



**COUNCIL ASSEMBLY  
(ORDINARY MEETING)**

MINUTES of the OPEN section of the meeting of the COUNCIL ASSEMBLY held on WEDNESDAY OCTOBER 20, 2004 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

---

**PRESENT:**

The Worshipful the Mayor Councillor Anne Yates

Councillor Alfred Banyar	Councillor Abdul Mohamed
Councillor Mick Barnard	Councillor Alison Moise
Councillor Beverley Bassom	Councillor Catriona Moore
Councillor Paul Bates	Councillor Vicky Naish
Councillor Columba Blango	Councillor Graham Neale
Councillor Catherine Bowman	Councillor Gavin O'Brien
Councillor David Bradbury	Councillor Dr. Abdul Rahman Olayiwola
Councillor Denise Capstick	Councillor Michelle Pearce
Councillor Fiona Colley	Councillor Caroline Pidgeon
Councillor Toby Eckersley	Councillor Richard Porter
Councillor Stephen Flannery	Councillor Mark Pursey
Councillor John Friary	Councillor Lisa Rajan
Councillor Norma Gibbes	Councillor Tony Ritchie
Councillor Mark Glover	Councillor Lewis Robinson
Councillor Aubyn Graham	Councillor William Rowe
Councillor James Gurling	Councillor Jane Salmon
Councillor Barrie Hargrove	Councillor Andrew Simmons
Councillor Jeffrey Hook	Councillor Tayo Situ
Councillor David Hubber	Councillor Robert Skelly
Councillor Kim Humphreys	Councillor Robert Smeath
Councillor Jonathan Hunt	Councillor Charlie Smith
Councillor Peter John	Councillor Nicholas Stanton
Councillor Billy Kayada	Councillor Richard Thomas
Councillor Paul Kyriacou	Councillor Dominic Thorncroft
Councillor Linda Manchester	Councillor Veronica Ward
Councillor Eliza Mann	Councillor Neil Watson
Councillor Daniel McCarthy	Councillor Sarah Welfare
Councillor Dermot McInerney	Councillor Ian Wingfield
Councillor Kenny Mizzi	Councillor Lorraine Zuleta

**1. PRELIMINARY BUSINESS**

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

The Mayor reported Kingsdale School had won the 2004 Wood Award for its auditorium.

The Mayor announced the death of former Councillor Pat Molloy. Councillors Danny McCarthy, and Ian Wingfield paid tributes.

All present observed a one-minute silence in memory of Pat Molloy.

**1.2 NOTIFICATION OF ANY OTHER ITEMS WHICH THE MAYOR DEEMS AS URGENT**

The Mayor agreed to accept the Item 7.2 'Recommendations of the executive in respect of the pre-inquiry modifications for deposit Southwark plan 2004' and Item 8.1 'Statement of accounts 2003/04 post audit, and the Audit Commission's statement of audit standards 610 report on the accounts' for the reasons set out in the reports

**1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Councillor Fiona Colley declared a personal non prejudicial interest in items 9.1 & 9.3 as an employee of a GLA member. She declared a personal prejudicial interest in Amendment F which directly related to her employer, Valerie Shawcross MLA. When council assembly agreed to allow this amendment to be modified deleting a reference to Ms Shawcross, Councillor Colley declared the prejudicial interest no longer applied and she remained in the meeting for consideration of amendment F.

Councillor Tony Ritchie declared a personal and prejudicial interest in item 5.3 and withdrew from the meeting during consideration of this item.

Councillor Stephen Flannery declared a personal non-prejudicial interest in item 8.2 owing to his employment with a charity.

Councillor James Gurling declared a personal non-prejudicial interest in item 8.2 owing to his employment.

Councillor Neil Watson declared a personal prejudicial interest in amendment G to item 9.1 as the value of his property could be affected and he withdrew from the meeting during consideration of this item.

The following Councillors declared a personal non-prejudicial interest in item 8.2 in their capacity as governors of the schools listed below.

Councillor Paul Bates	- Tower Bridge School
Councillor Columba Blango	- St John's, Surrey Docks
Councillor David Bradbury	- Bessemer Grange
Councillor Toby Eckersley	- The Charter and Walworth
Councillor Billy Kayada	- Oliver Goldsmith
Councillor Norma Gibbes	- Kingsdale
Councillor Aubyn Graham	- Tuke

Councillor Peter John	- Riverside and Tower Bridge
Councillor Lewis Robinson	- Heber
Councillor William Rowe	- John Ruskin
Councillor Bob Skelly	- Peckham Rye
Councillor Nick Stanton	- London City Academy
Councillor Robert Smeath	- Snowsfield
Councillor Ian Wingfield	- Brunswick Park

#### 1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Alun Hayes Lorraine Lauder, Jelil Ladipo and Dora Dixon-Fyle. Apologies for lateness were received from Councillors Dermot McInerney, Alison Moise, Dominic Thorncroft and William Rowe.

## 2. MINUTES

**RESOLVED:** That the open minutes of the meeting held on September 19, 2004 be agreed and signed as a correct record subject to the following amendments:

Minute 1.4: Apologies for absence: add: "Councillor John Friary"

Minute 1.4 Apologies for absence: amend to read "Apologies for lateness were received from Councillor Tony Ritchie who arrived subsequent to the consideration of the Black Awareness Group deputation".

Appendix 3 Page 46 Question 37 supplemental question line 1 to read "While it's certainly true that the ballot on the Aylesbury Estate in 2001 did not prefer wholesale stock transfer

Appendix 3 Page 47 Question 39 supplemental question title line: delete "Councillor Jelil Ladipo" and insert "Councillor Dora Dixon-Fyle".

## 3. PETITIONS

No petitions were received.

## 4. QUESTIONS FROM THE PUBLIC (see page 1)

Two members of the public, Mr. Patrick Yorke and Mr. Tom Larkin, asked a supplemental question of the executive member for communication and performance improvement and the executive member for housing & community safety. A summary is attached as appendix 1 to these minutes.

## 5.1 DEPUTATION FROM GREAT SUFFOLK STREET TRADERS (see pages 2 – 3 and supplemental agenda 1)

supplemental agenda 1)

Council assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Mr. Kumar.

At 7.36pm the meeting was adjourned for 15 minutes owing to disorder in the public gallery.

Upon resumption, Councillors Billy Kayada, Charlie Smith, Aubyn Graham and Richard Thomas asked questions of the deputation. Thereafter the deputation withdrew to the public gallery.

## **5.2 DEPUTATION FROM TRINITY NEWINTON RESIDENTS ASSOCIATION**

Council assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Ms Hives, following which Councillors Tony Ritchie, Barrie Hargrove, James Gurling and Michelle Pearce asked questions of the deputation. Thereafter the deputation withdrew to the public gallery.

## **5.3 DEPUTATION FROM THE BLACK AWARENESS GROUP**

Council assembly agreed to accept the deputation. Members were addressed by the deputation's spokesperson, Mr. Stephenson, following which Councillors Dr Abdur Rahman Olayiwola, Jonathan Hunt, Vicky Naish and Nick Stanton asked questions of the deputation. Thereafter the deputation withdrew to the public gallery.

At 8.31pm the meeting was adjourned for 5 minutes following disorder in the public gallery.

## **6. QUESTIONS FROM MEMBERS (see pages 4 – 8)**

One urgent question was submitted by Councillor Peter John to the leader of the council. A copy of the question and answer is attached as appendix 2

Twenty-two questions were submitted and answers circulated around the chamber. Seventeen members opted to ask supplementary questions. A copy of all questions and the answers received is attached as appendix 3

## **7. REPORTS FROM THE EXECUTIVE**

### **7.1 PRE-INQUIRY MODIFICATION FOR DEPOSIT SOUTHWARK PLAN 2004 (UNITARY DEVELOPMENT PLAN) (see pages 9 – 16, appendices 1, 2 and 5 circulated separately)**

### **7.2 RECOMMENDATIONS FROM THE EXECUTIVE ON THE PRE-INQUIRY MODIFICATION FOR DEPOSIT SOUTHWARK PLAN 2004 (UNITARY DEVELOPMENT PLAN) (see supplemental agenda No.1)**

Councillor Richard Porter, the executive member for regeneration and economic development, moved the recommendations contained within items 7.1 and 7.2.

Councillor Toby Eckersley, seconded by Councillor Lewis Robinson, moved Amendment A.

Following debate (Councillors Richard Porter and Michelle Pearce), Amendment A was put to the vote and declared to be lost.

Councillor David Bradbury, seconded by Councillor Toby Eckersley, moved Amendment B.

Following Councillor Richard Porter's right of reply, Amendment B was put to the vote and declared to be lost.

Councillor Barrie Hargrove, seconded by Councillor Paul Bates, moved Amendment C.

Following debate (Councillors Richard Porter and Kim Humphreys), Amendment C was put to the vote and declared to be lost.

Councillor Andy Simmons, seconded by Councillor Mark Glover, moved Amendment D.

Following debate (Councillor Toby Eckersley), Amendment D was put to the vote and declared to be carried.

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

**RESOLVED:** 1. That, in light of the representations received as part of the consultation on the second draft of the Southwark Plan, council assembly agrees the adoption of the suggested changes in the pre-inquiry deposit Southwark Plan (as set out in appendices 1 and 2), and the following proposals recommended by the executive being included within the plan:

Appendix 1 to the report (Appendix 11 to the Plan) OS42 - Newington Gardens, extension to Borough Open Land (please refer to the map attached to this report);

**Appendix 1 to the report (Appendix 14 to the Plan) OS191 - Lamlash Street Allotments, addition of Other Open Space (please refer to the map attached to this report).**

2. That the following additional changes be made to the pre-inquiry deposit Southwark Plan

Pre Inquiry paragraph reference - Section 9.3 page 28

- delete "good quality housing, particularly for families" after "Other parts of the action area are predominantly" and replace by "housing"
- delete "especially" after "(some sites have been designated on the proposals map)" and replace by "which will provide a mix of market,"
- add ", health" after "Protecting and enhancing small businesses to provide local employment, and encouraging an enterprise culture are priorities, as are the provision of education"

Pre Inquiry paragraph reference – Section 9.3.2 page 29/30

- delete "and reducing ground floor car parking" after "Improve provision of safe and accessible car parking by

- making better use of multi-storey and underground car parking”
- add additional point at end of section as follows “Seek to improve the diversity of shopping provision within the town centre so as to provide a range of high quality shops attractive to Peckham’s diverse communities and over time decrease geographical concentrations of lower quality shops selling similar products.”
3. That the draft consultation plan for the pre-inquiry changes to the Southwark Plan (Appendix 5) be used as the basis for consultation purposes.
  4. That officers be given the authority to make any necessary corrections to spelling, grammar and punctuation without changing the substantive content of the plan

In accordance with Council Assembly Procedure Rule 1.17 (5), Councillor Toby Eckersley requested that his vote against the resolution be recorded in the minutes.

**8.1 STATEMENT OF ACCOUNTS 2003/04 POST AUDIT, AND THE AUDIT COMMISSION’S STATEMENT OF AUDIT STANDARDS 610 REPORT ON THE ACCOUNTS** (see supplemental agenda 1)

The Mayor formally moved the recommendations contained within item 8.1.

Amendment E to the report was withdrawn.

Following debate (Councillor Toby Eckersley) the recommendations were put to the vote and declared to be carried.

- RESOLVED:**
1. That council assembly approves the amended Accounts for the year ended 31 March 2004 (Appendix A) and notes the amendments to the Accounts for the year ended 31 March 2004 detailed in the recommendations below and in Appendix B
  2. That the Mayor, as presiding member at the meeting of the council assembly, signs the Accounts, to indicate that the Accounts have been received and approved by the council assembly.
  3. That the Mayor, as presiding member at the meeting of the council assembly, signs the Accounts, to indicate that the Accounts have been received and approved by the council assembly.
  4. That council assembly notes the change in value of Other Property of £1.306 million as detailed in paragraphs 15 to 17.
  5. That council assembly notes and agrees the amendment to the description of the balance of £10.652 million in note 15.6 of the Accounts for the year ended 31 March 2004 from its current title of Capital Expenditure Reserve to Modernisation, Service and

Operational Improvement Reserve.

6. That council assembly notes and agrees the addition of £1.014 million to the Modernisation, Service and Operational Improvement Reserve as detailed in paragraphs 21 to 23.
7. That council assembly notes the report of the external auditors (Appendix C) and the response of officers to the items raised set out in Appendix D.

In accordance with Council Assembly Procedure Rule 1.17 (5), Councillor Toby Eckersley requested that his vote in abstention to the resolution be recorded in the minutes.

**8.2 NINTH LONDON LOCAL AUTHORITIES BILL – FIRST RESOLUTION** (see pages 19 – 27)

The Mayor formally moved the recommendations contained within the report.

The recommendations were put to the vote and declared to be carried by 51 votes to nil.

- RESOLVED:**
1. That a resolution in the form set out in appendix b of the report be passed on the council's intention to participate in the promotion of the current London Local Authorities Bill.
  2. That the Borough Solicitor be authorised to take all necessary steps and enter such necessary arrangements in order for the council to participate in the legislation.

**9. MOTIONS** (see pages 28 – 34 and supplemental agenda 1)

**9.1 MOTION No.1 – HOUSING DENSITY IN THE UDP** (see page 29 and supplemental agenda No.2)

Councillor Kim Humphreys, seconded by Councillor David Bradbury, moved the motion.

The Borough Solicitor reported she had received a representation from Ms Valerie Shawcross claiming she had been misrepresented in the text of Amendment F. After receiving legal advice, the mover of the amendment gained the consent of the meeting to withdraw the second paragraph which attributed a view to Ms.Shawcross that she had said was erroneous.

Councillor David Hubber, seconded by Councillor Lisa Rajan, moved Amendment F which Council Assembly had agreed to be modified by the deletion of its second paragraph.

Following debate (Councillors Toby Eckersley and Paul Bates) Councillor Kim Humphreys exercised his right to reply.

Amendment F was put to the vote and declared to be carried.

Councillor Charlie Smith, seconded by Councillor Dominic Thorncroft, moved Amendment G

Following debate (Councillors Kim Humphreys, and Fiona Colley), Councillor David Hubber exercised his right to reply.

Amendment G was put to the vote and declared to be lost.

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

- RESOLVED:**
1. That council assembly notes with concern and disappointment that London Mayor Ken Livingstone has objected to reduced housing densities proposed in the UDP in the suburban northern zone (covering separate areas of Herne Hill, East Dulwich and the Rotherhithe peninsula).
  2. That council assembly notes that the executive's designation of the Rotherhithe peninsula, in particular, was agreed unanimously by council assembly and welcomed by councillors in the relevant wards, local residents and Val Shawcross (Assembly Member for Lambeth and Southwark).
  3. That council assembly reaffirms its previous support for these proposals and asks the executive member for regeneration & economic improvement to write to the Members of Parliament and Greater London Authority (GLA) member in the areas affected to seek their support on this issue.

**Note:** The above recommendation stands referred to the executive member for regeneration and economic development for consideration.

**9.2 MOTION NO.2 – KEY STAGE 1 & 2 RESULTS** (see pages 29 – 30 and supplemental agenda No.2)

Councillor Andy Simmons, seconded by Councillor Robert Smeath, moved the motion.

Councillor Bob Skelly, seconded by Councillor Nick Stanton, moved Amendment H

Councillor Andy Simmons exercised his right to reply.

Amendment H was put to the vote and declared to be carried.

Councillor Bob Skelly exercised his right to reply to the substantive motion which was put to the vote and declared to be carried.

- RESOLVED:**
1. That it be noted the provisional key stage 1 results for 2003/2004 did not show the gap between Southwark's primary school results and the national average being narrowed;
  2. That it be noted the provisional key stage 2 results for 2003/2004 show both a decrease in the overall results and a sharply widening gap between Southwark's primary school results and the national average;
  3. That it be noted the large difference between many individual primary school's Key Stage 2 results and the targets set by



schools in discussion with the LEA's school improvement team;

4. That it be noted the Maths Key Stage 3 results this year, at 7% higher, are the most improved in the country and that the Key Stage 3 English results are also up by 7%;
5. That it be noted there was a further improvement in GCSE results this year, having reached our 3 year target last year a year ahead of schedule;
6. That the executive be asked to receive an urgent report on whether the school improvement team is adequately resourced, appropriately staffed and working to its full potential in terms of supporting and challenging primary schools;
7. That this report is considered by the education and youth scrutiny sub-committee as well as receipt by the executive.

**Note:** The above recommendation stands referred to the executive and to the overview and scrutiny committee for consideration.

**9.3 MOTION NO.3 – TRANSPORT FOR LONDON PRICE INCREASES** (see pages 30 – 31 and supplemental agenda No.2)

Councillor Richard Thomas, seconded by Councillor Caroline Pidgeon, moved the motion.

Councillor Peter John, seconded by Councillor Barrie Hargrove, moved Amendment I

Following debate (Councillors Michelle Pearce and Tony Ritchie) Amendment I was put to the vote and declared to be lost.

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

- RESOLVED:**
1. That council assembly is dismayed by the Mayor of London's broken promise regarding price hikes during his re-election campaign.
  2. That council assembly believes that the transport using public will shoulder the burden of poor management of Transport for London that led to a budget shortfall of £675 million.
  3. That council assembly believes the introduced pricing structures prevent practical and accurate comparisons with previous prices.
  4. That council assembly notes that this will exacerbate the ever-widening gap between the relative costs of public transport and private motor travel.
  5. That this council assembly therefore calls on the Mayor of London to apologise for reneging on his promises of the election and to simplify the pricing structures.

**9.4 MOTION NO.4 – PIRATE RADIO STATIONS** (see page 31 and supplemental agenda 2)

Both the motion moved by Councillor William Rowe and seconded by Councillor Kenny Mizzi and Amendment J, moved by Councillor Abdul Mohamed and seconded by Councillor Lorraine Lauder were carried without debate under the provisions of Council Assembly Procedure Rule 1.13 (5) as unopposed motions.

- RESOLVED**
1. That council assembly notes the serious problem of illegal operators of pirate radio stations installing aerials to council property and other tall buildings across the borough. Not only are these illegal aerials blocking airwaves but the individuals involved often instil fear amongst residents and damage to property.
  2. That council assembly further notes the recent foundation of the London Pirate Radio Enforcement Practitioners Group, (LPREPG) including representatives from Hackney, Newham, Tower Hamlets and Barking Council. Council assembly requests that the executive investigate involvement in this group and the potential benefits of working together and sharing information with other boroughs on effective enforcement.
  3. That council assembly is keenly aware of the talent and creativity latent in the Southwark communities in radio and related fields and is aware that measures to stop these illegal operators could be enhanced by the council contributing to redirect these activities into legitimate channels.
  4. That council assembly resolves to look into implementing programmes of education and training to help access radio, and requests that the strategic director of regeneration to investigate initiatives to achieve this.

**9.5 MOTION NO.5 – TRAFALGAR CPZ** (see page 32 and supplemental agenda No.2)

This motion was withdrawn.

**9.6 MOTION NO.6 - COUNCIL TAX REFORM** (see page 33 and supplemental agenda No.2)

This motion was deferred until the December 8th meeting..

**9.7 MOTION NO.7 – MEMBERS QUESTIONS** (see pages 33 – 34)

Councillor Lewis Robinson, seconded by Councillor Toby Eckersley, moved the motion.

The motion moved by Councillor Lewis Robinson, and seconded by Councillor Toby Eckersley was carried without debate under the provisions of Council Assembly Procedure Rule 1.13 (5) as an unopposed motion.

- RESOLVED:**
1. That council assembly notes with concern that at recent meetings the opportunity has been denied to each elected member who

chose to table a written question to ask supplemental oral questions.

2. That 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.
3. That council assembly requests the standards committee, via the group whips, to address this matter at its earliest opportunity and make recommendations to remedy this unsatisfactory situation.

**10. ADJOURNMENT DEBATES** (see pages 35 – 36 and supplemental agenda 2)

Adjournment debates to be moved by Councillors Paul Kyriacou and Caroline Pidgeon were adjourned until the December 8 meeting.

The meeting was adjourned at 10.58pm following sustained disorder in the public gallery.

**MAYOR:**

**DATED:**