



**COUNCIL ASSEMBLY
(ORDINARY)**

MINUTES of the open section of the meeting of the Ordinary Council Assembly held on July 20 2005 at 7.20 p.m. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Vicky Naish

Councillor Alfred Banya	Councillor Dermot McInerney
Councillor Mick Barnard	Councillor Kenny Mizzi
Councillor Beverley Bassom	Councillor Abdul Mohamed
Councillor Paul Bates	Councillor Catriona Moore
Councillor Columba Blango	Councillor Graham Neale
Councillor Catherine Bowman	Councillor Dr. Abdur Rahmuan Olayiwola
Councillor David Bradbury	Councillor Gavin O'Brien
Councillor Denise Capstick	Councillor Michelle Pearce
Councillor Fiona Colley	Councillor Caroline Pidgeon
Councillor Dora Dixon-Fyle	Councillor Richard Porter
Councillor Toby Eckersley	Councillor Lisa Rajan
Councillor Stephen Flannery	Councillor Tony Ritchie
Councillor John Friary	Councillor Lewis Robinson
Councillor Norma Gibbes	Councillor William Rowe
Councillor Aubyn Graham	Councillor Jane Salmon
Councillor James Gurling	Councillor Andrew Simmons
Councillor Barrie Hargrove	Councillor Tayo Situ
Councillor Alun Hayes	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 Anne Yates
Councillor Eliza Mann	Councillor Lorraine Zuleta
Councillor Daniel McCarthy	

1. PRELIMINARY BUSINESS

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

The Mayor made the following announcements:

- Southwark Council is to resume responsibility for running its education services from August 1, when its contract with CEA comes to an end.
- Ms Decima Francis, executive director of the Peckham-based 'From Boyhood to Manhood Foundation', received an MBE.
- Southwark came third in the 2005 London Youth Games.

A minute's silence was held for P.C. Russell Denton, one of the chief instigators behind the Karrot Project; former Prime Minister, Sir Edward Heath, and all those affected by the recent bombings in London.

1.2 NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

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

- Scrutiny annual report 2004/05
- Housing strategy 2005 – 2010: Recommendations of the executive.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

As an occasional charity stall holder in East Street market Councillor Lorraine Lauder declared a personal and non-prejudicial interest in item 4.1 Deputation from Southwark Street Traders Association.

As a school governor of one of the schools affected by the possible move to Lambeth College Councillor Robert Smeath declared a personal and non-prejudicial interest in item 7.4: Notification of urgent implementation by the executive member for regeneration and economic development.

As a school governor of one of the schools affected by the possible move to Lambeth College Councillor Paul Bates declared a personal and non-prejudicial interest in item 7.4 Notification of urgent implementation by the executive member for regeneration and economic development.

Councillor Toby Eckersley declared a personal and prejudicial interest in item 8.9: Motion on congestion charging buffer zone as he lives near the congestion charging area and may be affected by the buffer zone.

As an officer of the Association for the Conservation of Energy Councillor Richard Thomas declared a personal and prejudicial interest in item 6.1: Housing strategy 2005 – 2010, as the association had campaigned for energy monitors for new homes as part of the home energy pact.

As a school governor of one of the schools affected by the possible move to Lambeth College Councillor Peter John declared a personal interest in item 8.8: Motion on Southwark Education.

Councillor Graham Neale declared a personal and prejudicial interest in item 8.9: Motion on congestion charging buffer zone as he lives near the congestion charging area and may be affected by the buffer zone.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Alison Moise, Mark Glover and Mark Pursey.

2. MINUTES

- RESOLVED:**
1. That the minutes of the Council Assembly (Mayor making) meeting held on Wednesday May 18 be agreed and signed as a correct record of the proceedings; and.
 2. That consideration of the open minutes of the Council Assembly (Constitutional) meeting of May 25 2005 be deferred.

3. PETITIONS

There were none.

4. DEPUTATION REQUEST (see pages 2 - 3)

4.1 DEPUTATION FROM SOUTHWARK STREET TRADER'S ASSOCIATION (see pages 1 – 2 and supplemental 2, page 206)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesman, John Wallington, following which questions were asked by Councillors Paul Bates, Dominic Thorncroft, Caroline Pidgeon, Toby Eckersley, Peter John, Andy Simmons and Neil Watson. Thereafter, the deputation withdrew to the public gallery.

4.2 DEPUTATION FROM FRIERN ROAD TENANTS AND RESIDENTS ASSOCIATION (see pages 1 – 3)

The deputation was withdrawn.

