



**COUNCIL ASSEMBLY
(ORDINARY MEETING)**

WEDNESDAY OCTOBER 20, 2004

SUPPLEMENTAL AGENDA No.2

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NOTE: Please note that the above reports have not been circulated seven clear working days in advance of the meeting (council procedure rule 1.2 (1)). Therefore, in accordance with access to information procedure rule (5), the Mayor will be asked to accept the items as late and urgent.

Circulated: Tuesday October 19, 2004.

For further information please contact Lesley John/Kevin Flaherty 020 7525 7236

**ITEM 5.3 DEPUTATION REQUESTS – COMMENTS OF THE CHIEF OFFICER
(Copy of the public notice concerning Lord Ouseley's
independent review) (see supplemental agenda 1, page 38)**

Independent review of Southwark Council's equality and diversity framework

As a consequence of allegations of racism and discriminatory activity made during the investigation of planning failures involving Camberwell nightclub Imperial Gardens, the council has asked Lord Herman Ouseley to conduct an independent review of its equality and diversity framework.

The review will have regard to the District Auditor's report on Imperial Gardens and the associated Ombudsman and overview and scrutiny reports but will seek to avoid areas already covered by these investigations. It will involve an assessment of all relevant policies and how they work in practice, and will pay particular attention to issues around planning and regeneration, as these have been the subject of the specific concerns raised in recent months.

The review will take around three months, with a final report early in 2005, and will be conducted in two phases:

1. an examination of the council's general policy framework and how it discharges its duties with relation to equality, diversity and social cohesion.
2. an examination of the council's regeneration and planning functions, particularly in relation to their impact on black and minority ethnic businesses.

For each phase, Lord Ouseley will conduct an objective analysis of all relevant policies, how they have been translated into action and the outcomes. This will include seeking the views of anyone who has any information or evidence of discriminatory activity or unfair treatment. Lord Ouseley will also be pleased to meet representatives of different communities and interests.

We actively encourage anyone who wishes to give evidence to this review to get in touch without delay. Any information provided will be treated with sensitivity, care and confidentiality. In the interests of openness and thoroughness, there will be a proper public airing of all issues, but the identity of individuals contributing to the review will not be linked to the specific issues raised or submissions made.

Please address your submissions to Lord Herman Ouseley, Town Hall, Peckham Road, London SE5 8UB or by email to herman.ouseley@southwark.gov.uk.

Alternatively, please telephone 020 7525 7511 and speak to Janet McDonald, who is supporting the review.

Lord Herman Ouseley and Bob Coomber, Chief Executive, Southwark Council

**ITEM 7.1 PRE-INQUIRY MODIFICATIONS FOR DEPOSIT SOUTHWARK
PLAN 2004 (UNITARY DEVELOPMENT PLAN)** (see pages 9 – 16
and supplemental agenda 1, pages 39 - 43)

AMENDMENT A

Moved: Councillor Toby Eckersley

Seconded: Councillor Lewis Robinson

Add at end of paragraph 1 of recommendation 1:

except that council assembly does not adopt the proposed insertion of the words “or on sites larger than 0.5 hectares” into paragraph (i) of Policy 4.4 (affordable housing) as set out on page 226 of the agenda. Furthermore council assembly notes with concern that this proposed change, which would significantly impact on the character of the Dulwich area, is not referred to in the covering advice on this item (pp 9 – 16 of the agenda).

AMENDMENT B

Moved: Councillor David Bradbury

Seconded: Councillor Toby Eckersley

Add at end:

“Except that

(i) the following paragraph be deleted from Policy 1.5:

“Where a proposal anywhere in the borough will result in the net loss of any B Use Class floorspace.....Additional funding may also be sought through a planning agreement to support and facilitate access to employment”.

(ii) the following paragraph be **deleted** from the Reason for Policy 1.5:

“Where business floorspace is lost....and therefore are a necessary part of all development which displaces existing business premises”.

(iii) (a) the following paragraph be **deleted** from Policy 4.4:

“The LPA will require a proportion of affordable housing as outlined in Table 4.4 as part of the developments capable of providing between 10 and 14 additional dwelling units, except in accordance with Policy 4.5”

(b) table 4.4 be **deleted**.

(iv) the following words be **deleted** from the Reason for Policy 4.4:

“This should be the maximum level of affordable housing and the maximum number of sites.”

Add new paragraph to the recommendation:

“That, in order to ensure consistency within the draft unitary development plan the strategic director of regeneration is requested and authorised to make any consequential amendment to appendices or other parts of the document which arise from the changes effected by paragraphs (i) to (iv) above.”

Note from officers

Amendment B moved by Councillor David Bradbury and seconded by Councillor Toby Eckersley refers to proposed changes to policies 1.5 and 4.4 of the Revised Deposit Unitary Development Plan that was placed on deposit in March 2004. These policies are set out in full below

Note: The policies show the changes made between the first and second deposit drafts of the plan. Deleted text show what was removed and underlined text shows what was added.

Policy 1.5 – Mixed Use Developments

~~and Town Centres, proposals that involve a redevelopment or change of use of a site that currently, or most recently contained Class B business, industrial or warehousing uses will normally be required to provide a mix of uses in any redevelopment that includes Class B business, general industrial or warehousing uses. In this respect there should be no net loss of floorspace in Class B use and there should normally be an increase.~~

Outside Preferred Industrial Locations and Preferred Office Locations, on sites which are or have most recently been in B Use Class, the LPA will require developments that meet the following criteria to provide at least 30% of the gross floorspace for activities in B Use Class:

- i. Where it fronts or has direct access to a **classified road**; or
- ii. Where it is within a **Public Transport Accessibility Zone**; or
- iii. Where it is within the Central Activities Zone; or
- iv. Where it is within the Strategic Cultural Area.

Where the development site is located within an existing town centre. A Use Classes will be permitted at ground floor level as part of the 30% gross floorspace, in place of B Use Classes, provided that the proposal would not cause unacceptable nuisance or loss of amenity to surrounding residents.

Where a proposal anywhere in the borough will result in the net loss of any B Use Class floorspace, including the work space of **live/work units**, the LPA will seek to enter into a planning agreement to secure funding for environmental and infrastructure improvements (including buildings and transport) within the Strategic Preferred Industrial Locations. Additional funding may also be sought through a planning agreement to support and facilitate access to employment.

~~The exception to this may, in instances, be where it can be demonstrated that substantial employment can be provided by a use class other than those identified, such as hotels, training facilities, professional practices and visitor attractions. Further guidance on mixed-use, including guidance on environmental considerations and the preferred mix of uses, is provided in the Preferred Industrial Locations and Mixed-Use SPG.~~

Reason

Ensuring the supply of business/commercial premises with a wide range of differing sizes and types will enable a wide range of businesses to locate in the borough Southwark. Many businesses ~~that may be accommodated in these~~ within mixed-use developments are SMEs **Small Business Units**, which are important in providing local employment opportunities and business start up. ~~Areas of mixed-use developments will also allow people to provide access employment to jobs and services closer to their homes and locally, reducing the need to travel, contributing to the vibrancy and vitality of areas.~~

~~Mixed-use developments also provide the opportunity to create a vibrant community that can add life to the streets. This aids in improving safety for pedestrians and increasing opportunities for growth and prosperity.~~

Where business floorspace is lost, suitable alternative premises must be provided within Southwark to support the local economy. Environmental improvements within Strategic Preferred Industrial Locations will make these areas more suitable for a range of businesses, and therefore are a necessary part of all development which displaces existing business premises.

Policy 4.4 - Affordable Housing Provision

~~For residential or mixed-use developments (where one of the uses is residential), which are over 14 units or 1000 square metres, a minimum of 25% of the floorspace must be made available as affordable housing in accordance with guidelines contained in the Affordable Housing SPG.~~

The LPA will endeavour to secure 50% of all new dwellings provided in Southwark as affordable in accordance with the London Plan. As part of private development, the LPA will seek to secure the following levels of **affordable housing**:

- i. Within the Urban and Suburban Density Zones and within the Elephant and Castle **Opportunity Area**, the LPA will require at least 35% of all new dwellings as **affordable housing**, for all developments capable of providing 15 or more additional dwelling units, except in accordance with Policy 4.5;
- ii. Within the Central Activities Zone excluding the Elephant and Castle **Action Area**, the LPA will require at least 40% of all new dwellings as **affordable housing**, for all developments capable of providing 15 or more additional dwelling units, except in accordance with Policy 4.5; and
- iii. The LPA will require a proportion of **affordable housing** as outlined in Table 4.4 as part of developments capable of providing between 10 and 14 additional dwelling units, except in accordance with Policy 4.5.

	10 units	11 units	12 units	13 units	14 units
Habitable Rooms	15%	20%	25%	30%	35%

Table 4.4 Affordable Housing Requirements for 10 to 14 Unit Developments

The **affordable housing** provided must be an appropriate mix of dwelling type and size to meet the identified needs of the borough. This will normally be a 70:30 **social rented:intermediate housing** ratio except where otherwise stated for **local policy**

areas. Further guidance can be found in Appendix 15. Developers will also be encouraged to contribute to the provision of **affordable housing** as part of all new development, and at higher levels than those referred to above.

Affordable Housing will be secured, by the use of planning agreements, to ensure it remains permanently available to meet **affordable housing** need, or where it no longer meets **affordable housing** need future receipts are reinvested in new **affordable housing**, where appropriate.

Reasons

~~Affordable housing policies provide the most appropriate methodology of securing affordable housing as part of private sector schemes.~~

~~The affordable housing policy will assist with providing a steady supply of good quality housing available to people on lower incomes.~~

~~By creating jobs, employment land uses are likely to cause an increased demand for a range of housing, including affordable housing. As a consequence proposals that generate employment will be required to contribute to affordable housing based on their floorspace.~~

A continuous supply of **affordable housing** is required to meet the needs of the borough. The most up-to-date Housing Needs Survey demonstrates that there is an annual shortfall of about 1,517 affordable homes every year. This is a significant and serious shortfall that must be addressed. The Council intends to address this need in two ways. Firstly, the LPA will seek to secure **affordable housing** as part of private residential development, through planning agreements. This should be the maximum level of **affordable housing** and the maximum number of sites. Secondly, The Council will carry out its own **affordable housing** developments and encourage and support **affordable housing** developments by registered social landlords. This ensures the most effective distribution of public subsidy as the subsidy is not contributing towards developer's profits and overheads. This should make up the shortfall between the levels of **affordable housing** and the 50% **affordable housing** target.

The private sector plays an important role in integrating new **affordable housing** into all areas and creating mixed and balanced communities. It also encourages sustainable patterns of transport use by allowing more people to live closer to their work and the services and facilities they need.

AMENDMENT C

Moved: Councillor Barrie Hargrove

Seconded: Councillor Paul Bates

Add at end:

Council assembly disapproves of the proposed pre-Inquiry change to Section 9.5.2 of the second draft deposit of the Southwark Plan (UDP).

Delete all after "The vision for Old Kent Road Action Area is for:"

And then **add**:

“A district town centre providing an integrated mix of homes and shops.”

AMENDMENT D

Moved: Councillor Andy Simmons

Seconded: Councillor Mark Glover

Add at end:

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.”

**ITEM 8.1 STATEMENT OF ACCOUNTS 2003/04 POST AUDIT, AND THE
AUDIT COMMISSION'S STATEMENT OF AUDIT STANDARDS 610
REPORT ON THE ACCOUNTS** (see pages 17 - 18 and supplemental
agenda 1, pages 44 - 123)

AMENDMENT E

Moved: Councillor Toby Eckersley
Seconded: Councillor William Rowe

Add new recommendation 8:

Council assembly, pursuant to its budget setting responsibilities, requests the executive to instruct officers that they should identify efficiencies and savings arising from business process re-engineering or other sources which can be used to offset the additional cost of the customer service centre in full with effect from 2005/06. These savings should be illustrated for members' consideration as part of the budget setting process for 2005/06.

ITEM 9.1 MOTION NO. 1 - HOUSING DENSITY IN THE UDP (see page 29)

AMENDMENT F

Moved: Councillor David Hubber

Seconded: Councillor Lisa Rajan

After first paragraph, **insert** two new paragraphs as follows:

“Council 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).”

“Council notes that the Mayor’s formal objection comes despite assurances at the time from the GLA member that she and the Mayor of London supported the ‘suburban’ designation.”

AMENDMENT G

Moved: Councillor Charlie Smith

Seconded: Councillor Dominic Thorncroft

In paragraph 1 **insert** after "East Dulwich" :
", **South Nunhead**"

Insert new paragraph 2

“Council assembly also notes that the Mayor of London has invited the council to provide explanation and justification of the proposed reduced densities in the suburban northern zone.”

Original paragraph 2 becomes paragraph 3

Insert new paragraph 4

“Council assembly also requests that the executive ensure that officers provide the required explanation and justification of the reduced densities to the Mayor of London, with a view to resolving the objections pre-inquiry.”

As amended, motion will read:

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, south Nunhead and the Rotherhithe peninsula).

Council assembly also notes that the Mayor of London has invited the council to provide explanation and justification of the proposed reduced densities in the suburban northern zone.

Council reaffirms its previous support for these proposals and asks the executive member for regeneration & economic development to write to the Members of Parliament and Greater London Authority (GLA) member in the areas affected to seek their support on this issue.

Council assembly also requests that the executive ensure that officers provide the required explanation and justification of the reduced densities to the Mayor of London, with a view to resolving the objections pre-inquiry.

AMENDMENT H

Moved: Councillor Bob Skelly
Seconded: Councillor Nick Stanton

Delete paragraph 4 and **insert:**

“Notes that 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%.”

Insert new paragraph 5

“Notes that there was a further improvement in GCSE results this year, having reached our 3 year target last year a year ahead of schedule.”

Paragraph 5 becomes paragraph 6

Paragraph 6 becomes 7 and **delete** ‘prior to’ and substitute ‘as well as’.

ITEM 9.3 MOTION NO. 3 - TRANSPORT FOR LONDON PRICE INCREASES
(see pages 30 - 34)

AMENDMENT I

Moved: Councillor Peter John
Seconded: Councillor Barrie Hargrove

In current bullet point 3, **add** at end:

", but notes that the introduction of off-peak fares and early bird discounts will be of benefit to Southwark residents working in low-paid jobs who often work overnight or at weekends"

Delete first, second and fourth bullet points

Insert new bullet points 1 and 2:

- Notes with disappointment the announcement that bus fares will rise by 10% per annum for the next 3 years and then RPI plus 2% for the following two years
- Notes the Mayor of London's announcement of £10 billion of investment into London's transport which are partially financed by the increases in fares. This will include
 - Introduction of free travel on buses for all under 16s by September 2005, rolled out to under-18s in full time education in September 2006
 - Completion of the transformation of the bus system throughout London to low-floor accessible buses equipped with CCTV by 2006
 - Provision of CCTV on trains and in stations on Southern, Thameslink and South East trains to give passengers greater security
 - Extension of the 42 bus to North Dulwich and Herne Hill

In final paragraph

Delete "to apologise ...election and simplify" **and insert** "regularly review the budgetary situation with a view to simplifying"

and after "structures" **insert** "and reducing future increases in prices".

ITEM 9.4 MOTION NO. 4 - PIRATE RADIO STATIONS (see page 31 and supplemental agenda 1, pages 124 - 126)

AMENDMENT J

Moved: Councillor Abdul Mohamed

Seconded: Councillor Lorraine Lauder

Add after the 2nd paragraph:

'Council 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.

Council 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.'

ITEM 9.5 MOTION NO. 5 – TRAFALGAR CPZ (see page 32)

AMENDMENT K

Moved: Councillor Richard Thomas
Seconded: Councillor Stephen Flannery

Delete existing paragraphs 2 and 3.

Existing paragraph 4: **Delete** first sentence and **insert** with “Council assembly notes that some members are concerned that the Trafalgar CPZ, implemented almost a year ago”;

Existing paragraph 5: **Delete** first sentence and **insert** “Council assembly also notes that some members are concerned that the Trafalgar CPZ”:

Delete existing paragraphs 6, 7 and 8 and **insert** new paragraphs as follows:

“Council notes, however, that a review of the operation of the CPZ and the level of community satisfaction is due to be carried out before the end of 2004.”

“Council requests that the options of both amending and abolishing the Trafalgar CPZ should be considered as apart of this review “

“Council requests the strategic director of regeneration to ensure that the local community council should be fully involved in this review.

“Council notes the development of a parking and enforcement plan that will:

- a) set out the criteria for the carrying out of reviews of controlled parking zones and standards of public consultation;
- b) establish clear standards and consistency in the planning of controlled parking zones in the future.”

The amended motion would therefore read as follows:

1. Council assembly believes that policies to support traffic reduction are essential for all local authorities in the 21st century.

2. Council assembly notes that some members are concerned that the Trafalgar CPZ, implemented almost a year ago;

- *Is deeply flawed.*
- *Seriously lacks support.*
- *Carries large scale hostility.*

3. Council assembly also notes that some members are concerned that the Trafalgar CPZ:

- *Is having a seriously detrimental effect on local businesses and services.*

- *Is an ongoing source of discord within the community.*
4. *Council notes, however, that a review of the operation of the CPZ and the level of community satisfaction is due to be carried out before the end of 2004.*
 5. *Council requests that the options of both amending and abolishing the Trafalgar CPZ should be considered as a part of this review*
 6. *Council requests the strategic director of regeneration to ensure that the local Community Council should be fully involved in this review.*
 7. *Council notes the development of a parking and enforcement plan that will:*
 - a) *set out the criteria for the carrying out of reviews of controlled parking zones and standards of public consultation.*
 - b) *establish clear standards and consistency in the planning of controlled parking zones in the future.*

AMENDMENT L

Moved: Councillor Michelle Pearce

Seconded: Councillor Billy Kayada

Delete all after paragraph 2 and **insert:**

Council assembly also welcomes the establishment of the independent Lyons Inquiry into local government funding which will build upon the government's balance of funding review.

Council assembly believes that the current system of local government finance funded by council tax, national non-domestic rates and government grant can be improved upon.

Council requests the executive to respond to the inquiry by asking officers to prepare a submission for the Lyons Inquiry on behalf of the council. This submission should include an analysis of the impact (advantages and disadvantages) upon the council itself and upon the residents of the London Borough of Southwark of the various options under consideration, including the option of having a local income tax.