



**COUNCIL ASSEMBLY
(ORDINARY)**

MINUTES of the open section of the meeting of the ordinary Council Assembly held on Wednesday, January 25 2006 at 7.00 p.m. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Vicky Naish

Councillor Alfred Banya	Councillor Kenny Mizzi
Councillor Mick Barnard	Councillor Abdul Mohamed
Councillor Beverley Bassom	Councillor Alison Moise
Councillor Paul Bates	Councillor Graham Neale
Councillor Columba Blango	Councillor Dr. Abdur-Rahman Olayiwola
Councillor Catherine Bowman	Councillor Michelle Pearce
Councillor David Bradbury	Councillor Caroline Pidgeon
Councillor Fiona Colley	Councillor Richard Porter
Councillor Dora Dixon-Fyle	Councillor Mark Pursey
Councillor Toby Eckersley	Councillor Lisa Rajan
Councillor John Friary	Councillor Lewis Robinson
Councillor Mark Glover	Councillor William Rowe
Councillor Aubyn Graham	Councillor Jane Salmon
Councillor James Gurling	Councillor Andy Simmons
Councillor Barrie Hargrove	Councillor Tayo Situ
Councillor Alun Hayes	Councillor Bob Skelly
Councillor Jeffrey Hook	Councillor Robert Smeath
Councillor David Hubber	Councillor Charlie Smith
Councillor Kim Humphreys	Councillor Nick 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 Lorraine Lauder	Councillor Sarah Welfare
Councillor Linda Manchester	Councillor Ian Wingfield
Councillor Eliza Mann	Councillor Anne Yates
Councillor Danny McCarthy	Councillor Lorraine Zuleta
Councillor Dermot McInerney	

1. PRELIMINARY BUSINESS

1.1. ANNOUNCEMENTS

The Mayor welcomed Councillor Danny McCarthy back to the council after his recent illness and sent the meeting's best wishes to Councillor Stephen Flannery who had recently been re-admitted to hospital.

Councillor Columba Blango, executive member for equalities, culture and sport was congratulated on the success of the recent Southwark community games.

The Mayor circulated a list of those people who live or work in Southwark who had received honours in the Queen's New Year honours list. She undertook to write to recipients to congratulate them.

The Mayor then made the following announcements-

1. That Southwark's comprehensive performance assessment judgement for 2005 was 3-star and "improving well".
2. That the council came fourth in the London Parade.
3. That the Mayor's Ball would be held on February 24 2006 at Glaziers Hall.

The Mayor announced there would be a minute's silence for Yvonne Deller, Treasurer for Southwark Group of Tenants Organisations and an employee of the housing department, who had recently passed away. The Mayor, Councillor Vicky Naish, and Councillors Michelle Pearce, Peter John and Beverley Bassom paid tributes.

1.2. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE MAYOR DEEMED URGENT

There were none.

1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

The following members declared personal and non-prejudicial interests in the following items:

1. Councillor James Gurling: Item 8.5 "Mobile Phone Masts" as he worked as a consultant advising on corporate matters relating to mobile phone companies.
2. Councillor Michelle Pearce: Item 8.10 "Street Lighting Budget" as the motion referred to street lighting that had been installed outside her house.
3. Councillor Fiona Colley declared a personal and prejudicial interest in item 8.3 "Crystal Palace Park" as she worked for one of the members of the steering group.
4. Councillors Caroline Pidgeon and Mark Glover declared personal, non-prejudicial interests in item 8.7 "Motion 7 – Road Resurfacing Programme" as each lived in the vicinity of the roads referred to in the motion.

1.4. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Denise Capstick, Stephen Flannery, Jelil Ladipo, Tony Ritchie and Norma Gibbes.

Apologies for lateness were received on behalf of Councillors Mark Pursey, Dr. Abdur-Rahman Olayiwola, Richard Porter, Sarah Welfare, Kim Humphreys Lewis Robinson and Ann Yates.

2. MINUTES

RESOLVED: The minutes of the ordinary meeting held on Wednesday December 7 2005 were agreed and signed as a correct record with the following amendments -

1. Page 2, item 1.3: Disclosure of interests and dispensations -
 - a) Councillor Jane Salmon: should read "leaseholder" rather than "tenant"; and
 - b) Councillor Graham Neale: should read "member of Fusion" rather than "member of Friends of Camberwell Leisure Centre".
2. Page 41, appendix 2, response to supplemental question from Councillor Robert Smeath: in the last line should read, "I shall circulate the additional information you require."

3. PETITIONS

There were none.

4. QUESTIONS FROM THE PUBLIC (see green sheet circulated at the meeting)

One public question and a supplemental question were asked of the executive member for equalities, culture and sport.

5. DEPUTATION REQUESTS

5.1 DEPUTATION FROM THE "FORGOTTEN CORNER OF CAMBERWELL" AND VALMAR AREA RESIDENTS ASSOCIATION (see pages 1-3 and supplemental agenda 2, pages 1 - 2)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Peter John, Jonathan Hunt, Ian Wingfield and Caroline Pidgeon asked the deputation questions. The Mayor thanked the deputation, which then withdrew to the public gallery.

At this point in the proceedings, council assembly agreed to consider motion 2 - Camberwell Street Drinking (see Item 8.2)

6. MEMBER'S QUESTION TIME – QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULES 3.9 and 3.12 (see the lilac paper and pages 1-48 of the yellow papers circulated at the meeting)

Councillor William Rowe had submitted one urgent question to the leader. The question and the written answer and the supplementary question and response are attached at appendix 1.

Forty-three questions were submitted, the answers to which were circulated round the chamber. Twenty-seven supplementary questions were asked. Following the expiry of time, questions 33-41 and the written answers were noted. The questions and responses are attached at appendix 2.

At 9.16 pm it was moved, seconded and agreed that the meeting be adjourned for the next ten minutes. The meeting reconvened at 9.29 pm.

7. OTHER REPORTS

7.1 THE COUNCIL TAX BASE FOR 2006/07 (see pages 12 – 27 and supplemental agenda 1, pages 39 – 42)

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

Councillor William Rowe, seconded by Councillor Toby Eckersley, moved amendment A.

Following debate (Councillors Lorraine Zuleta and Michele Pearce), amendment A was put to the vote and declared to be lost.

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

- RESOLVED:**
1. That the council tax collection rate for 2006/07 be estimated at 97.5%.
 2. That the formal resolution and calculations shown in Appendices D to H be approved and the council tax base for 2006/07 be set at:

	Number of band D equivalent properties
For the parish of St. Mary Newington	13,115.72
For the parish of St. Saviour's	1,175.64
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	77,297.50
For the whole borough	91,588.86

8. MOTIONS

8.1 MOTION 1 - Mini Motos (see page 29 and supplemental agendas 1 and 2, pages 3-4 and page 1)

Councillor Lisa Rajan, seconded by Councillor Graham Neale, moved the motion.

Councillor Abdul Mohamed, seconded by Councillor Aubyn Graham, moved amendment B.

Following debate (Councillors Peter John, David Bradbury, John Friary, David Hubber, Jonathan Hunt and Caroline Pidgeon), Councillor Kim Humphreys, seconded by Councillor William Rowe moved a closure motion that the matter be put to the vote. Councillor Lisa Rajan exercised her right of reply.

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

After further debate (Councillors Fiona Colley and Aubyn Graham), Councillor Kim Humphreys, seconded by Councillor Lewis Robinson moved a closure motion that the matter be put to the vote. Councillor Lisa Rajan exercised her right of reply. The substantive motion was put to the vote and declared to be carried.

- RESOLVED:**
1. That council assembly notes with serious concern the rapid growth in the sale and use of “mini motos” and mopeds, especially by children and young adults.
 2. That council assembly believes the illegal riding of these vehicles is extremely dangerous and anti-social, affecting a number of areas around Southwark.
 3. That council assembly understands the serious difficulties faced by the police in preventing or stopping the use of these vehicles and in identifying and catching those who ride them illegally.
 4. That council assembly further believes that the current powers afforded to police to deal with the problem are insufficient. Council assembly notes that despite the difficulties police in Rotherhithe have recently managed to secure two arrests and have seized a number of vehicles. Council assembly therefore believes that publicly criticising the police over the issue is very damaging.
 5. That council assembly calls on the council to work up proposals for government legislation, in conjunction with other organisations, which will enable local authorities and the police to have better powers to tackle this problem long term.

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

8.2 MOTION 2 - CAMBERWELL STREET DRINKING (see pages 29–30 and supplemental agenda 3, page 3)

Councillor Ian Wingfield, seconded by Councillor Alison Moise, moved the motion.

Councillor Nick Stanton moved amendment C. With the consent of the meeting, it was formally seconded by Councillor David Hubber in the absence of Councillor Richard Porter.

Following debate (Councillors Dermot McInerny, David Bradbury, Veronica Ward, Peter John, Jonathan Hunt, John Friary, Dora Dixon-Fyle and Andy Simmons), Councillor Ian Wingfield exercised his right of reply.

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

After further debate (Councillors Nick Stanton and David Bradbury), Councillor Ian Wingfield exercised his right to reply. The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly requests the executive to exercise its powers under section 13 of the Criminal Justice and Police Act 2001, together with all other enabling powers, to introduce the necessary by-law or public order as appropriate to designate central Camberwell a street drinking control area and to formally approach the Southwark police borough commander to implement Section 155 of the Licensing Act 2003 which extends existing police powers relating to confiscation of alcohol from people who are drinking and causing nuisance in public places, allowing for the confiscation of sealed containers in addition to opened containers, in defined circumstances. This enforcement will not affect licensed street cafes operating within the designated area however, or any special arrangements for festivals as decided by the council in liaison with the police.
2. That the executive should be mindful that support for the introduction of such a street drinking control area has arisen from extensive consultation with the local community particularly through council officer reports (such as from the East Camberwell Street Action Team in 2003) that show street drinking in Camberwell to be a cause of major public annoyance. The introduction of a control area has also been endorsed by decisions of the Camberwell community council and the Camberwell police sector consultative working group.

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

8.3 MOTION 3 - CRYSTAL PALACE PARK (see pages 30-31 and supplemental agenda 3, page 4)

Councillor Lewis Robinson, seconded by Councillor William Rowe, moved the motion.

Councillor Michelle Pearce, seconded by Councillor Charlie Smith, moved amendment D.

Following debate (Councillors Richard Thomas, Kim Humphreys and David Bradbury), amendment D 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 recent public consultation by the London Development Agency (LDA) on their draft planning framework for the future regeneration of Crystal Palace park.
2. That whilst many of the proposals put forward by the LDA, including a new sports centre and opening up the centre of the park are welcome, council assembly is deeply concerned at

the claims that in order to fund these improvements ideas must be considered for limited development of up to 200 housing units built on the park entrances and edges.

3. That council assembly notes the key findings of the extensive survey carried out by College Ward councillors last December of Southwark residents who live on roads adjoining the park:
 - 78% of respondents were not aware of the LDA's proposals or public consultation.
 - 88% of respondents oppose in principle the development of housing units at the entrances of the park being included in the planning framework.
 - 92% of respondents support further exploration of other means of meeting any funding gaps.
4. That the LDA is now considering responses to its public consultation. Council assembly requests that Southwark Council planning officers support the findings of College Ward councillors in future representations and discussion with the LDA that housing development on this historic park space is not supported by local residents.

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

8.4 MOTION 4 - SALE OF PUBLIC ASSETS: REQUIREMENTS FOR CONSULTATION
(see pages 31-32 and supplemental agenda 1, page 5)

Councillor Jonathan Hunt, seconded by Councillor Barrie Hargrove, moved the motion.

Councillor William Rowe, seconded by Councillor David Bradbury, moved amendment E.

Following debate (Councillor Graham Neale), Councillor Jonathan Hunt exercised his right of reply.

Amendment E 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 council assembly believes that community councils and local people should have the opportunity of commenting on whether public assets should be sold or retained before such artifacts, land or premises are put on the market; and

Calls upon Southwark property and other agencies to draw up plans as to how such consultation should take place.

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

8.5 MOTION 5 – MOBILE PHONE MASTS (see pages 32-33 and supplemental agenda 1, page 6)

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

Councillor Ian Wingfield, seconded by Councillor Fiona Colley, moved amendment F.

Following debate (Councillor David Bradbury), Councillor Caroline Bowman exercised her right of reply.

Amendment E 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 council assembly notes current government planning legislation and government planning policy guidance (PPG8), which permits fast tracking of mobile phone mast applications under 15 metres in height through permitted development.
2. That council assembly further notes the recent decision by Walworth community council to refuse an application for a 15 metre mobile phone mast on the pavement of Dale Road and the recent decision by full planning committee to refuse a 17 metre mast application on Chadwick Road and the successful community led campaigns to prevent the installation of masts in Camberwell and Nunhead.
3. That council believes that current government fast-tracking policy should be reviewed as should the council's own procedures in the light of the ombudsman's report identifying maladministration concerning the mast siting on Camberwell College of Art and calls for an end to this permitted development for telecommunications masts.
4. That council therefore calls on the executive member for regeneration to write to the government minister with responsibility for planning policy calling on the government to review and end this policy and take steps to change the law permitting these "fast-track" mast applications as soon as possible and to amend the council's own procedures to prevent maladministration in the handling of such applications.

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

8.6 MOTION 6 – RAIL PRICING (see page 6 and supplemental agendas 1 and 2, pages 43 and 7)

Councillor Barrie Hargrove, seconded by Councillor Robert Smeath, moved the motion.

Councillor Graham Neale, seconded by Councillor Richard Thomas, moved amendment G.

Following debate (Councillor Dominic Thorncroft), 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 this council supports the efforts of the Mayor for London to persuade the rail operating companies to incorporate the use of oyster cards into their ticketing arrangements. Much of south London, including two-thirds of Southwark, lacks access to the underground system. Council assembly believes that as a result, Southwark rail travellers are being heavily financially penalised by the rail companies.
 2. That council assembly calls on the executive to liaise with the mayor's office, to use whatever means are available to promote fair rail pricing and to strongly communicate this council's concerns to the rail companies operating in Southwark.

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

8.7 MOTION 7 – ROAD RESURFACING PROGRAMME (see pages 33-34 and supplemental agenda 3, page 8)

Councillor David Bradbury, seconded by Councillor Toby Eckersley, moved the motion.

Councillor Barrie Hargrove, seconded by Councillor Mark Glover, moved amendment H.

Following debate (Councillor Richard Thomas), amendment H 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 assembly recognises that many roads in the borough need resurfacing. It also recognises that councillors will be aware of particular roads in their own wards that would benefit – such as Carver, Tarbert and Trossachs Roads and Warmington Road in Village Ward, Asylum and Naylor Roads in Livesey Ward, Drummond Road, Gainsford Street, Queen Elizabeth Street and Parkers Row in Riverside Ward, Pennethorne Road in Peckham Ward, Cheltenham Road in Peckham Rye Ward, Holly Grove, Bellenden Road, Highshore Road, Choumert Grove and Alpha Street in Lane Ward, East Street, Dawes Street and Southampton Way in Faraday Ward, Machell and Hollydale Roads in Nunhead Ward, Shenley Road, Vicarage Grove, Vestry and St Giles Roads in Brunswick Park Ward, and Stoney Street and Princess Street in Cathedrals Ward, and therefore, calls on the executive to ensure that ward members and community councils are fully consulted before the 2006-07 programme for road resurfacing is finalised.

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

8.8 MOTION 8 – LOCAL GOVERNMENT FINANCE SETTLEMENT (see pages 34-35 and supplemental agendas 1 and 3, pages 43-44 and 9)

Councillor Lorraine Zuleta, seconded by Councillor Nick Stanton, moved the motion.

Amendment I, moved by Councillor Michelle Pearce and seconded by Councillor Robert Smeath, was ruled out of order as it negated the amendment. The subsequently revised amendment I was withdrawn.

Councillor Toby Eckersley, seconded by Councillor William Rowe, moved amendment J.

After debate (Councillors Peter John, Graham Neale and Kim Humphreys), amendment J 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 council assembly notes with concern:
 - the recent local government finance settlement, announced by the government, which gives Southwark a just above the floor increase of 2.2%;
 - that this compares very unfavourably with other London boroughs, such as Camden with a 3.8% increase and Kensington & Chelsea with a 3.3% increase.
 2. That council assembly believes that this represents an enormous challenge to the council to maintain a high level of service provision whilst keeping council tax below the 5% cap that the Government has indicated it will impose.
 3. That council assembly is particularly concerned that the local government finance settlement provides no clarity over how relative levels of deprivation are now taken into account in the settlement.
 4. That council assembly therefore calls on the executive member for resources and Southwark's three local members of parliament to lobby the government to provide Southwark with a settlement that takes into account the needs of the borough and the council's desire to keep any council tax increases to a minimum.

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

8.9 MOTION 9 – WALMER CASTLE, PECKHAM ROAD, SE15 (see page 35)

Councillor Aubyn Graham, seconded by Councillor Mark Glover, moved the motion.

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

- RESOLVED:**
1. That council assembly notes recent press comments (Southwark News, December 15 2005) and the concerns of local residents, including the Peckham Society, about the possible development of the Walmer Castle public house.
 2. That council assembly believes that without this local authority's involvement this important and historic venue will be lost as a local cultural feature and leisure facility.
 3. That council assembly requests that the executive member for regeneration report back to the council executive (or the

relevant scrutiny panel) setting out options and actions for securing the Walmer Castle public house on Peckham Road, SE15 as a community art facility.

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

8.10 MOTION 10 – STREET LIGHTING BUDGET (see pages 35-36 and supplemental agendas 1 and 3, pages 45 and 10)

Councillor William Rowe, seconded by Councillor Kim Humphreys, formally moved the motion.

Councillor Richard Thomas, seconded by Councillor Jane Salmon, formally moved amendment K.

Under council assembly procedure rule 1.13(5) (guillotine) the motion and amendment were unopposed. Therefore amendment K 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 council assembly notes that substantially all of the current budget for street light renewal has been directed to replacement of concrete lamp posts due to the fact that 94% of these concrete columns provide inadequate lighting as they use low pressure sodium (orange) bulbs.
2. That council further notes that these old lampposts mean residents suffer both inadequate lighting and columns that are dangerous.
3. That council also notes that community councils are able to spend cleaner, greener, safer money on street lighting if they feel this is a priority.
4. That nevertheless given the demand for new street lighting, council assembly therefore requests the executive to instruct officers to prepare a policy for 2006/7 which:
 - Includes a balance of priorities between improving lighting and replacing concrete lampposts.
 - Includes consultation with ward members and community councils on which streets should be given priority in their areas.

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

8.11 MOTION 11 – SOUTH LONDON TRANSPORT LINKS (see pages 45-46 and supplemental agenda 3, page 11)

Under Council Assembly procedure rule 1.13(5) (guillotine), the maximum time permitted for the debate of motions had expired. The motions and amendments were put to the vote without debate.

Councillor Richard Thomas, seconded by Councillor Jeff Hook, formally moved the motion.

Councillor Ian Wingfield, seconded by Councillor John Friary, formally moved amendment L.

Amendment L was put to the vote and equal numbers were cast for and against. The Mayor exercised her casting vote and declared to be carried.

The Mayor declared that amendment M fell.

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

8.12 MOTION 12 – PROCEEDS OF CRIME ACT (see page 37 and supplemental agendas 1 and 3, pages 46-47 and 12)

Under Council Assembly procedure rule 1.13(5) (guillotine), the maximum time permitted for the debate of motions had expired. The motions and amendments were put to the vote without debate.

Councillor Michelle Pearce, seconded by Councillor Andy Simmons, formally moved the motion.

Councillor Lorraine Zuleta, seconded by Councillor David Hubber, formally moved amendment N.

Amendment N 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 assembly:

- notes CIPFA's guidance on the Proceeds of Crime Act and the money laundering regulations 2003.
- notes the executive member for resources comments in reply to a question on September 14 2005 that she does not "feel obliged to implement the requirements of the legislation concerning the creation of reporting systems, training, identification and record keeping and internal reporting procedures because the requirements are clearly aimed at the 'relevant business' activity listed in the money laundering regulations."
- further notes that the council embraces the underlying principles of the legislation and regulations and deals with them in an appropriate and proportionate manner, and as such Price Waterhouse Coopers, the council's internal auditors, review and monitor the processes for dealing with cash received.
- requests the overview and scrutiny committee to refer this issue to the regeneration and resources scrutiny sub-committee for consideration of best practice in this area following the publication of the survey of approaches taken by other London boroughs currently being conducted by the Society of London Treasurers.

Note: The motion stands referred to overview and scrutiny committee for consideration.

8.13 MOTION 13 – NORTH DULWICH 20 MPH ZONE (see pages 37-38)

In accordance with council assembly procedure rule 3.10(3), the motion is referred to the executive for consideration.

The meeting closed at 11.42 p.m.

MAYOR:

DATED: