



COUNCIL ASSEMBLY (ORDINARY MEETING)

MINUTES of the OPEN section of the meeting of the COUNCIL ASSEMBLY (ORDINARY MEETING) held on WEDNESDAY 29TH OCTOBER 2003 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Columba Blango

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

1. PRELIMINARY BUSINESS

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

The Mayor announced that Councillor Denise Capstick had resigned as Deputy Mayor due to her appointment as the Executive Member for Health & Social Care. He extended his thanks to her for the assistance she had given him during her term of office. Thereafter he appointed Councillor Anne Yates as the new Deputy Mayor for the remainder of the Municipal Year. The new Deputy Mayor announced that she would not be appointing anyone specifically to be her consort.

The Leader of the Council, Councillor Nick Stanton thanked Councillor Catriona Moore for the work she had undertaken as the Executive Member for Health and Social Care and welcomed Councillor Denise Capstick as her replacement.

The Mayor stated that he, Stephen Adu and Nigel Robinson had recently undertaken the De Clichy semi-marathon run of 10 kilometres in France. All monies raised would be donated to the Mayor's charity (Youth and Sport).

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

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

- Item 6.1 – Members Allowances

At this juncture the Mayor announced that Councillor Peter John wished to move a procedure motion. Councillor Peter John, seconded by Councillor Ian Wingfield, requested that Council Assembly Procedure Rule 3.9 (1) (Notice of Amendments) to be suspended in order to consider a late amendment to Item 5.2 – District Auditor's Interim Annual Audit Letter and SAS610 Report.

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

The Clerk thereafter explained that the Mayor had decided not to accept a late and urgent motion from Councillor Dominic Thorncroft on Foundation Trusts because it was a censure motion and was not therefore time limited. Also the issue was due to be debated at Scrutiny and referred to the Executive.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

A list of Members who are school governors was circulated at the meeting. It was noted that Councillor Stephen Flannery was not a governor of Galleywall school and that Councillor Nicholas Stanton was a governor at the London City Academy:-

Councillor B. Bates	- Tower Bridge School
Councillor C Blango	- St John's, Surrey Docks
Councillor D Bradbury	- Bessemer Grange
Councillor T Eckersley	- The Charter and Walworth
Councillor B Kayada	- Oliver Goldsmith
Councillor N Gibbes	- Kingsdale
Councillor A Graham	- Tuke
Councillor P John	- Riverside and Tower Bridge
Councillor L Robinson	- Heber
Councillor W Rowe	- John Ruskin
Councillor R Skelly	- Peckham Rye
Councillor N. Stanton	- London City Academy
Councillor R Smeath	- Snowsfield
Councillor I Wingfield	- Brunswick Park

Councillors Neil Watson declared a personal and non-prejudicial interest in Item 5.1 – School Organisation Plan in respect of his part-time employment.

Councillor Caroline Pidgeon declared a personal and non-prejudicial interest in Item 4 – Members Questions (No. 6) in respect of her part-time employment.

Councillor Richard Thomas declared a personal and prejudicial interest in Item 7.3 – Herne Hill Velodrome as a Friend of Herne Hill Velodrome.

In relation to Item 6.1 – Members Allowances, in accordance with paragraphs 8 and 9 of the Code of Conduct, all Members declared a personal interest in the report. However, in accordance with paragraph 9 (2)(g) of the Code of Conduct, Members were free to remain in the meeting and vote on the item.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Margaret Ambrose, Dora Dixon-Fyle, Paul Kyriacou and Lewis Robinson. Apologies for lateness were received on behalf of Councillor William Rowe.

MINUTES

RESOLVED:

1. That the Open Minutes of the Ordinary Council Assembly meetings held on Wednesday 23rd July 2003 were agreed and signed as a correct record of the meeting.
2. That the Open Minutes of the Ordinary Council Assembly meeting held on 17th September 2003 were agreed and signed as a correct record of the meeting with the following amendment:-

Item 5 : Questions From Members – Insert new second paragraph as follows:-

‘Councillor Dermot McInerney stated that in relation to question 16 he had not submitted it nor been consulted whether it should be placed on the agenda. He further asked the Mayor to carry out an investigation.’

In accordance with Council Assembly Procedure Rule 1.17 (5) the following Members requested that their vote against agreeing 17th September 2003 minutes be recorded in the minutes:- Councillors David Bradbury, Toby Eckersley, Kim Humphreys and Kenny Mizzi.

3. **QUESTIONS FROM THE PUBLIC SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.6** (see pages 1 – 3)

Two members of the public submitted questions and supplemental questions were asked of the Leader of the Council. A copy of the questions and answers are attached as Appendix 1.

4. **QUESTIONS FROM MEMBERS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.11 AND 3.8** (see pages 2 – 9, and blue and yellow papers circulated at the meeting)

In accordance with Council Assembly Procedure Rule 3.11 'Urgent Questions by Group Leaders', a question was submitted by Councillor Ian Wingfield to the Leader of the Council. A copy of the question and answer is attached as Appendix 2 to these minutes.

Thirty-six questions were submitted and answers were circulated around the chamber on yellow paper. Within the time available supplementary questions were asked on questions 1 to 7, 9 to 11, 13 to 28. A copy of the questions and answers are attached as Appendix 3 to these minutes.

5. **REPORT FROM THE EXECUTIVE - REPORTS FOR RECOMMENDATION**

5.1 **DRAFT SCHOOL ORGANISATION PLAN 2003 – 2008** (see pages 10 to 81)

In accordance with Council Assembly Procedure Rule 3.10(1), Councillor Bob Skelly presented the report.

With the agreement of the meeting, Councillor Andy Simmons reworded new paragraph 1 of his amendment as follows:-

'Insert new paragraph 1

That the draft school organisation plan 2003-2008 as attached, be published for statutory consultation, whilst noting that work will be undertaken to assess in detail the case for a new school in the East Dulwich and Nunhead area.'

Thereafter Amendment A was moved by Councillor Simmons and seconded by Councillor Robert Smeath. Amendment A was put to the vote and declared to be carried.

Councillor Toby Eckersley, seconded by Councillor Kenny Mizzi, moved Amendment B. Following debate (Councillors Michelle Pearce and Bob Skelly), Amendment B 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 the draft school organisation plan 2003-2008, be published for statutory consultation, whilst noting that work will be undertaken to assess in detail the case for a new school in the East Dulwich and Nunhead area.
2. That officers report to the Education, Youth and Leisure Scrutiny Sub-Committee on proposals to deal with any schools in the category described under proposition 3 (page 27 of the agenda).
3. That Council Assembly requests that future reports on the Unitary Development Plan and Supplementary Planning Guidance explicitly address the links to the School Organisation Plan in light of widespread concern about provision for schools in the UDP.
4. That Council Assembly notes:
 - (a) Paragraph 3.10 of the School Organisation Plan sets out as 'Proposition 9' the principle that "Southwark continues to provide a network of accessible local schools, with parents having a primary school within reasonable walking distance".
 - (b) Paragraph 1.15 of Appendix 1 to the Plan confirms that there are some locations where there is not a choice of primary schools within walking distance;
 - (c) Paragraphs 2.4 to 2.8 of the Plan set out the current basis for preparing projections of pupil numbers and its limitations;
 - (d) Those limitations are exacerbated, at least in respect of primary schools, in areas where there is a relative lack of community schools and an influx of families with young children;
 - (e) Appendix 18 of the Plan projects, even on the current basis, a deficit by 2008 of primary school places in the Herne Hill and Dulwich Area;

and therefore requests the Executive and the School Organisation Committee;

- (i) To have due regard to Proposition 9, especially in areas of sparser population; and
- (ii) To consider no later than October 2004 a report, based inter alia on research into the success/failure of admissions applications for entry in January and September 2004 to maintained schools in the Herne Hill and Dulwich Area, on the desirability of increasing primary provision in that Area.

5. That Council Assembly notes that paragraph 4.31 which relates to primary school places in Area E, Herne Hill and Dulwich, recommends no further change at this stage and agrees that the primary school situation in Area E be referred to the Education, Youth and Leisure Scrutiny Sub Committee in order to inform the 2004-2009 School Organisation Plan.

- Notes:** (1) In accordance with Budget and Policy Framework Procedure Rule 2 (e), (g) & (h) Council Assembly amended the Executive's recommendations in relation to this item. Therefore an in-principle decision will automatically become effective 7 days from the date of the Council Assembly decision (i.e. midnight Monday 10th November 2003) unless the Leader informs the proper officer in writing within 5 days of the date of the decision that he objects to the decision becoming effective (by Midnight Wednesday 5th November 2003 at the latest). No such objection was received.
- (2) Resolutions 2 and 5 will be referred to the Overview and Scrutiny Committee (Overview & Scrutiny Procedure Rule 11).

REPORTS FOR INFORMATION (see pages 82 to 109)

5.2 THE DISTRICT AUDITOR'S INTERIM ANNUAL AUDIT LETTER AND SAS610 REPORT (see pages 82 – 102)

Councillor Michelle Pearce, seconded by Councillor Mark Glover, moved Amendment A.

Following debate (Councillors Toby Eckersley, Lorraine Zuleta, Tayo Situ, Nicholas Stanton, Andy Simmons and John Friary), Amendment A was put to the vote and declared to be carried. Thereafter, the substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That this Council notes the District Auditor's Interim Annual Audit Letter and SAS610 report. Council further welcomes the fact that the District Auditor singles out improvements made in the area of financial management.
2. That the Council is pleased that the District Auditor praises the better alignment of the business planning and budget setting timetable. It regrets, however, that the Executive's recommendations with regard to the Policy and Resourcing Strategy 2004/07 lack the detail and direction requested by officers, who have themselves made commendable efforts to accelerate the budget setting timetable.
3. That the Council also notes a significant number of areas which give the District Auditor cause for concern and the apparent absence of direction by the Executive with regard to most of these.

4. That to address some of the serious concerns raised, the Council agrees the following:
- (i) In both of the documents from the District Auditor, attention is called to continuing problems of inadequate financial record-keeping in a number of schools. In part this is attributed to inadequate monitoring by the Education Department. Members are advised that this is a matter of urgency. Council therefore asks that an early scrutiny be instigated to investigate whether proper monitoring and guidance to schools is being put into place and whether further action is advisable to secure compliance.
 - (ii) Members are concerned to learn that the Council is at risk of invalidating its insurance policy by failing to ensure that agencies supplying temporary staff are carrying out required pre-employment checks. Council notes too that the Social Services approved list has not been formally reviewed since 1995 and managers are approaching other agencies without documenting the reasons for this. Council therefore agrees that a scrutiny is needed to be assured that measures are in hand to tackle these risks in the use of temporary staff.
 - (iii) Council is concerned by continuing references to lapses in standards and practices with regard to proper financial conduct (page 7 of the District Auditor's letter) and asks for this matter also to be referred to scrutiny.
 - (iv) Council requests the Executive to call for an early report into the matter of dormant trusts and to take appropriate action to resolve this issue which has lingered for some time.
 - (v) The District Auditor welcomed the use of 'challenge panels' to 'test' the reality of departmental budgets. Council believes that these challenge panels would be strengthened by the inclusion of members from all parties and requests the Executive to give consideration to this for 2005/06.

Note: Resolutions 4(i), 4(ii), 4(iii) are referred to the Overview & Scrutiny Committee (Overview & Scrutiny Committee Procedure Rule 11).

5.3 REPORT BACK ON MOTIONS REFERRED FROM COUNCIL ASSEMBLY IN ACCORDANCE WITH PROCEDURE RULE 3.6 AND 3.9 (see pages 103 – 109)

RESOLVED: That the report be noted.

6. OTHER REPORTS

6.1 MEMBERS ALLOWANCES (see Supplemental Agenda No.1, pages 124 - 165)

The Clerk informed the meeting that there was a typographical error in the report on page 126 of Supplemental Agenda No.1. The final paragraph L, Travel and Subsistence Allowances, should read "Members are eligible to claim for taxis after 9.00 p.m. in Summer and 7.00 p.m. in winter."

In accordance with Council Assembly Procedure Rule 3.10 (1), Councillor David Hubber presented the report.

Councillor Mark Pursey, seconded by Councillor Lorraine Zuleta, moved Amendment A.

Following debate (Councillors Peter John, Ian Wingfield, Andy Simmons, Dominic Thorncroft, John Friary, David Hubber, William Rowe, Vicky Naish, David Bradbury, Peter John, Nicholas Stanton, Alun Hayes and Richard Thomas), Amendment A was put to the vote and declared to be carried.

In accordance with Council Assembly Procedure Rule 1.17 (5) the following Members requested that their votes against Amendment A be recorded in the minutes:- Councillors Alfred Banya, Michael Barnard, Paul Bates, Fiona Colley, John Friary, Norma Gibbes, Mark Glover, Aubyn Graham, Alun Hayes, Barrie Hargrove, Peter John, Billy Kayada, Lorraine Lauder, Abdul Mohamed, Alison Moise, Vicky Naish, Michelle Pearce, Tony Ritchie, Andy Simmons, Tayo Situ, Robert Smeath, Charlie Smith, Dominic Thorncroft, Veronica Ward, Ian Wingfield and Sarah Welfare.

Following debate (Councillors Michelle Pearce, Tony Ritchie and William Rowe), the substantive motion was put to the vote and declared to be carried.

In accordance with Council Assembly Procedure Rule 1.17 (5) the following Members requested that their vote against the substantive motion be recorded in the minutes:- Councillors Alfred Banya, Michael Barnard, Paul Bates, Fiona Colley, John Friary, Norma Gibbes, Mark Glover, Aubyn Graham, Alun Hayes, Barrie Hargrove, Peter John, Billy Kayada, Lorraine Lauder, Abdul Mohamed, Alison Moise, Vicky Naish, Michelle Pearce, Tony Ritchie, Andy Simmons, Tayo Situ, Robert Smeath, Charlie Smith, Dominic Thorncroft, Veronica Ward, Ian Wingfield and Sarah Welfare.

RESOLVED: That Council Assembly:

1. Notes the Association of London Government Panel's (ALG) reports of 2001 and 2003, copies of which have been provided to all Members.

2. Notes Standards Committee's recommendation that "given that the Association of London Government (ALG) Panel was formed specifically to make recommendations on allowance levels, and that considerable work went into research, their recommendations should be given significant weight."
3. Further notes however, that any decision to implement a new allowances scheme is necessarily constrained by the Council's budget.
4. Agrees the Members' Allowances scheme for 2003/04; and agrees
 - a. **Index Linking:** That the Members Allowances Scheme should be index-linked for the next 4 years to the Local Government Pay Settlement.
 - b. **The Basic Allowance:** That the basic allowance for the 2003/04 Municipal Year should be that recommended by the ALG Panel of £9,149.
 - c. **Special Responsibility Allowances:**

Leader's Allowance: That the Leader's SRA, should be frozen at this year's level - 91% of the total allowance (£55,973) recommended by the ALG. The Leader's total allowance will therefore be £51,149, including the basic allowance.

 - i. That other SRAs should be set by reference to percentages so that, taken together with the Basic Allowance, the Total Allowance paid to members in that band is set as a percentage of the Leader's Total Allowance.

The percentages should be within the percentages set by the ALG.
 - ii. That the Band 3 Allowance should be set at 73% of the Leader's Total Allowance
i.e. £28,189 + £9,149 basic = £37,339.
 - iii. The Mayor's Allowance should remain 55% of the total of the Leader's Allowance; i.e. £18,983 SRA + £9,149 basic = £28,132.

iv. That Band 1 allowance be set at 23% of the Leader's total allowance and the Band 2 Allowance be set at 33% of the Leader's total allowance:

*i.e. Band 1 SRA = £2,615 + £9,149
basic = £11,764*

*Band 2 SRA = £7,730 + £9,149
basic = £16,879.*

d. The level of Allowance paid to a Band 3 or Band 4 Member continues to be dependent on the average number of hours per week the Member is employed elsewhere, as set out below:

- less than 11 hours elsewhere, full SRA
- 11 to 24 hours elsewhere, two thirds SRA
- more than 24 hours elsewhere, one third SRA

e. That the following posts should receive a Band 1 Allowance:

- i. Leader of the Minority Opposition
- ii. Deputy Leader of the Majority Opposition
- iii. Opposition Group Whip.

f. That the following posts should be added to Band 2 SRA:

- i. Chair of the Disciplinary Appeals Sub-Committee
- ii. Chairs of Community Councils.

g. That the following posts of Vice-Chairs not receive an SRA:

- i. Overview and Scrutiny sub committees (removed from Band 1)
- ii. Planning Committee (removed from Band 1)
- iii. Licensing Committee (removed from Band 1)

- h. **Leader of the Majority Opposition:** That the Leader of the Majority Opposition's SRA should remain in Band 2 and be paid 33% of the Leader's Total Allowance.
- i. **Co-optees Allowances:** To consider the implementation in 2004/05 of an attendance allowance, in consultation with independent and co-opted members.
- j. **Electing not to receive allowances:** To continue the current provision that Members may in writing elect not to receive allowances.
- k. **Pensions:** To consider whether pensions should be paid for members and how they should be paid, for implementation in 2005/06 at the earliest.
- l. **Withholding Allowances:** That Standards Committee should be able to withdraw allowances in whole or in part in the event of a member being suspended or partially suspended. All allowances should be withheld for the period of total suspension. In the case of partial suspension the basic allowance should continue to be paid (though Council Assembly would expect a member voluntarily to abate their claim according to the extent to which they were able to continue to fulfil the functions of a non-executive member). To the extent that the partial suspension made it impossible or impracticable for a member to undertake activities in respect of which a special responsibility allowance was payable, that allowance should be withdrawn.
- m. **Travel and Subsistence Allowances:** That the amounts and conditions for claiming should be the same for Members as officers who claim casual car or cycle user allowance, subject to the exceptions set out below:

Intra Borough Travel not claimable:

That the basic and special responsibility allowances paid to Councillors and attendance allowances paid to Co-optees should be treated as covering intra-borough travel and subsistence with the following exceptions:

- That Members with mobility difficulties are able to claim the cost of travel when on council business,
- That Members be eligible to claim for taxis after 9.00pm in Summer (BST) and 7.00pm in Winter (GMT).

That Council Assembly agrees to continue the current conditions for subsistence allowance payments which may be claimed in respect of "approved duties" if they involve an absence from the normal place of residence exceeding four hours in total which includes one hour travelling time.

- n. **Childcare and Dependent Carer Allowance:** That the rate should continue to be £6.00 per hour but that it may be increased from time to time by the Chief Executive on the advice of the Strategic Director of Social Services.
- o. **Approved Duties** –That the duties for which travel, subsistence and dependent carers allowance can be claimed should be the same, as set out in the draft Members Allowances Scheme at Appendix 1 (paragraph 15).
- p. **Annual Reports/ Accountability.** To note that Standards Committee will receive a report on Annual Reports and that this will come to Council Assembly in due course.
- q. **Backdating of Allowances:** That increases in allowances take effect from 1st December 2003, except for Community Council Chairs – which should be backdated to the start of the municipal year 2003/04, at the rate of the existing Band 2 level.

5. Notes that Standards Committee have asked for the payments made to Members and representatives sitting on the Arbitration Tribunals to be reviewed.
6. Instructs the Chief Executive, in conjunction with the Chief Finance Officer, to find the appropriate resources to finance the additional cost of allowances for this year and notes that financial implications beyond 2003 will be considered as part of the 2004/05 business and budget planning process.
7. Agrees that the Members Allowances Scheme be revised to reflect the decisions taken on the items above.

6.2 FREEDOM OF THE BOROUGH (see pages 110 to 113)

RESOLVED: That the Freedom of the Borough be awarded to Sir Philip Charles Harris, Lord Harris of Peckham.

6.3 APPOINTMENT TO VACANCY (see page 114)

The Clerk announced that no written nominations had been received. The Mayor called for nominations from the floor.

Councillor Mark Pursey, seconded by Councillor Caroline Pidgeon, moved that Councillor Neil Watson be appointed Vice-Chair of the Licensing Committee. There were no further nominations, therefore the nomination was put to the vote and declared to be carried.

RESOLVED: That Councillor Neil Watson be appointed Vice-Chair of the Licensing Committee.

6.4 APPOINTMENT TO CASUAL VACANCY OF TRUSTEE TO THE BOROUGH MARKET (see Supplemental Agenda No.2, pages 166 – 174)

Report withdrawn.

7. MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.9 (see pages 115 to 120 and Supplemental Agenda 3)

7.1 MOTION NO.1 – CHAIR OF LICENSING COMMITTEE (see pages 115 and Supplemental Agenda No.3)

Following legal advice Councillor Peter John stated that the Labour Group would be withdrawing Motion No. 7.1. As the proposer of Motion No. 7.1, Councillor Tony Ritchie formally withdrew the motion.

7.2 MOTION NO.2 – GENETICALLY MODIFIED CROPS (see page 116 – 117 and Supplemental Agenda No.3)

With the agreement of the meeting, Councillor Lisa Rajan reworded the motion as follows:

Paragraph 3 to read – “That the Council therefore commits itself to:”

Paragraph 3, subparagraph (2) to read – “Request the Secretary of State for the Department of Environment, Food and Rural Affairs to ..”.

Thereafter the motion was seconded by Councillor Richard Thomas.

Following debate (Councillors Andy Simmons, John Friary, Graham Neale and Dermot McInerney), the amended motion was put to the vote and declared to be carried.

RESOLVED:

1. That Council recognises that:
 - (i) genetic modification of crop plants is a rapidly advancing new branch of science and technology;
 - (ii) there is still scientific debate about the safety of Genetically Modified (GM) crops;
 - (iii) the commercial growing of GM crops present, legal, social and ethical problems that have not yet been properly addressed;
 - (iv) there is widespread public concern about GM products and many people are concerned that there is a risk that they might be unwittingly exposed to them.
2. That the Council therefore declares that Southwark Council will, as far as is possible, control the growth of GM crops and the use of GM food and feed.
3. That the Council therefore commits itself to:
 - (i) Provide GM-free goods and services for all areas where the Council has a direct responsibility, such as education and social services;
 - (ii) Request the Secretary of State for the Department of Environment, Food and Rural Affairs to provide legal protection for this borough as a GM-free area, in line with Article 19 of 2001/18/EC or under any relevant powers;
 - (iii) Ensure that no GM crops are grown on land over which it has control;
 - (iv) Agree in principle to adopt a GM free policy which, when contracts are let or if and when they become renewable, will ensure that GM food, ingredients, derivatives are eliminated;
 - (v) Instruct officers to report to the Executive on implementing such a policy. This report should include consideration of any legal, financial and practical implications of such a decision.

Note: The above resolution stands referred to the Executive for consideration.

7.3 **MOTION NO.3 – HERNE HILL VELODROME** (see page 117)

This motion was not considered and in accordance with Council Procedure Rule 1.13 (6) will be referred to the Council Assembly meeting on Wednesday 26th November 2003.

7.4 **MOTION NO.4 – FIREWORKS** (see pages 117 – 118 and Supplemental Agenda No.3)

The motion was proposed by Councillor Barrie Hargrove and seconded by Councillor Dominic Thorncroft. In accordance with Council Assembly Procedure Rule 1,13 (5), Council Assembly signified that the motion was unopposed. The motion was therefore carried.

RESOLVED: That Council notes that following Royal Assent given to a Private Members Bill to restrict the sale and misuse of Fireworks, new laws will be available to reduce their noise, nuisance and anti-social use. It therefore requests a report back from officers on setting out plans to fully implement in the London Borough of Southwark this new law in time for the lead up period to 5th November 2004.

