



**COUNCIL ASSEMBLY
(ORDINARY)**

MINUTES of the open section of the meeting of the ordinary Council Assembly held on Wednesday, September 13 2006 at 7.00 p.m. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Paul Kyriacou

Councillor Paul Baichoo	Councillor Jonathan Mitchell
Councillor James Barber	Councillor Abdul Mohamed
Councillor Paul Bates	Councillor Adele Morris
Councillor Columba Blango	Councillor Gordon Nardell
Councillor Denise Capstick	Councillor David Noakes
Councillor Fiona Colley	Councillor Paul Noblet
Councillor Robin Crookshank Hilton	Councillor Chris Page
Councillor Toby Eckersley	Councillor Caroline Pidgeon
Councillor Mark Glover	Councillor Lisa Rajan
Councillor Aubyn Graham	Councillor Sandra Rhule
Councillor Barrie Hargrove	Councillor Lewis Robinson
Councillor Michelle Holford	Councillor Jane Salmon
Councillor David Hubber	Councillor Martin Seaton
Councillor Kim Humphreys	Councillor Mackie Sheik
Councillor Helen Jardine-Brown	Councillor Tayo Situ
Councillor Peter John	Councillor Bob Skelly
Councillor Jenny Jones	Councillor Robert Smeath
Councillor Susan Elan Jones	Councillor Althea Smith
Councillor Jelil Ladipo	Councillor Nick Stanton
Councillor Adedokun Lasaki	Councillor Richard Thomas
Councillor Evrim Laws	Councillor Dominic Thorncroft
Councillor Richard Livingstone	Councillor Nick Vineall
Councillor Linda Manchester	Councillor Veronica Ward
Councillor Eliza Mann	Councillor Ian Wingfield
Councillor Danny McCarthy	Councillor Anne Yates
Councillor Tim McNally	Councillor Lorraine Zuleta
Councillor Kirsty McNeill	

1. PRELIMINARY BUSINESS

1.1. ANNOUNCEMENTS

The Mayor:

- Welcomed the new chief executive, Annie Shepperd, to the meeting;
- Offered best wishes to Councillor Nick Stanton as it was his 40th birthday that evening;
- Congratulated Councillor Nick Veneall on being appointed Queen's Counsel;
- Extended congratulations to Councillor Caroline Pidgeon on her recent marriage;
- Sent best wishes to Councillor Lorraine Lauder who had recently been admitted to Guy's and St. Thomas' hospital;
- Sent condolences to Councillor Jeff Hook on the death of his father.

The Mayor stated it was with sadness that he informed council assembly of the passing of Father Nick Richards of St. Mary's Church in Rotherhithe. Councillor Anne Yates paid tribute on behalf of the council. As a mark of respect, there was a minute's silence.

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

There were no late and urgent items. The Mayor advised that a motion from Councillor Caroline Pidgeon on the deputation request by Southwark Community Care Forum had been circulated around the chamber.

1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

As chair of UK Money Transmitters Association, Councillor Dominic Thorncroft declared a personal and non-prejudicial interest in Motion 7.5 - United Nations Millennium Development Goals.

1.4. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jeff Hook, Lorraine Lauder, John Friary, Andrew Pakes, Alison McGovern, James Gurling, Ola Oyewunmi, Dora Dixon-Fyle and Mary Foulkes.

Apologies for lateness were received from Councillor Abdul Mohamed.

2. MINUTES

- RESOLVED:**
1. That the minutes of the Mayor making meeting held on Wednesday May 24 2006 be agreed and signed as a correct record.
 2. That the minutes of the ordinary meeting held on Wednesday June 28 2006 be agreed and signed as a correct record, subject to a correction to Councillor Gordon Nardell's name on page 3 and revisions made to appendix 3, members questions on item 7.1 - statement of accounts as set out in supplemental agenda 2.

3. PETITIONS

Councillor Ian Wingfield presented a petition containing over 300 hundred signatures on behalf of the Forgotten Corner of Camberwell, residents living on and around

Southampton Way SE5/SE15. The petition sought the regeneration of the Wells Way, Southampton Way and the Coleman Road triangle.

