

Item No. 6	Classification: Open	Date: 23 February 2005	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 Toby Eckersley)

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

Council notes the decision of the Leasehold Valuation Tribunal in respect of the Brandon estate and leaseholders' continuing unhappiness with the way in which they are consulted on major works schemes and requests the executive to instruct officers to bring an urgent report to overview & scrutiny committee on:

- Reasons why the Council lost this particular case
- Actions to be taken to ensure that the Council only incurs costs in respect of leasehold properties when it is reasonable for those costs to be recharged to leaseholders
- How each of the following areas can be improved in relation to major works contracts for the benefit of both leaseholders and the HRA:
 - (i) consultation with leaseholders
 - (ii) purchasing procedures to achieve better prices
 - (iii) supervision of contractors to ensure work is completed satisfactorily
 - (iv) timing of issue of invoices

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

COMMENTS FROM THE BOROUGH SOLICITOR/STRATEGIC DIRECTOR OF HOUSING

To follow

2. **MOTION FROM COUNCILLOR GRAHAM NEALE** (seconded by Councillor Jeffrey Hook)

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

Council notes with alarm Thames Water's plan to reduce water pressure in a number of areas across London, including Southwark, during the next five years, with work expected to start in some places this spring.

Council further notes that this reduction in pressure will necessitate the use of new pumps in some buildings - including flats, schools and hospitals – to get water up to higher floors.

Council is concerned that many council tower blocks in Southwark are likely to be affected and that the council looks set to bear the cost for new pumps. Residents living on the second floor or above who rely on a combination boiler will also need to fit costly alternatives.

Council is appalled at Thames Water's failure to:

- Face up to their responsibilities as a public service provider
- Engage in a proper assessment of how many people will be affected by this pressure reduction strategy
- Develop an estimate of the financial implications for households and local authorities across the capital
- Agree to pay the cost of pump equipment or installation (as opposed to the cost of designing the pumps)

Council believes that the pressure reduction plan is merely a cost-saving measure ironically proposed at a time when:

- Water bills are set to increase by about 13% above the rate of inflation over the next five years
- Areas, including Dulwich, have been blighted by sudden drops in pressure and thereby loss of water – attributed to urgent leak repairs by Thames Water
- Thames Water is already making handsome profits
- Thames Water is pumping raw sewage into the Thames because of a failure to invest in modern sewage infrastructure (a step which has already caused damage to ecosystems in the Rotherhithe peninsula waterways)

Council thereby:

- Demands that Thames Water review its proposals and consider the impact, both practical and financial, on London residents and services
- Calls on Thames Water to invest in its infrastructure so that customers no longer suffer from an interrupted basic service
- Demands that Thames Water foot the bill for any pump costs incurred by a change in water pressure
- Give its unequivocal backing to the Association of London Government (ALG) and the Greater London Authority in their attempts to hold Thames Water to account

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

COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE/STRATEGIC DIRECTOR OF HOUSING

To follow

3. MOTION FROM COUNCILLOR RICHARD THOMAS (seconded by Councillor Graham Neale)

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

Council notes the dramatic improvement in performance in the cleanliness of the borough.

Council further notes:

- Praise from the Audit Commission's Comprehensive Performance Assessment (CPA) inspection that noted that "Streets are visibly cleaner"
- Praise from Rt Hon Alun Michael who said, "Thanks to this scheme there has been increasing enforcement, with 155 prosecutions in the year 02/03"
- Praise in 'The Londoner' ("Southwark is leading the way on enforcement")
- The 14% net increase in satisfaction of cleanliness of the borough, in contrast to a national trend of falling satisfaction
- Southwark is playing a central role in spreading best practice on environmental crime including an active role in informing the drafting of the Clean Neighbourhoods and Enforcements Bill and chairing the ALG steering group for the enforcement of the Environmental Protection Act

Council further notes the effectiveness of the borough's environmental enforcement including:

- 2,317 fixed penalty notices and 80% payment rates, one of the highest rates in the country
- Being the only authority in the country to have seconded a full-time police officer working on environmental crime
- That 100 wardens, 50 housing staff and police community support officers have been trained to use environmental enforcement powers

Council welcomes the Clean Neighbourhoods and Enforcements Bill and its recognition of the link between environmental crime and antisocial and criminal behaviour.

Council also welcomes the greater use of fixed penalty notices.

Council therefore calls on the Leader to write to the government and local MPs in support of this bill.

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

COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE

To follow

- 4. MOTION FROM COUNCILLOR ELIZA MANN** (seconded by Councillor Catherine Bowman)

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

Council assembly is concerned by reports that tsunami relief aid and medicine donations sent by the Tamil diaspora to affected people in North and East Sri Lanka are possibly not reaching their intended recipients and that international tsunami aid given to the Sri Lankan government is not being distributed equitably to all the affected areas on the island.

Council assembly welcomes the Sri Lankan government's agreement to work with the Tamil Tigers to address this problem.

Council notes, however, reports from the area that suggest that this support has not been translated into comprehensive action.

Council thereby calls on the Leader, given Southwark's sizeable Sri Lankan population, to write to the Secretary of State for International Development to ask that appropriate diplomatic action is taken vis a vis the Sri Lankan government to ensure that aid is being delivered to those still suffering in the Tamil region.

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

COMMENTS FROM THE CHIEF EXECUTIVE

To follow

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	Beverley Olamijulo, Constitutional Officer
Version	Final
Dated	11 February 2005