

Item No. 8	Classification: Open	Date: 17.9.03	MEETING NAME COUNCIL ASSEMBLY
Report title:		MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.9	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor & Secretary)	

COUNCIL ASSEMBLY PROCEDURE RULE 3.9: PROCEDURAL ADVICE ON MEMBERS MOTIONS

A Member may not move or second more than one Motion. All Motions must be signed or e-mailed from an official Southwark address and seconded and delivered to the Borough Solicitor & Secretary not later than thirteen clear days before the meeting.

In accordance with Council Assembly Procedure Rule 3.9 the Member moving the Motion will be asked by the Mayor to move the motion. The Mover may then make a speech directed to the matter under discussion. (This may not exceed five minutes without the consent of the Mayor).

The Seconder will then be asked by the Mayor to second the Motion. (This may not exceed three minutes without the consent of the Mayor).

The meeting will then open up to debate on the issue and any amendments on the Motion will be dealt with.

At the end of the debate the Mover of the Motion may exercise a right of reply. If an amendment is carried, the Mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the Substantive Motion.

The Mayor will then ask Members to vote on the Motion (and any amendments).

IMPLICATIONS OF THE CONSTITUTION

The constitution allocates particular responsibility for functions to Council Assembly, for approving the budget and policy framework, and to the Executive, for developing and implementing the budget and policy framework and overseeing the running of Council services on a day-to-day basis. Therefore any matters reserved to Executive (i.e. housing, social services, regeneration, environment, education etc) can not be decided upon by Council Assembly without prior reference to the Executive. While it would be in order for Council Assembly to discuss an issue, consideration of any of the following should be referred to the Executive:

- To change or develop a new or existing policy
- To instruct officers to implement new procedures
- To allocate resources

In accordance with Council Assembly Procedure Rule 1.13 (6) Council Assembly on 25th June 2003 referred the following motions to the next meeting of Council Assembly:-

(NOTE: In accordance with Council Assembly Procedure Rule 3.9 (5) & (6) (Prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting).

1. **MOTION FROM COUNCILLOR KIM HUMPHREYS** (seconded by Councillor David Bradbury)

This motion is referred to this meeting for consideration from Council Assembly on 23rd July 2003, in accordance with Council Assembly Procedure Rule 1.13(6). The motion and the officer comment are reproduced below.

That Council Assembly requests the Leader of the Council to support moves to formally establish the ALG Scrutiny Network as a committee of the ALG.

COMMENTS FROM THE BOROUGH SECRETARY AND SOLICITOR

Given the diversity of roles that members play under new constitutional arrangements, it would seem appropriate that the ALG provides support to both Executive and Scrutiny members, within its present budgetary framework.

2. **MOTION FROM COUNCILLOR BARRIE HARGROVE** (seconded by Councillor Dermot McInerney)

This motion is referred to this meeting for consideration from Council Assembly on 23rd July 2003, in accordance with Council Assembly Procedure Rule 1.13(6). The motion and the officer comment are reproduced below.

Council Assembly notes

1. The positive impact of moving from conventional to alternative fuel "green" vehicles.
2. Southwark's pioneering lead in introducing such vehicles for Council use.
3. Requests the Executive to receive a report laying out clear policy on the exclusive use of alternative fuelled vehicles by both the council itself and the council's main contractors in the future.

COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

The Council is at the forefront of the use of alternative fuel vehicles, winning the Green Fleet Award in 1999. We currently have 79 vehicles that run on Liquid Petroleum Gas (LPG) and 8 electric vehicles.

The council recently renewed all the Council's operational fleet, taking the opportunity to increase the number of alternative, in this case LPG, fuel vehicles to over 100, which equates to approximately 35% of the fleet.

The use of alternative fuel vehicles is currently considered within the context of most appropriate for the designed use. Notwithstanding this all light vans and vehicles below 2.5 tonne gross weight are alternative fuel vehicles.

The Council has recently been approached by outside bodies to investigate the possibilities of establishing a biodiesel manufacturing plant within Southwark which could provide an alternative to LPG/electric vehicles.

A full detailed report will be provided to Executive outlining the current policy for the Council, an analysis on various fuels available together with a summary of current contractual arrangements with external partners. To follow.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

3. MOTION FROM COUNCILLOR GRAHAM NEALE (seconded by Councillor Caroline Pidgeon)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

Council condemns Post Office Limited for its moves to close up to 3000 urban post offices - one in three offices. Council notes with disappointment that Elephant & Castle and East Dulwich have already been casualties of this closure programme and Cheltenham Road, Nunhead is under consideration.

Council notes with concern that the proposed closures will come on top of the closure of over 4000 post offices since 1990 and that rural offices are not included in this scheme. Council regrets that this restructuring has been backed by the Government.

Council believes that post offices provide an indispensable service for every local community across the UK, and that they especially support people who are most vulnerable, this is borne out by the decision to protect rural post offices.

Council welcomes campaigning by local people to protect Southwark's post offices - such as the bilingual centre proposal at Elephant & Castle - and supports the recent community bid to save the Nunhead Post Office.

Council calls upon the Government to report into both the financial and social implications of the closure programme and to take immediate action to find creative ways to ensure a vibrant and successful future for all our post offices at the heart of the community.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

Comments to follow

4. MOTION FROM COUNCILLOR LEWIS ROBINSON (seconded by Councillor William Rowe)

This motion is referred to this meeting for consideration from Council Assembly on 23rd July 2003, in accordance with Council Assembly Procedure Rule 1.13(6). The motion, an amendment and the officer comment are reproduced below.

Council Assembly notes with concern the increasing proliferation of mobile telecommunication masts in the Borough. In particular, planning applications by different mobile telephone communications companies are being made for sites in close proximity to each other. Council notes that of the 8621 existing telecommunications masts which could be shared by companies in the UK only 3087 (36%) are currently shared.

Council requests the urgent development or update of a Borough wide planning policy on mobile telecommunications masts which would establish how many current masts in the borough could be shared by companies, where they are sited, and to require companies to be prepared to allow mast sharing in new applications submitted for planning approval.

AMENDMENT A

Moved: Councillor Caroline Pidgeon
Seconded: Councillor Catherine Bowman

Delete all after first sentence, and **insert**

Council requests that a report on the current position with regard to masts be considered by the Executive. This report should include the income generated by masts and feedback from the working group set up by Tenants' Council to look at masts on council-owned land.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

The majority of telecommunication antenna in London is placed on buildings rather than on freestanding masts, and it is only the latter, where the mast would exceed 15 metres in height or fall within a conservation area, that requires planning permission. Whilst operators are required to notify the local planning point of view. The local authority is expressly disallowed from commenting on the principle of its installation. In the main, the placing of antenna on buildings (or as is now becoming more common, disguised as street furniture) is preferable from an aesthetic point of view to the erection of freestanding masts and the consequential clutter of equipment in often prominent locations.

Relatively few planning applications are received each year to erect new ground based masts of over 15 metres. In each case the operator will submit a statement setting out the opportunities for mast sharing. All of the main telecommunication operators already ascribe to the industry's 'ten commitments' of good practice that include a commitment to first explore the opportunities for mast sharing. Vodafone, for example, claim that 40% of their masts are shared by other operators and that 60% of their installations are located on other operator's masts, buildings or other existing structures that have removed the need to erect a new mast. Southwark planning policy on this issue is under review but consideration will be given to

requiring operators applying to erect new masts of over 15 metres to enter into a legal agreement with the Council to ensure that space is made available for other operator's equipment. However, that additional equipment will still need to be the subject of a separate application for planning permission if it is to be positioned higher than 15 metres above ground level. authority of their intention to place individual antenna on buildings, or to erect masts of under 15 metres, the local authority may only comment in these cases on the siting and appearance of the equipment from an aesthetic.

5. MOTION FROM COUNCILLOR ANDY SIMMONS_(Seconded by Councillor Dominic Thorncroft)

This motion is referred to this meeting for consideration from Council Assembly on 23rd July 2003, in accordance with Council Assembly Procedure Rule 1.13(6). The motion, an amendment and the officer comment are reproduced below

Many local residents (particularly elderly residents) in the Nunhead and Peckham Rye Community Council area who use the Rye Lane post office are being inconvenienced by the failure to resolve the issue of the passage of buses along Rye Lane:

Accordingly, we ask the Executive to:

- Ensure more vigorous enforcement of car parking restrictions so that buses can get through;
- Take all legal steps against car drivers who have been caught entering or parking illegally in Rye Lane and investigate publicly naming them
- Properly publicise the presence of CCTV in the Rye Lane area to make drivers aware that they will be caught on camera if they abuse parking guidelines;
- To co-ordinate an active campaign involving Southwark's Greater London Authority (GLA) representative and Transport for London (TfL) to ensure that the bus companies return to two way working along Rye Lane as soon as possible.