4.3 DEPUTATION FROM RESIDENTS OF ETHEROW STREET (see pages 1 – 3)

The deputation was withdrawn.

5. QUESTIONS FROM MEMBERS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.11 and 3.8 (see pages 3 - 10, blue and yellow papers circulated at the meeting)

One urgent question and a supplementary question were put to the executive member for housing. A summary of the question is attached as appendix 1 to these minutes.

Forty-three questions were submitted, the answers to which were circulated round the

chamber. Thirty supplementary questions were asked. A summary of the questions is attached at appendix 2 to these minutes.

6. REPORT FOR RECOMMENDATION FROM THE EXECUTIVE

6.1 a) SOUTHWARK HOUSING STRATEGY 2005 - 2010 (see pages 11 – 82)

b) RECOMMENDATIONS FROM THE EXECUTIVE ON SOUTHWARK HOUSING STRATEGY (see supplemental agenda 2, page 208 - 209)

The executive member for housing, Councillor Stephen Flannery, presented the report.

Councillor Fiona Colley, seconded by Councillor Charlie Smith, moved Amendment A.

Following debate (Councillors David Hubber, Michelle Pearce, Nick Stanton, Andy Simmons and Norma Gibbes, Councillor Stephen Flannery exercised his right of reply.

Amendment A 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 2005 – 2010 Southwark housing strategy, as set out in appendix 1 of the report, be agreed.

REPORTS FOR INFORMATION

6.2 REPORT BACK ON MOTIONS REFERRED TO THE EXECUTIVE FROM COUNCIL ASSEMBLY (see pages 83 - 86)

Councillor William Rowe asked a question of the leader of the council. The answer to which was circulated at the meeting. A summary of the question is attached as appendix 3 to these minutes.

RESOLVED: That the content of the report be noted.

7. OTHER REPORTS

7.1 NINTH LONDON LOCAL AUTHORITIES BILL – SECOND RESOLUTION (see pages 87 – 97)

The recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

1. That the resolution of the council passed at a meeting held on October 20 2004 to promote a Bill in the present session of Parliament, pursuant to which the Bills intituled, The Ninth Local Authorities Bill, the Second London Local Authorities and Transport for London Bill and the London Local Authorities (Prohibition of Smoking in the Workplace), be reconfirmed.
2. That the borough solicitor be authorised to take all necessary steps and enter into such arrangements as are necessary in

order for the council to participate in the legislation.

7.2 STATEMENT OF ACCOUNTS 2004/05 (see pages 98 - 166)

In accordance with council assembly procedure rule 1.15 (2) the Mayor moved the recommendations contained within the report.

Councillor Michelle Pearce, seconded by Councillor Andy Simmons, moved Amendment B.

Following debate (Councillors Toby Eckersley and Lorraine Zuleta), Amendment B was put to the vote and declared to be carried.

Following debate (Councillor William Rowe), the substantive motion was put to the vote and declared to be carried.

- RESOLVED:**
1. That the statement of accounts 2004/05 be agreed.
 2. That the Mayor, as presiding member at the council assembly meeting, sign and date the accounts as being approved by the council assembly.
 3. That in agreeing to approve the statement of accounts, council assembly also seeks to draw lessons for improved financial management in future years.

Council assembly therefore asks overview and scrutiny committee to arrange for the investigation of the background to the following issues and how they may be best addressed, making recommendations to the executive and/or council assembly as necessary:

(A) Housing Management Although the number of council homes fell by 1,748 in the year, expenditure on supervision and management rose by £18m (22%) to £101m.

(B) Rent Arrears £3.361m of rent arrears was written off but outstanding rent arrears fell by only £1.151m; the underlying trend in rent arrears therefore still appears to be upwards.

(C) Parking Fines Provision for debt write-off in the parking trading account has risen from £2.520m to £4.171 m and net revenue rose by only £200,000 so the percentage of parking fines uncollected appears to be increasing.

(D) Debtors The Consolidated Balance Sheet shows "debtors" owing £110.5m in 2003/04 and £136m in 2004/05. The reasons for this increase and the nature and origin of these debts should be probed in order to ensure no further rise occurs and write-off is minimised.

(E) Publicity Costs The publicity budget rose by £1 million

(25%) in a single year, which amounts to a weekly council, tax increase of nearly £1.50.

(F) Freedom of Information & Data Protection The director of finance has reported weaknesses in staff awareness of and adherence to the Freedom of Information Act and of the Data Protection Act.

Note: Resolution 3 stands referred to the overview and scrutiny committee for consideration.

7.3 PRUDENTIAL INDICATORS ON CAPITAL FINANCE AND TREASURY MANAGEMENT 2004/05 OUTTURN (see pages 167 – 172)

The recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED: That the 2004/05 outturn report on prudential indicators for capital finance and treasury management be noted.

7.4. NOTIFICATION OF DECISION CONSIDERED BY URGENT IMPLEMENTATION BY THE EXECUTIVE MEMBER FOR REGENERATION AND ECONOMIC DEVELOPMENT (see pages 173 - 174)

Councillors Fiona Colley and Andy Simmons asked question of the leader of the council, the answers to which were circulated round the chamber. Councillor Andy Simmons asked a supplemental question of the executive member for regeneration and economic development. A summary of the questions is attached as appendix 2 to these minutes.

The recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED: That the content of the report be noted.

7.5 REPORT OF THE SPECIAL URGENCY PROVISION (see pages 175 - 178)

The recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED: That the content of the report be noted.

7.6 SCRUTINY ANNUAL REPORT 2004/05 (see supplemental 1, pages 188 - 193)

The recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED: That the content of the report be noted.

8. MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 3.9 (see pages 179 - 187 and supplemental agenda 1)

8.1 MOTION 1 - WET CENTRE FACILITY ST GILES TRUST CENTRE (see page 180 and supplemental agenda 1, page 195)

Councillor Ian Wingfield, seconded by Councillor John Friary, moved the motion.

Councillor Nick Stanton, seconded by Councillor Denise Capstick, moved Amendment C.

Following debate (Councillors Tony Ritchie, Peter John, Veronica Ward and Andy Simmons), and with the meeting's agreement Councillor Nick Stanton withdrew Amendment C on the understanding that the first and second bullet point of the motion were deleted. Councillor Nick Stanton thereafter gave an undertaking that the executive would consider a report on this issue at the end of July 2005.

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

RESOLVED:

1. That Council recognises the success of the 'wet centre' facility in the St Giles Trust Centre, Camberwell SE5 open for two days a week in assisting street drinkers in receiving medical, social and pastoral services and in reducing crime levels.
2. That Council thereby requests that the overview & scrutiny committee should examine the following:
 - The costs and benefits of an alcohol control area and a wet centre in Camberwell to residents, businesses, emergency services and other organisations
 - The likely impact of the new licensing legislation in Camberwell in comparison to other authorities with alcohol control areas (i.e. Westminster, Lambeth, Lewisham, Camden)
 - The growing night-time economy in Camberwell and its effect both on the local environment and the daytime economy
 - The effect of the possible introduction of a 'saturation' licensing policy for the issuing of licenses in Camberwell
 - The maximisation of 'better business' practice to encourage more diversification in Camberwell and what effect it will have for planning policy in regulating specific business concentration

Note: The above resolution stands referred to the overview and scrutiny committee for consideration.

8.2 MOTION 2 – FAIR TRADE STATUS (see page 181, supplemental agenda 1, pages 196 - 197)

Councillor Dora Dixon-Fyle, seconded by Councillor Robert Smeath, moved the motion.

Following debate (Councillors Lorraine Zuleta and Columba Blango), the motion was put to the vote and declared to be lost.

8.3 MOTION 3 – ELEPHANT AND CASTLE REGENERATION PROGRAMME (see page 181, supplemental agenda 1, pages 197 - 199)

Councillor Aubyn Graham, seconded by Councillor Paul Bates, moved the motion.

Councillor Catherine Bowman, seconded by Councillor Richard Porter, moved Amendment D.

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: That Council notes:

1. The concerns being raised by small and BME business, including stallholders who are likely to be affected adversely by the Elephant and Castle regeneration programme and accepts that these concerns are common to other large regeneration programmes throughout the country and that these have to be balanced against the wider benefits to the whole community that regeneration can bring.
2. Welcomes the commitment from the London Development Agency (responding to the council's request) to undertake a review of how other town centre developments have managed the impact on local businesses and to assess the specific impact on local businesses in Elephant and Castle with a view to identifying mitigation and support measures; identifying business growth potential of particular clusters such as the Latin American quarter and identifying options for incubators and workspace for micro-businesses and start-ups. Council notes that it is hoped that this review will inform future regeneration projects elsewhere in London and the country.

3. Whilst noting the existing council commitment to provide advice to affected businesses, council wishes to ensure that viable small and BME businesses are able to remain and thrive in the Elephant & Castle area or to ensure that the area retains its distinctive, vibrant and diverse culture. Council notes that the regeneration and resources scrutiny sub-committee is currently conducting its own review of business support in the Elephant and Castle.
4. That Council requests:
 - The executive to ensure that any regeneration of Elephant & Castle will include small business units and adequate space for stallholders, at least up to the numbers of stalls now available.
 - The executive to take all reasonable steps to:
 - a) Ensure that businesses have an opportunity to continue trading viably throughout the period of regeneration and to move to acceptable locations within the new development.
 - b) Ensure that all options for financial support and compensation for businesses are identified and to consider further the implications where particular businesses face continuing difficulties.

Note: The motion stands referred to the executive for consideration.

8.4 MOTION 4 – CONSERVATION AREA FOR NUNHEAD GREEN AREA (see page 182 – 183, supplemental agenda 1, pages 199 - 200)

The motion was formerly moved and seconded by Councillor Andy Simmons and Councillor Fiona Colley.

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

RESOLVED:

1. That Council notes:
 - The distinctive character of the Nunhead Green area
 - The strong feeling of local residents that this character should be preserved
 - The threat to the character of unsympathetic planning applications
2. That Council urges the planning committee to urgently take steps to establish a conservation area for the Nunhead Green area.

Note: The motion stands referred to the planning committee for consideration.

8.5 MOTION 5 – CONSULTATION ON PROPOSED BUS ROUTE CHANGES (see page 183 – 184, supplemental agenda 1, pages 200 - 201)

Motion withdrawn.

Note: This motion has been resubmitted for the September meeting of council assembly.

8.6 MOTION 6 – EFFICIENCY SAVINGS IN 2006/07 (see page 184 – 185, supplemental agenda 1, pages 201 – 202)

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

Councillor Veronica Ward, seconded by Councillor Robert Smeath, moved Amendment F.

Following debate (Councillors Lorraine Lauder), Councillor William Rowe exercised his right of reply.

Amendment F 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 in view of the substantial investment the council has made in ICT and the new customer service centre it should now be possible to achieve substantial efficiency savings in 2006/07. The executive is therefore requested to develop a range of budget options, which would reflect these savings, and at least one option, which would require no increase in Southwark's element of the 2006/07 council tax, regardless of the likely level of central government settlement.

Note: The above recommendation stands referred to the executive for consideration.

At 10.38 p.m. the clerk announced that the guillotine had fallen.

8.7 MOTION 7 – STREET NAME PLATES (see page 185 – 186, supplemental agenda 1, pages 202 - 203)

Councillor David Bradbury, seconded by Councillor Kenny Mizzi, moved the motion.

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

RESOLVED: 1. That Council notes:

That although the London Transport User Committee report 'Where Am I?' suggests that it is courteous to notify the owner of private property before attaching street nameplates to their buildings, it is not currently the policy of this Council to do so.

2. That Council calls on:

The executive to instruct officers in future where street name plates are to be fitted to buildings that currently do not have them, that the owners will be notified in advance.

Note: The motion stands referred to the executive for consideration.

8.8 MOTION 8 – SOUTHWARK EDUCATION (see page 186)

Councillor Caroline Pidgeon, seconded by Councillor Bob Skelly, moved the motion.

Councillor Andy Simmons, seconded by Councillor Norma Gibbes, moved Amendment G. With the consent of the meeting, the first part of Amendment G was withdrawn and the remainder of Amendment G was accepted by the mover of the motion.

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

RESOLVED: That council notes that:

- Last month the Department for Education and Skills (DfES) confirmed that from August 1st Southwark Council would resume responsibility for running its education services.
 - DfES reported that Southwark's education department has demonstrated ongoing improvement, confirmed by an independent panel.
 - The independent panel concluded that Southwark has the necessary management and support to continue to progress.
 - The panel also concluded that Southwark is well prepared to meet the requirements of the Children Act, underlining the executive's commitment to children and young people.
1. Council therefore congratulates the education department and thanks its staff as well as the hard-working teachers and school support staff across the borough for their ongoing dedication.
 2. Council further notes the significant challenges that continue to face the department particularly with regards to the school improvement function and asks the executive to receive an update at the end of the year on progress to turn around the school improvement division.

Note: The motion stands referred to the executive for consideration.

8.9 MOTION 9 – CONGESTION CHARGING BUFFER ZONE (see pages 186 – 187 and supplemental 1, pages 204 - 205)

Motion withdrawn.

The meeting closed at 11.10 p.m.

MAYOR:

DATED: