



COUNCIL ASSEMBLY

(ORDINARY MEETING)

WEDNESDAY MARCH 22 2006

SUPPLEMENTAL AGENDA No. 1

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NOTE: Please note that the above reports have not been circulated seven clear working days in advance of the meeting (council procedure rule 1.2 (1)). Therefore, in accordance with access to information procedure rule (5), the Mayor will be asked to accept the items as late and urgent.

Circulated: Friday March 17 2006

For further information please contact Cameron MacLean/Lesley John 020 7525 7236/7228

Item No. 4.	Classification: Open	Date: March 22 2006	Meeting Name: Council Assembly
Report title:		Deputation requests	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor)	

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

1. Comments from the strategic director environment & leisure – Chamberlain Cottages

To follow.

2. Comments from the strategic director housing – Four Squares Estates

Community liaison and general issues of maintenance and management

All members of Bermondsey community council (CC), at a special crime and community safety meeting held on September 7 2005, agreed a series of walkabouts on the Fours Squares estate in response to complaints of anti social behaviour (ASB) at previous meetings. The purpose of the walkabouts was to enable all agencies to witness first hand the complaints and the effect ASB was having on the environment.

There have been four walkabouts since October (October 1, November 22, December 20 and January 20) with residents, local councillors, area office and community safety staff, the wardens, police and fire brigade. Detailed action plans have been drawn up following each walkabout and results monitored at follow up inspections. A copy of the walkabout report is provided to all that attend, including residents.

At the two most recent walkabouts, TRA representatives have acknowledged the improvements made on the estate.

At the last community council meeting, on February 1 2006, the area manager presented an update on behalf of all agencies working on the Four Squares project regarding achievements to date and plans for the future. Members of the TRA were present and did not raise any concerns.

At the beginning of December 2005, a newsletter was produced for the Four Squares estate and delivered to every household. The newsletter outlined the investment programme works planned for the estate, publicised the Together Action Zones (TAZ), warden service and a police drop-in service and encouraged residents to report incidents of ASB.

In addition to the walkabouts described above, thorough estate inspections take place every month on the estate (two blocks are inspected mid month and the other two at the end of the month). These inspections are attended by TRA representatives, the tenancy services officer (TSO), the estate compliance officer

(ECO), and neighbourhood wardens. ECOs attend the estate daily (Monday to Friday) and lighting checks are done on a weekly basis.

The TSO has suggested holding surgeries on the estate one day per month. The TRA has provisionally agreed that their hall can be used and we are currently awaiting confirmation of when it will be available. We are waiting for the TRA to provide dates, the TSO will raise again at the next TRA meeting due Monday March 6 2006.

Replacement of light bulbs

Following a lighting check on February 7, four lights were found to be defective (this is a relatively small number considering the hundreds of lights on each block). Orders have been raised to repair the lights. The lights were last checked on Wednesday, February 22, again only a very small number of individual lights were found to be defective and orders have been raised.

Proper collection of refuse

The estate has bin bag collections from a storage area, situated next to each front entrance door, twice per week on Monday and Thursday. Refuse from the trailer bays is also collected twice weekly, on Tuesday or Wednesday (depending on location) and on Saturday. The bin chutes are currently open and some residents use the chutes to dispose of rubbish rather than wait for the twice-weekly collection. The chutes have been targeted by arsonists and the area office is currently working with the arson reduction officer to minimise this risk.

Windows – paint peeling and ledges falling apart

This issue has been raised on walkabouts, with specific reference to the Jamaica Road flats. The windows will be replaced as part of decent homes works and residents have been encouraged to report problems with individual windows for repair under day-to-day maintenance.

Corrosive liquid

The asphalt covering to the access balconies has reached the end of its useful life and is blistered and cracked in places. The asphalt is no longer providing a waterproof covering and rainwater is percolating through the concrete structure and manifests itself on the underside of the concrete dripping down onto the floor. As this water travels through the structure it picks up salts and colour from the building fabric, hence the crystalline nature in some areas, the white colouring in other areas (salt staining), and the brown staining in others (this is colour run from the expansion joints). The asphalt coverings will be completely replaced when the decent homes external refurbishment works are undertaken, the expansion joints will be reformed and the concrete repaired, where necessary, by specialist contractors.

Pavements that are in pieces

Communal repairs, in particular hard surface repairs, have been identified and ordered. In recent months £17,000 has been spent on paving repairs. Further areas for repair have been identified and ordered, in particular to New Place Square.

Rodent problem

Rat holes are evident on the estate and are baited by the pest control contractor and then filled with sand. The rats will chew their way back out of the holes, eating the bait as they do so and this will explain both the issue of holes being filled with sand and the dead rodents seen from time to time. The cleaners will and do remove dead rodents as and when they are found. The CCTV drain surveys, which are being completed (see investment programme section), will enable Southwark building design services (SBDS) to pinpoint and specify remedial repairs to the drainage system on the estate, which in turn will greatly reduce the incidents of rodent activity. Simply filling rat holes with concrete would serve no purpose; the rats would dig new holes and not have eaten any bait. This would, therefore, not be reducing the rodent population in any way. Between August 2005 and January 2006 there have been 17 visits carried out by our pest contractors and the original placement of 25 bait boxes for rats and a high/medium assessment has reduced progressively. The level was assessed as low in October and remains so. The baiting levels have reduced and there were no new signs of infestation in January. Monitoring will continue. Bait boxes were checked and refilled at the beginning of February, there have been no new sightings and the level of infestation is still classed as low.

Garages – inadequate lighting and rubbish dumping.

The garages are due to be refurbished, starting with New Place Square (see investment programme section). In the meantime, management of the garages is proving to be a challenge, although, at recent walkabouts, TRA representatives have acknowledged an improvement in the cleanliness of the garage areas. New Place Square garage area is currently not in use and has been temporarily secured. The other three garages are presently underused and prone to vandalism and rubbish dumping. The area office is currently looking at using the community payback scheme and/or London clean up project to help deal with these problems. In addition, the area office is carrying out an occupation audit of the Lockwood Square garages to identify legitimate users, who will be moved to one area of the garages, so that the unused area can be completely secured to prevent unauthorised access. As part of the London clean up scheme, on 8/9/10 March, the community payback team will be working on the estate to clear underground garages at New Place Square, plus electrical intake cupboards on all blocks.

Leasehold properties – subletting and noise

A number of properties have been referred to Environmental Health and Trading Standards by the area office to investigate allegations of use as homes in multiple occupation (HMO). Eleven have been confirmed as HMOs and the appropriate 'Minded To' notices requiring 'means of escape' work were served in January. Non-compliance will result in a formal notice being served and further non-compliance will lead to prosecution.

A number of noise nuisance allegations are currently being investigated by the area office.

There has been little response to requests for complainants to keep diaries of noise nuisance. This hopefully indicates that warning letters have been effective. The TSO will raise the issue at the next TRA meeting and encourage residents that are still experiencing problems to complete diary sheets. The council is currently aware of one ongoing problem and has arranged to spend some time in the complainants property one evening next week to witness the noise.

Cutting back bushes

This issue has been raised at walkabouts and, in response, bushes at Lockwood Square and Marden Square have been pruned. However, further pruning is needed to one row of bushes at Marden Square and an order has been raised for the work to be done. Completion is expected in the week commencing February 13. This work has now been completed.

Improved lighting

Again, this is an issue that has been raised at walkabouts and additional lights have been agreed at five separate locations across the estate. This work has now been completed.

Investment programme works

The investment needs on the Four Squares have been established and, as part of the council's commitment to meet the government's decent homes criteria by 2010/11, the Bermondsey area office has produced a draft major works programme. This incorporates the security and decent homes works to each of the blocks.

The levels of anti-social behaviour and arson on the 4 Squares Estate have made it a "hotspot" area within the Safer Southwark Partnership's operational statistics for some time. As such, targeted action from all agencies is aimed at reducing that status and should also contribute significantly to the council meeting some key corporate targets (e.g. halving the level of arson incidents). £2.34m has been secured from the London Housing Board as a contribution to the security works.

Security works:

- Controlled door entry to the stairwells and on each deck landing,
- Controlled access to the under-block garages,
- Redefining the stairwell entrances,
- Upgrading lifts to facilitate CCTV installation
- Replacing the redundant goods lifts with a DDA compliant passenger lift,
- CCTV to the stairwell entrances,
- Defensible space to the ground floor access dwellings,
- Fence panels to the central courtyard incorporating controlled entry system,
- Anti-graffiti painting to stairwells,
- Increased lighting,
- Replacement garage doors (where necessary) and the permanent division of the garages with block work walls

Work to the lifts has started at both New Place and Lockwood Squares. The main security contract for New Place was published as a key decision to all Members on 7 March 2006 and the decision has been taken and is being implemented. The next stage is to appoint a contractor and this is expected to happen by the end of March.

Tenders are currently out for the lift works to both Marden and Layard Square.

Security design consultation meeting with residents from Lockwood Square commenced in February 2006. A meeting was held on Tuesday, February 28, 188 households were invited, to which 9 residents attended. The aim is to start leaseholder consultation by the end of March and tenders for the work will be sought in May/June. The department hopes to be in the position to appoint a contractor by late September. The process for Marden Square is expected to start in April 2006 with the contractor hopefully being appointed in November/December.

Decent homes works:

SBDS have surveyed Layard Square and during March 2006 public meetings with residents will be held to discuss the surveyor's findings and to agree the scope of works and materials to be used. Areas of work to be addressed are shown below (note this list is not exhaustive and will change based upon the surveys and resident meetings).

- Windows,
- External doors,
- Roof and rainwater repair/renewal,
- Brickwork repair/rebuilding,
- Asphalt replacement to access balconies and central podium areas,
- Concrete repairs,
- Balcony balustrade repair/replacement,
- Lateral mains replacement,
- External redecoration,
- Paving/walkway repair and relaying,
- Insulation works.

Underground drainage surveys of the whole estate have been commissioned. Reports have been received for Layard and Marden Squares. Completed surveys are being analysed by SBDS to identify remedial works for inclusion in the external refurbishment contracts. Any major drainage defects that cannot wait for the refurbishment contracts will be undertaken separately.

As the external works will require leasehold consultation and planning approval it is anticipated that the earliest possible start date will be January 2007. As with the security works, once we have completed the specification and resident consultation for Layard Square, we will start the process with Marden Square and thus work our way back up to Jamaica Road.

Community Safety and Anti Social Behaviour:

The council have taken the complaints relating to anti social behaviour seriously and in September appointed a dedicated anti social behaviour officer to the estate who has been collating evidence from residents, police, wardens and other partnership agencies to take direct action against individuals who are known to be involved in ASB. As part of this process, and with agreement from the Tenant and Resident Association, a series of 4 public meetings were held, (one for each block). Attending

these meetings were, SASBU, community wardens, police and housing. These meetings were seen as pivotal in obtaining the views of those residents who would not normally attend the regular T&RA meetings.

From these meetings, and under the co-ordination of the Bermondsey Together Action Zone (TAZ), SASBU targetted the alleged ringleaders who were coming on to the estate.

As a result, to date SASBU has issued 32 warning letters and 9 Acceptable Behaviour Contracts. SASBU has also undertaken visits to parents and instigated referrals to the Youth Offending Team and 8 referrals to the LIFE Scheme, which is conducted by the London Fire Brigade.

None of those ABCs have been breached. One full ASBO is being researched, and an additional 4 current ASBO's are in the process of modification to include the estate. The police have placed additional patrols on the estate, both overt and covert, and have patrolled with the wardens to provide them with reassurance. The local beat officer is in regular contact with the TRA, and more notably its spokesperson, Mr. Brazil. We have received no further complaint of community issues, and the local police Sergeant attended the Bermondsey community council last week and spoke with the TRA chair, who had no complaints about police activity. The issue of mopeds is being addressed on a borough wide basis, although the police have commenced high visibility patrols (HVP) on pedal cycles in attempt to combat this problem locally.

In addition, from the October 6 2005 a series of evening estate inspections were undertaken with the T&RA, these included key members of the Safer Southwark Partnership and Community Council. These inspections were essential to establish the areas on the estate that were giving the residents cause for great concern (i.e. lighting, garages, and areas where alleged perpetrators gathered). The last inspection (held on the January 26 2006) showed that there had been a marked improvement on the estate where lighting repairs had been undertaken, there has been a noticeable reduction in youths loitering around the estate, a reduction in the amount of dumped refuse on the estate, and the consensus that things had generally improved.

Added to this, during the past year the noise & air quality team have received 12 complaints from the 4 squares; 5 statutory nuisances have been witnessed and had enforcement action taken, and in one instant a resident has been jailed for breach of high court injunction on noise grounds.

The one area where the Safer Southwark Partnership and metropolitan police service continue to have concerns is the level of arson on the estate. The arson reduction officer, SASBU and metropolitan police and local area housing office are currently working on information received to tackle this problem.

Wardens are continuing their patrols and working closely with the police in providing a regular visible presence. Whilst it is recognised that there is still work to be done, the residents and the TRA have indicated that there has been a marked improvement.

3. Comments from the strategic director housing – LAS 2000

To follow.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Deputation Request File	Town Hall, Peckham Road, London SE5 8UB	Lesley John 020 7525 7228

Lead Officer	Ian Millichap, Constitutional Team Manager
Report Author	Lesley John, Constitutional Officer
Version	Final
Dated	17.3.06

ITEM 4.1A CHAMBERLAIN COTTAGES (see pages 1-4)

MOTION FROM COUNCILLOR IAN WINGFIELD

Seconded by Councillor John Friary

Please note, that in accordance with council assembly procedure rule 3.7 (x), debate on this motion is limited to 15 minutes. The mover of the motion may speak for a maximum of three minutes and the seconder and any other speakers shall be allowed a maximum of two minutes.

Chamberlain Cottages

In the light of the true intentions of the residents of Chamberlain Cottages wishing only for a gate to be sited at the entrance to their cul-de-sac for safety reasons, this council assembly requests the council executive to consider progressing negotiations with residents and agreeing funding for the gate as soon as possible.

APPENDIX A

Item No. 4.2A	Classification: Open	Date: March 22 2006	Meeting Name: Council Assembly
Report title:		Motion – Four Squares Estate	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor)	

The deputation request concerning this motion was withdrawn from February 22 2006 council assembly with the request that it be resubmitted to the next council assembly. Therefore, the motion that arose from the deputation request also stands referred as below.

The motion was received in accordance with council assembly procedure rule 3.7(9) (ix) (subject of deputation not on agenda). Therefore, debate on the motion and any subsequent amendments is limited to 15 minutes. The mover of the motion or any amendments shall speak for a maximum of three minutes and the seconder and other speakers shall be allowed a maximum of two minutes.

MOTION FROM COUNCILLOR PETER JOHN

Seconded by Councillor Charlie Smith

Council assembly notes the serious problems suffered by residents on the Four Squares estate, including

- Antisocial behaviour and crime, ranging from vandalism and graffiti to arson and drug dealing
- Poor basic maintenance of housing and communal areas, leading to an environment in which crime can flourish
- Inadequate refuse collection and pest control
- Nuisance noise and the risk of accidents from motorcycle riders on the estate
- Nuisance noise from temporary tenants of absent leaseholders.

Council assembly notes that executive councillors and officers have carried out numerous “walkabouts” on the estate over the past 6 months. These followed the recommendations of the community council meeting on the September 7 2005, and included the walkabout on the October 18 2005, attended by Councillor Nick Stanton, and subsequent walkabouts on November 21 2005, the December 20 2005, and the January 26 2005.

Council assembly notes that after the first “walkabout” by councillors and officers, an action plan was drawn up which listed urgently needed improvements. These included replacing light bulbs, cutting back trees, and emptying rubbish chutes. Council assembly notes with concern that resident’s report that four months later, few if any of these proposals have been carried out. Council assembly also notes that the

Together Action Zone also produced an action plan on the October 26 2005, calling for urgent improvements including mobile CCTV and an 'action plan and timescales for estate repairs and maintenance'.

Council assembly notes with concern that despite repeated reports of serious crime such as arson, the Four Squares estate has no CCTV system in place.

Council assembly believes that the current situation on the Four Squares estate is unacceptable, and that urgent action must be taken to improve residents' quality of life.

Therefore, council assembly calls on the executive to:

1. Urgently implement all of the recommendations arising from the walkabouts, including installing additional lighting, fixing rubbish chutes, and making sure that police and community wardens are working together. Residents should be given a list of the planned improvements, with a deadline for when each will be completed.
2. Urgently implement the proposals from the Together Action Zone action plan.
3. Aggressively use the full range of anti social behaviour powers available, and give local residents information about the names of recipients of anti-social behaviour orders (ASBOs), and the conditions of the order where appropriate, for example, in helping to enforce orders where offenders have been banned from certain estates.
4. Install a CCTV system on the estate as soon as possible.
5. Review and improve routine cleaning and maintenance across the entire estate
6. Introduce regular warden patrols, in liaison with local police if possible, across the whole of the estate, and not just in 'fringe' areas.
7. Instruct officers to report on a range of future measures to deter motorcycle riders from using the estate, such as chicanes, trees, barriers and textured pavements.
8. Work with the police to aggressively enforce the current range of powers that can be used against illegal and antisocial motorcycle riders, including applying for acceptable behaviour contracts (ABCs) and ASBOs against youths persistently riding motorcycles in an antisocial manner.
9. To enforce the terms of tenancy and leasehold agreements, to tackle antisocial behaviour and nuisance noise from tenants of the council, and of leaseholders.

Comments from the strategic director housing – Four Squares Estates

- 1. Urgently implement all of the recommendations arising from the walkabouts, including installing additional lighting, fixing rubbish chutes, and making sure that police and community wardens are working together. Residents should be given a list of the planned improvements, with a deadline for when each will be completed.**

There have been four walkabouts since October (October 1, November 22, December 20 and January 20) with residents, local councillors, area office and community safety staff, the wardens, police and fire brigade. Detailed action plans

have been drawn up after each walkabout and results monitored at follow up inspections. A copy of the walkabout report is provided to all that attend, including residents.

Below are listed the various actions undertaken on these issues.

The provision of additional lighting was raised at the walkabouts and agreed at five separate locations across the estate. This work has now been completed.

The estate has bin bag collections from a storage area, situated next to each front entrance door, twice per week on Monday and Thursday. Refuse from the trailer bays is also collected twice weekly, on Tuesday or Wednesday (depending on location) and on Saturday. The bin chutes are currently open and some residents use the chutes to dispose of rubbish rather than wait for the twice-weekly collection. Arsonists have targeted the chutes and the area office is currently working with the arson reduction officer to minimise this risk.

2. Urgently implement the proposals from the Together Action Zone action plan.

A copy of the original action plan together with a recent update is attached.

3. Aggressively use the full range of anti social behaviour powers available, and give local residents information about the names of recipients of ASBOs, and the conditions of the order where appropriate, for example, in helping to enforce orders where offenders have been banned from certain estates.

The council have taken the complaints relating to anti social behaviour seriously and in September appointed a dedicated anti social behaviour (ASB) officer to the estate who has been collating evidence from residents, police, wardens and other partnership agencies to take direct action against individuals who are known to be involved in ASB. As part of this process, and with agreement from the tenant and resident association (T&RA), a series of 4 public meetings were held, (one for each block). Attending these meetings were, Southwark anti-social behaviour unit (SASBU), community wardens, police and housing. These meetings were seen as pivotal in obtaining the views of those residents who would not normally attend the regular T&RA meetings.

From these meetings, and under the co-ordination of the Bermondsey Together Action Zone (TAZ), SASBU targeted the alleged ringleaders who were coming on to the estate.

As a result, to date SASBU has issued 32 warning letters and 9 Acceptable Behaviour Contracts. SASBU has also undertaken visits to parents and instigated referrals to the youth offending team and 8 referrals to the LIFE Scheme, which is conducted by the London Fire Brigade.

4. Install a CCTV system on the estate as soon as possible.

The investment needs on the Four Squares have been established and, as part of the council's commitment to meet the government's decent homes criteria by

2010/11, the Bermondsey area office has produced a draft major works programme. This incorporates the security and decent homes works to each of the blocks.

The levels of anti-social behaviour and arson on the 4 Squares Estate have made it a "hotspot" area within the Safer Southwark partnership's operational statistics for some time. As such, targeted action from all agencies is aimed at reducing that status and should also contribute significantly to the council meeting some key corporate targets (e.g. halving the level of arson incidents). £2.34m has been secured from the London Housing Board as a contribution to the security works.

Security works:

- Controlled door entry to the stairwells and on each deck landing,
- Controlled access to the under-block garages,
- Redefining the stairwell entrances,
- Upgrading lifts to facilitate CCTV installation
- Replacing the redundant goods lifts with a DDA compliant passenger lift,
- CCTV to the stairwell entrances,
- Defensible space to the ground floor access dwellings,
- Fence panels to the central courtyard incorporating controlled entry system,
- Anti-graffiti painting to stairwells,
- Increased lighting,
- Replacement garage doors (where necessary) and the permanent division of the garages with block work walls

The main security contract for New Place is a key decision for February 2006 and it is anticipated the contractor will be appointed in March 2006.

Security design consultation meetings with residents from Lockwood Square commenced in February 2006. A meeting was held on Tuesday 28 February, 188 households were invited, to which 9 residents attended. The aim is to start leaseholder consultation by the end of March and tenders for the work will be sought in May/June. The department hopes to be in the position to appoint a contractor by late September. The process for Marden Square is expected to start in April 2006 with the contractor hopefully being appointed in November/December.

Mobile CCTV is currently in use on the estate.

5. Review and improve routine cleaning and maintenance across the entire estate

In addition to the walkabouts described above, thorough estate inspections take place every month on the estate (two blocks are inspected mid month and the other two at the end of the month). These inspections are attended by TRA representatives, the tenancy services officer (TSO), the estate compliance officer (ECO), and neighbourhood wardens. ECOs attend the estate daily (Monday to Friday) and lighting checks are done on a weekly basis.

At the two most recent walkabouts, TRA representatives have acknowledged the improvements made on the estate.

6. Introduce regular warden patrols, in liaison with local police if possible, across the whole of the estate, and not just in 'fringe' areas.

The police have placed additional patrols on the estate, both overt and covert, and have patrolled with the wardens to provide them with reassurance. The local beat officer is in regular contact with the TRA, and more notably its spokesperson, Mr. Brazil. The local police Sergeant attended the Bermondsey community council in February and spoke with the TRA chair, who had no complaints about police activity.

7. Instruct officers to report on a range of future measures to deter motorcycle riders from using the estate, such as chicanes, trees, barriers and textured pavements.

At the security design consultation meetings (see section re; CCTV installation above) residents are consulted on the problems they face currently and what improvements they would like to see to combat these problems. At Lockwood meeting on February 28 2006, the residents present did raise the issue of motorcycles riders using the estate. However, the residents did not request any specific works to deal with these issues. At the next meeting officers will actively encourage residents to discuss the range of measures suggested above and agree on the potential inclusion within the security contract.

8. Work with the police to aggressively enforce the current range of powers that can be used against illegal and antisocial motorcycle riders, including applying for Acceptable behaviour Contracts (ABCs) and Anti-social Behaviour Orders (ASBOs) against youths persistently riding motorcycles in an antisocial manner.

Area office staff, SASBU, wardens and the police meet on a fortnightly basis to share intelligence. As detailed above, ABCs and ASBOs are in place for identified perpetrators of ASB on the four squares estate. Positive identification of motorcycle riders acting in an anti social way will result in the application of ABCs/ASBOs.

9. To enforce the terms of tenancy and leasehold agreements, to tackle antisocial behaviour and nuisance noise from tenants of the council, and of leaseholders.

During the past year, the noise & air quality team have received 12 complaints from the 4 squares; 5 statutory nuisances have been witnessed and enforcement action taken, and in one instance a resident has been jailed for breach of high court injunction on noise grounds.

The area office is currently investigating a number of noise nuisance allegations.

There has been little response to requests for complainants to keep diaries of noise nuisance. This hopefully indicates that warning letters have been effective. The TSO raised the issue at the TRA meeting on Monday and encouraged residents that are still experiencing problems to complete diary sheets. The area office is currently aware of one ongoing problem and has arranged to spend some time in the complainants property one evening next week to witness the noise. Tenancy and

leasehold agreements will be enforced where sufficient evidence exists to take legal action.

Item No. 8.	Classification: Open	Date: March 22 2006	Meeting Name: Council assembly
Report title:		Motions	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor)	

2. MOTION FROM COUNCILLOR PAUL KYRIACOU (Seconded by Councillor Graham Neale)

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

London Bridge to Victoria Train Service

Council assembly notes with concern the consultation by Network Rail on the Cross London Utilisation Strategy (RUS), which includes plans to divert the London Bridge to Victoria train service to Clapham Junction.

Council assembly believes that this will have an extremely adverse impact on Southwark residents travelling to London Victoria from South Bermondsey, Queens Road Peckham, Peckham Rye and Denmark Hill stations, as well as on those coming into Southwark to work and visit.

Council assembly notes recent debates that have concluded that good transport links in and out of the borough are vital to Southwark's economic and social development and believes that Network Rail's proposals would diminish transport links to and from Southwark.

Council assembly further notes the strong feeling against the plans within the community and the formal response of the council, which states the council does not support the proposals.

Council assembly therefore calls on Network Rail to reverse its plans and asks the Mayor of London and the secretary of state for transport to ensure that this vital rail link continues to operate.

Comments from the Strategic Director Regeneration

The Network Rail's Cross London Route Utilisation Strategy reviews the use of the rail network up to and including 2016 and considers future passenger growth and the needs of the freight industry.

The report contains 16 options for consideration and a business case assessment of each option. The report contains a number of options that are relevant to Southwark on a London wide basis such as freight usage, length of trains and carriage layouts.

The option that directly affects Southwark is option seven, which proposes to divert the South London Line, London Bridge to Victoria service to Clapham Junction. The council's opposition to this option was highlighted in the council's response to this strategy. Lambeth also raised objection to option seven as their residents will be similarly affected.

This proposal would significantly disadvantage Southwark residents and businesses that currently rely upon the service, particularly passengers traveling to London Victoria from South Bermondsey, Queens Rd Peckham, Peckham Rye and Denmark Hill stations.

The diversion of this route to Clapham Junction will reduce the public transport options of a large number of existing passengers. This option relies upon the train operating companies (currently South East trains and Southern) providing a replacement stopping service between Peckham Rye and Victoria. However, it would appear that no replacement service is currently being offered and the council does not feel that this is satisfactory.

The Network Rail business case concludes that this option will lead to a small reduction in passengers carried. It will, in fact, reduce public transport interchange options significantly, which contravenes both Southwark Council and the Mayor's transport objectives, in particular promoting more sustainable modes of travel and improving travel choice.

It should be noted that the 16 options proposed by Network Rail would need to undergo further technical assessment before the implementation of the scheme. Additionally, there is opportunity to formally object to the finalised RUS before its adoption by the Office of the Rail Regulator.

3. MOTION FROM COUNCILLOR CHARLIE SMITH (Seconded by Councillor Peter John)

Please note that, in accordance with council assembly procedure rule 3.10(3), council assembly shall consider this motion. This motion was submitted with the request that it be considered at the conclusion of item 4.3 LAS 2000 deputation request, to which it relates.

LAS 2000

Council assembly notes with concern the inaccuracies in leaseholder service charge accounting that have been discovered by LAS 2000.

Council assembly notes that despite repeated requests from leaseholders, the council has failed to respond to the report produced by LAS 2000 in Autumn 2005, which reveals £1.5 million of mistakes in service charge accounts.

Council assembly notes the council has also failed to adequately respond to the leaseholder council's concerns relating to the breakdown of charges on the integrated cleaning contract.

Council assembly notes the long period of time leaseholder council and LAS 2000 have tried, unsuccessfully, to work with the council to resolve these issues.

Council assembly therefore supports the call from LAS 2000 for these issues to be investigated by an independent third party at the earliest opportunity.

Comments from the Strategic Director Housing

To Follow

4. MOTION FROM COUNCILLOR KIM HUMPHREYS (Seconded by Councillor William Rowe)

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

Leaseholder Accounting

Council assembly notes the continuing dissatisfaction of leaseholders with apparently incorrect and unreasonable annual service charges over a number of recent years, including significant queries researched by LAS 2000. Council assembly notes that officers acknowledge that there are problems with some charges and have been working, within the resources they have available, to progress these matters but they have not yet been resolved after some considerable time.

Council assembly calls on the executive to instruct officers to:

- a) prioritise the work and resources to investigate these matters;
- b) where errors are identified to make corrections and where appropriate refunds; and
- c) provide leaseholders with an appropriate level of re-assurance on the process and resulting revised charges by involving independent auditors and other independent professionals as necessary to an appropriate extent in order to work with both officers and Leaseholder Council.

Comments from the Strategic Director Housing

The council has in place a strategy to respond to the concerns of leaseholders about the construction of service charges. The department has given this a high priority. An action plan was presented to Leaseholder Council, the formal consultation forum for leaseholder representatives, in December 2004. The plan included:

- open book accounting to allow leaseholder representatives to check service charges before they are issued
- the move from calculating service charges on a boroughwide average basis to a block by block/estate by estate basis
- the move to a billing regime dictated by the lease i.e. annual (not quarterly) billing with payments quarterly in advance.

The 2005/6 estimates were issued on time in April 2005 – they were scrutinised by leaseholder representatives, they were calculated at a block by block and estate by estate level and they were billed annually in advance as per the terms of the lease.

Immediately the 2005/6 estimates were agreed (March 2005) work started on drafting the 2003/4 actual accounts. These draft accounts were passed to leaseholder representatives in July 2005 and after some discussion were agreed as accurate in October 2005 and will be with leaseholders shortly. The service charges are agreed as correct by both council officers and leaseholder representatives.

The delay in issuing the actuals has been caused by the Council having to reconfigure the IT system so it can cope with estimated demands being calculated on a borough wide average basis whilst the actuals were calculated on block by block basis. This will not happen for any subsequent years because as agreed with Leaseholder Council, from 2004/5 all service charges are calculated at the block/estate level.

Over the past few years all of the council's block and estates have been mapped to reflect the terms of the leases, the resultant data has been incorporated into the councils IT system so that during 2006/7 repairs will be ordered directly against the relevant blocks and/or estates. However it is accepted that some issues remain outstanding but these issues are known, understood and a process is underway to resolve them. During 2006/7, resources have been identified to examine all financial processes to identify service chargeable costs and map these costs to block and/or estates. Priority has already been given to ensure full cost capture and accuracy of service charges.

The above approach has ensured that service charges more accurately reflect the cost of the services and "open book accounting" has created the environment within which any discrepancies will be identified. The option therefore of using an "independent" process of verification, whilst attractive because it will evidence that the charges are correct, does carry a cost factor which leaseholders would be expected to pay for in their service charges if this was arranged by the Council or paid for directly if they organise this themselves and is unlikely to add value to the process currently in place.

5. MOTION FROM COUNCILLOR LISA RAJAN (Seconded by Councillor David Hubber)

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

395 Bus route

Council assembly notes with concern plans by Transport for London (TfL) to close the 395 bus route which runs from Surrey Quays shopping centre to Limehouse.

Council assembly notes that this is the only bus route that goes through the Rotherhithe tunnel and therefore provides a vital transport link across the River Thames.

Council assembly believes that TfL's plans would adversely affect elderly people in particular as well as reducing access to local shops and services for those residents on the Rotherhithe peninsula.

Council assembly therefore calls on TfL to reverse its plans and consider how public transport can be enhanced in light of the Canada Water regeneration, not diminished.

Comments from the Strategic Director Regeneration

London Buses propose to withdraw the 395 bus service due to low patronage and high operating costs. The service currently only recuperates ten percent of the operating costs and London Buses argue that the Jubilee Line provides direct linkages with Canary Wharf and East London.

However, reducing public transport accessibility contradicts both the Mayor's Transport Strategy and the council's public transport policy. The council strongly objected to the withdrawal of the route on the 28th April 2006. Both the executive member and transport planning officers have written to London Buses asking for the decision to be reviewed and detailing that benefit of the service to the local community.

The matter has also been tabled at the next Southwark / London Buses liaison meeting on the March 21 2006 for further discussion.

6. MOTION FROM COUNCILLOR CHARLIE SMITH (Seconded by Councillor Sarah Welfare)

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

East Dulwich Street Lighting

Council assembly notes that many residents in Southwark place crime and the fear of crime high on their list of concerns. Poorly lit streets are recognised as a major contributory factor for this concern. The majority of the street lights in the East Dulwich ward are the old yellow lamps that give the roads within the ward a grim and dark appearance which causes local residents to feel uneasy when walking in many of the back streets and are reluctant to venture out of their homes after dark.

Therefore council calls upon officers to carry out an audit of the lighting in the East Dulwich ward to identify the yellow lamps in need of replacement and to give estimates of costs for replacing the existing street lights with the new generation of lamps and columns that brighten the pavements and roads but do not pollute the night sky.

Council assembly calls for a full report complete with a timetable for the replacement of the street lighting in East Dulwich to be brought to the June 2006 council assembly meeting.

Comments from the Strategic Director Environment and Leisure

Fear of crime is a key concern for communities in the borough including East Dulwich. It is also the case that poor lighting can contribute to this concern.

An audit of the lighting improvement requirements for Dulwich, Nunhead and Peckham Rye carried out as part of the borough wide programme in this area is being undertaken and a full report will be brought to the June Council Assembly.

We are also working with our partners to reduce crime and fear of crime in the area. This has included:-

- Setting up a Together Action Zone (TAZ) for Dulwich in April this year. The TAZ is a multi-agency partnership forum (made up of the Police, Community Wardens, Youth Offending Team officers, Southwark Anti Social Behaviour Unit (SASBU) officers and residents (street leaders) that targets local reductions in crime and anti social behaviour and seeks to improve environmental quality. All seven other community council areas in the borough have a TAZ in place already.
- Introduction of Safer Neighbourhood Teams.
- Introduction of community wardens for Dulwich.

7. MOTION FROM COUNCILLOR LEWIS ROBINSON (Seconded by Councillor Kim Humphreys)

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

No. 3 Bus Service

Council assembly notes the cuts to the No.3 bus service implemented last year by Transport for London (TfL), and the claim by TfL that cutting the frequency of the service was designed to improve the reliability of the route (the bus will turn up when the timetable says).

Council assembly further notes that the No.3 bus provides a vital, and in many cases the only, service to many residents in the south of the borough, an area already poorly served by public transport to their work, local hospitals and schools.

Council assembly is therefore disappointed to learn the results of a recent survey of frequent users of the route, the key findings of which are as follows;

- Of 114 respondents, 94 stated that their journey had become longer and more difficult since the cuts.
- 73 stated reliability had got even worse, 33 no difference, and only 5 said it had improved.
- The most common complaints remain those of speeding and “bunching” of buses, the very problems which TfL claimed would be resolved by cutting the frequency.

Council assembly therefore requests the executive to consider these findings and the council to support ward member’s representations to TfL and London TravelWatch that these cuts be reviewed.

Comments from the Strategic Director Regeneration

The council notes the results of the bus user survey and will report the findings to London Buses. It is anticipated that London Buses will respond to this matter by referring to the current excess waiting time figures for the route

3 service compared to the previous figures before the frequency change in April 2005. The figures indicate that excess waiting time for the route 3 service has halved from 2.5 minutes to 1.2 minutes since the inception of the frequency change. Excess waiting time is the benchmark for bus service reliability throughout London.

The matter has been tabled at the next Southwark / London Buses liaison meeting on the March 21 2006 for further discussion when we will seek to explore the apparent mismatch between the survey referred to in the motion and the figures that Transport for London have supplied.

8. MOTION FROM COUNCILLOR RICHARD THOMAS (Seconded by Councillor Jane Salmon)

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

Environmental Awards

Council assembly notes that Southwark has become the first-ever recipient of a new environmental award, the "Overall Winner" of the Environmental Campaigns (ENCAMS) Cleaner Safer Greener network awards.

Council assembly further notes that a waste management & transport manager from the environment and leisure department had won the Environmental Champion award and that Southwark took second place in the Innovation award.

Council assembly believes these awards are fitting given the huge achievements in making Southwark cleaner and greener, including:

- Cleaning up Southwark's streets from the 5th dirtiest in London in 2002 to the 4th cleanest last year, following the decision to replace multiple contracts with one newly created in-house service (Southwark Cleaning) in 2002;
- Quadrupling recycling over the last four years, by introducing doorstep recycling for all street properties, brown bins for garden waste, mini-recycling centres for blocks of flats, and trialing door-to-door collections on council estates;
- Becoming the first London borough to use bio diesel and switching nearly 50% of the council's vehicle fleet to renewable bio fuels, reducing greenhouse gas emissions from each vehicle to virtually zero.
- Cracking down on enviro-crimes, such as fly tipping, graffiti, littering and dog fouling through rigid enforcement, issuing 3,745 fixed penalty notices in the last four years and pursuing successful prosecutions.

Council assembly notes that there is still much more it can achieve but believes that Southwark's environment has improved massively and thanks all those officers who have worked hard to achieve this success, congratulates them on winning the ENCAMS award and further commits to redoubling our efforts to make Southwark cleaner and greener.

Comments from the Strategic Director Environment and Leisure

Southwark Council were shortlisted for three out of four award categories at the recent Encams Cleaner Greener Safer Conference; Innovation, Community Consultation and Environment Champion. Simon Baxter, the Client and Enforcement Manager in the Waste division, won the Environment Champion award. The Council was runner up in both the Innovation and Community Consultation categories and also received the "Overall Winner" of the Environmental Campaigns (ENCAMS) Cleaner Safer Greener network awards.

The awards recognise a number of projects such as our groundbreaking awareness campaigns 'blingin or mingin' and 'stalking litter' and our work with the community to design services around their needs through, amongst others, the street leader initiative and the community council's. The awards also recognise the significant improvements that have been made in the cleanliness of the borough as a whole.

It is pleasing for all the officers concerned that our peers in the network recognise the difference the Council has made in improving the local environment and 160 organisations voted the Council the "Overall Winner" award.

Whilst it is recognised that there is always more to be done, the improvements that have been made in a short period of time are significant and reflect the Council's commitment to delivering a cleaner greener safer Southwark both now and in the future.

10. MOTION FROM COUNCILLOR TOBY ECKERSLEY (Seconded by Councillor David Bradbury)

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

Powers To Council Assembly

That this council assembly puts on record for the benefit of its successor its view that the conduct and effectiveness of council assembly meetings, the perception of the assembly as the council's sovereign body, and the morale of councillors generally, would be enhanced by the assembly reserving to itself as many powers as it can reasonably and lawfully exercise under the Local Government Act 2000 and other relevant legislation.

Comments from the Chief Executive

The Local Government Act 2000 required every local authority to adopt "executive arrangements" in one of number of specified forms by May/June 2002. Under these arrangements local authorities had to create an executive of the authority under which certain of the authority's functions were to be the responsibility of the executive. This involves a framework whereby there is a division between the making of decisions and the scrutiny of these decisions the purpose of which is to develop clear public leadership and accountability through the delegation of a substantial number of decisions to the executive of the authority. This would deliver greater efficiency, transparency and ensure that decisions are taken more quickly and efficiently than under the previous committee systems and that individuals and bodies responsible for decisions

could be more easily and readily identified by the public and held to account in public by overview and scrutiny committees.

Under the Act, any function of a local authority which is not specified in regulations made by the secretary of state are to be the responsibility of an executive of the authority. On November 16 2000, the secretary of state for environment, exercising powers conferred by the Act, made the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. These regulations set out at functions, which are not to be the responsibility of an authority's executive, those functions, which are not the responsibility of the executive, those that may be (but need not be) the responsibility of the executive or is not the responsibility of the executive to a specified extent.

Those functions that are not to be the responsibility of the executive are set out in schedule 1. For example, these include functions which impose conditions, limitations or other restrictions on an approval, consent, licence, permission or registration, granted licence, permission or registration is subject. Related enforcement action including prosecutions, the function of amending, modifying or varying any such approval, consent, licence, permission are not a function of the executive. The function of determining members allowance is also not a function of the executive.

Schedule 2 of the regulations specifies these that may be but need not be the responsibility of an authority's executive. These include, for example, the determination of an appeal against any decision made by or on behalf of the authority, the making of arrangements in relation to appeals against the exclusion of pupils from maintained schools, arrangements for admissions appeals, the conducting of best value reviews.

Schedule 3 sets out those functions, which are not to be the sole responsibility of the executive. These include the formulation or preparation of a plan or strategy such as the best value performance plan, children's services plan, community strategy and youth justice plan. These also include the formulation of plans or strategy for the control of the authority's borrowing, investment or capital expenditure, or the formulation or preparation of any other plan or strategy whose adoption or approval is a matter for determination by the authority.

Schedule 4 sets out those functions that are not the function of the executive to a specified extent in regulations. These functions would normally be a function of the executive but in the circumstances listed in the schedule, they must be exercised by council assembly and not the executive. The actions excluded from being the responsibility of the executive include, for example, the giving of instructions requiring the executive to render any draft plan or strategy submitted by the executive and the amendment of any draft plan or strategy submitted by the executive for consideration by council assembly.

Functions that are therefore the responsibility of council assembly are the determination of the policy framework and budget and other constitutional and quasi-legislative functions are to be the responsibility of council assembly. For example, the agreeing of the corporate plan, community strategy, crime and disorder reduction strategy, plans and strategies, which comprise the development plan, early years and childcare partnership strategic development plan, education development plan, licensing statement, youth justice plan, neighbourhood renewal strategy, school organisation plan, policy on community

councils, capital investment, housing strategy are all the responsibility of council assembly. The executive is therefore responsible for proposing new policy and the budget to the full council and for implementing and delivering the agreed policy framework and budget.

BACKGROUND PAPERS

Background Papers	Held At	Contact
Member Motions	Town Hall Peckham Road London SE5 8UB	Constitutional Team 020 7525 7228

Lead Officer	Ian Millichap, Constitutional Team Manager
Report Author	Cameron MacLean, Constitutional Officer
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