AMENDMENT A

Moved: Councillor Richard Thomas
Seconded: Councillor Nick Stanton

Insert at beginning: "Council notes that".

Delete all after "... being inconvenienced by the " and **insert:**

The lack of two way working for buses along Rye Lane.

In February of this year a report was approved by the Executive, which proposed the use of enforcement powers available to the Council to address the problems associated with traffic congestion in Rye Lane.

Council welcomes:

The decision to return the two way working of buses to Rye Lane on a trial basis.

Council urges the Executive to:

- Ensure vigorous enforcement of car parking restrictions so that buses can get through;
- Take legal steps against car drivers who have been caught entering or parking illegally in Rye Lane and investigate publicly naming them;
- Publicise the presence of CCTV in the Rye Lane area to make drivers aware that they will be caught on camera if they abuse parking guidelines;
- Consider a report after 6 months on the success or failure of the enhanced enforcement.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION AND STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

In February of this year a report was presented to the Executive, which proposed the use of enforcement powers available to the Council to address the problems associated with Traffic congestion in Rye Lane. The Executive also required officers to report back after 6 months on the success or otherwise of the enhanced enforcement. If necessary the Executive would then consider:-

- Reinstating the Rye traffic management scheme based on the use of bollards, or
- Developing and implementing an alternative commensurate with the challenge of relieving congestion on Rye Lane in the interest of the town centre's pedestrians.

Ensure more vigorous enforcement of car parking restrictions so that buses can get through.

The present resource is 2 full time parking attendants on street solely dealing with Rye Lane and the surrounding streets from 8.30am-6.30pm Monday –Saturday. We also enforce using 5 CCTV cameras 7 days a week from 7.00am-7.00pm this includes bank holidays.

In comparison to last year the actual offences have increased by 400%. This however, was always going to be the case as drivers took time to become aware of the new enforcement initiative. However, to compare the first full month of offences for April to the second month May offences recorded were 1112 compared to 953, which is a 17% reduction, which is indicative to increased compliance.

Take all legal steps against car drivers who have been caught entering or parking illegally in Rye Lane and investigate publicly naming them.

All legal steps are taken in relation to the Road Traffic Act 1991 in that any vehicle illegally parked is liable to receive a Penalty Charge Notice (PCN). Payment of which is pursued through all legal methods including bailiff action.

We have spoke to the Council's Legal Services and they are to investigate the legality of the request of naming offenders.

Properly publicise the presence of CCTV in Rye Lane area to make drivers aware that they will be caught on camera if they abuse parking guidelines.

Prior to enforcement, all addresses including churches were given a hand delivered letter, which explained the reasons why, and the action the Council will be taking.

Also 26 signs were erected in the surrounding area to inform drivers of the consequence of parking illegally.

To co-ordinate an active campaign involving Southwark's GLA representative and TfL to ensure that the bus companies return to two way working along Rye Lane as soon as possible.

Representatives from bus companies have recently carried out a survey of Rye Lane, which was brought forward by the need to carry out essential sewer works, on the weekend of the 21st June. Their findings were that there had been a significant improvement and the decision was made to return buses to Rye Lane on a trial basis from Saturday 21st June from 6.00am.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

6. MOTION FROM COUNCILLOR CAROLINE PIDGEON (seconded by Councillor Nick Stanton)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

Council notes with interest that on 15 July 2003, London Underground Ltd was legally transferred from the control of the Government to Ken Livingstone – thereby making the tube directly accountable to Londoners.

Council notes that the Mayor's new role will give him responsibility for the operation of trains and staffing of stations in addition to the setting of fares.

Council registers its disappointment that the Mayor plans to hike up fares in January – to plug a hole in the congestion-charging budget. This is a further blow to the people of Bermondsey and Kennington following the Mayor's current position to refuse to re-zone these tube stations.

Council reiterates its commitment to a high quality, reliable Tube and demands that the Mayor delivers improvements to the service that are in the interests of Southwark passengers. Council calls on the Mayor to consider again the re-zoning of Kennington and Bermondsey tube stations.

COMMENTS OF THE STRATEGIC DIRECTOR OF REGENERATION

It was the Mayor's intention to hold fares constant in money terms, however his ability to do this has been affected by two factors.

Firstly, and most importantly, the Government has revised its basis for allocating funds to local government. This has resulted in a much lower settlement for London than the GLA and TfL had budgeted for. The London economy makes a significant contribution to the national Exchequer yet receives much lower monies than it generates.

Secondly, the Congestion Charging Scheme has proved to be more effective in practice at reducing traffic than was expected, with consequentially less net revenue arising from the scheme than TfL had budgeted for. The Mayor's stated aim of the scheme was to reduce congestion rather than raise revenue and in so far as it has achieved the former the Mayor considers it to be a success.

TfL forecasts that the increase in fares proposed for 2004 will generate an additional £81m per annum and thereby eliminate a projected deficit which otherwise had been estimated to be about £35m. Even so, a shortfall of £600m is estimated for 2005/6 and in view of this TfL is bidding for more Government funds from the Government spending review, despite ministerial lack of willingness to revisit the proposed 2005/6 settlement.

The issue of rezoning Bermondsey and Kennington has been raised with the Mayor's office, a number of times most recently on at a meeting with Bob Kiley, Transport Commissioner for London, on the 8th May 2003 but to date no response has been received. Officers will continue to press for the rezoning of these stations.

7. MOTION FROM COUNCILLOR KIM HUMPHREYS (seconded by Councillor Toby Eckersley)

This motion is referred to this meeting for consideration from Council Assembly on 23rd July 2003, in accordance with Council Assembly Procedure Rule 1.13(6). The motion and the officer comment are reproduced below

That this Council notes the proposed European Constitution being prepared by the European Convention will have huge implications for Southwark Council. The Constitution will give the European Union "shared competence" over home affairs, transport, energy, social policy, economic and social cohesion, consumer protection and the environment, meaning overall more legislation and guidance binding on local government will be decided at a European rather than a national level.

That given the Government has used referendums to approve other constitutional change affecting local and national government, including establishing regional assemblies and directly-elected mayors, this Council believes that the people of Southwark should be able to have their say on these constitutional changes in a referendum.

This Council therefore resolves to make a formal written submission to the Prime Minister, supporting calls for a national referendum on the proposed European Constitution.

COMMENTS FROM THE CHIEF EXECUTIVE

The proposed Constitution has been drawn up by a Convention which has been working over the past 15 months, composed of Ministers, backbench MPs, and MEPs from the 25 current and future EU member states. It has been chaired by former French president Valery Giscard-D'Estaing.

The text that has been prepared was formally presented to the EU summit of heads of government in Thessaloniki in June. The Convention's draft Constitution will be forwarded to an Inter-Governmental Conference of EU Governments which will

decide on it. The timetable for this is not yet decided but is currently expected to last several months concluding some time in the first half of 2004.

Like all the previous EU treaties (Single European Act 1986, Maastricht 1991, and Amsterdam 1997) the EU member states will then have to ratify it. Some countries normally do this by a referendum; others including the UK have always done it by a Bill through Parliament.

Any final constitution will be decided by the Intergovernmental Conference (IGC). The final proposals, and any judgements on the importance of its content, and any possible referendum, will therefore not be possible until probably some time in 2004.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

8. MOTION FROM COUNCILLOR MARK GLOVER (seconded by Councillor Barrie Hargrove)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

Southwark Council notes the proliferation of light pollution (caused by excessive artificial light being misdirected) in Southwark, London and the rest of the industrialised world.

Southwark Council further notes that waste light from poorly designed lighting has led to the urban population of the UK being deprived of a view of the night sky that our predecessors would have taken for granted.

Southwark Council is concerned that much of the energy used in generating wasted light is produced through the burning of fossil fuels, producing the carbon dioxide emissions that the UK is pledged to reduce, and that in general, light pollution can be reduced without detriment to the lighting task.

Southwark Council therefore requests the Executive to bring forward proposals designed to control and minimise light pollution, in accordance with guidelines issued by the Institute of Lighting Engineers. These should include consideration of the following specific proposals:

1. On highways and paved areas where Southwark Council has responsibility for upkeep, new and replacement street light fittings to be shielded and designed to permit an upward light ratio in line with ILE guidelines.
2. As part of the Local Development Framework to specifically address light pollution, developers could be required to submit details of lighting schemes required as part of any new development in the planning application. Applicants could be asked to demonstrate that the scheme proposed is the minimum needed for security and working purposes and that it minimises potential pollution from glare and spillage through measures such as shielding.
3. To support the broad aims of the Council for the Protection of Rural England's campaign against 'night blight' including supporting the introduction of a light pollution clause in a future environmental protection bill.

COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

1. All current lighting schemes are designed using the maximum column spacing and minimum light distribution as specified in the British Standards to eliminate light pollution, with careful consideration to the surrounding environment. This is enhanced by the use of specifically designed lighting equipment recommended by the Institute of Lighting Engineers, that reduces to a minimum the upward spread of light.

Highway Lighting for many years now, have specified the use of flat glass lanterns with a full horizontal cut off, installed at 0 degree uplift, ensuring that the main beam angle is directed towards the carriage/footway. The introduction of a concept of curfew is also used in all amenity areas, under its control, switching lights off when not required. Along with this up and down lighters will only be used where no other lighting solution is possible.

2. The CPRE campaign calls for further controls on the use and design of lighting, including: -

- Government amendments to planning law so as to introduce regulations for exterior lighting similar to those that currently cover outdoor advertising including the designation of areas of special control.
- That light pollution be legally defined as a Statutory Nuisance as set out in the Environmental Protection Act. This would place a statutory duty on Local Authorities to investigate complaints of light pollution and allow people to take action in the civil courts against lighting that causes substantial interference with use and enjoyment of their property.
- A change in the British Standards Institution's Code of Practice for Road and Street Lighting requiring full cut-off lights.
- A Government standard for lighting could make lighting standards uniform throughout England.
- Amending building regulations,
- The establishment by Government of an indicator showing when light pollution is getting better or worse and basing policy decisions on such data.
-

Their campaign also calls for Local Authorities to

- Introduce a policy to control light pollution into their local planning policies setting limits on light pollution and requiring light pollution assessment at the planning application stage of new developments together with ensuring that environmental statements required for major development schemes address light pollution.
- Set targets for replacing all their light-polluting street and road lights with 'Full Cut Off' types (see above). Consider using solar powered LED studs (see above) instead of street lighting on rural roads. Local authorities should address these issues in their Local Transport Plan.
- Consider reducing the number of road and streetlights in over lit areas as part of any replacement programme.

While in principal the Council supports these objectives we have severe concerns that giving Local Authorities additional powers to deal with light pollution will raise public expectation and demand on already stretched enforcement teams within the planning and environmental health services. Thus any change in legislation in this

area must be supported by additional resources to Local Authorities, if the matter is to be dealt with effectively.

The Council supports the call for a change in the BSI COP in that we have adopted the proposals already. The flat glass lanterns referred to above are full cut-off lanterns. With regard to non-polluting alternatives such as LED it is clear from lighting industry sources that the semi-conductor industry is providing more and more illumination technology such as white LED lights. Southwark's lighting engineer will be attending a conference in September to review the impact of LED technology and the possible impact on future lighting provision.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

Although light pollution is not referred to specifically in the adopted or the draft replacement Unitary Development Plan, it would be covered by policies 3.1 Environmental Effects and 3.2 Protection of Amenity in the new draft plan. There is, also, specific mention of light pollution in the Resources Supplementary Planning Guidance in the section on pollution in which the Council encourages the use of adequate lighting and well designed lighting for uses that do not cause adverse affects on nearby residential properties. For developments that include proposals for significant amounts of lighting, the Council requires applicants to submit the following information:

- i. Description of the lighting poles including height and colour;
- ii. The expected brightness of the lighting;
- iii. The location of the nearest residential properties;
- iv. Any screening that may mitigate against unnecessary light spillage into neighbouring residential properties;
- v. The expected times of day that the lights will operate.

Southwark Council supports the broad aims of the CPRE campaign with regard to planning controls and will consider ways to make planning policies and supplementary planning guidance more effective with regard to this issue based on advice provided by the CPRE.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

9. MOTION FROM COUNCILLOR RICHARD THOMAS (seconded by Councillor Graham Neale)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

Council notes that the Republic of Ireland has had some remarkable success with its levy on plastic bags - the levy led to a 90% reduction in the use of bags (about 277 million fewer than usual).

Council further notes that the Irish Government recently announced that it is to introduce a 'tax' on chewing gum, polystyrene food wrappers and cash machine receipts too - the money raised is to be used to fund a national clean-up.

Council applauds such efforts to support local authorities' attempts to clean up the local environment.

Council calls on the government to introduce measures similar to those adopted in Ireland - particularly if the money raised from levies will directly help councils in their fight against grime.

COMMENTS OF THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

The success of the levy on plastic bags has had a significant contribution in reducing the amount of plastic waste in the waste stream in Ireland and as such has reduced the total amount of waste being produced.

The minimisation of waste is the cornerstone of not only Southwark's draft Waste Management Strategy but also the strategy for the UK as a whole and any tangible contribution to delivering this objective must be applauded. In fact extending the principle of placing a levy on virgin products must be extended if we are to stop the continuing growth of waste in the UK

The introduction of a tax on products, which significantly affect the cleanliness of not only Southwark but also the UK as a whole is a premise that must be supported. In fact the principle of 'polluter pays' should be seen as they way forward not only for the products mentioned but also for a wider range of products, in particular smoking related litter which makes up approximately 60% of litter on UK streets.

In terms of the re-circulation of money raised from the tax to Local Authorities to help fight against grime, it would be beneficial if this was delivered through a ring fenced part of the annual spending assessment to ensure that all Local Authorities benefited based on need.

10. MOTION FROM COUNCILLOR WILLIAM ROWE (seconded by Councillor Kim Humphreys)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

That Council notes with disappointment that Transport for London (TfL) has failed to consult properly with residents affected by the re-routing of the 356 Bus Route and has ignored representations made by residents, councillors and officers requesting a delay to the scheme to allow proper consultation.

That the Executive is requested to instruct officers to take whatever steps are possible to persuade TfL to reconsider the re-routing of the 356 bus so that it can be more useful to residents.

COMMENTS OF THE STRATEGIC DIRECTOR OF REGENERATION

The Council has made several written requests to London Buses to postpone the implementation of the Route 356 extension until a full public consultation is undertaken.

Initial requests to postpone the implementation of the Route 356 extension were undertaken during various telephone calls between Council Officers and representatives on London Buses. Written requests were sent to representatives of London Buses on 29 July 2003, 12 August 2003 and 20 August 2003. Despite the requests of the Council to postpone the routing of the bus London Buses started operation of the route on 30th August

The Council is continuing to lobby London Buses find an alternative solution to the current re-routing of bus 356 along Crescent Wood Road so the amended route can be more acceptable to residents.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

11. MOTION FROM COUNCILLOR LORRAINE LAUDER (seconded by Councillor Paul Bates)

This Council notes that East Street market is one of the borough's greatest assets, contributing significantly towards the local economy and providing jobs for residents across Southwark. This Council recognises the excellent work carried out by East Street market traders.

Council notes with concern however that both users and traders in East Street have registered complaints to London Borough of Southwark with regard to the following:

- Inadequate CCTV monitoring, and including CCTV which is not functioning.
- General cleaning of the street by LBS cleaning team following market trading.
- Poor state of the road surface which has lead to 9 reported accidents involving market users injuring themselves, with a considerable number of unreported incidents.

This Council calls on the Executive Member for Environment and Transport to urgently address these issues. The Executive Member should as a priority:

1. Make funds available to review, and where appropriate re-surface, East Street road surface.
2. Make funds available to review, and where appropriate re-pave, pedestrian areas on East Street.
3. Improve and monitor CCTV provision on East Street.
4. Direct officers to urgently and comprehensively review how the streetscene on East Street can be improved to further enhance the market as a community and economic resource, with the report to go to the Executive for consideration. This report to be concluded by December 2003.
5. Ensure that in future Faraday ward members should be invited to attend any and all meetings organised by officers or members of this Council to discuss issues relating to East Street.

COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

Market Cleaning

The cleanliness of East Street has been a concern for a number of years. Southwark Cleaning took on this function in March of this year and quickly realised that the problems are complex and would require a structured plan of action to resolve. A great deal of work has already been undertaken to resolve the problems identified. These were:

- Empty boxes blocking pedestrian access
- Litter not being cleared during market opening hours
- Displacement of litter to adjoining roads
- Inadequate containment of waste by market traders

- Pedestrian access being restricted due to walkway encroachment by market traders and shop owners
- Poor public conveniences

To date the Council has:

- Doubled the staffing resources in the market during opening hours
- Introduced a dedicated team leader to direct resources appropriately
- Produced a report on market layout which will be implemented by the end of this financial year
- The council has set aside £50k for improvement to the public conveniences

Whilst the actions outlined above have provided a marked improvement in the cleanliness of the market more still needed to be done and as a result, senior managers from Environment and Leisure, including the Strategic Director, spent a day cleaning the market to discover, first hand, the issues that affect cleaning standards. This action led to a number of issues being identified. These are:

- Four cleaners during market trading is sufficient but need better direction
- The barrows used for rubbish collection need to be modified to enable them to carry more boxes
- An additional compactor skip is required in King and Queen Street to reduce the need to transport rubbish long distances through a busy market
- Few market traders use the bags issued to contain their waste leading to large amounts of litter being left on the ground beneath stalls
- A number of market traders encroach on foot ways making it difficult for both cleaners and shoppers to pass

The issues identified through this back to the floor exercise will be addressed as phase 2 of the East Street Market Cleaning Improvement Plan.

CCTV

The cameras in East Street are monitored at all times of the day and night. All images are recorded and kept for a period one month. The East Street scheme has twelve cameras in total. At present two are out of action but will be repaired by the middle of September. The Council also has just recruited a CCTV manager and part of his first remit will be to evaluate all current CCTV schemes including the East Street area.

The Council has recently constructed a new CCTV control room in Southwark Police station. All existing cameras will be transferred to this location within the next 6 weeks. We are also in the final stage of awarding a new monitoring contract, which will allow for increased monitoring resources. In addition the Council are currently in the process of procuring a CCTV maintenance contract, which will improve reliability.

Road Surface

A survey has been undertaken on East Street and a report has been produced by the Highways Engineer. The cost for patching and partially resurfacing the highway and adjoining footway in East Street is in the region of £100k. This would bring it up to a reasonable level. However, the cost of fully resurfacing the highway and footway with new paving and asphalt would be in the region of £270k.

Whilst East Street needs repairs it is not the worst road in the Borough so it is not at the top of the priority list but will be maintained and inspected monthly to repair any dangerous defects. Funding for any further maintenance and resurfacing is not available at this time.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

12. MOTION FROM COUNCILLOR STEPHEN FLANNERY (seconded by Councillor Anne Yates)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), his motion shall be considered by Council Assembly.

Council notes the large number of Southwark residents who are on the Council Housing waiting list and have a specific need for a disability unit. Some of these residents have been on the list for many years and face little prospect of a move in the near future.

Council acknowledges the general shortage of social housing. Council recognizes however, that long waits for properties with disabled access are caused by: a) an acute shortage of suitable properties; b) the occupation, for various reasons, of some of these few existing properties by those without a disability.

Council requests the Executive to agree that this important matter should be considered as part of the ongoing Housing Allocations Review.

COMMENTS FROM THE STRATEGIC DIRECTOR OF HOUSING

The Strategic Director of Housing supports the motion. Although only 63 of the 13,173 housing applicants on the council's Housing List as at 1 September 2003 are registered in the 'disability category' some have waited for a number of years. All applicants in this category have been assessed by the Disability Panel as needing a home fully adapted for a wheelchair user. During 2002-03 a total of 23 such properties were let.

The wait can be considerable for such properties because the needs of the person with the disability or the household can be difficult to meet. For example 9 of the applicants can only be considered for 1 or 2 of the 21 rehousing areas in the borough and a total of 27 households need an adapted 3- or 4-bedroom home.

The 'Lifetime Homes' standard for all new-build properties is contributing to easing the situation for applicants needing extensively adapted homes, but this is insufficient to meet the local needs.

It would be appropriate therefore for the Allocations Policy Review Board to consider initiatives which will improve access to homes which are fully adapted to meet the needs of applicants with disabilities.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

13. MOTION FROM COUNCILLOR TOBY ECKERSLEY (seconded by Councillor David Bradbury)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

In the light of concerns about the comprehensiveness and/or accuracy of information to the Committee prior their resolution, that the Planning Committee receive from relevant officers before 31st October 2003 a report on the feasibility, merits and demerits of rescinding that Committee's resolution of 30th June 2003 to grant outline planning consent for development at the Herne Hill velodrome.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

Comments to follow

14. MOTION FROM COUNCILLOR DAVID HUBBER (seconded by Councillor Gavin O'Brien)

This motion is referred to this meeting for consideration from Council Assembly on 23rd July 2003, in accordance with Council Assembly Procedure Rule 1.13(6). The motion and the officer comment are reproduced below.

Council notes that pollution can come in many guises, including intrusive and unsightly advertising – of which estate agents boards are a prime example.

Council notes that the Town & Country Planning Act 1990 allows Local Authorities to deal with unauthorised advertising on public highways.

Council agrees that the above powers should be extended to include private properties where such advertising is visually intrusive and/or a safety hazard and therefore requests the Executive to lobby the Government accordingly.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION AND THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

The Town and Country Planning Act 1990 and the Town and Country [Control of Advertisements] Regulations 1992 as amended give the Council control over the display of advertisements in its area. The Regulations define certain types of applications that do not require either deemed or express consent under the regulations for their display. Certain types of applications can, subject to various criteria being satisfied, be displayed under the deemed consent granted by the Regulations and do not require the consent of the Council. All advertisements which do not benefit from deemed consent, or do not require any consent at all, require the express consent of the Council. This applies to advertisements on all land. Advertisements displayed in contravention of the Regulations can be enforced against. Sections 10, 11 and 12 of the London Local Authorities Act 1995 give the Council additional powers to take action against the display of unauthorised advertisements.

Estate agents' boards can be displayed with the benefit of deemed consent granted by the Regulations subject to their satisfying criteria relating to size, number, maximum 14 day period of display after sale or transaction is completed and not being illuminated.

The Environment and Leisure Department currently utilises these powers along with Section 132 of the Highways Act 1980 to remove unauthorised advertisements.

Note: If the motion is agreed, any proposals will be submitted to the Executive for consideration.

15. MOTION FROM COUNCILLOR LEWIS ROBINSON (seconded by Councillor Kenny Mizzi)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly

Officers are instructed that when drawing up the Forward Plan of Key Decisions the phrases “consultation as appropriate”, “consultation will take place as appropriate” or variants on these are not to be used in the column detailing consultation, and that instead officers must specifically state what, if any, consultation is being proposed.

COMMENTS FROM THE BOROUGH SOLICITOR & SECRETARY

The Forward Plan is a statutory document it is published monthly and sets out the key decisions to be taken by the Executive and chief officers. The Forward Plan is available to the public and members. The contents were specified in statutory guidance ‘New Council Constitutions).

They include (1) the identify of the principal groups that will be consulted before the decision is taken and (2) “the means by which any such consultation is proposed to be undertaken”. One important caveat is that the plan should provide this information “in so far as the information is available or might be reasonably obtained”. This is particularly relevant as chief officers are required to provide notification of decisions “as soon as reasonably practical”.

There is a balance to be struck between encouraging officers to give early notification of decisions for the forward plan and identifying consultees. At an early stage it may not be possible to provide complete information. Nevertheless it is important that the Forward Plan includes a reasonable summary of any consultation as soon as it is known.

In some cases, e.g. plans which are regularly renewed, the type of consultees remain similar year on year even if the detail may change. Generic descriptions e.g ‘park user groups in the area’ could also be used.

The Borough Solicitor will explore with the relevant officers in service areas ways in which to produce more information earlier. She recommends that the resolution be amended to state that the consultees must be identified as soon as practicable.

16. MOTION FROM COUNCILLOR DAVID BRADBURY (seconded by Councillor Toby Eckersley)

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by the Executive and will be referred without debate.

In respect of the design of those parts of the proposed Controlled Parking Zone at Herne Hill which lie within a conservation area, the Executive is requested to heed

the research and representations of the Stradella and Springfield Residents Association (in particular as set out in their letter of 16th August 2003 to the Transport and Traffic Group) on the flexibilities which are permitted in conservation areas, with a view both to reducing the intrusiveness of signage and markings in this particular zone and also to indicating clearly that Southwark is at the forefront of efforts to reconcile heritage and conservation principles with a sound basis for enforceability and clarity of information to road users.

Lead Officer: Ian Millichap, Constitutional Support Manager
Report Author: Kevin Flaherty, Constitutional Support Officer

Background Papers

Original Motions

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