

Item No. 6.1	Classification: Open	Date: February 22 2006	Meeting Name: Council Assembly
Report title:		Report back on motions referred to executive from council assembly.	
Ward(s) or groups affected:		All	
From:		Executive	

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – DULWICH AREA HOUSING OFFICE

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005, which had been moved by Councillor William Rowe and seconded by Councillor Lewis Robinson:-

1. That council assembly notes the increasing frustration and disappointment expressed by residents at the performance and responsiveness of the Dulwich area housing office.
2. That council assembly therefore requests the executive to instruct officers to investigate the causes of the perceived unsatisfactory performance of the area housing office and provide the additional support to remedy them so that residents see a noticeable improvement in performance as early as possible in the new year. Officers should report back to the first executive meeting in January 2006 and to ward members by January 2006.

Executive agreed this motion with the addition of a third decision as follows:-

That the verbal report given by the Council's head of housing management be noted, executive requesting that the meeting with Councillor Rowe be followed up with confirmation of the issues and action in writing, and copied to relevant members.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – WASTE MANAGEMENT

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005, which had been moved by Councillor Richard Thomas and seconded by Councillor Graham Neale:-

- Reaffirms its support for the resource programme to procure a long-term, fully-integrated, multi-million pound waste management solution and development of new waste management facilities on the Old Kent Road;

- Believes the resource programme is vital for Southwark to achieve its commitments to recycle half and recover energy from three quarters of its waste by 2020;
- Notes that a failure to complete the resource programme would expose the council to serious financial risk due to the impact of financial penalties under the landfill allowance trading scheme (LATS) regime;
- Welcomes the government support for the programme with the single largest private finance initiative (PFI) credit to a unitary authority for a waste contract (£34.5 million) and the support of the Greater London Authority (GLA);
- Notes that the resource programme has reached a stage where significant investment will shortly be made by bidders for the PFI contract and by the council in relation to site acquisition;
- Is concerned that the business case for the resource programme has been impacted by the issuing of the Mayor's proposal to centralise waste disposal and planning across London through the establishment of a London Single Waste Authority (LSWA);
- Calls on the leader of the council and the chief executive to seek urgent assurances and indemnities from the Office of the Deputy Prime Minister (ODPM) and the Mayor of London to protect Southwark's capital investment and ensure the continuation of the resource project.

The above motion was noted.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – HEATING CHARGES FOR COUNCIL TENANTS

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005 (subsequently amended), which had been moved by Councillor Paul Bates and seconded by Councillor Charlie Smith:-

1. That council assembly notes with concern the proposed increases of 29% in hot water and heating charges to Southwark's tenants and residents.
2. That while council assembly recognises increases in wholesale gas and electricity prices, council assembly believes the proposed increase to be a substantial additional burden to users of the district heating and hot water systems.
3. That council assembly believes such an increase to be particularly distressing to those residents living on certain estates who have had to endure regular breakdowns and failures of the heating and hot water systems in recent years.

4. That council assembly calls upon officers to bring forward a new and comprehensive report as a matter of urgency which will be made available to provide those residents who are charged for district heating and hot water with a clear and comprehensive explanation of the increase setting it in the appropriate context in relation to time and increases in fuel costs.
5. That council assembly calls upon the executive to re-examine the proposal of a 29% increase on heating and hot water charges, taking note of the dissatisfaction with the new charges on the part of tenant council and individual tenants and residents associations and instruct officers to develop a formula and proposals to issue rebates to residents affected if the actual heating costs incurred are lower than those anticipated in setting the 29% increase.
6. That council assembly further requests the executive to closely examine innovative ways of supplying heating and hot water systems including application for government grants to fund feasibility studies to explore renewable energy schemes such as solar photovoltaic panels, wind turbines, solar water heating, ground source heat pumps, biomass and small scale hydro systems, and requests that a report be brought back to council assembly as quickly as practicably possible.

The above motion was noted with an additional resolution as follows:-

That officers bring to the next meeting a comprehensive report referred to in paragraph 4 of the motion which will be made available to provide those residents who are charged for district heating and hot water with a clear and comprehensive explanation of the increase setting it in the appropriate context in relation to time and increases in fuel costs.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – PRESS AND PUBLICITY

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005, which had been moved by Councillor Kim Humphreys and seconded by Councillor Toby Eckersley:-

That council assembly desires generally, and in particular with regard to the council's communications policies, the activities and functions of community councils in particular and of the overview and scrutiny committee (OSC) and its sub-committees are, within existing resources, given greater emphasis; and accordingly calls for the necessary action, beginning with consultation by the communications team with the chair and vice chair of OSC and of each community council and a subsequent report to be brought forward by the executive.

The above motion was agreed.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – CONGESTION CHARGE

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005, which had been moved by Councillor James Gurling and seconded by Councillor Jane Salmon:-

1. That council notes the official council response to the Greater London (Central Zone) Congestion Charging Order 2001, which was specifically amended to include the suggestion of a buffer zone to minimize the adverse impact on those living and working near the border.
2. That council further notes the Mayor of London's recent indications that he is considering extending the residents' discount zone (i.e. creating a buffer zone) in areas of Kennington.
3. That council understands that this reflects the inconvenience to residents living close to the border and the additional cost incurred conducting everyday family, social, commercial, and community activity.
4. That council is disappointed that, whilst this concession is a positive move for some London residents in neighbouring Lambeth, Southwark residents are continuing to lose out.
5. That council urges Transport for London (TfL) to take this opportunity to reconsider establishing a buffer zone for residents in Southwark who have already been affected for almost three years.
6. That whilst council appreciates that any arbitrary demarcation line will be unpopular there is a real opportunity to ease the burden which falls unfairly on residents and businesses in Southwark and who are based just outside the congestion-charging zone.
7. That council therefore requests that the executive member for environment and transport and the relevant officers in our transport division work with London Assembly members to present a strong case to the Mayor of London and TfL regarding the prospect of allowing communities close to the boundary to benefit from a graduated residents' discount. As a package of public transport incentives for the area the proposals should also include the extension of the central Zone 1 to include both Kennington and Bermondsey tube stations.

The above motion as agreed.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – ANTI-SOCIAL BEHAVIOUR IN SOUTHWARK

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005 (subsequently amended), which had been moved by Councillor Dora Dixon-Fyle and seconded by Councillor Peter John:-

1. That council assembly notes with concern the finding of the local government ombudsman, Mr. Jerry White, who found Southwark council to be guilty of 'maladministration causing injustice' in the case of 'Mr. Kelly', a victim of anti-social behaviour. However, council assembly also notes that this incident occurred before the neighbourhood housing system was restructured and a number of improvements to case management have been made.
2. That council assembly notes
 - That Southwark is in the top quartile for issuing anti-social behaviour orders, when compared with other London boroughs in 2004/05, having recently secured its 50th ASBO and that the government awarded Beacon Status to Southwark for its crime and disorder partnership.
 - The results of recent local crime surveys, which revealed concerns among respondents about antisocial behaviour; in particular noise nuisance and gangs of youths.
3. That council assembly therefore calls on the executive to:
 - Discuss the overall approach to issuing anti-social behaviour orders (ASBOs) and acceptable behaviour contracts (ABCs) with the authorities responsible for doing so
 - Receive a report from officers on when it may be considered useful to name and shame the recipients of an ASBO
 - Continue to improve the standard of investigative work at Southwark anti-social behaviour team (SASBU), and improve communications between case officers and complainants
 - Continue to develop closer joint working between the housing department, community safety unit, and the anti-social behaviour unit, to prevent the failures described by the ombudsman
 - Continue to work with the Safer Southwark Partnership and to seek to work with the Home Office in order to ensure that fear of crime is not needlessly exacerbated by misleading and unfounded communications.

The above motion was agreed.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – POWERS OF LONDON MAYOR

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005 (subsequently amended), which had been moved by Councillor Toby Eckersley and seconded by Councillor William Rowe:-

1. That this Council is extremely concerned at the comment by the respected local government commentator Tony Travers in the Local Government Chronicle of November 3 2005:

“The GLA is to be given enhanced responsibilities for such provision as transport, waste, planning, housing, learning and skills and the arts”

and requests the executive to submit a report to the next council assembly with up to date developments on this matter together with a statement of the executive’s policy in respect of where responsibility should lie for the discharge of the functions listed above in the quotation from Mr Travers.

2. That council assembly notes that the ODPM has begun to consult on a review of the Mayor of London’s powers and that the ALG and the GLA have formed the Commission on London Governance.
3. That council assembly believes that it would be inappropriate for the government to remove powers from London boroughs and transfer them to the Mayor but that serious consideration should be given to reviewing the powers of central government and the Government Office of London (GOL) and the burgeoning quangos and transferring those powers to appropriate democratically elected institutions.
4. That council assembly calls on the executive to respond to the consultations by ODPM and the Commission on London Governance accordingly.

The above motion was agreed.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – PUPIL MOBILITY

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005 (subsequently amended), which had been moved by Councillor Robert Skelly and seconded by Councillor Caroline Pidgeon:-

1. That council assembly notes the conclusions of the recently published Association of local Government (ALG) research entitled 'Breaking Point - Examining the disruption caused by pupil mobility' and in particular:
 - a) Schools with mobile children face additional demands that translate into additional costs for extra administrative, teaching and other support. The impact of these additional demands can be critical for some schools and their pupils.

- b) High mobility is not evenly distributed between schools. There are underlying factors which cause high pupil turnover to be heavily concentrated in specific geographical locations and in specific schools.
 - c) High mobility in schools with high levels of educational disadvantage reduces equality of opportunity for all pupils in that school.
 - d) Under funding already results in a high level of unmet educational need in schools with large numbers of children with multiple deprivations. High levels of pupil mobility compound the pressures these schools face and help perpetuate under-achievement for all children attending that school.
 - e) Improvements in pupil achievement may continue to be compromised without a better understanding of the relationship between pupil mobility, deprivation and English language acquisition and the role of a more cohesive investment strategy in offering genuine equality of opportunity to all children.
2. That council assembly believes therefore that tackling the implications of pupil mobility should be a key funding priority for the government. Multiple disadvantage and pupil turnover are major determinants in reducing life chances for mobile pupils and other deprived children who compete for teaching support and whose education is constantly disrupted by classroom instability and joins with the ALG Chair Sir Robin Wales in his declaration that “real opportunities to lift children out of poverty must be supported by additional teaching capacity. This means ensuring that schools with multiple deprivation and high pupil turnover receive sufficient funding to make equality of opportunity a reality”.
 3. That council assembly, however, also notes the reply from Jacqui Smith to Simon Hughes MP in the House of Commons on November 24 2005 on this subject that “given the wide spread of mobility across a range of local authorities, the effect of distributing between authorities on the basis of mobility would have been to flatten and reduce the extra contributions to those authorities with additional educational needs on the basis of distribution.
 4. That council assembly notes that local authorities can take account of pupil mobility in their local funding formulae and asks the executive member for education to report to the January 2006 education scrutiny sub-committee meeting on the steps she has already taken to address this key priority as part of the 2006/2007 budget.

Having considered this motion executive resolved that:-

1. That the issues set in parts 1 and 2 of the motion be noted.
2. That it is believed that the Government’s position which states that local authorities must use their own funding formulae to take account of pupil mobility will result in local authorities taking money away from other deprivation factors, thereby discriminating against those areas that also have high mobility.

3. That executive will work jointly with the Association for London Government (ALG) and other organisations to request that the Government makes pupil mobility a key funding priority.
4. That it is further noted that the executive member for education provided a written report to the education scrutiny committee on 11 January 2006 with information on pupil mobility in Southwark.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – CAMBERWELL LEISURE CENTRE

Executive on January 18 2006 considered the following motion referred from council assembly on December 7 2005 (subsequently amended), which had been moved by Councillor John Friary and seconded by Councillor Ian Wingfield:-

1. That council assembly notes the ongoing work between the council and Fusion to enable Fusion to raise the capital needed for much needed investment in Camberwell Leisure Centre and other leisure facilities in the borough.
2. That council assembly believes this building to be important to Camberwell as a leisure centre.
3. That council assembly notes Camberwell community council's own report to the executive, now adopted as the community council's own strategy, which envisages the development of the leisure centre as key to regeneration in Camberwell. Council assembly notes that at present the building is in a poor state of repair and is deteriorating. Council assembly further notes that this is the result of years of under-investment in leisure centres by the previous administration and that the council now spends 8 times as much on repair and maintenance of leisure centres as it did in 2002.
4. That council assembly regrets the necessity to close the nearby Peckham Pulse swimming pool due to structural defects, despite a massive overspend by the previous administration on the project
5. That council assembly calls upon the executive to continue to work urgently with Fusion to reach a successful outcome to the investment strategy for leisure facilities across Southwark, so that work can begin both to ensure the continuation of current facilities and to start developing this centre as a resource to the residents of Camberwell, including urgently needed facilities for the young people of Camberwell.

The above motion was agreed with a further resolution as follows:

That in the event of negotiations being unsuccessful, executive instructs officers to include the investment of Camberwell leisure centre and other leisure centres in the capital bid programme to be considered in the Summer of 2006.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – LOCAL GOVERNMENT FINANCE SETTLEMENT

Executive on January 31 2006 considered the following motion referred from council assembly on January 25 2006 (subsequently amended), which had been moved by Councillor Lorraine Zuleta and seconded by Councillor Nick Stanton:-

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.

Executive agreed the above motion with a further resolution:

The executive notes the escalating costs of the war in Iraq and the effects that this is having on the Government's ability to properly finance front line service delivery and believes this money would be better spent on our residents.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive agenda and minutes	Constitutional Unit, Town Hall, Peckham Road, London SE5 8UB	Paula Thornton 020 7525 4395

AUDIT TRAIL

Lead Officer	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Everton Roberts/Paula Thornton, Constitutional Team	
Version	Final	
Dated	February 10 2006	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	No	No
Chief Finance Officer	No	No
Date final report sent to Constitutional Support Services	February 10 2006	