.

Following debate (Councillors Ian Wingfield, Tony Ritchie, Barrie Hargrove, Toby Eckersley and John Friary), Amendment A was put to the vote in parts and there being an equality of votes on each part, the Mayor exercised her casting vote in favour of the amendment. Amendment A was declared to be carried.

Councillor Ian Wingfield, seconded by Councillor John Friary, moved Amendment B.

Following debate (Councillors Kim Humphreys and Caroline Pidgeon), Amendment B 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 having considered each of the constitutional issues, taking account of the options suggested and the views of Executive, Planning, Licensing, Overview & Scrutiny and the Standards Committee the following be agreed:

Scrutiny and Call-in (*see paragraphs 14 – 24 of the main report*)

When can a matter be called-in?

2. That the existing provision in Overview & Scrutiny Procedure Rules on call-in, i.e. the Chair or Vice-Chair plus three members of the Overview & Scrutiny Committee may call-in any decision taken by the Executive, and key decisions on executive functions taken by officers under delegated authority, be extended to cover all executive decisions taken by Community Councils.

Process following Call-In

3. That in respect of the time period available to the decision-maker to reconsider any decision referred back by the Overview & Scrutiny Committee, amended version of Option 3 be agreed:

A called-in decision referred back to a Community Council will wait until the next scheduled meeting of the Community Council, unless the Borough Solicitor & Secretary determines, following consultation with the Relevant Chief Officer and Chair of the relevant Community Council (or in his or her absence the Vice-Chair), that the matter can not wait in which case it will be considered within 7 working days.

When does call-in commence?

4. That the Overview & Scrutiny Procedure Rules be amended to reflect the implications arising from the extension of call-in to Community Council executive decisions, so that as a matter of good practice, Members should not scrutinise their own decisions. Therefore, a Member serving on a Community Council (who is also a Member of the Overview & Scrutiny Committee)

who participates in taking an executive decision should not sign a call-in request on the same decision (thus avoiding any conflict of interest).

Function of Scrutiny

5. That Article 6 on “Overview & Scrutiny Committee and Sub-Committees” be amended to allow Community Councils to request inquiries on a given topic, as the Executive and Council Assembly can under the present arrangements.

Exercising Planning and Licensing Functions *(see paragraphs 25 – 27 of the main report)*

6. That Option B be agreed - Community Councils exercise their planning and licensing functions as sub-committees of the Planning Committee or Licensing Committee.

Planning *(see paragraphs 28 – 29 of the main report)*

Proposed changes to constitution

7. That the draft Roles & Functions (Article 8) and Matters Reserved (Part 3: Responsibility for Functions) setting out the allocation of planning functions for the Main Planning Committee and Community Councils be agreed (see Revised Appendix 4), including the following changes:

Draft Roles & Functions (Article 8)/Matters Reserved

- (1) Paragraph 1 (Planning Committee & Community Councils) – The Introduction to the paragraphs include the threshold for determining whether a planning matter is to be considered by the Planning Committee or the relevant Community Council.
- (2) Paragraph 1(3) (Planning Committee) be reworded to read:

“Those requested by a Ward Member to be determined by elected members, subject to the request being agreed by the Chair of the Committee.”
- (3) Paragraph 1(3) (Community Councils) be reworded to read:

“Those requested by a Ward Member to be determined by elected members, subject to the request being agreed by the Chair of the Community Council.”
- (4) Paragraph 1(4) (Community Councils) be reworded to read:
 - “All applications for the Council’s own developments, except for the approval of: Reserved matters and

minor developments to which no objection have been made; or,

- Developments that are proposed by Community Councils.”

(5) Paragraph 6 (Planning Committee) be amended to read:

“To consider and determine all planning applications where the development will have a material impact on the area of one or more neighbouring Community Councils. The Strategic Director of Regeneration to determine, in consultation with the Chairs of the relevant Community Councils, when such boundary proximity is a material factor.”

(6) Add new Paragraph 7 (Planning Committee) and renumber subsequent paragraphs:

“To consider any application reserved to Community Councils in the event that the relevant Community Council meeting was inquorate or the personal interests or decided views of a large number of Members would be likely to render the meeting inquorate.”

(Note: A Revised Appendix 4 setting out the changes in Bold/Italics is attached to the Addendum Report – Item 70.4).

Licensing (see *paragraphs 30 – 34 of the main report*)

Proposed changes to constitution

8. That the draft Roles & Functions (Article 8) and Matters Reserved (Part 3: Responsibility for Functions) setting out the allocation of functions for the Main Licensing Committee and Community Councils be agreed (attached as Appendix 5), including the following change:

Draft Roles & Functions (Article 8) / Matters Reserved

Roles & Functions Paragraph 9 (Licensing Committee) / Matters Reserved Paragraph 8 be amended to read:

“To consider and determine all licensing applications for venues on or near Community Councils boundaries, which will have a material impact on the area of one or more neighbouring Community Councils. The Strategic Director of Environment and Leisure to determine, in consultation with the Chairs of the relevant Community Councils, when such boundary proximity is a material factor.”

(Note: A Revised Appendix 5 setting out the changes in Bold/Italics is attached to the Addendum Report – Item 70.4)

9. That the determination of Sex Establishment Licences be

reallocated for consideration by Community Councils (this matter is currently reserved to the Main Licensing Committee).

Implementations of new licensing proposals

10. That the proposed devolution of greater responsibility for licensing applications and the impact of the transfer of liquor licensing from the magistrates court to local authorities be considered as part of the six-month review of Community Councils.

Education (see paragraphs 38 – 39 of the main report)

11. That Council Assembly agrees an amendment to the terms of reference of the Standards Committee (the proposed change is set out in Appendix 2 of the main report) and the inclusion of a specific provision in the terms of reference for Community Councils. This will empower Community Councils to exercise the powers of the Council to appoint Local Education Authority School Governors to the governing bodies of primary schools within its area, from among the list of suitable persons maintained by the Council's Voluntary Bodies Appointments Panel.

Article 10 and Matters Reserved to Community Council (see paragraphs 40 – 41 of the main report)

12. That the revised Article 10 describing the form, composition and function of Community Councils in relation to the rest of the Constitution (see Appendix 6 of the main report) be approved.
13. That a new section be inserted into Part 3 of the Constitution on "Responsibility for Functions". Setting out those matters reserved for decision to Community Councils. (The Matters Reserved to Community Councils for decision (Part 3: Responsibility for Functions) are set out in Appendix 7 of the main report).

Other Constitutional Changes

Membership (see paragraphs 42 – 44 of the main report)

14. That a new Option 4 be agreed – That all Members serve on the Community Councils covered by their wards. Livesey Ward Members will have dual eligibility for memberships of Peckham and Rotherhithe Community Councils – but with voting rights on Peckham Community Council and speaking rights only on Rotherhithe Community Council

Appointment of Chairs/Vice-Chairs (see paragraphs 45 - 47 of the main report)

15. That Option A be agreed – Appointment by Council Assembly for all meetings in the current municipal year 2002/03 (i.e. until May 2003).

Committee Procedure Rules (see paragraphs 48 – 53 of the main report)

16. That a separate section be included in the constitution entitled Committee Procedures Rules (see Appendix 8). Having considered the inclusion of additional clauses in the Committee Procedure Rules on Duration of Meetings and Position of Chairs/ Vice-Chairs falling vacant during the year, it be agreed that the new clauses be not included.
17. That Council Assembly notes the particular demands of quasi-judicial meetings including the need for sufficient time to allow applications to be heard to ensure fairness and the potential costs of additional meetings.
18. That in agreeing the arrangements for Community Councils, Council Assembly recommends that Community Councils should have sufficient scope to determine matters such as the time of meetings, format of agenda and local operation of meetings.
19. That officers review whether there is a need for a separate set of procedure rules covering Community Councils as part of the 6-month review of Community Councils, including consideration of the balance between local and central determination.

Co-opted Members (see paragraphs 54 – 56 of the main report)

20. That it be noted that the issue of co-options to Community Councils will be considered as part of the six-month review on the operation of Community Councils, including consideration on how to involve members of the public in the work of Community Councils.

Others Issues

21. That the other consequential constitutional changes to the constitution set out in Appendix 2 be agreed. In terms of developing the budget and policy, Council Assembly agrees to adopt Option B – Community Council's to be consulted via Overview & Scrutiny Committee.
22. That arising from the recommendations above, Officers be authorised to make any consequential amendments and cross-referencing amendments to the Constitution

70.3 ESTABLISHMENT OF COMMUNITY COUNCILS (see pages 1531 – 1534)

The Mayor stated that having formally agreed the changes to the constitution Council Assembly now had to consider the establishment of Community Councils. Each recommendation was considered separately.

