



COUNCIL ASSEMBLY

WEDNESDAY JUNE 28 2006

SUPPLEMENTAL AGENDA No. 3

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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: Tuesday June 27 2006

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

| | | | |
|------------------------------------|--------------------------------|---|--|
| Item No. 4. | Classification: Open | Date: June 28 2006 | Meeting Name: Council Assembly |
| Report title: | | Deputation request: Peckham Vision – Chief officer comments | |
| Ward(s) or groups affected: | | All | |
| From: | | Chief Executive (Acting Borough Solicitor) | |

Deputation request from the Peckham Vision

The request states that the deputation would like to address the council assembly about the unitary development plan and the proposed tram depot in Peckham.

Comments from the strategic director regeneration – Peckham Vision

The Cross River Tram is conceived as a project with significant potential benefits at a London-wide level. Initial appraisals have established that there is a sufficient case for the project as a whole to warrant continuing to the next stage when a more rigorous assessment of the project can be carried out.

In assessing the initial viability of the project the Greater London Authority has concluded that there may be a particularly beneficial cost benefit ratio in this project - better than there is for either of the Cross Rail schemes. It has also been noted that there are likely to be significant benefits for Southwark in particular as the proposed route of the tram links areas which not only have poor accessibility to public transport at present as shown in PTAL (public transport accessibility level) analyses but are also among the most deprived wards. This includes parts of Peckham and the Aylesbury Estate.

Appropriate safeguarding of the route and of the site for the proposed depot are necessary at this stage to ensure that the future of the project is not prejudiced while the more detailed assessments are carried out. Apart from the general allocation of the site for the depot as part of a 'split site' solution in accordance with the inspector's recommendation, the route of the tram through Peckham Town Centre is not identified in the plan. A Cross River Tram Consultation Zone has been designated on the proposals map covering the town centre and a wide area around it. Consultation will take place on the detailed route of the tram through the centre within this zone as part of the Peckham Area Action Plan programme over the next two to three years. The full impacts on townscape and other environmental effects as well as the social and economic effects (such as on the functioning of the town centre) will be considered as part of this process.

The Peckham Area Action Plan will be prepared in accordance with the statutory procedures laid down in the Town and Country Planning (Local Development) (England) Regulations 2004. These include requirements for public participation that are expanded upon in Planning Policy Statement 12 and its companion guide. The principles of community involvement are contained in Southwark's Statement of Community Involvement which has been submitted to the Secretary of State.

In parallel with the Area Action Plan process, Transport for London will be leading on the preparation of orders under the Transport and Works Acts. This will involve statutory consultation procedures which would normally include examination at a public inquiry.

| | | | |
|------------------------------------|--------------------------------|---|--|
| Item No. 6.1A | Classification: Open | Date: 28/6/06 | Meeting Name: Council Assembly |
| Report title: | | Recommendation from the Executive - Proposed modifications to the draft Southwark Unitary Development Plan (The Southwark Plan) | |
| Ward(s) or groups affected: | | Borough-wide | |
| From: | | Executive | |

RECOMMENDATIONS

Recommendations for Council Assembly

That council assembly adopts the proposed modifications to the draft Southwark UDP for consultation as set out in the report and its appendices, subject to the following:

1. That Council Assembly agrees the revised wording for policy 3.20 on tall buildings set out in paragraph 8 below.
2. That Council Assembly agrees the revised wording for site 63P 'uses required' column, policy 5.4 on public transport improvements and policy 7.1 Peckham Action Area as set out in paragraphs 9 – 12 below.
3. That Council Assembly notes the comments with regard to the Rotherhithe and Herne Hill/East Dulwich/Nunhead suburban zones in paragraph 13.

Additional Recommendation from officers

4. That Council Assembly notes that the Council has received an Addendum to the Inspector's Report (dated 26 June 2006) and accepts the Inspector's recommendation that no further modifications are required in the light of the objections considered in the Addendum. (Refer to paragraph 15).

BACKGROUND INFORMATION

5. Planning Committee considered the proposed modifications to the draft Southwark Unitary Development Plan (The Southwark Plan) on June 19 2006. Planning Committee's comments on the plan were reported to the Executive on June 26 2006.
6. The Executive agreed to recommend the modifications to Council Assembly with amendments as set out below.

KEY ISSUES FOR CONSIDERATION

Tall Buildings

7. Policy 3.20 sets out general considerations for locating tall buildings. The executive considered a draft revised policy which seeks to meet the concerns of the inspector and of Planning Committee. Application of such a policy is unlikely to lead to a proliferation of very tall buildings throughout the borough. It is designed to limit such developments to the Elephant and Castle, London Bridge and a small area of the central activities zone in the north-west corner of the borough. Even within that area it sets some exacting tests relating to the impact

of the building(s) on the local area and on wider strategic issues so that even within that area not all proposals for tall buildings will be acceptable. The policy identifies the issues around tall buildings that need to be considered and, in doing so, provides a distinct approach between 'very tall' buildings that have a significant impact on the skyline and other buildings that are over the height limits for referral to the Mayor. The definition of tall buildings is, as a result, no longer needed in the glossary.

8. The Executive agreed that the policy on tall buildings should be revised in line with proposal and this is set out below. As this policy incorporates the definition of the type of buildings it is intended to cover the definition of tall buildings is no longer needed in the glossary. A definition of 'point of landmark interest' is, however, provided for inclusion in the glossary.

Policy 3. 20 – Tall Buildings

Planning permission may be granted for buildings that are significantly taller than their surroundings or have a significant impact on the skyline on sites which have excellent accessibility to public transport facilities and are located in the central activities zone (particularly in **opportunity areas**) outside landmark viewing **corridors**. Proposals for tall buildings should ensure that there are excellent links between the building(s) and public transport services. Any building over 30 metres tall (or 25 metres in the Thames Special Policy Area) should ensure that it:

- i. Makes a positive contribution to the landscape; and
- ii. Is located at a **point of landmark significance**; and
- iii. Is of the highest architectural standard; and
- iv. Relates well to its surroundings, particularly at street level; and
- v. Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views

All planning applications for tall buildings will require a design statement, a transport assessment and a **Sustainability Appraisal**.

Reasons

Tall buildings, if designed thoughtfully, can be an important component in raising population density around transport nodes, avoiding urban sprawl and contributing to an area's **regeneration**. There is continuing pressure from developers for the construction of tall buildings at various locations throughout the borough. Buildings that are significantly higher than their surroundings and have impact on the skyline over a wide area require particular attention to their design and siting. All proposals for buildings over 30 metres high (or 25 metres in the Thames Special Policy Area) are referable to the Mayor and will require careful consideration of their effect on townscape and other matters, especially in conservation areas. Tall buildings can look out of place in their surroundings and cause unpleasant environmental effects, especially on the micro-climate.

Policies 4B.8 and 4B.9 of the **London Plan** and the English **Heritage/CABE** Guidance on Tall Buildings give additional information on the suitable locations and design of such buildings.

Glossary

Point of Landmark Significance For the purposes of policy 3.20 **Tall Buildings**, a point of landmark significance is where a number of important routes converge, where there is a concentration of activity and which is or will be the focus of views from several directions.

Proposed Peckham Tram Depot

9. The Executive proposed that the following changes be made to the plan Draft wording (additions to current recommended wording shown underlined)
10. Proposals Sites Schedule (UDP Appendix 4) site 63P (MOD A52 – Executive/Council Assembly bundle page 146) In the “uses required” column:

“Transportation including tram route, split-site tram depot and ancillary facilities as required for the Cross River Tram scheme, bus garage depot and car parking. Active retail frontage to Rye Lane.”

11. Policy 5.4 – Public transport improvements (MOD 5.4A – Executive/Council Assembly bundle page 109). The following addition to provide justificatory text for allocation of site 63P:

“These schemes are safeguarded on the proposals map:

[1] The course of the proposed route has been identified in the key diagram with consultation zones in Elephant and Castle, Peckham and Burgess Park. The detailed route may change from the original proposal. Furthermore the route will be clarified within the consultation zones. Everyone who lives within these zones will be the subject of extensive consultation with the local community and statutory bodies as part of adopting the tram route under the Transport and Works Act 1992.

There is a shortage of suitable sites along the overall Cross River Tram route for facilities for stabling and maintenance of vehicles. Within the advancing process of preparation of the tram scheme with a view to adoption under the Transport and Works Act 1992, proposals Site 63P has been identified Transport for London’s preferred site for use as a split-site depot. Planning permission will be refused for development at any part of the site that could be incompatible with that use or its implementation. “

12. Policy 7.1 – Peckham Action Area. Sub-para (v) (MOD 31 – Executive/Council Assembly bundle page 117):

“v. The Promotion and enabling of the Cross River Tram proposal within the safeguarded route and consultation zone, including safeguarding the CRT terminus and split-site depot at Bournemouth Road, while allowing other compatible uses that enhance the town centre;”

Rotherhithe/Herne Hill/East Dulwich/Nunhead Suburban Zones

13. Officers reported that it should be noted that the references to the Rotherhithe suburban north Zone in paragraph 29 of the main report and paragraph 9 of the addendum report should also have referred to the Herne Hill, East Dulwich and

Nunhead as they are included within the suburban north zone. This was a drafting error.

14. The Executive welcomed the fact that the inspector had upheld the designation of these areas as 'suburban' for housing density purposes. The Executive also noted that the Mayor of London considered this to be a matter of general conformity with the London Plan and is likely to make representations to the Secretary of State seeking a direction on this matter. The Secretary of State will then decide whether the plan can be adopted with these designations.

Addendum to the Inspector's Report – Retail Policy on Old Kent Road

15. The Council has received an Addendum to the Inspector's Report (dated 26 June 2006), received on June 27 2006, in which the Inspector considers an objection from Tesco Stores Ltd which was omitted from his main report. The Inspector has considered Tesco's objection and recommends that no further modifications are made to the Plan in the light of this. An officer recommendation to this effect is set out in paragraph 5 above.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--------------------------|--|--------------------------------|
| The Southwark Plan | Planning Policy Team Chiltern House | Davina Morgan 020 7525 5471 |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Paul Evans, Strategic Director of Regeneration | |
| Report Author | Simon Bevan, Planning and Transport Policy Manager Ian Millichap, Constitutional Team Manager | |
| Version | Final | |
| Dated | 27 June 2006 | |
| Key Decision? | Yes | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Borough Solicitor | Yes | Yes |
| Executive Member | Yes | Yes |
| Date final report sent to Constitutional Support Services | 27 June 2006 | |

| | | | |
|------------------------------------|--------------------------------|---|--|
| Item No. 6.2 | Classification: Open | Date: June 28 2006 | Meeting Name: Council Assembly |
| Report title: | | Establishment of a Designated Public Place Order (DPPO) in Southwark – Reference from the Executive | |
| Ward(s) or groups affected: | | All | |
| From: | | Executive | |

RECOMMENDATIONS

1. That a Designated Public Place Order (DPPO) is adopted for the following wards: Brunswick Park, Chaucer, Camberwell Green, Cathedrals, East Walworth, Faraday, Grange, Livesey, Newington, Nunhead, Peckham, Riverside, Rotherhithe, South Bermondsey, Surrey Docks and The Lane.
2. That any enforcement activity by the Police Safer Neighbourhoods Team and community wardens is focused on hot spots areas of alcohol related nuisance.
3. That the implementation and impact of the Designated Public Place Order (DPPO) is closely monitored and reported to the executive.
4. That if displacement becomes an issue the executive will commence consultation for an extension to the existing Designated Public Place Order (DPPO) immediately.

BACKGROUND INFORMATION

5. Executive on June 26 2006 considered a report on the establishment of a Designated Public Place Order (DPPO) in Southwark and submit the following recommendations to council assembly.

REASONS FOR URGENCY

6. It is necessary for the recommendations of executive to be reported to council assembly. The relevant report and background information has been circulated to council assembly (please refer to item 6.2, pages 19-65 of main council assembly agenda) in accordance with the usual notice.

REASONS FOR LATENESS

7. It has not been possible to circulate the decision and comments of executive seven clear days in advance of the meeting due to the fact that executive only met on June 26 2006.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|--|---------------------------------|
| Executive agenda and minutes June 26 2006 | Constitutional Team, Town Hall, Peckham Road, London SE5 8UB | Paula Thornton 020 7525 4395 |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Ian Millichap, Constitutional Team Manager | |
| Report Author | Paula Thornton, Constitutional Team | |
| Version | Final | |
| Dated | June 27 2006 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Borough Solicitor | No | No |
| Chief Finance Officer | No | No |
| Executive Member | No | No |
| Date final report sent to Constitutional Support Services | June 27 2006 | |

ITEM 7.1 QUESTIONS ON STATEMENT OF ACCOUNTS 2005/06 (see supplemental agenda 1, pages 1 - 74)

QUESTION ON TRADING ACTIVITIES – PAGE 21 - FROM COUNCILLOR BARRIE HARGROVE

Why have there been significant increases in losses on the Building, Street & Metal Work Services and Building Design Services trading accounts?

QUESTION ON HOUSING REVENUE ACCOUNT INCOME – PAGE 26 - FROM COUNCILLOR KIRSTY McNEILL

Why has there been almost a £1m decrease in non-dwelling rents (gross) income in the housing revenue account (HRA)?

QUESTION ON HOUSING REVENUE ACCOUNT INCOME – PAGE 26 - FROM COUNCILLOR FIONA COLLEY

Why has expenditure on Supervision and Management increased by £4.46m, whilst expenditure on Repairs and Maintenance is up just £0.66m?

QUESTION ON PROVISIONS FOR BAD DEBTS – PAGE 38 - FROM COUNCILLOR PETER JOHN

Why has the council increased provisions for bad debt for housing benefit overpayments by 25.8%? How much housing benefit was overpaid in each of the last 4 years?

QUESTION ON PROVISIONS FOR BAD DEBTS – PAGE 38 - FROM COUNCILLOR ROBERT SMEATH

Why has the council increased provisions for bad debt for right to buy (RTB) Leaseholders 61.4% respectively?

QUESTION ON PUBLICITY – PAGE 22 - FROM COUNCILLOR ANDREW PAKES

Do you believe it is appropriate to spend £4.6m per annum on publicity?

QUESTION ON STATEMENT OF ACCOUNTING POLICIES, RELATED PARTY TRANSACTIONS – PAGE 16 - FROM COUNCILLOR CHRIS PAGE

Please provide a breakdown of the 14 outstanding declarations into chief officers, executive members and other members. How many declarations still remain outstanding for that year?

QUESTION ON CONSOLIDATED REVENUE ACCOUNT, COMMERCIAL INCOME – PAGE 19 - FROM COUNCILLOR PAUL BATES

Please provide an explanation of the falling revenue from commercial refuse collection (3.1) and renting out of commercial properties (3.3).

QUESTION ON INCOME FROM RENTED COMMERCIAL PROPERTIES - FROM COUNCILLOR RICHARD LIVINGSTONE

In light of the falling income from renting out of commercial properties, can figures be provided to show the number of properties rented out in 2004/05 and 2005/06, together with figures for vacant properties in both years?

QUESTION ON BUSINESS PROCESS IMPROVEMENTS AND THE CORPORATE MODERNISATION PROCESS - FROM COUNCILLOR OLA OYEWUNMI

Please provide further information on the working balances put aside for business process improvements and the corporate modernisation process. Can you confirm that this is all directly related to housing?

QUESTION ON OTHER EARMARKED RESERVES – PAGE 49 - FROM COUNCILLOR MARK GLOVER

Of the budget movement of £329,000 for signage, how much of this was for community council signs?

QUESTION ON SUMMARY OF CAPITAL EXPENDITURE AND FINANCING – PAGE 55 - FROM COUNCILLOR ALISON McGOVERN

Given the concerns about leisure facilities in the borough, please explain the £2m reduction in environment and leisure capital spending in 2005/06.

QUESTION ON PECKHAM PULSE FROM COUNCILLOR NICK VINEALL

To ask the executive member for resources to comment on the provision for liabilities arising from Peckham Pulse in the sum of £2.15 million.

COPLESTON CHILDREN'S CENTRE

LATE MOTION

Moved: Councillor Veronica Ward
Seconded: Councillor Susan Elan Jones

This council notes with regret that the Copleston Children's Centre will be closing at the end of July. This centre is well known in the borough and has provided high quality child-care for children in the area for almost 30 years. The council wishes to thank all those staff, volunteers and parents who have given so much commitment to this centre over these years.

Council assembly notes that there are many reasons for the closure, including the provision of extra nursery places at nearby schools and the reduction in funding for the centre from the council.

Council assembly notes that as part of the reduction in funding to early years services, the Copleston had its grant reduced by the council by over £21,000 in 2004. Concerns were then raised over the future of the centre early in 2006. In response to a question at council assembly in March 2006 asking whether the Copleston "would receive appropriate levels of funding to maintain its existence", the then deputy leader of the council reassured members that a new financial model would "ensure that all existing day nurseries can continue to function."

Council assembly calls upon the executive to look at early years provision in the relation to the long term planning process given the expected rise in the number of children in the borough. Assembly urges that the executive examine why, given the high standards of child care being offered and the needs we have in the borough to support vulnerable children, a community nursery of such high quality had to conclude that it was not financially possible to continue and to consider how such valuable provision can be retained and make a contribution towards the provision of much needed high quality child care.

REASONS FOR LATENESS AND URGENCY

The motion missed the normal deadline because councillors were only notified of the closure of the nursery at the end of last week. It is urgent because there will not be another chance for council assembly to consider the matter until September. Also, it relates directly to an answer given by an executive member at a previous council assembly on the same subject (this is described in the motion) and to a question submitted for this council assembly by Councillor Jones.

ITEM 8.1 SOUTHWARK PLAN (UNITARY DEVELOPMENT PLAN – DESIGNATION OF THE ROTHERHITHE PENINSULA AND EAST DULWICH AS SUBURBAN (see supplemental agenda pages 1 – 378 and supplemental agenda 1, pages 84 – 85)

AMENDMENT A

Moved: Councillor Barrie Hargrove
Seconded: Councillor Dominic Thorncroft

In paragraph 1, after 'East Dulwich' **insert** ', Peckham Rye and parts of Nunhead (the Waverley Estate)'

In paragraph 3, **delete** 'huge' and 'unjustified'

Delete paragraph 4.

ITEM 8.2 LICENSING POLICY (see pages 68 – 69 and supplemental agenda 1, pages 85 - 86)

AMENDMENT B

Moved: Councillor Linda Manchester
Seconded: Councillor Lewis Robinson

Delete 1st paragraph

Delete 2nd paragraph

3rd paragraph – **delete** “such establishments” and **replace** with “adult entertainment establishments”

4th paragraph – **insert** at end:

“partly due to the fact that councils cannot ban or restrict adult entertainment premises and the fact that Southwark cannot claim a ‘saturation policy’ similar to that in Westminster where there are 100s of adult entertainment businesses.”

After 4th paragraph **insert**:

“Council assembly further notes:

1. the failings of the Government’s new licensing laws, as reported by the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, which believed that the new laws placed an unnecessary restriction on elected representatives wishing to speak on licensing applications.
2. that despite concerns expressed to the Department for Culture, Media, and Sport (DCMS) prior to the implementation of the Licensing Act 2003, the department significantly underestimated the cost of implementing the Act and set the fees associated with licence applications too low thereby reducing the ability of the council to carry out high levels of consultation, despite the council incurring over £350,000 extra expenditure.

Council assembly therefore calls on the government to review its licensing laws with a view to:

1. allowing councillors to represent their local communities,
2. allowing licensing committees to consider restricting certain classes of entertainment in a location, even where no current such use exists, where that class of entertainment is in conflict with an area’s regeneration and community safety objectives,
3. introducing a fee structure that accurately reflects the cost of implementing the Act.”

5th paragraph – **delete** therefore and **replace** with “also”.

ITEM 8.3 THAMES WATER AND CENTRAL LONDON'S WATER SUPPLY
(see pages 69 – 71)

AMENDMENT C

Moved: Councillor Alison McGovern
Seconded: Councillor Andrew Pakes

Add new final paragraph:

“Furthermore that council assembly calls on the executive to drastically improve the performance in preventing and dealing with leaks on large housing estates. Council assembly notes the prevalence of leaks and floods within many of the large blocks right across the borough, and calls on Southwark to fulfil its responsibilities as freeholder in fixing these problems, which cause both distress to residents and harm to the environment, without delay.”

**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (AMENDMENTS)
MUNICIPAL YEAR 2006/2007**

NOTE: Original held by Constitutional Team; all amendments/queries to
Lesley John/Cameron MacLean Tel: 020 7525 7228/7236

| ONE COPY TO ALL UNLESS OTHERWISE STATED | Copies | To | Copies |
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| 2. Anna Sales, Labour Group Political Assistant | | External (see envelopes provided) | 6 |
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| Albion / Camberwell / Dulwich / Newington | 6 | 2. Ms Jean Sackur | |
| Peckham / Local Studies Library | | 3. Mr. Mark Roelofsen | |
| | | 4. Mr. Bola Ogun | |
| | | 5. Mr. Geoffrey Banister | |
| | | 6. Mr. George Foulkes | |
| Internal | 4 | | |
| 1. Bob Coomber, Chief Executive | | | |
| 2. Duncan Whitfield, Finance Director | | | |
| 3. Glen Egan, Borough Solicitor (Acting) | | | |
| 4. Sonia Sutton, Mayor's Secretary | | | |
| Other | | | |
| Constitutional Officer | 40 | | |
| | | Last Updated: May 2006 | |
| | | Total: | 118 |