

<b>Item No.</b> 11	<b>Classification:</b> Open	<b>Date:</b> 21st July 2004	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motions	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Chief Executive (Borough Solicitor & Secretary)	

## **BACKGROUND INFORMATION**

In accordance with Council Assembly Procedure Rule 3.10, the Member moving the motion may 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

**(NOTE:** In accordance with Council Assembly Procedure Rule 3.10 (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 SARAH WELFARE** (seconded by Councillor Charlie Smith)

**Please note that in accordance with Council Assembly Procedure Rule 3.10 (3), this motion shall be considered by Council Assembly.**

Council Assembly notes that:

- The East Dulwich community centre is an essential community resource for people in East Dulwich and Peckham Rye; is used by people of all ages, ethnic groups and religious faiths; has been run by volunteers for over two decades; and includes the only outside space for young people to use in East Dulwich;
- The Executive have put forward plans to dispose of the site and, as part of a private development, build housing on the site and flats over a re-built community centre that would retain a third of the existing outside play space;
- At the May Dulwich Community Council the public strongly opposed incorporating housing on to this site.

Therefore Council calls upon the Executive to:

- Drop their proposal to dispose of any part of the site occupied by the community centre;

Consult with local community groups and residents in order to agree a long-term plan for the development of the whole site for community use.

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

**COMMENTS OF THE STRATEGIC DIRECTOR OF REGENERATION.**

The Council owns the freehold interest in the land on which the East Dulwich community centre is located. The East Dulwich Community Centre Association (EDCCA) occupies the building under the terms of an agreement from 1982. This agreement, whilst fairly brief, sets out the terms of occupation of the existing centre, including a break clause operable by either party on one month's notice. This agreement relates to the building only and does not include the external space. There is no formal agreement for them to occupy the external space.

The building comprises a single storey portakabin structure, which is in poor condition and is near the end of its useful life. There is a large area of external space, which is in relatively poor condition. The site has been declared surplus to Housing requirements (3/4/03) and the property has been passed to Property to deal with. Ongoing management costs continue to be the responsibility of the former holding department for one year from the date of surplus declaration, following which, these costs become the responsibility of the Property department.

Now that the property has been declared surplus officers are under a statutory obligation to obtain best consideration from the land for the benefit of the residents of Southwark i.e. obtaining as much value out of the site so that the capital receipt can be used to fund other projects for the benefit of the residents of the Borough.

Planning policy seeks to minimise loss of existing community centre provision, or seeks re-provision elsewhere in the locality. Therefore redevelopment of the site where practical provides for a new community facility. Planners have advised that residential use on the remainder of the site is appropriate in planning terms, given that the surrounding area is residential in character.

The possibility of residential development on part of the site provides a good opportunity to provide a new community centre funded by the proceeds of the residential development, without the need for any other source of capital having to be identified. It should be noted that the provision of a larger community centre would reduce the amount of residential development possible on the site, and consequently, the capital receipt from the land. There is no planning requirement or Council policy to provide a larger community centre on the site.

The EDCCA were awarded £50,000 by the Dulwich Community Council to fund environmental improvements at the property, including new 3 metre high entrance gates, 2.4metre high boundary fencing to Crystal Palace Road and Darrell Road frontages, landscaping, pergolas and planting. They received planning consent for these works at the end of April 2004. In view of the possibility of a redevelopment to provide a new community centre, including appropriate fencing and landscaping, officers considered that this expenditure would be wasteful. This view was confirmed to the EDCCA on 13 May 2004. It was also confirmed that the Council's consent as landowner would not be forthcoming, for the same reasons. Dulwich Community Council has since confirmed that the £50,000 will be held for EDCCA's use within a newly constructed community centre.

It is understood that EDCCA, during the course of last year, when formulating their approach to the Council, looked at the possibility of housing on the site themselves. This has been acknowledged in subsequent meetings with them, although they concluded that the level of housing on the site was of concern and they have since reconsidered this approach. It is also understood that they have investigated the possibility of a deal with the adjacent medical centre. Details of these discussions and their future intentions in this regard are not known. Notwithstanding these factors, the Council could, in any event, restrict the use of the site by EDCCA by imposing appropriate covenants.

EDCCA have raised concerns regarding noise from use of the external space affecting residential occupiers of any new development. However, the site is in a residential area, and the existing building is immediately adjacent to residential properties. Presumably, on this basis, noise from the existing external area must be a problem now. Therefore it could be questioned whether external space in this location is appropriate.

The Executive and Planning Sub-Committee will determine future use of the site.

**2. MOTION FROM COUNCILLOR JEFF HOOK** (seconded by Councillor David Hubber)

**Please note that in accordance with Council Assembly Procedure Rule 3.10 (3), this motion shall be considered by Council Assembly.**

Council notes that Rotherhithe residents without cars are limited in terms of direct access to the north of the river.

Council therefore requests the Executive to investigate the possibility of a footbridge, also available to cyclists, from Rotherhithe to the Docklands.

Council notes this would not only benefit residents in terms of access to employment and entertainment but it would also assist in bringing visitors south of the river.

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

#### **COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION**

Comments to follow.

#### **3. MOTION FROM COUNCILLOR TOBY ECKERSLEY (seconded by Councillor Kim Humphreys)**

**Please note that in accordance with Council Assembly Procedure Rule 3.10 (3), this motion shall be considered by Council Assembly.**

That with regard to concern about inadequacy of primary school provision in the North Dulwich area, the Executive receive before 15th September 2004 an interim report on the outcome of the steps requested by Council Assembly on 29th October 2003, with particular reference to the fate of admissions applications for September 2004, and on all other relevant aspects of this matter.

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

#### **COMMENTS FROM THE DIRECTOR OF EDUCATION SERVICES**

Council Assembly originally requested that Executive receive a report by October 2004 based, among other things, on research into the success/failure of admissions applications for entry in September 2004 to maintained schools in the Herne Hill and Dulwich area. This information is not yet available to prepare a report to Executive in September, but will be after August, when it can be reviewed and reported to Executive in October. The area review is also to be considered by the Dulwich Community Council at their meeting in September and it will be possible to report the outcome of that meeting to Executive in October.

Therefore it is proposed that, in order to include in the report information on the September 2004 admissions position, Assembly maintain its original timetable and Executive receives a report on the Herne Hill and Dulwich area review at its meeting in October 2004.

#### **4. MOTION FROM COUNCILLOR BARRIE HARGROVE (seconded by Councillor Michelle Pearce)**

**Please note that in accordance with Council Assembly Procedure Rule 3.10 (3), this motion shall be considered by Council Assembly.**

This Council notes with concern that commitments given to Friends of Parks Groups over the replacement of Rangers with Wardens may not be honoured.

This Council is particularly concerned that staffing levels at the moment are seriously compromising Park's safety and that future staffing projections will also prove inadequate.

This Council therefore calls upon the Executive to reverse its plans to scrap the Park Rangers and asks that all steps be taken to immediately re-instate the Service back up to its full strength.

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

## **COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE**

On the 16th December 2003, the Council's Executive adopted a report recommending the re-deployment of the Council's front line services for parks and open spaces. The report's key recommendations were the letting of a new Borough-wide grounds maintenance contract and the re-structuring of the Park Ranger service. These recommendations were proposed in response to the priorities that have consistently been identified by park users including park 'Friends' groups through consultation and user satisfaction surveys - the clearance of litter and dog waste, the lack of presence in parks in response to anti-social behaviour, the management of graffiti and vandalism and continued investment in open spaces.

During consultation the Friends were advised that the Community Parks Warden Service were also part of a wider range of initiatives designed to improve the experience of park users including: safety, improved grounds maintenance, ecology, education and outreach. They were also advised that the new services would take a while to be fully recruited to and implemented, and that there would be a need for some patience before the success of the service could be assessed. Friends and others would then have the opportunity to engage in a review of the service and be consulted on what was working and what was not. There was general agreement that the service would have to be in place for at least three months before initial judgement could be made, and at least six before a review was fair or possible. This does not mean not listening in the interim but it avoids a pre-emptive rush to judgement.

The restructure of the Ranger Service and the recruitment of the new Community Parks Warden Service are nearly completed as is the recruitment to the positions of Ecology Officer and Outreach Workers. Recruitment to Wardens posts is going well but is subject to police checks which lengthens the recruitment process. The new services will be formally launched in September 2004. In the meantime, an interim service is in place to deal with security and other issues.

Safety in parks is a challenging issue - it means dealing with the relatively rare incidents of major crime, higher levels of vandalism and anti-social behaviour and also providing re-assurance about the fear of crime. The new service is designed precisely to deal with those.

## BACKGROUND PAPERS

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Member Motions	Town Hall Peckham Road London SE5 8UB	Constitutional Team 020 7525 7228

<b>Lead Officer</b>	Ian Millichap, Constitutional Team Manager
<b>Report Author</b>	Kevin Flaherty, Constitutional Officer
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