In respect of recommendation 2, the Mayor referred Members to Supplemental Agenda No.4, which contained nominations for the Chairs and Vice-Chairs of Community Councils. The Mayor sought further nominations from the floor. There were five contested positions that were dealt with in accordance with Council Procedure Rule 1.17 (6) (Voting on Appointments).

RESOLVED: That the Community Councils with the membership and Chairs and Vice-Chairs as indicated in the attached appendix be constituted for the remainder of the municipal year 2002/03.

70.4 CONSTITUTIONAL ISSUES – COMMUNITY COUNCILS – ADDENDUM REPORT (see Supplemental Agenda No.1, pages 1093 – 1614)

This report was considered in conjunction with item 70.2.

71. MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 (see pages 1535 – and Supplemental Agenda No.1 page 1615)

71.1 MOTION NO.1 – FOOTPATH ADOPTION (see page 1536)

The motion proposed by Councillor Kim Humphreys and seconded by Councillor Lewis Robinson was put to the vote and declared to be carried.

RESOLVED: That Council notes the poor physical state and lighting of the footpath between Thurlow Park Road and Acacia Grove running adjacent to the railway line. Council notes that both the Police, residents' group and Ward Councillors have expressed concerns to the Council about the impact that this disrepair has to the personal safety of users of the footpath. Council further notes that the Council is in dispute with Network Rail over who is responsible for the footpath. Council notes that this dispute has lasted for over a year and accordingly adopts the footpath so that its condition can be improved in the immediate future.

71.2 MOTION NO.2 – HOUSING ESTATE SECURITY SYSTEMS (see pages 1536 - 1537)

The motion was proposed by Councillor Mark Glover and seconded by Councillor Lorraine Lauder.

An Amendment proposed by Councillor Mark Pursey and seconded by Councillor Beverley Bassom was put to the meeting and declared to be carried.

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

RESOLVED:

- (1) That Council Assembly notes the important role that security systems on housing estates have in reducing both crime and the fear of crime.
- (2) Notes that a new contract is currently being tendered with an anticipated start date in the new financial year.
- (3) Asks the Executive to instruct officers to arrange for the reimbursement of charges for periods where there has been a service failure, on an individual basis, at the end of each financial year

NOTE: This matter was referred to the Executive for consideration.

71.3 MOTION NO.3 – KIDS COMPANY (see pages 1537 - 1538)

This motion was considered following Item 68.1 Deputation request from the Grosvenor Tenants and Residents Association.

With the meeting's agreement, the motion proposed by Councillor Tony Ritchie and seconded by Councillor John Friary was amended by the proposer. Amendment A was withdrawn by the mover, Councillor Nicholas Stanton, with the consent of the meeting.

Following debate (Councillors Danny McCarthy, Nicholas Stanton, Jonathan Hunt, Kim Humphreys and Dora Dixon-Fyle), and Councillor John Friary's right of reply, the amended motion was put to the vote and declared to be carried.

RESOLVED: That Council gives every support to the Grosvenor Estate residents in their request that the Council's Planning Committee does everything within its power to ensure that Kids Company vacate their current premises. Council further request that the Council's Executive continues to find suitable alternative premises as soon as possible so that Kids Company's good work in supporting some of this Borough's most disadvantaged young people is both guaranteed and secured.

71.4 MOTION NO.4 – UNAUTHORISED SUB-LETTING OF COUNCIL HOMES (see pages 1538 - 1540)

The motion was moved by Councillor Alun Hayes, and seconded by Councillor Tayo Situ.

Amendment A proposed by Councillor Linda Manchester and seconded by Councillor Beverley Bassom 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 notes the concern of Southwark Tenants and Residents regarding unauthorised sub-letting of council homes.
- (2) Notes that home visits in isolation will not detect all cases of sub-letting, but acknowledges that home visits in tandem with the introduction of photo Ids and special investigations will ensure that Southwark remains in the forefront of best practice.
- (3) Welcomes the Executive's approval for a £200,000 growth bid in the next financial year to further tackle unauthorised occupation.
- (4) Notes the important work of the Tenancy Agreement Working Party and looks forward to their findings – which will form the basis of a report for Tenants Council and the Executive to consider later this year.

71.5 MOTION NO.5 – HOUSING IMPROVEMENT PROGRAMME MANAGEMENT (see pages 1540 - 1541)

This motion was withdrawn with the request that it be considered at the next meeting.

71.6 MOTION NO.6 – ELECTORAL REFORM (see page 1541)

This motion was withdrawn with the request that it be considered at the next meeting.

71.7 MOTION NO.7 – CONGESTION CHARGING SCHEME (see pages 1541 - 1542)

The motion was moved by Councillor David Bradbury and seconded by Councillor Toby Eckersley.

Amendment A proposed by Councillor Richard Thomas and seconded by Councillor Richard Porter was put to the vote and declared to be carried.

In accordance with Council procedure Rule 1.17 (5) the following Members requested that their votes against the Amendment be recorded: Councillors David Bradbury, Toby Eckersley, Kim Humphreys, Kenny Mizzi, Lewis Robinson and William Rowe.

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

RESOLVED: 1. That Council repeats its concerns relating to congestion charging, expressed at Ratification Committee in September 2001, particularly relating to the boundary issues and the Executive is requested :-

- (a) to instruct Officers to report on all aspects of the operation of the Congestion Charging Scheme in Southwark;
- (b) to present its findings and conclusions to Council Assembly as soon as practicably possible after September 2003.

3. That Council notes that the Executive is to consider at its next meeting an information item on the impact of the introduction of congestion charging in Southwark so far.

NOTE: This matter was referred to the Executive for consideration.

71.8 MOTION NO.8 – RIGHT TO BUY DISCOUNT (see pages 1542 - 1543)

This motion was withdrawn.

71.9 MOTION NO.9 – LEASEHOLDER SERVICE CHARGES (see pages 1543 - 1544)

Having declared a interest at the beginning of the meeting, Councillor Tony Ritchie left the room and took no part in the discussion or voting upon this item. Councillors Linda Manchester, Stephen Flannery and Eliza Mann declared a personal interest in this item.

The motion was moved by Councillor Lewis Robinson and seconded by Councillor Kim Humphreys.

An Amendment moved by Councillor Beverley Bassom and seconded by Councillor Danny McCarthy was put to the vote and declared to be carried.

Councillor Michelle Pearce withdrew her Amendment.

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

- RESOLVED:**
1. That the Executive is requested to instruct officers to suspend the charging of £15 for leaseholders who request a breakdown of un-itemised repairs pending a review of administration charges.
 2. That a report be brought to Executive on this matter in 3 months time.

NOTE: This matter was referred to the Executive for consideration

71.10 MOTION NO. 10 – VOLUNTARY SECTOR GRANTS (see pages 1544 and Supplemental Agenda No.1 page 1615)

The motion was moved by Councillor Toby Eckersley and seconded by Councillor William Rowe.

An Amendment proposed by Councillor Richard Porter and seconded by Councillor Richard Thomas 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 in respect of grant-giving and relations with the Voluntary Sector, Council Assembly:-

- (i) Welcomes the proposal which will shortly be brought to the Executive, which will propose a fast track review of voluntary sector funding in order to inform grant-giving decisions for 2004/2005, and further welcomes the development of the Compact between relevant stakeholders as a way of further enhancing the effectiveness of the Council's relationship with the voluntary sector.
- (ii) Accepts that even had the review started in September 2002, it would have been very difficult to inform the grant-giving decisions for 2003/2004, which were taken just three months later in January 2003.

The meeting closed at 11.45 p.m.

MAYOR:

DATED:

APPENDIX TO ITEM 70.3

**Membership of Southwark Council's Community Councils for the Municipal Year
2002/03**

Community Council	Councillor	
Borough and Bankside	Cllr. Daniel M ^c Carthy (Chair) Cllr. Catriona Moore Cllr. Dr Abdur-Rahman Olayiwola	Cllr. Mark Pursey (Vice-Chair) Cllr. Richard Thomas Cllr. Lorraine Zuleta
Bermondsey	Cllr. Beverley Bassom Cllr. Denise Capstick Cllr. Stephen Flannery Cllr. Paul Kyriacou Cllr. Linda Manchester (Chair)	Cllr. Eliza Mann (Vice-Chair) Cllr. Kenny Mizzi Cllr. Robert Skelly Cllr. Nick Stanton
Rotherhithe	Cllr. Columba Blango Cllr. Jeffrey Hook (Chair) Cllr. David Hubber Cllr. Jonathan Hunt (LW) Cllr. Graham Neale (LW)	Cllr. Gavin O'Brien (Vice-Chair) Cllr. Richard Porter (LW) Cllr. Lisa Rajan Cllr. Anne Yates
Walworth	Cllr. Margaret Ambrose Cllr. Paul Bates Cllr. Catherine Bowman Cllr. James Gurling Cllr. Jelil Lapido (Chair)	Cllr. Lorraine Lauder Cllr. Abdul Mohamed Cllr. Caroline Pidgeon Cllr. Neil Watson (Vice-Chair)
Peckham	Cllr. Barrie Hargrove Cllr. Jonathan Hunt (LW) Cllr Billy Kayada	Cllr. Graham Neale (LW) (Chair) Cllr. Richard Porter (LW) Cllr. Tayo Situ
Camberwell	Cllr. Dora Dixon-Foyle Cllr. John Friary Cllr. Peter John Cllr. Dermot M ^c Inerney Cllr. Alison Moise	Cllr. Vicky Naish Cllr. Tony Ritchie (Chair) Cllr. Veronica Ward (Vice-Chair) Cllr. Ian Wingfield
Nunhead and Peckham Rye	Cllr. Alfred Banya Cllr. Mick Barnard Cllr. Fiona Colley (Vice-Chair) Cllr. Mark Glover Cllr. Aubyn Graham	Cllr. Alun Hayes Cllr. Andy Simmons Cllr. Robert Smeath (Chair) Cllr. Dominic Thorncroft
Dulwich	Cllr. David Bradbury (Vice-Chair) Cllr. Toby Eckersley Cllr. Norma Gibbes Cllr. Kim Humphreys (Chair) Cllr. Michelle Pearce	Cllr. Lewis Robinson Cllr. William Rowe Cllr. Charlie Smith Cllr. Sarah Welfare

(LW) – denotes a Livesey Ward Member who have dual eligibility for memberships of Peckham and Rotherhithe Community Councils – but with voting rights on Peckham Community Council and speaking rights only on Rotherhithe Community Council.

There is a vacancy for the position of Vice Chair of the Peckham Community Council.

Budget 2003/04

APPENDIX TO ITEM 69.2

RESOURCES	2002/03 Budget	2003/04 Estimate	Difference (£)	(Surplus)/ Deficit
Collection Fund	-4,238	-2,358	1,880	
RSG/ NNDR	283,523	312,530	29,007	
Council Tax (at 6.3%)	65,365	70,539	5,174	
Orbit receipt			0	
Change to Resources	344,650	380,711	36,061	-36,061
% increase			10.5%	

EXPENDITURE	2002/03 Budget	2003/04 Estimate	Sub-total (£)	(Surplus)/ Deficit
Departmental Budget Allocations	344,650	380,711	36,061	0

Further Budget Options (e.g. reduced growth)				
	0			
Lib Dem Budget Adjustments (see attached sheet)	(1,300.4)			
	0			
	0			
	0			
	0		-1,300	
Surplus(+)/ deficit (-)		379,411		-1,300

Council Tax required to achieve balanced budget	2002/03	2003/04	% Increase
Southwark Council Tax	776.10	809.78	4.3%
GLA	173.88	224.40	29.1%
Overall Council Tax	949.98	1034.18	8.9%

**SOUTHWARK COUNCIL
BUDGET 2003/4
LIB DEM AMENDMENT
£'000**

**Full Year
Cost /
(Saving)
£'000**

**Impact on
2003/4
Cost /
(Saving)
£'000**

STRATEGIC SERVICES

a)	Customer Service Call Centre Delayed expenditure as result of call in by Scrutiny	(180.0)	(180.0)
b)	Reduced growth bid for e-government in light of reduction in capital bid	(213.0)	(213.0)

EDUCATION & CULTURE

a)	Follow Passporting late adjustment	(25.0)	(25.0)
b)	Reduce People's Network growth item on maintenance of Terminals from £300 / terminal per year to £150 / terminal per year	(25.0)	(25.0)

ENVIRONMENT & LEISURE

a)	Corporate Procurement - list of suppliers (17 Dec Agenda)	(54.0)	(54.0)
b)	Corporate Procurement - offsetting savings from improved Corporate Procurement growth Item	(100.0)	(100.0)

OTHER

a)	Slower phase-in of additional wardens schemes	(90.0)	(90.0)
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b)	Use late Grant adjustment to reduce Council Tax	(29.0)	(29.0)
c)	Rebuild Balances to 2% of budget (£375m) rather than £8m	(500.0)	(500.0)
d)	Lower interest on balances	18.8	9.4
e)	Legal Services Best Value review - savings in disbursements	(125.0)	(93.8)
TOTAL		(1,322.3)	(1,300.4)