Councillor Danny McCarthy presented a petition containing 89 signatures on behalf of the residents of Nelson Square Gardens. The petition sought advance notification of any future planned roadworks/road closures in the area.

4. DEPUTATION REQUESTS

4.1 DEPUTATION FROM MAROONS RESOURCE CENTRE CARERS GROUP (See pages 1-2 and supplemental agenda 1, pages 1-4)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors David Noakes, Denise Capstick and Aubyn Graham asked the deputation questions. The Mayor thanked the deputation which then withdrew to the public gallery.

At this point in the proceedings, council assembly considered a motion under council assembly procedure rule 3.7 (20) (Subject of deputation not on agenda).

4.1A MOTION ON A DEPUTATION REQUEST BY THE MAROONS RESOURCE CENTRE CARERS GROUP (Moved by Councillor Aubyn Graham) (see supplemental agenda 1, page 5)

Councillor Aubyn Graham, seconded by Councillor Chris Page, moved the motion submitted without notice.

Following debate (Councillor Denise Capstick), Councillor Aubyn Graham exercised his right of reply.

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

- RESOLVED:**
1. That council assembly welcomed the valuable and important service which the Maroons Project in Camberwell has provided for many years for mental health sufferers in Southwark.
 2. That council assembly noted that the project has been running from industrial units unsuitable for vulnerable service users.
 3. That council assembly called on the executive member for health and social care to investigate and report back on what attempts have been made by Southwark council in the past 10 years to find suitable premises for the project; and further called on the executive member to assist in relocating this valuable project to adequate premises.

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

4.2 DEPUTATION FROM SOUTHWARK COMMUNITY CARE FORUM (see pages 1-2 and supplemental agenda no. 2, pages 5-7)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Veronica Ward, Caroline Pidgeon, James Barber, Dominic Thorncroft and Nick Stanton asked the deputation questions. The Mayor thanked the deputation which then withdrew to the public gallery.

At this point in the proceedings, council assembly considered two motions under council assembly procedure rule 3.7 (20) (Subject of deputation not on agenda).

4.2A REVISED MOTION ON A DEPUTATION REQUEST BY SOUTHWARK COMMUNITY CARE FORUM (Moved by Councillor Veronica Ward) (see supplemental agenda 2, pages 8-9)

4.2B MOTION ON A DEPUTATION REQUEST BY SOUTHWARK COMMUNITY CARE FORUM (Moved by Councillor Caroline Pidgeon) (circulated at the meeting)

Councillor David Hubber, seconded by Councillor Caroline Pidgeon, moved that council assembly procedural rule 1.16 (4) (Rules of debate), be suspended in order to allow motions 4.2A and 4.2B to be debated together.

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

Councillor Veronica Ward, seconded by Councillor Kirsty McNeill, moved motion 4.2A.

Councillor Caroline Pidgeon, seconded by Councillor James Barber, moved motion 4.2B.

Following debate (Councillors Peter John and Nick Stanton), Councillors Veronica Ward and Caroline Pidgeon exercised their right of reply.

Motion 4.2A was put to the vote and declared to be lost.

Motion 4.2B was put to the vote and declared to be carried.

- RESOLVED:**
1. That council assembly noted the concerns expressed by the Southwark Community Care Forum regarding the future viability of some community nurseries in the borough.
 2. That council further noted that there are approximately 91 voluntary, independent and private sector providers in the borough, alongside 417 registered childminders, 9 early years centres and a variety of other early years settings including nursery schools, children's centres and primary schools.
 3. That council noted the government's Child Care Act: Duty to secure sufficient childcare, and the requirements contained within it, including that local authorities:
 - should ensure that resources are directed to support provision which can become self-sustaining;
 - need to ensure that resources are balanced between providers appropriately;
 - develop strategies to prevent policies distorting fair competition; and,
 - secure childcare that is suitable for and inclusive of children from disadvantaged and socially excluded groups.
 4. That council believed that a high quality and diverse range of early years options for children and parents is important to give

Southwark children the start in life they deserve.

5. That given the requirements of this new legislation, alongside changes to parental leave, the development of extended schools and SureStart and the extension of the minimum free entitlement for three and four year olds, council welcomed the wide-ranging review that is underway, analysing early education and childcare across both the maintained sector (schools, early years centres and children's centres) and the private, voluntary and independent sectors.

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

4.3 DEPUTATION FROM DOWNTOWN AREA RESIDENTS (see pages 1-2 and supplemental agenda 2, pages 10-12)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Danny McCarthy, Paul Bates and Lisa Rajan asked the deputation questions. The Mayor thanked the deputation, which then withdrew to the public gallery.

At this point in the proceedings Councillor David Hubber, seconded by Councillor Lewis Robinson moved a procedural motion to vary the order of business to consider Motion 7.1: Downtown Area. The procedural motion was put to the vote and declared to be carried.

The debate and resolution is set out on pages 6-7.

ADJOURNMENT

At 9.05 pm it was moved, seconded and agreed that the meeting be adjourned for ten minutes. The meeting reconvened at 9.15 pm.

5. MEMBERS QUESTION TIME – QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULES 3.9 and 3.12 (see single page on blue paper and pages 1-33 and 1-3 (supplementary) on yellow paper circulated at the meeting)

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

Forty-six questions were submitted, the answers to which were circulated round the chamber. Twenty-three supplementary questions were asked. The questions and responses are attached at appendix 2.

6. REPORTS FOR INFORMATION FROM THE EXECUTIVE

6.1 REPORT BACK ON MOTIONS REFERRED TO THE EXECUTIVE FROM COUNCIL ASSEMBLY (see pages 11-21)

RESOLVED: That the content of the report be noted.

7. MOTIONS

7.1 MOTION 1 – DOWNTOWN AREA DEVELOPMENT (see pages 1-2 and supplemental agenda 2, pages 10-12)

Having heard a deputation from Downtown residents, (see page 5) council assembly considered this motion (see page 5).

Councillor Lisa Rajan , seconded by Councillor Paul Noblet, moved the motion.

Councillor Paul Bates, seconded by Councillor Ian Wingfield, gave notice of an amendment to the motion.

Following legal advice from the acting borough solicitor, Councillor Paul Bates, seconded by Councillor Mark Glover, moved that council assembly procedure rule 3.10 (1) (Deadline for receipt of amendments), be suspended.

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

Following debate (Councillors Barrie Hargrove, Danny McCarthy, Toby Eckersley, Althea Smith, Richard Thomas, Gordon Nardell, Ian Wingfield, Jenny Jones, Paul Bates and Kim Hunphreys), Councillor Lisa Rajan exercised her right of reply.

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

- RESOLVED:**
1. That council assembly noted that the planning committee rejected an application from Barratt Homes for a development on Downtown Road and Salter Road on August 16 2005 on the grounds of density, height, massing and overdevelopment of the site.
 2. That council assembly also noted the success of the Downtown Defence Campaign in bringing together support from the local community, local councillors, and local London Assembly Member to oppose the development.
 3. That council assembly welcomed the outcome of the recent public inquiry in which the independent inspector upheld the council's decision to reject the planning application.
 4. That council assembly therefore noted with regret the decision of the Secretary of State for communities and local government to overturn the decision of the planning committee and impose the development on the Downtown Area.
 5. That council assembly noted with concern that this action further erodes the powers of local communities and locally-elected

representatives to make decisions about their local area.

6. That council assembly asked the leader of the council and/or executive member for regeneration to write to the secretary of state requesting that (a) the government respects local decisions and the views of independent bodies such as the Planning Inspectorate, and (b) she withdraw her direction on the Downtown decision.
7. That council assembly also instructed the acting borough solicitor to seek urgent legal advice as to the possibility of a judicial review of the decision.

7.2 MOTION 2 – ADULT ENTERTAINMENT CLUB (see pages 23-24 and supplemental agenda 1, pages 12-14)

Council assembly agreed that, in the absence of Councillor Olajumoke Oyewunmi, Councillor Susan Elan Jones and Councillor Gordon Nardell should move and second the motion.

Councillor Nick Stanton, seconded by Councillor Lisa Rajan, moved Amendment A.

Councillor David Hubber, seconded by Councillor Caroline Pidgeon moved that the question be now put. The procedural motion was put to the vote and declared to be carried.

Following Councillor Susan Elan Jones' right of reply, Amendment A was put to the vote and declared to be carried.

Councillor Caroline Pidgeon, seconded by Councillor Kim Humphreys moved that the question be now put. The procedural motion was put to the vote and declared to be carried.

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

- RESOLVED:**
1. That council assembly congratulated the community groups, schools, faith groups, tenants associations, businesses and local residents who successfully opposed the opening of a lap dancing club in Peckham.
 2. That council assembly noted that the campaign, led by local councillors, was a resounding success which effectively communicated the strength of feeling against 'adult' clubs in Peckham. It gained the support not just of local residents but also of MPs and Assembly members. The applicant listened to the concerns and accordingly withdrew his application.
 3. That council assembly also noted the fundamental anomaly created by the government's Licensing Act, which makes it more difficult for elected members to attend hearings and represent the views of their constituents, whether supporting or opposing applications and the legal advice given to members that they are prevented from canvassing for objections. The necessity of having to obtain written authority from residents is an unnecessary obstacle placed in the way of elected members

by the legislation and council assembly therefore called upon the government to introduce amending legislation as soon as possible to remove this provision from the Act, so that licensing applications would stand on an equal footing with planning applications.

4. That council assembly called upon all members to liaise with local residents over controversial applications of this kind and make full use of the licensing committee rules which state that ward councillors can represent constituents if asked to do so in writing.

7.3 MOTION 3 - HEALTH SERVICE CUTS (see pages 24-25 and supplemental agenda 2, page 14-16)

Councillor Denise Capstick, seconded by Councillor Michelle Holford, moved the motion.

Councillor Aubyn Graham, seconded by Councillor Fiona Colley, moved Amendment B.

Following debate (Councillor Peter John), Councillor Denise Capstick exercised her right of reply. Amendment B was put to the vote and declared to be lost.

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

- RESOLVED:**
1. That council assembly noted and condemned the severe funding cuts of £20 million to health services across Southwark. These cuts include:
 - £8 million cut to King's College Hospital NHS Trust;
 - £8 million cut to Guy's & St Thomas' Hospital Foundation Trust;
 - £4 million cut to South London & Maudsley (SLAM) NHS Trust.

At the same time social services across the country are already under pressure.

2. That council assembly noted that these cuts come despite much promoted real increases in funding.
3. That council assembly believed that the NHS is over centralised with too much national target setting, which prevents clinicians from working in the best interests of the patient and diverts money from local priorities.
4. That council assembly noted that of the 31 London primary care trusts (PCTs) nearly one third are predicting a deficit for the 2005/06 year and Southwark PCT is having its resources cut to bail out indebted PCTs elsewhere in London.
5. That council assembly further noted the concerns raised that changes to the national payment-by-results system financially penalise acute trusts, such as Guy's & St Thomas' and King's College Hospital, for being more cost-effective in reducing specific waiting lists, such as hip replacement surgery.

6. That council assembly noted with concern the evidence of the Royal College of Psychiatrists to the House of Commons Health Select Committee, which states that disinvestment in mental health services results in “damaging cuts to adult mental health, older adult services, and child and adolescent mental health services”.
7. That council assembly therefore disagreed with the Secretary of State for Health’s claim that the NHS is enjoying “its best year ever” and requested that the executive member for health & adult care writes to the Health Secretary asking her to halt the proposed cuts to our local health services. Furthermore, council assembly requested that the executive asks the secretary of state to revisit the policy that allows strongly performing trusts to be penalised by the actions of under performing ones.
8. That council assembly also called on the Joint PCT/executive board to work with Southwark’s local Members of Parliament to put forward Southwark’s case to the Health Secretary at the MPs’ upcoming meeting.

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

7.4 MOTION 4 – NELSON & PORTLAND ESTATE SECURITY (see pages 25-26 and supplemental agenda 1, pages 7-9)

Council assembly agreed that, in the absence of Councillor Lorraine Lauder, Councillor Paul Bates and Councillor Abdul Mohamed should move and second the motion.

Councillor Paul Bates, seconded by Councillor Abdul Mohamed, moved the motion.

Councillor Kim Humphreys, seconded by Councillor Tim McNally, moved Amendment C.

Following debate (Councillor David Noakes), Amendment C was put to the vote and declared to be carried.

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

- RESOLVED:**
1. That council assembly noted the continued problem of vagrants and drug users congregating on the stairwells of the Portland estate towers, as well as drugs paraphernalia in and around the Nelson & Portland estate.
 2. That council assembly noted the long-standing campaign by the Nelson Estate Tenants and Residents Association (TRA) for secure entry doors for residents and further noted the view of the local Faraday Safer Neighbourhood Team that secure entry doors would provide the best means of guaranteeing a reduction in problems with drug dealing, drug use and vagrancy on the estate.
 3. That council assembly believed that ballots on the estate held some years ago to allow residents to approve a secure door entry scheme did not secure a positive result in favour because a surcharge was to be imposed to finance it.

4. That council assembly believed that council tenants and leaseholders should not be scared to step foot outside their own door because they are worried about crime being perpetrated by non-residents using the estate as a shelter and/or place to sleep or engage in drug use.
5. That council assembly noted that a previous administration introduced the policy to charge for the installation of secure door entry schemes and to reverse that policy for the Portland & Nelson estate would be inequitable for tenants and residents across the borough.
6. That council assembly noted the comments of the strategic director of housing that he will continue to bid for any other resources that might become available for community safety initiatives to supplement its investment programme.
7. That council assembly noted the comments of the strategic director of housing that door entry systems are not part of the government's decent homes criteria and asked the executive member to press the government to provide additional resources to fund security measures on housing estates.

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

7.5 MOTION 5 – UNITED NATIONS MILLENNIUM DEVELOPMENT GOALS (see pages 26-28)

Councillor Columba Blango, seconded by Councillor Jonathan Mitchell, moved the motion.

Council assembly agreed that in the absence of Councillor Dora Dixon-Fyle, Councillor Tayo Situ should second Amendment D.

Councillor Dominic Thorncroft, seconded by Councillor Tayo Situ, moved Amendment D.

Following Councillor Columba Blango's right of reply, Amendment D was put to the vote and declared to be lost.

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

RESOLVED: 1. That council assembly noted the United Nations Millennium Development Goals (MDGs) as agreed by the UN in its Millennium Declaration in 2000:

1. Eradicate extreme poverty and hunger;
2. Achieve universal primary education;
3. Promote gender equality and empower women;
4. Reduce child mortality;
5. Improve maternal health;
6. Combat HIV/AIDS, malaria and other diseases;
7. Ensure environmental sustainability; and
8. Develop a global partnership for development.

2. That council assembly noted that although some progress has been made on the eight goals there is growing concern that they will not be achieved by 2015. There is also a growing acceptance that the MDGs and targets must be localised and that local governments should play a greater role in achieving them.
3. That council assembly noted Southwark's successful partnership work, through the Local Government International Bureau, with Koidu Town Council in Sierra Leone and the benefits it has provided to both communities.
4. That council assembly also noted the work that Southwark has undertaken to alleviate poverty locally and internationally, including:
 - the wide-ranging anti-poverty programme which includes support to local enterprises, improved childcare provision, increased benefit take-up, and help for those people who face difficulties finding work;
 - committing to large-scale regeneration programmes across the borough designed to vastly improve the quality and supply of housing, and economic opportunities;
 - a strong commitment to becoming a fair-trade borough.
5. That council assembly therefore called on the executive to:
 - Request that officers work closely with the UK Local Government Alliance for International Development to promote the work that Southwark is undertaking to eradicate poverty and to learn from other local authorities on action they are taking locally, nationally and internationally;
 - Call on members and officers to take part in the "STAND UP Against Poverty, Stand Up for the Millennium Development Goals" event on Monday October 16 2006, which aims to set an official Guinness World Record for the largest number of people to stand up against poverty in 24 hours to raise awareness of the MDGs.

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

The meeting closed at 11.10 p.m.

MAYOR:

DATED: