



**COUNCIL ASSEMBLY
(ORDINARY)**

MINUTES of the OPEN section of the meeting of COUNCIL ASSEMBLY held on
WEDNESDAY 31ST MARCH 2004 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 Dermot McInerney
Councillor Mick Barnard	Councillor Kenny Mizzi
Councillor Beverley Bassom	Councillor Catriona Moore
Councillor Paul Bates	Councillor Graham Neale
Councillor Catherine Bowman	Councillor Gavin O'Brien
Councillor David Bradbury	Councillor Dr. Abdur-Rahman Olayiwola
Councillor Denise Capstick	Councillor Michelle Pearce
Councillor Fiona Colley	Councillor Caroline Pidgeon
Councillor Dora Dixon-Fyle	Councillor Richard Porter
Councillor Toby Eckersley	Councillor Mark Pursey
Councillor Stephen Flannery	Councillor Lisa Rajan
Councillor Norma Gibbes	Councillor Lewis Robinson
Councillor Mark Glover	Councillor William Rowe
Councillor Aubyn Graham	Councillor Jane Salmon
Councillor James Gurling	Councillor Andrew Simmons
Councillor Barrie Hargrove	Councillor Tayo Situ
Councillor Alun Hayes	Councillor Robert Skelly
Councillor Jeffrey Hook	Councillor Robert Smeath
Councillor David Hubber	Councillor Charlie Smith
Councillor Kim Humphreys	Councillor Nicholas Stanton
Councillor Jonathan Hunt	Councillor Richard Thomas
Councillor Peter John	Councillor Dominic Thorncroft
Councillor Billy Kayada	Councillor Veronica Ward
Councillor Paul Kyriacou	Councillor Neil Watson
Councillor Jelil Ladipo	Councillor Sarah Welfare
Councillor Lorraine Lauder	Councillor Ian Wingfield
Councillor Linda Manchester	Councillor Anne Yates
Councillor Eliza Mann	Councillor Lorraine Zuleta
Councillor Daniel McCarthy	

1. PRELIMINARY BUSINESS

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

The Mayor made the following announcements:-

He congratulated Councillor Vicky Naish on becoming a Grandmother for the 3rd time and Councillor Anne Yates on becoming a Great Grandmother.

He invite all Members to attend the following events:-

- The Mayor's Charity Ball on Friday 23rd April at Shakespeare's Globe Theatre.
- The Launch of Southwark Community Games on Tuesday 27th April, 12 noon at the Elephant & Castle Leisure Centre.
- The Freedom of the Borough and Civic Awards Ceremony on Saturday 8th May at 11 a.m. at St. George's Cathedral, Westminster Bridge Road.
- The Mayor's End of Term Party – date and venue to be confirmed.

The Mayor outlined some of the highlights of his recent visit to Sierra Leone (27th February to 8th March 2004).

The Mayor congratulated officers of the Environment & Leisure Department on the receipt of the Innovation on Crime Award.

With sadness, the Mayor announced the recent death of former Councillor Stephen Bosch. Tributes were made by Councillors, Caroline Pidgeon, Danny McCarthy, Vicky Naish, David Bradbury, Toby Eckersley and Ian Wingfield.

Councillor Danny McCarthy announced the death of former employee, Mr. Charlie Callan. Tributes were made by Councillors Danny McCarthy and Vicky Naish.

Thereafter two minute's silence was held for former Councillor Stephen Bosch and former employee, Mr. Charlie Callan.

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

The Mayor agreed to accept the following as late and urgent:-

- Item 4.1(A) - Late motion concerning the Deputation from the Black Awareness Group
- Item 4.2(A) - Late motion concerning the Deputation from the Great Suffolk Street Traders
- Item 4.5(A) - Late motion concerning the Deputation from Direct Investment in Council Housing Campaign
- Item 4.6 – Late Deputation request from Trinity Street Residents Association

The Mayor received a Petition concerning rent increases at Pullens Yards.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members made declaration of interests to the following items:-

- Item 4.1 Deputation : Black Awareness Group (Personal and Prejudicial interests):-
Councillors Dora Dixon-Fyle, Aubyn Graham, Barrie Hargrove, David Hubber, Kim Humphreys, Billy Kayada, Gavin O'Brien, Eliza Mann, Graham Neale, Lisa Rajan, Andy Simmons, Neil Watson and Anne Yates.
- Item 4.2 Deputation : Great Suffolk Street Traders (Personal and Non-Prejudicial interests):-
Councillors Catherine Bowman and Stephen Flannery.
- Item 5. Questions from Members Parking Tickets (Personal and Non Prejudicial interest):-
Councillor Sarah Welfare.
- Item 6.1 Second Draft for Deposit Southwark Plan 2004 (UDP) (Personal and Prejudicial interests):-
Councillor Fiona Colley, Dominic Thorncroft and Neil Watson.
- Item 8.11 Motion on National Association of Black, Asian and Ethnic Minority Councillors (Personal and Non-Prejudicial interest):-
Councillor Aubyn Graham.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors John Friary, Abdul Mohamed, Alison Moise and Tony Ritchie. Apologies for lateness were received on behalf of Councillors James Gurling, Nick Stanton and William Rowe.

2. MINUTES

RESOLVED The minutes of the 18th February 2004 were agreed and signed as a correct record of the proceedings.

3. QUESTIONS FROM THE PUBLIC (see Supplemental Agenda No.1, page 57 – 58)

Three members of the public submitted questions and two questioners, Mr. Lionel Wright and Mr. Paul Ono, were present to ask a supplemental question of the Executive Member for Housing. A copy of the questions and answers is attached as Appendix 1.

4. DEPUTATION REQUESTS

4.1 The Black Awareness Group (see pages 1 –3 and Supplemental Agenda No. 3)

Council Assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Mr. Raymond Stephenson. The deputation then withdrew to the public gallery.

At 9.15 the Mayor declared that the meeting stood adjourned in order to restore order

in the public gallery.
At 9.30 p.m. the meeting reconvened.

4.1(A) Late Motion on the deputation from the Black Awareness Group

Council Assembly agreed to suspend Council Assembly Procedure Rule 3.9 (Notice for Motions) in order to consider a late motion on the assessment of the appropriate level of legal assistance that should be provided to the Black Awareness Group.

The motion was proposed by Councillor Peter John and seconded by Councillor Jonathan Hunt.

Following debate (Councillors Vicky Naish, Norma Gibbes, Danny McCarthy, Mark Pursey, Toby Eckersley, Ian Wingfield, Alun Hayes and Catherine Bowman), at 9.40 p.m. the Mayor declared that the meeting stood adjourned in order to clear the public gallery.

At 10.05 p.m. the meeting reconvened.

Following Councillor Peter John's right of reply the late motion was put to the vote and declared to be carried.

RESOLVED:

1. That Council notes that the events surrounding the granting of planning permission to Fairview Homes and the handling of the planning application by Imperial Gardens Nightclub have been exhaustively investigated by the District Auditor and the Local Government Ombudsman.
2. That Council asked Overview and Scrutiny Committee to look at failures in the planning system highlighted by both reports and the actions being taken by the Council to correct them.
3. That Council notes the advice of Harriet Harman QC MP that, in view of the previous history of the case, the Council should appoint an external independent person/s to assess the appropriate level of legal assistance and asks the Overview and Scrutiny Committee to undertake this recommendation within 14 days.

- Notes:**
1. The above recommendation stands referred to the Overview & Scrutiny Committee.
 2. In accordance with Council Assembly Procedure Rule 1.17 (5) the following member requested that his vote against the substantive be recorded in the minutes:- Councillor Toby Eckersley.

4.2 Great Suffolk Street Traders (see pages 1 –3 and Supplemental Agenda No. 3)

Council Assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Mr. Kumar, following which Councillors Lorraine Zuleta, Michelle Pearce, Barrie Hargrove, Danny McCarthy, Richard Thomas, Linda Manchester, Aubyn Graham and Billy Kayada asked questions.

At this juncture the meeting agreed to accept the late deputation request from Trinity

Street Residents Association (please see item 4.6 below).

4.2(A) Late Motion on the deputation from Traders of Great Suffolk Street

Council Assembly agreed to suspend Council Assembly Procedure Rule 3.9 (Notice for Motions) in order to consider a late motion regarding the effects on local business due to road closures in the Great Suffolk Street area.

The motion was proposed by Councillor Barrie Hargrove, and seconded by Councillor Mick Barnard.

Following debate (Councillors Michelle Pearce, Richard Thomas and Danny McCarthy), it was moved, seconded and agreed that the question be now put (Council Assembly Procedure Rule 1.14 (j)).

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

In accordance with Council Assembly Procedure Rule 1.17 (5) the following members requested that their votes in favour of the motion be recorded in the minutes:- Councillor Alfred Banya, Mick Barnard, Paul Bates, Fiona Colley, Dora Dixon-Fyle, Norma Gibbes, Mark Glover, Aubyn Graham, Barrie Hargrove, Alun Hayes, Peter John, Billy Kayada, Lorraine Lauder, Michelle Pearce, Vicky Naish, Andy Simmons, Tayo Situ, Robert Smeath, Charlie Smith, Dominic Thorncroft, Veronica Ward, Sarah Welfare and Ian Wingfield.

4.3 Heygate Tenants and Residents Association (see pages 1 - 3)

The Mayor announced that the Heygate Tenants and Residents Association had withdrawn its deputation request.

4.4 Aylesbury Estate Campaign (see pages 1 - 3 and Supplemental Agenda No. 3)

Council Assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Margot Lindsay, following which Councillors Caroline Pidgeon, Richard Thomas and Fiona Colley asked questions. The deputation then withdrew from the chamber.

4.5 Direct Investment in Council Housing Campaign (see pages 1 - 3 and Supplemental Agenda No. 3)

Council Assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Mr. Piers Corbyn, following which Councillors Paul Bates, Richard Thomas, Caroline Pidgeon, Nick Stanton, Beverley Bassom and Lorraine Lauder asked questions. The deputation then withdrew from the chamber.

4.5(A) Late motion on the deputation from the Direct Investment in Council Housing Campaign

Council Assembly agreed to suspend Council Assembly Procedure Rule 3.9 (Notice for Motions) in order to consider a late motion regarding direct investment in council housing.

The motion was proposed by Councillor Beverley Bassom and seconded by Councillor Nick Stanton.

Following debate (Councillors Paul Bates, David Bradbury, Richard Thomas, Peter John, Charlie Smith and Jonathan Hunt), the motion was put to the vote and declared to be carried.

- RESOLVED:**
1. That Council notes that the Early Day Motion 430 has been signed by Simon Hughes MP and calls on Southwark's other MPs to add their support.
 2. That this Council notes with disappointment that the Housing Minister, Keith Hill MP, has announced that government policy remains one of no direct investment in Council housing. This remains the case, even where tenants have voted to retain their local authority as landlord and irrespective of the condition of their homes.

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

4.6 Late deputation request from Trinity Road Residents Association

Council Assembly agreed to accept the late deputation request from Trinity Road Residents Association. Members were addressed by the deputation's spokesperson, Penny Hinves. Following which Councillors Paul Bates, Caroline Pidgeon and Andy Simmons asked questions. The deputation then withdrew from the chamber.

PROCEDURE MOTION

At this juncture it was moved, seconded and

- RESOLVED:**
1. That the following business be referred to the next meeting of Council Assembly:-
 - (i) Item 6.2 – Report back from the Executive on consideration of motions referred from Council Assembly.
 - (ii) Item 8 Motions:-

No.1	Council Tax (see page 35)
No.2	European Constitution (see pages 35 – 37)
No.3	Downtown (see pages 37 – 39)
No.4	Bus Routes (see pages 39 - 41)
No.5	New School in East Dulwich (see pages 41 – 42)
No.6	Riseholme Estate, East Dulwich Estate (see pages 42 – 43)
No.7	Higher Education, Tuition Fees (see pages 44 – 45)
No.8	Parks Service (see pages 45 – 47)
No.9	Super Boroughs (see pages 47 – 49)
No.10	Greendale (see pages 50 – 51) No.11 –

- No.11 National Association of Black, Asian and Ethnic Minority Councillors (see pages 51 and Supplemental Agenda No.2)
- No.12 Street Leaders Scheme (see pages 51 – 52)

(iii) Item 9 – Adjournment Debate nominees and their chosen subject debates.

2. That the following motions be referred to the Executive for consideration:-

- Motion No. 13 – School Places
Motion No.14 – Fairtrade Foundation.

6. REPORTS FOR RECOMMENDATION FROM THE EXECUTIVE

6.1 SECOND DRAFT FOR DEPOSIT SOUTHWARK PLAN 2004 (UNITARY DEVELOPMENT PLAN) (see pages 14 – 20 : Appendices circulated separately)

Councillor Catherine Bowman formally moved the recommendations contained within the report.

With the consent of Council Assembly Councillor Alun Hayes moved Amendment A on behalf of Councillor Dominic Thorncoft, noting that 'north' in the third paragraph should read 'south'. Amendment A was then seconded by Councillor Fiona Colley. Following Councillor Catherine Bowman's right of reply, Amendment A was put to the vote and declared to be carried.

Councillor Paul Bates, seconded by Councillor Billy Kayada, moved Amendment B. Following debate (Councillors David Hubber and Lisa Rajan), Amendment B was put to the vote and declared to be lost.

Councillor David Hubber, seconded by Councillor Nick Stanton, moved Amendment C. Following debate (Councillors Paul Bates and Lisa Rajan), Amendment C was put to vote and declared to be carried.

Councillor Mark Glover, seconded by Councillor Andy Simmons, moved Amendment D. Following debate (Councillor Catherine Bowman), Amendment D was put to the vote and declared to be lost.

Councillor Toby Eckersley, seconded by Councillor David Bradbury, moved Amendment E. Following debate (Councillors Catherine Bowman, Paul Bates, Kim Humphreys, Fiona Colley and Jonathan Hunt), Amendment E was put to the vote and declared to be lost.

In accordance with Council Assembly Procedure Rule 1.17 (5) the following members requested that their votes in favour of Amendment E be recorded in the minutes:- 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: That the revised draft of the Southwark Plan to be placed on

deposit as the second deposit draft of the plan, be approved with the following amendments:-

- (1) The UDP should give protection to the existing provision of retail facilities in Gibbon Road. In order to achieve this, it is proposed that:
 - (i) The retail shops on the southern side of Gibbon Road between Kimberley Avenue and Hollydale Road (64 Gibbon Road to 46 Gibbon Road) and between Senate Street and Evelina Road (22 Gibbon Road to 2 Gibbon Road) are designated as a protected street frontage on the proposal map and added to Appendix 6 – Schedule of Shopping Frontages. Please refer to the map attached to the report for the proposed designation.
 - (ii) The existing neighbourhood area at Nunhead Green be extended south to include the Gibbon Road locality. Please refer to the map attached to the report for the proposed boundary changes.
- (2) That officers be instructed to amend the plan before it is formally placed on deposit as follows:
 - (i) To amend the boundary between the suburban north zone and the suburban south zone shown on the proposals map so that between the junction of Lordship Lane and Dulwich Common and the borough boundary it follows the centre line of Lordship Lane where it forms part of the A205 South Circular Road.
 - (ii) To remove the designation of Borough Open Land from the area of Paterson Park to the east of St. James's Road, proposal OS71 on the proposals map, and to amend Appendix 11, the Borough Open Land Schedule, to remove reference to this site.
 - (iii) To amend Appendix 4 to the plan, the Proposals Sites Schedule, with regard to proposal 32P, Mulberry Business Park, so that the reference to other acceptable uses as being C3 use and any other use is removed. The required use to remain B1 use together with the note stating no net loss of employment floorspace is permitted.

That officers are authorised make any further changes that may arise from these changes as necessary to ensure consistency within the Second Draft Unitary Development Plan.

- Notes:**
1. In accordance with Budget and Policy Framework Procedure Rule 2 (e), (g) & 9h) Council Assembly amended the Executive's recommendation 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 Tuesday 13th April 2004) unless the Leader informs the proper officer in writing 5 days after the date of the decision that he objects to the decision becoming effective (by Midnight Wednesday 7th April 2004 at the latest).
 2. In accordance with Council Assembly procedure Rule 1.17 (5) the following member requested that his vote against the substantive motion be recorded in the minutes:- Councillor Toby Eckersley.
 3. Council Assembly thanked officers of the Regeneration Department for their hard work in compiling the Unitary Development Plan.

7. OTHER REPORTS

7.1 APPOINTMENTS OF TRUSTEES TO THE BOROUGH MARKET (see pages 21 – 33)

The Mayor formally moved the recommendations contained within the report.

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

- RESOLVED:**
1. That the following persons be appointed as Wardens of the Corporation of Wardens for terms from Easter Tuesday 13 April 2004 until Easter Monday 28 March 2005:

Mrs Georgina (Dena) Domminney - Warden of Great Account (and chair of the Corporation) (reappointment)

Lady (Shireen) Chantler - Renter Warden (reappointment)

Mr Philip Riches - Newcomen Warden (new appointment)

Mr Philip Peart - Bell Warden (new appointment)

Mr Stephen Kerbel - College Warden (reappointment)

Reserves

In the event that any of the above persons do not take up the appointment, or if a vacancy arises during the year (subject to the requirements of the scheme):

Reserve number 1 **Mr Derek Joseph**

Reserve number 2 **Ms Louise Dixon**

Reserve number 3 **Ms Jo Dagustun.**

2. That the following persons be appointed as Appointed Trustees of the Borough Market, Southwark for the periods indicated:

Mr David Lancaster to the casual vacancy expiring on 31 March 2006

Ms Renate Reichenbach to the casual vacancy expiring on 31 March 2006

Mr Alexander Stevenson to terms from 1 April 2004 - 31 March 2008

Ms Celia Palmer to terms from 1 April 2004 - 31 March 2008

Mr Stephen Barclay to terms from 1 April 2004 - 31 March 2008

Mr Alex Tweedie to terms from 1 April 2004 - 31 March 2008.

Reserves:

In the event that any of the nominated trustees do not take up the appointment, or if a casual vacancy arises during the year (subject to the requirements of the scheme):

Reserve number 1 **Mr John Godwin**

Reserve number 2 **Ms Louise Dixon**

Reserve number 3 **Ms Jo Dagustun**

3. That outgoing trustees be thanked for their services.
4. That the comments of the Nominating Members in relation to the changes to the Corporation of Wardens scheme of arrangement be noted.

The meeting closed at 11.50 p.m.

MAYOR:

DATED: