

**WEDNESDAY 29th OCTOBER 2003**

**COUNCIL ASSEMBLY**  
**(ORDINARY)**

**PUBLIC QUESTION TIME**

**QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE**  
**RULE 3.6**

**1. QUESTION TO THE LEADER OF THE COUNCIL FROM MR. JEFF KELLAND**

Will any or has any disciplinary action been taken against the Council employees responsible for authorising the grotesque, appalling and disruptive spectacle of David Blain in Potters Field Park; will Council ensure that all 24 hour events are subject to full consultation and approved by full consent of Council?

**RESPONSE**

No disciplinary action has been taken against any Council employee, nor will it in respect of the David Blaine event. The reason for this is that no Council employee acted improperly. The Council recognises and regrets the inconvenience caused to some residents by the David Blaine event. The simple facts of the matter are that when granting permission for the event to take place we based our estimates of the crowds on Mr Blaine's previous stunts in the USA and then added some more for prudence. However the numbers exceeded everyone's wildest expectations. I have publicly apologised for the inconvenience and have stated that had we anticipated the numbers of people it is unlikely that we would have given permission for the event to be staged where it was.

I can assure Mr Kelland that the Council has learnt from the event, as evidenced by the planning which went into the successful final night which attracted 10, 000 spectators. Any future events would be subject to detailed consultation amongst local residents before permission was given.

**SUPPLEMENTAL QUESTION FROM MR JEFF KELLAND**

Just firstly I comment on the question of consultation with residents. The attitude of residents to the use of Potters Field Park is quite clear. In fact since 1666, the Great Plague and that it should not be used for events, but I am happy to see that you are going to consult in future. I can assure you the result of consultation will be which part of no did you not understand. My question is arising out of the use of the park, the Council having received money to Southwark Properties for the rent of the park itself and hopefully it is going to recover some money from the bond paid by the Blaine Organisation. What proportion of these funds will go to remedy what is now a wasteland?

**RESPONSE**

Mr Mayor I am happy to say that B Sky B have reimbursed the Council in full for all the expenses we incurred in maintaining extra security, in putting extra cleaners on duty, and in addition there is a restitution bond to repair any and all damage to Potters Field Park so all of that will come out of the restitution bond. The fees that were paid for the renting of a bit of the coach park are going to the work that the Council is doing around Potters Field and there will be contributions both to the Tenants & Residents Association and to the work around the forthcoming improvements to the Park which have been funded out of the Section 106 Agreement from the London Bridge development.

## **2. QUESTION TO THE LEADER OF THE COUNCIL FROM MR. ANDREW FLETCHER**

Arising from the answer provided to me at the Executive Committee on 9th September relating to funding by Sport England I now have a further question as follows:-

Was the answer I received from Councillor Stanton given in the knowledge of a letter that exists between Mr. A.D. Sutch of Sport England and Mr. C. Chaytors of Southwark Council in January 1992?

### **RESPONSE**

I'm afraid that that answer that I gave was not in the knowledge of the letter mentioned.

Indeed, I was not aware of the letter until Cllr David Bradbury supplied it further to your latest question. I am advised that officers were not aware of this letter either until now.

The explanation I have been given for this is that officers who are currently responsible for the Herne Hill velodrome did not have direct responsibility for it at the time (over 10 years ago) that the letter was dispatched and were not necessarily closely involved with - and therefore aware of - the fine detail of issues such as the conditions of grant aid. Further to this, the officer that the Sports Council's letter is addressed to left the Council over seven years ago and the file archives don't go back that far.

I accept that this explanation is far from satisfactory – but I cannot answer for the way that the Council was run under the previous administration. However, I'm happy to advise that the Council is taking radical steps to maintain and organize its records – mainly via electronic records – so that we don't have the archiving problems alluded to above. Furthermore, the Council has undergone departmental restructuring so that particular departments, where appropriate, work far more closely together than they did say two years ago even.

The conditions of grant aid from the then Sports Council (now Sport England) for the funding of the track improvements make provision for clawback only in the event of sale, disposal or change of use. The Council is not proposing to do any of these things and is in fact currently negotiating to extend the current

lease for a further three years to maintain services and enable the proposed development.

It is not clear what Sport England's plan would be regarding clawback were the Council not to extend its lease of the site and thereby handing it back to Dulwich Estates as there are no apparent provisions for such a step in the conditions of grant aid. Officers have written to Sport England seeking clarification of this but have yet to receive a reply.

#### **SUPPLEMENTAL QUESTION FROM MR ANDREW FLETCHER**

Thank you for confirming the Council would indeed have had a financial responsibility if the Velodrome had not been an ongoing proposition. Is this not confirmation that serious of major irregularities concerning Council advice on the Velodrome. Is it not correct that officials did not brief the Planning Committee on the very evening that they took their decision to grant outline planning permission that a separate and new traffic survey had been commissioned a week before the Planning Committee sat. It seems that the officials took the decision not to brief the Planning Committee as they had already decided that the result of the second survey would make no difference to the Committee's ultimate decision. Surely the failure of the officers not to mention this new survey denied the Committee the ability to make their own informed decision. Additionally there is the issue of the status of the Herne Hill Velodrome as Metropolitan Open Land. Nowhere in the report or the addendum to the Planning Committee was mentioned the position adopted by Southwark Council on the Dulwich Football Club and Homebase Appeal Inquiry. In this case it was deemed that the development there was inappropriate and therefore there was a presumption against the development. The report also failed to mention that the investigating inspector had endorsed this view. This is surprising because the addendum illustrates striking similarities between the football club and Homebase site and the Velodrome itself. In particular with regards to the new indoor activities and the lack of any real relationship between them and the use of the Velodrome for cycling. Given these examples my question is, are you comfortable that the Planning Committee was correctly briefed by Council Officials?

#### **RESPONSE**

I am not sure that this is a really a supplementary question to the one that was asked. I have no reason to doubt that anything improper occurred at Planning Committee and if any body is disappointed with the result of it feels that they have then there is a legal remedy for them. I do not think it is particularly appropriate and I think this was the view that we took at the last Council meeting for decisions taken by Planning Committee, which sits in a quasi-judicial function and is unwhipped, be raised at Full Council and I am afraid that I have no detailed knowledge of what happened at Planning Committee but I certainly have no reason to believe there is anything untoward occurred.