

Item No. 7.4	Classification: Open	Date: 21st July 2004	Meeting Name: Council Assembly
Report title:		Report Back on Consideration of Motions Referred from Council Assembly In Accordance With Council Procedure Rule 3.9	
Ward(s) or groups affected:		All	
From:		Executive	

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – PLANNING POLICY ON MOBILE TELECOMMUNICATION MASTS

Executive on 3rd February 2004 considered the following motion referred from Council Assembly on 17th September 2003, which had been moved by Councillor Lewis Robinson and seconded by Councillor William Rowe:-

1. "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.
2. 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."

The Executive noted the motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – LORDSHIP LANE

Executive on 13th April 2004 considered the following motion referred from Council Assembly on 18th February 2004, which was moved by Councillor Sarah Welfare and seconded by Councillor Charlie Smith:

1. "That Council notes the severe difficulties suffered by small businesses in Lordship Lane due to the restrictions to loading and customer parking since implementation of the 185 bus lane proposals in 2002.

2. That Council calls upon the Executive to request that Transport for London, in conjunction with Southwark Council, carry out a full review of the operation of the bus lane along Lordship Lane, in particular whether the restrictions to parking from 4-7pm are necessary, including a consultation of residents and traders as to how its operation can be improved.”

The Executive agreed the motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – INFORMATION KIOSKS

Executive on 13th April 2004 considered the following motion referred from Council Assembly on 31st March 2004, which had been moved by Councillor Toby Eckersley and seconded by Councillor David Bradbury:

“That the Council is concerned that the letter of 26th January 2004 to Members about the proposed installation of e-information kiosks at seven locations in the Borough failed expressly to mention Community Councils among the topics on which information will be provided and accordingly requests the Executive to ensure;

- a. that the kiosks include such information, and
- b. that officers generally are aware that Community Councils are an integral and important part of local governance in Southwark.”

The Executive noted that information on community council’s would be available to the public at information kiosks.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – SCHOOL PLACES

Executive on the 4th May 2004 considered the following motion referred from Council Assembly on 31st March 2004, which had been moved by Councillor Toby Eckersley and seconded by Councillor Kenny Mizzi:-

“That Council Assembly notes concern being expressed by those responsible for securing school places for individual children at the numbers presenting themselves as being without a secondary school place and at the high proportion of these from overseas, and accordingly asks the Director of Education to report to the Executive on all aspects of this matter, including a breakdown of the sources of such demands and processes used to determine whether applicants have a right of abode in the UK and/or the right recourse to public funds, and generally on the effect of these demands on educational provision in Southwark as a whole.”

The Executive noted the comments of the Strategic Director of Education as set out below:

“Comments of the Strategic Director of Education

The Admissions Forum, on which Councillor Eckersley serves, is the statutory body responsible for securing school places. It works in conjunction with the council and the School Organisation Committee, the bodies responsible for ensuring there are sufficient school places to meet demand.

The Admission Arrangements for 2005 were detailed in two reports submitted to the Executive at its meeting on 13 April. The report on the arrangements for secondary schools contained two sections of particular relevance:

- The manner in which waiting lists are maintained: priority is to be given to children who do not have a school place
- Appendix Two which covered the work being developed by the Admissions Forum on managing late applications and managing mid year applications. The arrangements for managing mid year applications are being trialled by the Admissions Team from 1 April.

The processes for managing mid year applications includes both a more robust data base and the allocation of key offices in order that individual cases can be pursued with greater determination.

LEA intends to take a more robust approach to using its powers to direct schools to admit pupils but as a last resort. The admission limit can be breached in the event of a direction.

These processes will assist the LEA to deal with the particular pressures on Years 9, 10 and 11.

Whilst it is the case that a high proportion of mid year applicants are new arrivals to Southwark, a significant problem exists where parents withdraw their child from a school place without understanding how difficult it will be to find an alternative placement. The LEA does not have the same level of responsibility to these parents (unless their reasons for withdrawing their child are substantial and substantiated) as it does for new arrivals.

Due checks are made for all applicants in terms of documentation and places are not offered unless such documentation is provided.

Some UK visitors arrive with visas which specify that there must be no call on public funds either by them or family members. The provision of education is not classed as a call on public funds. Legal advice has been sought on this matter recently and will be the subject of a report to the Admissions Forum in the summer term. The calls on education budgets can be substantial particularly when children have special educational needs.”

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – FAIR TRADE

Executive on the 4th May 2004 considered the following motion and amendment referred from Council Assembly on 31st March 2004, which had been moved by Councillor Lisa Rajan and seconded by Councillor Graeme Neale:-

1. Southwark Council notes:
 - That many producers in the world, especially growers of cash crops, are exploited for their produce, and do not receive a fair price for their crops
 - The Fairtrade Towns Initiative, which contributes to the Fairtrade Foundation's aim of tackling poverty by enabling disadvantaged producers from poor countries to receive a better deal, through encouraging support for Fairtrade.
2. Southwark Council resolves to:
 - Pledge its support to the Fairtrade Foundation
 - Promote awareness of fair trade issues and make publicity and educational material available to local people concerning the impact of unfair trade and the opportunities that fair trade provides to promote sustainable development
 - Investigate the Council's own purchasing policies such as those of its suppliers and contractors, and purchase fair trade wherever possible
 - Consider buying fair trade products, such as those carrying the Fairtrade mark, where appropriate
 - Promote fair trade issues and practices amongst local businesses and commercial and other organizations
 - Continue the talks of Leader and Deputy Leader with partner organisations and Fair Trade organisations within the Borough.

Amendment A

Proposed by Councillor Dora Dixon-Fyle and seconded by Councillor Peter John

Delete final bullet point and **add**:

- ' - Integrate Fairtrade considerations into the Council's Environment Strategy;
- Develop a strategy to make Southwark a 'Fairtrade Borough';

- Work with the Mayor of London's campaign to achieve overarching 'Fairtrade City' status for London;
- Report annually on progress made with implementing this resolution.'

The Executive agreed:

1. That the Executive notes:
 - That many producers in the world, especially growers of cash crops are exploited for their produce and do not receive a fair price for their crops
 - The Fairtrade Towns Initiative, which contributes to the Fairtrade Foundation's aim of tackling poverty by enabling disadvantaged producers from poor countries to receive a better deal through encouraging support for Fairtrade.

2. The Executive resolves to:
 - Pledge its support to the Fairtrade Foundation.
 - Promote awareness of fair trade issues and make publicity and educational material available to local people concerning the impact of unfair trade and the opportunities that fair trade provides to promote sustainable development.
 - Investigate the Council's own purchasing policies and those of its suppliers and contractors and purchase fair trade wherever possible.
 - Consider buying fair trade products, such as those carrying the Fairtrade mark where appropriate.
 - Promote fair trade issues and practices amongst local and commercial businesses and other organisations.
 - Continue the talks of Leader and Deputy Leader with partner organisations and Fairtrade organisations within the Borough.
 - Integrate Fairtrade considerations into the Council's Environment Strategy.
 - Develop a strategy to make Southwark a Fairtrade Borough.
 - Work with the Mayor of London's cross party campaign to achieve overarching Fairtrade City status for London.
 - Report annually on progress made with implementing this resolution.

3. That a report on the issue be brought back to the Executive in the summer (2004).

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – NEW SCHOOL IN EAST DULWICH

Executive on the 18th May 2004 considered the following motion referred from Council Assembly on 28th April 2004, which had been moved by Councillor David Bradbury and seconded by Councillor Kim Humphreys:-

This Council does not believe that the use of Compulsory Purchase Order Powers is the best approach to finding a site for a new school in East Dulwich.

Executive considered the motion and noted that there were no current proposals for Waverley School to include the use of Compulsory Purchase Order proposals.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – DOWNTOWN

Executive on 18th May 2004 considered the following motion referred from Council Assembly on 28th April 2004, which had been moved by Councillor Paul Bates and seconded by Councillor Fiona Colley and amended by Councillor Catherine Bowman and seconded by Councillor Lisa Rajan:-

1. That the appointment of Barratt as preferred developer for the Downtown area regeneration scheme be noted.
2. That it be noted that this regeneration scheme was begun under the previous administration and that the scheme caused significant disquiet in the local community.
3. That Council believes that council communication to local residents with regard to this regeneration is very important.
4. That it be noted that consultation under the previous administration was woeful and that the new administration has taken conscious steps to improve consultation by, for example, introducing a series of mail drops – the last one on 16 December 2003 – and public exhibitions on-site.
5. That it be noted that, as a result of representations from residents and local Councillors, the housing density of the Downtown development has been considerably reduced.
6. That it be noted that the Barratt application is due to be considered by Planning Committee and that members will be able to approve, seek modification of or refuse the application in the normal way.

The Motion was considered and noted.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – NATIONAL ASSOCIATION OF BLACK, ASIAN AND ETHNIC MINORITY COUNCILLORS (NABAEMC)

Executive on the 18th May 2004 considered the following motion referred from Council Assembly on 28th April 2004, which had been moved by Councillor Aubyn Graham and seconded by Councillor Alison Moise:-

This Council Assembly requests that the Executive consider that Southwark Council re-affiliate to the National Association of Black, Asian and Ethnic Minority Councillors (NABAEMC).

Executive agreed that the Council re-affiliates to the National Association of Black, Asian and Minority Councillors (NABAEMC).

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – RYE LANE

Executive on the 18th May 2004 considered the following motion referred from Council Assembly on 28th April 2004, which had been moved by Councillor Andy Simmons and seconded by Councillor Mark Glover:-

1. That the use of CCTV for parking enforcement along Rye Lane be welcomed.
2. That the principal use of CCTV along Rye Lane should be for tackling crime
3. That the police and community wardens should have priority use of CCTV for proactive and reactive crime prevention functions at any time of the day or night.
4. That the Executive be asked to make sure that (3) is implemented as soon as possible.

The motion was slightly amended as follows:-

1. That the use of CCTV for parking enforcement along Rye Lane is welcomed.
2. That the principal use of CCTV along Rye Lane should be for tackling crime.
3. That the police and community wardens have priority use of CCTV for proactive and reactive crime prevention functions at any time of the day or night.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – PUBLIC TRANSPORT LIAISON COMMITTEE

Executive on the 18th May 2004 considered the following motion referred from Council Assembly on 28th April 2004, which had been moved by Councillor Kim Humphreys and seconded by Councillor Lewis Robinson:-

That the Executive be requested to establish a Public Transport Liaison Committee of public transport operators active in Southwark in order to facilitate discussions between the Council and these operators.

The Executive agreed:-

That the Public Transport Liaison Committee of public transport operators active in Southwark be established in order to facilitate discussions between the Council and these operators. The Executive Member for Environment and Transport be included in the membership of this Committee and that a report back is forthcoming to the Executive by December 2004.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – ELEPHANT AND CASTLE TRADERS

Executive on the 18th May, 2004 considered the following motion referred from Council Assembly on 28th April 2004, moved by Councillor Toby Eckersley and seconded by Councillor Kim Humphreys:-

That Council Assembly, mindful of the need to prevent degeneration adversely affecting regeneration schemes requests the Executive to consider, before 31st May 2004 the concerns expressed by the deputation.

Executive noted that the concerns identified as part of this motion were addressed at the meeting of Council Assembly in response to issues raised by the deputation.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – SUPPORT FOR SMALL BUSINESSES

Executive on the 18th May, 2004 considered the following motion referred from Council Assembly on 28th April 2004, moved by Councillor Jonathan Hunt and seconded by Councillor Nicholas Stanton:-

1. That the results of inquiries by the District Auditor and Local Government Ombudsman into the planning applications for Imperial Gardens and Fairview Homes site in Camberwell be noted.
2. That the serious concerns raised by deputations, at this meeting and previous meetings, with regard to small businesses in Southwark be noted.
3. That the Executive receives, as soon as possible, a report that examines the Council's future relationship with local businesses. The report should:
 - Address the position the Council finds itself in as its role as landlord, in its role as a planning and licensing authority, in its regeneration role and in affording help and advice to small and medium enterprises (SMEs)
 - Include a review of the enterprise strategy and the changes in procurement guidelines designed to create a firer playing field for SMEs in Southwark to bid for council contracts.
 - Consider to what extent the Council might involve an external advisor and/or scrutiny in addressing these issues.

4. That the Council further believes that measures to address concerns about specific businesses and business owners should proceed as a matter of urgency to attempt to bring about solutions acceptable to all parties within the framework of existing policies and legal obligations.

Executive requested a fuller report back to its meeting as soon as possible.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive Agenda and Minutes 3 rd February, 13 th April, 4 th May, 18 th May and 22 nd June, 2004	Constitutional Unit, Town Hall, Peckham Road, London SE5 8UB	Paula Thornton/Everton Roberts 020 7525 4395/7221

AUDIT TRAIL

Lead Officer	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Paula Thornton/Everton Roberts, Constitutional Team	
Version	Final	
Dated	6 th July 2004	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	No	No
Chief Finance Officer	No	No
Executive Member	No	No
Date final report sent to Constitutional Support Services	6 th July 2004	