



**COUNCIL ASSEMBLY  
(ORDINARY)**

MINUTES of the open section of the meeting of the Council Assembly held on February 23 2005 at 7.00 p.m. at the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:**

The Worshipful the Mayor Councillor Anne Yates

Councillor Alfred Banya	Councillor Daniel McCarthy
Councillor Mick Barnard	Councillor Dermot McInerney
Councillor Beverley Bassom	Councillor Kenny Mizzi
Councillor Paul Bates	Councillor Abdul Mohamed
Councillor Columba Blango	Councillor Catriona Moore
Councillor Catherine Bowman	Councillor Vicky Naish
Councillor David Bradbury	Councillor Graham Neale
Councillor Denise Capstick	Councillor Gavin O'Brien
Councillor Fiona Colley	Councillor Dr. Abdul Rahman Olayiwola
Councillor Dora Dixon-Fyle	Councillor Michelle Pearce
Councillor Toby Eckersley	Councillor Caroline Pidgeon
Councillor Stephen Flannery	Councillor Richard Porter
Councillor John Friary	Councillor Mark Pursey
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 Alun Hayes	Councillor Andrew Simmons
Councillor Barrie Hargrove	Councillor Robert Skelly
Councillor Jeffrey Hook	Councillor Robert Smeath
Councillor David Hubber	Councillor Charlie Smith
Councillor Kim Humphreys	Councillor Nicholas Stanton
Councillor Jonathan Hunt	Councillor Richard Thomas
Councillor Peter John	Councillor Dominic Thorncroft
Councillor Billy Kayada	Councillor Veronica Ward
Councillor Paul Kyriacou	Councillor Neil Watson
Councillor Jelil Ladipo	Councillor Sarah Welfare
Councillor Lorraine Lauder	Councillor Ian Wingfield
Councillor Linda Manchester	Councillor Lorraine Zuleta
Councillor Eliza Mann	

**1. PRELIMINARY BUSINESS**

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

## **CHIEF EXECUTIVE**

The Mayor announced that she had given permission for filming of the council assembly meeting as a pilot project whereby the proceedings would be transmitted live to Room A2 in order to increase public accessibility to meetings.

The Mayor thanked those members, staff and community representatives who participated in the January visit from the judges of the Local Government Chronicle 'Most Improved Council' award.

The Mayor congratulated Councillor Alfred Banya for completing his doctorate in public health.

The Mayor announced her end of term Mayoral Ball, a black tie event that will be held on Friday April 29 at the Glaziers Hall at 7.00 p.m. in aid of Chronic Lymphocytic Leukaemia.

The leader announced that Councillor Stephen Flannery would be the new executive member for Housing Management and that Councillor Richard Porter would be increasing his portfolio to include Community Safety. The leader thanked Councillor Gavin O'Brien for his input as the previous executive member for Housing and Community Safety. The new executive responsibilities for functions were agreed.

Councillor Stephen Flannery, executive member for housing, announced he would be asking for an urgent review of the council's standard compensation policy and for advice to be given to the executive meeting to take place on 8 March 2005. He would also be asking chief officers to look into an enhanced package of compensation for the Aylesbury tenants affected over the Christmas period.

A minutes silence was observed for all those people affected by the Tsunami in east Asia.

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

The Mayor agreed to accept the following reports as late and urgent: -

- Item 4.1 Policy and resourcing strategy – Capital
- Item 5.1 Prudential indicators and treasury management strategy
- Item 5.6 Constitutional Issues – Review of proportionality for ordinary committees

## **1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS**

As leaseholders Councillors Jane Salmon, Cathy Bowman, Linda Manchester, Eliza Mann, Jelil Ladipo and Stephen Flannery declared personal and non-prejudicial interests in Item 6.1 – Leasehold Valuation Tribunal Decision Regarding Major Works Schemes.

As chair of Sustainable Energy Action, a non-remunerated post, Councillor Richard Thomas declared a personal and non-prejudicial interest in item 4.2 – Policy and

#### **1.4 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Tayo Situ, Alison Moise and Lisa Rajan.

Apologies for lateness were received on behalf of Councillors Jelil Ladipo, Kim Humphreys, Alun Hayes and Dermot McInerney.

### **2. MINUTES**

The open minutes of the meeting held on January 26 2005 were agreed and signed as a correct record of the proceedings.

Councillor Barnard stated he had not received a response to queries raised at previous council assembly meetings. The mayor noted his comments.

### **3. DEPUTATION REQUEST (see pages 2 – 3 and, and supplemental agenda 1)**

#### **3.1 DEPUTATION REQUEST FROM THE BLACK AWARENESS GROUP** (see pages 2 – 3 and supplemental 1, page 73)

Council Assembly agreed to hear the deputation. Members were addressed by the deputation's spokesman, Raymond Stevenson, following which questions were asked of the deputation by Councillors Vicky Naish and Dr. Abdul Rahman Olayiwola.

The meeting was adjourned at 7.30 p.m. owing to disorder in the public gallery and was reconvened at 7.45 p.m.

Following the adjournment questions were asked of the deputation by Councillors Norma Gibbes and Jonathan Hunt. Thereafter the deputation withdrew to the public gallery.

#### **3.2 DEPUTATION REQUEST FROM THE AYLESBURY TENANTS AND RESIDENTS ASSOCIATION** (see pages 2 – 3 and supplemental 1, pages 73 - 74)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesman, Ian Gardner, following which questions were asked by Councillors Paul Bates, Caroline Pigeon, Richard Porter and Abdul Mohamed. Thereafter the deputation withdrew to the public gallery.

#### **3.3 DEPUTATION FROM THE SUPPORTERS OF TSUNAMI FAMILIES IN SOUTHWARK** (see pages 2 – 3 and supplemental 1, page 74 - 75)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesman, Althea Smith, following which questions were asked by Councillors Dr. Abdul Rahman Olayiwola, Aubyn Graham, Eliza Mann and Dora Dixon-Fyle. Thereafter the deputation withdrew to the public gallery.

#### **4. REPORTS FROM THE EXECUTIVE**

##### **4.1 POLICY AND RESOURCING STRATEGY – THE COUNCIL'S MEDIUM TERM FINANCIAL STRATEGY AND THE 2005/06 REVENUE BUDGET (see page 3 – 30)**

One question was submitted by Councillor Lewis Robinson to the executive member for resources. The answer to which is attached as appendix 1 to these minutes.

Councillor Catherine Bowman formally moved the recommendations contained within the report.

Councillor William Rowe, seconded by Councillor Kim Humphreys, moved Amendment A.

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

In accordance with council assembly procedure rule 1.17 (5), Councillors Kim Humphreys, William Rowe, Toby Eckersley, David Bradbury, Lewis Robinson and Kenny Mizzi requested that their votes in favour of Amendment A be recorded in the minutes.

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

Following debate (Councillors Nick Stanton, Catherine Bowman and Michelle Pearce) Amendment B was put to the vote and was declared to be carried.

Amendment C to the report was withdrawn by Councillor David Bradbury.

Councillor Michelle Pearce, seconded by Councillor Peter John, moved Amendment D.

Following debate (Councillors Richard Thomas, Catherine Bowman, Columba Blango, Andrew Simmons and Aubyn Graham) Councillor Toby Eckersley exercised his right of reply.

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

In accordance with council assembly procedure rule 1.17(5), Councillors Mick Barnard, Alfred Banya, Paul Bates, Fiona Colley, Dora Dixon-Fyle, John Friary, Norma Gibbes, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Billy Kayada, Lorraine Lauder, Abdul Mohamed, Vicky Naish, Michelle Pearce, Andy Simmons, Robert Smeath, Charlie Smith, Dominic Thorncroft, Veronica Ward, Sarah Welfare and Ian Wingfield requested that their votes in favour of Amendment D be recorded in the minutes.

The meeting was adjourned at 9.15 p.m. for a refreshment break and resumed at 9.25 p.m.

Councillor Nick Stanton, seconded by Councillor Lorraine Zuleta, moved Amendment E.

Following debate (Councillors Michelle Pearce, Tony Ritchie, Graham Neale and Caroline Pidgeon), Amendment E was put to the vote and declared to be carried.

In accordance with council assembly procedure rule 1.17 (5), Councillors, Mick Barnard, Alfred Banya, Paul Bates, Fiona Colley, Dora Dixon-Fyle, John Friary, Norma Gibbes, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Billy Kayada, Lorraine Lauder, Abdul Mohamed, Vicky Naish, Michelle Pearce, Andy Simmons, Robert Smeath, Charlie Smith, Dominic Thorncroft, Veronica Ward, Sarah Welfare and Ian Wingfield requested that their votes against Amendment E be recorded in the minutes.

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

- RESOLVED:**
1. That council assembly agrees changes to the general fund budget agreed at executive on 8 February 2005 as follows:
    - i) A general fund budget of £435.9 million;
    - ii) A council tax rate of £844.14 for a band D property, for Southwark purposes only;
    - iii) The medium term financial strategy as set out in appendix 1 be agreed, subject to the deletion of the last bullet point in the efficiency section and the insertion of "The customer service centre should demonstrate cost reductions from 2006/2007", and including the objective of increasing working balances; revised Appendices 2-5 as indicated.
  2. That a further £30,000 be added to one-off expenditure to cover the costs of Victory in Europe/Victory in Japan day celebrations and amends appendix 5 accordingly.
  3. That council assembly notes that one-off expenditure identified in paragraph 19 be funded from underspends in 2004/05, subject to the following:
    - a) That any further underspends to be used to increase working balances in line with the medium term financial strategy.
    - b) That should the expected level of underspend not be sufficient to finance one-off activities, the one-off expenditure be reduced to match resources available.
  4. That council assembly agrees that the £1 million allocation to support prudential borrowing only be utilised with the express consent of the executive in the event that other sources of finance for the capital programme cannot be achieved.
  5. That council assembly further notes:

- The Mayor of London's 5.5% per cent precept increase (agreed unamended by the London Assembly) which will add 26p per week for those living in Band D properties bringing the total GLA precept to £254 (a staggering 107% increase since 2000);
- That Southwark council's 1.8% council tax increase looks set to become one of the lowest in the country;
- That this below-inflation increase has been achieved in addition to substantial investment as follows:
  - £0.5 million this year towards a new waste infrastructure contract;
  - Continuation of the existing street warden schemes;
  - New warden schemes to cover the whole of the borough;
  - £0.25m revenue improvements in parks, sports and leisure;
  - Additional kerbside recycling collections (including plastics) and a new recycling collection service for high-rise properties;
  - An increase in refuse collections for council housing estates;
  - More money to aid the council's commitment to tackling poverty;
  - More assistance for local business, including BME business, showing the council's clear commitment to local enterprise;
  - Almost £0.25m more funding for SASBU;
  - Revenue funding for community councils.

**NOTE:** The budget and policy framework procedure rules provide that any recommendation from the executive that is amended by council assembly is treated as an in-principle decision only. The leader subsequently confirmed that he did not wish to object to the in-principle decision. Therefore, the decision became implementable with immediate effect.

#### **4.2 POLICY AND RESOURCING STRATEGY – CAPITAL BUDGET PROPOSALS 2005/06** (see supplemental 2, pages 125 – 134)

One question was submitted by Councillor Toby Eckersley to the executive member for resources. The answer to which is attached as appendix 1 to these minutes.

Councillor Lorraine Zuleta presented the report.

Councillor William Rowe, seconded by Councillor Toby Eckersley, moved Amendment F.

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

Amendment G was ruled out of order.

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

**RESOLVED:** That council assembly:

1. Notes the forecast capital resources available to fund new General Fund schemes for the period 2005/8.
2. Approves funding for the schemes identified as Priority 1 in the report for the period 2005/8, in the sum of £11.8 million.
3. Approves funding for those schemes identified as Priority 2 for 2005/6 only, totalling £45m. The other Priority 2 schemes in 2006/2008 will be considered by the Executive in June and September 2005.
4. Earmarks £20m of forecast capital receipts to meet new school build/enhancements required in the medium term, pending the outcome of feasibility studies and confirmation of rising school numbers.
5. Agrees in principle to earmark £30m of future capital resources required for 2007/10 to enable the council to achieve the Decent Homes standard.
6. Allocates up to £7m of prudential borrowing to fund invest to save schemes.
7. Approves the HRA resources and investment proposals for 2005/6, noting the level of over-programming.

**NOTE:** This budget and policy framework report was agreed without amendment to the executive's recommendation. Therefore the decision became implementable with immediate effect.

## **5. OTHER REPORTS**

### **5.1 PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT STRATEGY** (see supplemental 2, page 135 – 148)

The Mayor formally moved the recommendations contained within the report.

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

- RESOLVED:**
1. That the prudential indicators for 2005/06 to 2007/08 as set out in paragraph 15 of the report be agreed.
  2. That the Investment Strategy for 2005/06 as set out in appendix B to the report be agreed.

**NOTE:** This budget and policy framework report was agreed without amendment to the executive's recommendation. Therefore the decision became implementable with immediate effect.

## 5.2 SETTING THE COUNCIL TAX 2005/06 (see pages 31 – 42)

The Mayor formally moved the recommendations contained within the report.

Councillor William Rowe, seconded by Councillor Kenny Mizzi, moved Amendment H.

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

Councillor Lorraine Zuleta, seconded by Councillor Nick Stanton, moved Amendment I.

Amendment I 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 the new GLA precept level is £254.62 (up 5.5%) be noted.
  2. That the council tax for Band D properties in Southwark be set at:
    - (i) the former parish of St Mary Newington  
£1,094.88
    - (ii) the former parish of St. Saviours  
£1,096.65
    - (iii) the remainder of the Borough  
£1,098.76
  3. That the formal resolution re. Council Taxes in 2005/2006 (shown in Appendix C of the report) be approved; as modified in accordance with paragraph 2 above.
  4. That the existing local War Widows schemes for Housing Benefits and Council Tax benefits be continued in 2005/2006.

**NOTE:** The budget and policy framework procedure rules provide that any recommendation from the executive that is amended by council assembly is treated as an in-principle decision only. The leader subsequently confirmed that he did not wish to object to the in-principle decision. Therefore, the decision became implementable with immediate effect.



**5.3 FINAL CHANGES FOR THE DEPOSIT SOUTHWARK PLAN 2004 (UNITARY DEVELOPMENT PLAN)** (see pages 43 – 52 and appendices supplemental)

The Mayor formally moved the recommendations contained within the report.

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

Following debate (Councillors Richard Thomas, Richard Porter and Charlie Smith) Amendment J was put to the vote and declared to be lost.

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

**RESOLVED:** That the further changes to the draft Southwark Plan, as set out in appendix 1 of the report, and the basis for those as set out in appendix 2 be adopted, which will form the council's response at the public inquiry.

**NOTE:** 1. This budget and policy framework report was agreed without amendment to the executive's recommendation. Therefore the decision became implementable with immediate effect.

2. 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.

**5.4 CORPORATE PLAN** (see pages 53 – 55 and supplemental 1)

The Mayor formally moved the recommendations contained within the report.

Councillor Dora Dixon-Fyle, seconded by Councillor Paul Bates, moved Amendment K.

Following debate (Councillors Toby Eckersley and James Gurling), Amendment K was put to the vote and was declared to be lost.

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

**RESOLVED:** That the council's corporate plan and draft performance targets be agreed.

**NOTE:** This budget and policy framework report was agreed without amendment to the executive's recommendation. Therefore the decision became implementable with immediate effect.

**5.5 STREET TRADING OFFICER PANEL** (see pages 68 – 72)

Consideration of this item was deferred.

## 5.6 CONSTITUTIONAL ISSUES – REVIEW OF PROPORTIONALITY FOR ORDINARY COMMITTEES

The Mayor formally moved the recommendations contained within the report.

**RESOLVED:** 1. That council assembly considered the proportionality arrangements on ordinary committees i.e. planning and appointments committee and agreed option 2 – changes to the proportionality of both committees until May 2005 as follows:

Committee	Total	Liberal Democrats	Labour	Conservative
Committee 1 – Appointments Committee	8	4	3	1
Committee 2 – Planning Committee	8	3	4	1
Total	16	7	7	2

2. That council assembly notes the current allocation of places on all other committees and sub-committees will not require alteration.

3. That council assembly notes the existing chairs and vice-chairs to the ordinary committees.

4. That council assembly procedure rule 2.7 (appointment, resignations and termination of appointments) be suspended to allow for changes to the membership of the appointments committee on March 2 2005 to take place within the normal timescale of five clear working days.

## 6. MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.9 (see pages 68 - 72 and supplemental 1)

### 6.1 LEASEHOLD VALUATION TRIBUNAL DECISION REGARDING MAJOR WORKS SCHEMES (see pages 69 and supplemental 1, page 118 – 119)

Councillor William Rowe, seconded by Councillor Toby Eckersley, moved the motion.

Following debate (Councillors Fiona Colley, Andy Simmons, and Lorraine Zuleta) the motion was put to the vote and declared to be carried.

**RESOLVED:** 1. That council assembly 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:** The above recommendation stands referred to the executive for consideration.

**6.2 REDUCTION IN WATER PRESSURE IN SOUTHWARK** (see pages 69 – 70 and supplemental agenda 1, pages 119 – 122)

Councillor Graham Neale, seconded by Councillor Jeff Hook, moved the motion.

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

- RESOLVED:**
1. That council assembly 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.
  2. That 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.
  3. That 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.
  4. That 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).
5. That council assembly 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).
6. That 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:** The above recommendation stands referred to the executive for consideration.

**6.3 IMPROVEMENTS IN THE CLEANLINESS OF THE BOROUGH** (see pages 70 – 71 and supplemental 1, pages 122 – 123)

Councillor Richard Thomas, seconded by Graham Neale, moved the motion.

Councillor Barrie Hargrove, seconded by Councillor Alfred Banya, moved Amendment L.

Amendment L 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 the dramatic improvement in performance in the cleanliness of the borough and 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 2002/03"
- 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

2. That 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

3. That council assembly welcomes the Clean Neighbourhoods and Enforcements Bill and its recognition of the link between environmental crime, antisocial and criminal behaviour.

4. That council also welcomes the greater use of fixed penalty notices.

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

**NOTE:** The above recommendation stands referred to the leader of the council for consideration.

**6.4 TSUNAMI RELIEF AID TO NORTH AND EAST SRI LANKA** (see pages 71 – 72 and supplemental 1, page 123)

Councillor Eliza Mann, seconded by Councillor Catherine Bowman, moved the motion.

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

- RESOLVED:**
1. That 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.
  2. That council assembly welcomes the Sri Lankan government's agreement to work with the Tamil Tigers to address this problem.
  3. That council notes, however, reports from the area that suggest that this support has not been translated into comprehensive action.
  4. That 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:** The above recommendation stands referred to the leader of the council for consideration.

The meeting closed at 11.00 p.m.

**MAYOR:**

**DATED:**