

Item No. 7.	Classification: Open	Date: 15 September 2004	Meeting Name: Council assembly
Report title:		Motions	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor)	

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 WILLIAM ROWE** (seconded by Councillor Kenny Mizzi)

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 double-glazing costs remain a very high component of major works costs borne both by the housing revenue account and by leaseholders and that there remains widespread concern that these costs are excessive.

Council assembly requests the executive to obtain a report from officers by the end of November 2004 setting out how significant savings in this area of cost could be made. The report should address;

- How other major landlords (including public sector, social rented and private sector) purchase double glazing: for example via general building contractors, from specialist suppliers, or by direct deals with manufacturers setting out the advantages and disadvantages of each alternative approach.
- The cost implications of different “environmental standards” applied to double glazing (UPVC, timber & metal frames etc) – setting out alternatives and their costs clearly.
- Benchmarking data available on double glazing costs.
- Any other information pertinent to obtaining reliable double-glazing at a reasonable cost.
- Proposals for steps to be taken by the council to obtain better value for money on its double-glazing purchases.

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

COMMENTS FROM THE STRATEGIC DIRECTOR OF HOUSING

In 2003/4 over 2,800 homes had windows installed at a cost of £8.4 million. Generally, the window renewal is packaged as part of wider major works, including for example associated concrete repairs or roof renewal/repair, to take advantage of the necessity for scaffolding.

Increasingly, window renewal is part of a decent homes package where a contract is let to address all the elements that fail decency in dwellings, both internally and externally; rather than let two or more separate contracts.

The Housing department’s procurement strategy is currently being reviewed. The results of this review are likely to include recommendations for increasing the number of partnering contracts within the areas; consolidating contracts of a similar nature; developing framework agreements with a number of contractors for specialised works; developing supply framework agreements; and continuing some traditionally tendered contracts.

Increasingly, other authorities are moving away from traditionally tendered contracts, by developing framework or partnering agreements with contractors, and either directly or through the London Housing Consortium, are partnering with the supply chain. In the development of the proposed procurement strategy a number of local authorities have been approached to look at how they procure not only windows, but also general and specialist work.

All methods of procurement will have implications for leaseholders, so the extensive consultation will take place through the requirements of the 2002 Commonhold and Leasehold Reform Act.

The housing department has developed a design and specification guide which is used as a basis to produce a specification for different window types, and assesses value, including life long costs (such as future energy savings) and issues of future maintenance.

Currently, on a contract-by-contract basis, the building surveyor advises on the best type of window for a block. The specific window specification is outlined within a bill of quantities that is used to tender the works. The prospective contractor then prices the specification. If the contractor has an agreement with a window manufacturer potentially then savings can be made as part of the total tender price.

As part of the pre-tender work, an estimate of cost is made based on the recently awarded contracts. These costs are also used as a basis for future costing, monitoring and also the identification of trends in window manufacturing costs.

A full report, if required, in November can expand on these points.

2. MOTION FROM COUNCILLOR SARAH WELFARE (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.

Council assembly registers its concern that:

- Sheltered housing residents as old as 91 years of age were recently locked out of their homes at Harry Lambourne House in the absence of any warden
- Proposals for re-organising the sheltered housing warden service are being rushed in on the basis of cost savings rather than the interests of residents
- There does not appear to have been any prior consultation with tenants nor adequate preparation to ensure changes have no negative impact on residents
- The re-organised service seems likely to result in the loss of the most experienced permanent wardens and increased usage of agency staff.

Council assembly therefore calls for a full investigation into the failures at Harry Lambourne House and requests that a full report-back is presented to council as quickly as practicably possible.

Recalling the 1996 sheltered housing scrutiny, council assembly further requests overview & scrutiny committee to establish a new scrutiny into the proposed arrangements for sheltered housing (including the alarm scheme and the proposed arrangements with regard to wardens), plus a comprehensive review of the financial advice provided to Members in this area during the budget setting process.

Note: If the motion is agreed, any proposals will be submitted to the executive and the overview and scrutiny committee for consideration.

COMMENTS FROM THE STRATEGIC DIRECTOR OF HOUSING

A call to the community alarm service relating to an elderly resident being locked out was misdiagnosed as non emergency resulting in delay in letting the resident into their home. A full internal investigation was conducted by the housing department with the cooperation of the community alarm scheme. The main findings of the investigation were:

- That the incident was an isolated incident that had resulted from an individual member of staff misdiagnosing the call to the alarm service
- That policies and procedures relating to the community alarm service were robust
- That further checks should be introduced on the data recording equipment to ensure that all telephone calls could be monitored.

The officer concerned was an experienced and permanent staff member who was cautioned following the incident. A full apology and compensation was issued to the resident the following week.

Even with sleep-in cover, there are periods in which the community alarm service is required to cover the sheltered housing service. The priority of the housing service has been to analyse the shortcoming in our service this incident highlighted so that such a failure does not happen again. The implementation of the floating warden service and the review of the community alarm service will include a review of the technology, which will potentially can provide a more sophisticated range of triggers and responses to alarm calls than currently available.

Implementation of the Sheltered Housing Reorganisation

The reorganisation of the sheltered housing service was triggered by the decision by the Supporting People Commissioning Body to reduce funding following reductions in the overall level of funding from the ODPM to the national Supporting People programme. The Supporting People review of the sheltered housing service identified that the in-house service was costly in comparison with other providers, with a unit cost of nearly twice the next most expensive service nationally. The remodelled service will provide a 24-hour service at a reduced cost, but will also provide a more flexible and responsive service to residents.

The reorganisation will reduce the number of establishment staff within the service from 41 to 61. Given the need to retain a high level of experience within the service, redundancies will be limited by the application of criteria in selection of members of staff for redundancy.

The needs of residents are of paramount importance in the transition to this model of service delivery. Given the very high sensitivity of the service and the need to manage the change careful for this elderly client group, the housing department has agreed that the implementation date of 1 October 2004 is unrealistic given the need to conduct:

- A detailed consultation and feedback programme for residents, relatives, stakeholders and staff.
- Specialist service design that reflects the comments and concerns expressed by residents during the consultation.
- Full statutory consultation with staff over potential redundancies

As a reflection of the importance attached to a smooth transition the Supporting People Commissioning Body agreed a change management payment to the borough council to allow flexibility in the implementation date for this project. Initially funding has been agreed to the 31 December 2004, which means the overall implementation period will be five months. The commissioning body also agreed to receive a further report in December 2004 to consider any additional further change management payment, should more time be necessary to deliver a smooth transition to the new service.

On this basis, the housing department is working toward full implementation of the review by January 31 2005.

3. MOTION FROM COUNCILLOR DAVID BRADBURY (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.

This council assembly is concerned that, in relation to initial council proposals to reduce parking in Half Moon Lane in connection with the London Bus Priority network, consultation with local residents was not wide enough and did not fully cover the area that would have been affected by displacement and therefore requests that the executive review its policy towards such consultations in the future.

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

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

The schemes associated with the London Bus Priority Network (Route 37) along Half Moon Lane were site specific and did not directly impact on a large-scale area. As part of the consultation process, all frontages directly adjacent to the schemes were fully consulted, including provision of consultation plan and letter describing what is proposed and the primary objectives of the scheme. The consultation area plan, list of addresses and consultation documents were sent to the relevant ward members.

If members are unhappy with the coverage of consultation for a particular scheme, the council will extend the area to address concerns raised. Alternatively, members can alert constituents they perceive to be affected by a proposal in order to obtain their views. Such an exercise was undertaken by Village Ward members for the proposals at the eastern end of Half Moon Lane.

The council encourages site meetings with residents, members and officers in response to concerns raised throughout the consultation stage of a proposal.

The council will be shortly reviewing consultation procedures for traffic and parking schemes to ensure that all affected constituents, interest groups and organisations are fully aware of forthcoming proposals within the borough.

4. MOTION FROM COUNCILLOR DENISE CAPSTICK (seconded by Councillor Linda Manchester)

Please note that in accordance with council assembly procedure rule 3.10 (3), this motion shall be considered by council assembly.

Council is concerned that the Abbey Street and Bermondsey Street post office branches have been earmarked for closure.

Council believes that post offices are of fundamental importance to the well being of many of the most vulnerable members of our community.

Council notes that:

- 4000 post offices were closed by the previous government and now under the current government there are 3000 branches that have or are due to be closed;
- Many of the sections of our community most dependant on post offices ie the elderly or disabled, are those who will also suffer the most from increased distances to alternative post offices if there are closures;
- The welcome upturn in economic fortunes of the Bankside area is bringing new businesses to the area, yet despite this increased demand, and the potential new business resulting from Southwark Council's face-to-face review, the Post Office is about to reduce its service. The Post Office is therefore missing a business opportunity;
- Proposed receiving branches do not have sufficient extra capacity to support the increased demand;
- The Bermondsey branch is the oldest post office in the country and would be a significant heritage loss to the area.

Council therefore urges the Post Office consultation team to take the case for the maintenance of these branches seriously; requests the leader of the council to make representations to this effect and would support a campaign to preserve their status should they be in jeopardy.

COMMENTS FROM THE CHIEF EXECUTIVE

The Post Office is currently engaged in a nationwide programme entitled Network Reinvention which aims to rationalise the urban network of post offices. On 21 July, the Post Office wrote to the council with the results of a comprehensive review of post office branches in the borough's three parliamentary constituencies. The outcome of this exercise is as follows:

Camberwell and Peckham

There are no proposed closures for this area.

Dulwich and West Norwood

There are currently 13 post office branches in this area and the Post Office is proposing that two sub-post offices close (Crystal Palace Road and Rosendale Road) and one is relocated (Herne Hill).

North Southwark and Bermondsey

There are currently 15 post office branches in this area and the Post Office is proposing that two sub-post offices close (Abbey Street and Bermondsey Street).

These proposals have been issued for consultation, with a closing date of Wednesday 15 September. If the closures go ahead, they are planned to start during November this year.

The overview and scrutiny committee (OSC) are currently conducting a scrutiny examining the issue of post office closures in the borough. OSC examined the issue at its meetings on 6 May and 27 July 2004 and will consider the issue further on 8 September. As part of the scrutiny members have heard from Kay Dixon (Chair of Postwatch) who detailed the potential impacts of the programme upon Southwark.

OSC Members have visited some of the Post Offices proposed for closure (Crystal Palace Rd, Bermondsey Rd and Abbey St) on 2 September to meet with customers and the postmasters.

Bermondsey community council will consider the issue at its meeting on 9 September.

The OSC chair has also contacted the Southwark Pensioners Forum and the Southwark Disability Forum and asked them for comments on the proposed closures.

The Southwark Council website is advertising the scrutiny exercise and asking for members of the public to provide comments by 8 September 2004.

OSC will produce a final scrutiny report at its meeting on 8 September. This report will be forwarded to the executive for its meeting on 14 September 2004.

Amongst other factors, scrutiny and the executive will wish to consider the impact of the proposed closures on disadvantaged communities and on local businesses. They will also wish to consider the proposed closures in the context of planned improvements to the council's face-to-face customer services and wider policy objectives such as regeneration plans.

5. MOTION FROM COUNCILLOR JONATHAN HUNT (seconded by Councillor Dr Abdur Rahman Olayiwola)

Please note that in accordance with council assembly procedure rule 3.10 (3), this motion shall be considered by council assembly.

Council assembly notes the rising number of council-owned properties being sold, often against the wishes of local people, and seeks ways of ensuring that local communities are more involved in such decisions and that Southwark Property is brought under greater democratic control.

Council thus resolves that in future all council-owned property considered as surplus to requirements should first be declared to the appropriate community council, for local residents and councillors to say whether such land or premises could meet legitimate community needs.

Council assembly also notes that organisations and businesses that play an important role in community are being charged prohibitive commercial rents that threaten their existence, and believes that a scale of suitable discounted rents be established for such bodies.

Council assembly asks the relevant scrutiny committee to look into the most effective ways of achieving both these objectives and report back before the end of the year.

Note: If the motion is agreed, any proposals will be submitted to the executive and the overview and scrutiny committee for consideration.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

The Council has a duty to ensure that its property assets are managed in an efficient and effective way. Part of this duty is the identification of under-utilised assets and their disposal. Southwark's disposal programme over the last number of years has generated capital receipts in excess of £100m which has been used to fund the capital programme for the benefit of its residents. As a corporate asset all property related matters are reserved to the executive and there is a comprehensive process in place to manage the disposal process. The key elements of the current process are as follows:

The procedures are designed:

- To enable occupying departments to declare property surplus as service requirements change.
- To enable the strategic director of regeneration to take an overall view of the most effective use of property.

On a monthly basis the property team will audit the register of surplus property to ensure that there are no surplus properties that would fulfil a current requirement. If a match is made a delegated report is prepared recommending the reallocation of property.

Where community councils or others identify the need for a property for a function or activity in the area, they should notify the property team who will aim to identify whether that need can be met from within the council's portfolio of ownership – including the use of properties that are not declared surplus at that stage. All occupiers will be required to demonstrate that they have a financially viable activity

The granting of leases is considered to be a disposal of land. The amount of rent charged is therefore also governed by the rules of best consideration.

The executive agreed a policy to ensure clarity on the occupation of property by voluntary and community groups in (04 November 2003). Provision has been made to ensure that:

- All occupation of premises is covered by a formal lease arrangement based on market rent.
- Any local authority support that makes a contribution to premises costs is properly and transparently agreed and recorded.
- Decisions on financial support are the responsibility of the council department most closely associated with the services being provided by the relevant organization.

- Decision are consistent and take full account of the capacity and needs of the organization and the implications for property.
- Service departments consider levels of subsidy and decide whether or not to maintain these in line with their voluntary sector commissioning plans.

The separation of the determination of the rent payable and the amount of any financial support given ensures equitable treatment of all bodies. In particular it means that support can be made to available bodies that do not occupy council owned property.

6. MOTION FROM COUNCILLOR LEWIS ROBINSON (seconded by Councillor Toby Eckersley)

Please note that in accordance with council assembly procedure rule 3.10 (3), this motion shall be considered by council assembly.

Council assembly notes with concern that at its last two meetings the opportunity has been denied to each elected member who chose to table a written question to ask supplemental oral questions.

Council assembly believes that the right for each elected member to table a written question at each meeting, and the opportunity to ask supplemental oral questions is an important part of the democratic process and one of the few opportunities for councillors, in particular backbenchers, to hold individual members of the executive and chairs of committees to account.

Council assembly requests standards committee to address this matter at its earliest opportunity and make recommendations to remedy this unsatisfactory situation.

Note: If the motion is agreed, any proposals will be submitted to the standards committee.

COMMENTS FROM THE BOROUGH SOLICITOR AND SECRETARY

Council assembly procedure rules were last reviewed at the constitutional council assembly meeting in May 2004. At that meeting, members considered and amended recommendations received from the standards committee. Those standards committee recommendations were informed by the conclusions arising from a prior informal meeting of the three party group whips and officers from the constitutional team.

At the only council assembly meeting subsequent to the constitutional meeting, not all agenda items were fully discussed, even though the meeting ended after midnight. There is general consensus that late finishes are not conducive to good decision making. Priority given to agenda items is ultimately a decision for members collectively and decisions agreed that evening suspending the provisions of council assembly procedure rules had the ultimate effect of lengthening the meeting.

While the standards committee plays a pivotal role in providing independent scrutiny of all proposed constitutional changes, care should be taken not to create the impression it has sole responsibility for the regulation of council assembly business. All members have a role in refining current practice to ensure the orderly and efficient transaction of council business within the democratic process. Should members be minded to pass the motion, it is therefore suggested consideration of

any proposals to modify council assembly procedure rules should first be given by the three party group whips acting in consultation with my constitutional team. Any agreed changes could then be sent to the standards committee and thereafter fed into the 2005 constitutional review.

BACKGROUND PAPERS

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

Lead Officer	Ian Millichap, Constitutional Team Manager
Report Author	Kevin Flaherty, Constitutional Officer
Version	Final
Dated	2nd September 2004