Note: The above resolution stands referred to the Executive for consideration

7.5 **MOTION NO.5 – LOCAL ENVIRONMENTAL TAXATION** (see pages 118 to 119)

The motion was proposed by Councillor Richard Thomas and seconded by Councillor Graham Neale. In accordance with Council Assembly Procedure Rule 1.13 (5), Council Assembly signified that the motion was unopposed. The motion was therefore carried.

RESOLVED: That 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 – 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.

Note: The above resolution stands referred to the Executive for consideration.

7.6 MOTION NO.6 – ALG SCRUTINY NETWORK (see page 119)

This motion was not considered and in accordance with Council Assembly Procedure Rule 1.13 (6) will be referred to the Council Assembly meeting on Wednesday 26th November 2003.

7.7 MOTION NO.7 – ARTS CENTRE ON THE PECKHAM WHARF SITE (see page 119)

This motion was not considered and in accordance with Council Assembly Procedure Rule 1.13 (6) will be referred to the Council Assembly meeting on Wednesday 26th November 2003.

7.8 MOTION NO.8 – AFFORDABLE HOUSING QUOTA (see pages 119 to 120 and Supplemental Agenda No.3)

This motion was not considered and in accordance with Council Assembly Procedure Rule 1.13 (6) will be referred to the Council Assembly meeting on Wednesday 26th November 2003.

7.9 MOTION NO.9 – EUROPEAN CONSTITUTION (see pages 120 to 121)

This motion was not considered and in accordance with Council Assembly Procedure Rule 1.13 (6) will be referred to the Council Assembly meeting on Wednesday 26th November 2003.

7.10 MOTION NO.10 – CRYSTAL PALACE PARK (see pages 122 to 123)

In accordance with Council Assembly Procedure Rule 3.9 (3), this motion was referred to the Executive without debate.

8. ADJOURNMENT DEBATE (see page 121 and Supplemental Agenda No.2)

8.1 BALLOT FOR 26TH NOVEMBER 2003 COUNCIL ASSEMBLY ADJOURNMENT DEBATES

The Mayor drew the names of the following Councillors in the ballot for Adjournment Debates for 26th November 2003:-

1. Councillor Catriona Moore
2. Councillor Barrie Hargrove
3. Councillor Alison Moise

Reserves:-

1. Councillor Sarah Welfare
2. Councillor Stephen Flannery
- 3 Councillor Charlie Smith

8.2 ADJOURNMENT DEBATE No.1 – COUNCILLOR ROBERT SMEATH (PECKHAM RYE WARD)

Councillor Smeath expressed his concern at the delay in implementing the Waverley 20 mph zone.

The debate was responded to by the Executive Member for Environment and Transport, Councillor Richard Thomas who reported that further finances were being sought from the Transport for London for the scheme as part of the Borough Transport plan and that the Council would be informed in November if they had been successful.

8.3 ADJOURNEMENT DEBATE NO.2 – COUNCILLOR JEFF HOOK (ROTHERHITHE WARD)

Councillor Hook highlighted outlined the situation in respect of a possible closure application for Rotherhithe Station. He urged the Executive Member to instruct officers to start building a case for non-closure now rather than waiting until an application had been lodged.

The debate was responded to by the Executive Member for the Environment and Transport, Councillor Richard Thomas who stated that the Council was of the opinion that the station should be brought up to standard on the health and safety issues, however it would not wish this requirement to jeopardise the East London extension.

8.4 ADJOURNMENT DEBATE NO.3 – COUNCILLOR SARAH WELFARE (EAST DULWICH WARD)

Councillor Welfare voiced the problems that residents had been experiencing with rubbish, fly tipping and graffiti in the East Dulwich area. She sought the Executive Member's speedy action on tackling environmental crime.

The debate was responded to by the Executive Member for the Environment and Transport, Councillor Richard Thomas who stated that overall the position on clearing rubbish had improved although he accepted that there were a few localised areas for improvement. He stated that he would investigate the problem of the time taken to collect bulk waste.

The meeting closed at 11.25 p.m.

MAYOR:

DATED: