



**COUNCIL ASSEMBLY
(ORDINARY)**

MINUTES of the open section of the meeting of the ordinary Council Assembly held on Wednesday, January 24 2007 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB

The Worshipful the Mayor Councillor Paul Kyriacou

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

1. PRELIMINARY BUSINESS

1.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE EXECUTIVE OR CHIEF EXECUTIVE

The Mayor:

- Commended Councillors Denise Capstick, Lorraine Lauder and Althea Smith for giving up their holiday to work on behalf of others over the Christmas period;
- Congratulated Councillor Paul Noblet on his recent marriage and Councillor Helen Jardine-Brown on her engagement;
- Circulated a list of people who live and work in Southwark who had received honours in the Queen's New Year's Honour List 2007. The Mayor undertook to write to each recipient to congratulate them;
- Invited members to a quiz night that he is holding on behalf of his chosen charity, Volunteer Centre Southwark. The quiz is to be held on Friday, January 26 2007 at the Learning and Business Centre, Cator Street at 7pm for a 7.30pm start.

1.2 DISCLOSURE OF INTEREST AND DISPENSATIONS

The following members disclosed interests:

Item 7.3 - Strategic Management Arrangements

As council house tenants the following members declared a personal but non-prejudicial interest - Councillors Althea Smith, Martin Seaton, Lorraine Lauder, Anne Yates and Paul Baichoo;

As council leaseholders the following members declared a personal but non-prejudicial interest - Councillors Linda Manchester, Jane Salmon, Eliza Mann, Helen Jardine-Brown and Jelil Ladipo;

Councillor Richard Livingstone declared a personal but non-prejudicial interest as director of Leathermarket tenants management organisation;

Councillor Adedokun Lasaki declared a personal but non-prejudicial interest as a board member of the Leathermarket tenants management organisation. He also declared a personal and prejudicial interest as a council tenant in rent arrears;

Councillor Tayo Situ clarified his declaration made at the previous meeting on December 6 2006 on council housing arrangements and declared an interest in this item. He was a council leaseholder and there were arrears on service charges. He had been advised by the borough solicitor to declare a personal and prejudicial interest.

Item 8.1 - Motion on Violent Crime strategy

As a member of the Metropolitan Police Authority Councillor Jenny Jones declared a personal but non-prejudicial interest.

Item 8.2 - Motion on Sustainable Communities Bill and Post Offices and Item 8.8 Motion on Post Offices

Councillor Ian Wingfield declared a personal and prejudicial interest in these items as he works for an organisation whose personnel are post office workers; therefore he took no part in the discussion or voting on the item.

Item 8.4 - Motion on Legal Aid

Being legal practitioners the following declared a personal but non-prejudicial

interest in this item – Councillors Robert Smeath, Peter John, Gordon Nardell and Nick Stanton.

As a legal practitioner dealing in legal aid work Councillor Nick Vineall declared a personal and prejudicial interest in this item.

Item 8.7 - Motion on the Maudsley 24 Hour Clinic

Councillor Columba Blango declared a personal but non-prejudicial interest in this item as a family member works in the Maudsley Hospital.

1.3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jonathan Mitchell and Ola Oyewunmi.

2. MINUTES

- RESOLVED:**
1. That the open minutes of the ordinary council assembly meeting held on December 6 2006 be agreed and signed as a correct record.
 2. That the open minutes of the extraordinary council assembly meeting held on December 6 2006 be agreed and signed as a correct record.
 3. That the open minutes of the special council assembly meeting held on December 6 2006 be agreed and signed as a correct record.

3. PETITIONS

There were none.

4. DEPUTATIONS

4.1 DEPUTATION FROM LOCAL RESIDENTS CONCERNING THE VIOLENT CRIME STRATEGY (see pages 1-3)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Nick Stanton, Ian Wingfield, Chris Page and Dora Dixon-Fyle asked questions of the deputation. The Mayor thanked the deputation, which then withdrew to the public gallery.

At this point in the proceedings the Mayor sought the consent of the meeting to vary the order of business to consider Motion 8.1: Violent Crime Strategy. This was agreed.

Following advice from the clerk that the debate on motion 8.1 should be limited to 15 minutes Councillor Paul Bates, seconded by Councillor Peter John, moved that the normal timescales for debate be applied. This was put to the vote and declared to be carried.

The debate and resolution is set out on pages 11-12.

4.2 DEPUTATION FROM EAST DULWICH SOCIETY CONCERNING MAUDSLEY 24-HOUR CLINIC (see pages 1-3)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Peter John, Caroline Pidgeon, Dora-Dixon Fyle, Lorraine Zuleta, Michelle Holford, Mark Glover and Denise Capstick asked questions of the deputation.

During the course of the deputation's presentation and members questions the meeting agreed to suspend council assembly procedure rule 3.7 (14 & 15), in order for the time limit on speeches and questions to be extended.

The Mayor thanked the deputation, which then withdrew to the public gallery.

At this point in the proceedings the Mayor sought the consent of the meeting to vary the order of business to consider Motion 8.7: Maudsley 24 Hour Clinic. This was agreed.

The debate and resolution is set out on pages 17-18.

4.3 DEPUTATION FROM HERNE HILL RESIDENTS (see pages 1-3)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Gordon Nardell, Toby Eckersley and Fiona Colley asked questions of the deputation.

The Mayor thanked the deputation, which then withdrew to the public gallery.

At this point in the proceedings the Mayor sought the consent of the meeting to vary the order of business to consider Motion 8.8: Post Offices. This was agreed.

The debate and resolution is set out on pages 18-20.

At 9.54 p.m. the meeting adjourned for a comfort break, reconvening at 10.15 p.m.

5. MEMBERS QUESTIONS (see pages 4-12 and the blue paper and the yellow papers circulated at the meeting)

There was one urgent question to the leader, the answer to which is attached as appendix 1.

Of the 50 questions submitted, members asked 12 supplementary questions. Having reached question 18, the guillotine fell and the remaining questions and written answers were formally noted. The questions and answers are attached as appendix 2.

6. REPORTS FOR RECOMMENDATION FROM THE EXECUTIVE

6.1 PROPOSED FINAL DRAFT OF THE SOUTHWARK UNITARY DEVELOPMENT PLAN (THE SOUTHWARK PLAN) (POLICY FRAMEWORK) (see pages 13-33)

In accordance with council assembly procedure rule 3.11(1), the executive member for regeneration, Councillor Richard Thomas, formally moved the recommendation

contained in the executive's report to council assembly.

Amendment A was withdrawn.

Following debate (Councillors Gordon Nardell and Barrie Hargrove), Councillor Richard Thomas exercised his right of reply.

The recommendations were put to the vote and declared to be carried.

- RESOLVED:**
1. That the final draft Unitary Development plan set out in Appendix A (circulated previously on November 22 2006) be approved, subject to the amendments set out below:
 - 1) That policy 1.7 part c (paragraph 365 on page 53 of the final draft UDP) be modified by removing the words "at ground floor level" so that it reads "The site is located within a town or local centre, which case is in accordance with policy 1.7, suitable class A or other town centre uses will be permitted in place of class B uses."
 - 2) That in policy 1.5 (paragraph 376 on page 53 of the final draft UDP) a drafting error is corrected and the reference be made to policies 1.2, 1.3 and 1.4 instead of 1.3, 1.4 and 1.5.
 - 3) That in Part 1 section 10.3.1 (paragraph 237 on page 39 of the final draft UDP), in part II Section 3 the backgrounds to the strategic policies (paragraph 541 on page 66) and in Policy 3.3 (paragraph 551 on page 67) where the term "sustainability appraisal" occurs it is replaced with 'sustainability assessment.'
 - 4) That the final version of policies 3.20 and 5.4 should be revised to reflect the changes agreed at the modifications stage, the changes to the numbering of proposals sites and to correct an error in the use of "of" instead of "or" in the last line. The full revised versions of these policies on tall buildings and public transport improvements are set out in Appendix H of the report.
 2. That no further amendments to policy 5.4 or proposals site 71P relating to the safeguarding of a site in Peckham for the proposed Cross River Tram depot be made. (*Note: At the request of the planning committee the executive agreed to write to Transport for London urging that consultation on proposed depot sites is fair and transparent be agreed*).
 3. That the provision of a summary of equality and sustainability appraisals to the meeting and further explanation of policy 1.4 Employment Sites as set out in appendices F and G of the report be noted.

4. That council assembly determines that it is not necessary to hold a modifications inquiry as substantive amendments have not been made to the second deposit/ revised Southwark Plan (UDP).
5. That it be noted that the executive agreed that the executive member for regeneration consider the need to give a higher priority to the preparation of a local development document for the Old Kent Road when revising the local development scheme. The executive further confirmed that the purposes of the local development document will be to consider the urban design, environmental and other regeneration issues.
6. That policy 4.4 relating to affordable housing be amended in section iii to re-order the sentence so that it reads "For all schemes capable of providing 10, 11, 12, 13 and 14 dwellings on-site provision calculated in the proportions outlined in table 4.4 or a payment in lieu contribution towards affordable housing." (see paragraph 43 of the report).
7. That references to Public Transport Accessibility Zones in policy 4.1 and in the glossary should refer to "Bermondsey" and not "Bermondsey Spa" (see paragraph 58 of the report).

Note: The recommendations were approved without amendment. In accordance with the budget and policy framework procedure, this decision was implementable with immediate effect.

7. OTHER REPORTS

7.1 LICENSING ACT 2003: MID-TERM REVIEW OF THE LICENSING STATEMENT OF POLICY (see pages 34-155)

In accordance with council assembly procedure rule 3.11(1) the chair of the licensing committee, Councillor Linda Manchester, formally moved the recommendations contained in the report to council assembly.

The Mayor announced that one late amendment had been received to this item.

Councillor Jeff Hook, seconded by Councillor Dominic Thorncroft, moved the late amendment.

Following debate (Councillors Fiona Colley, Ian Wingfield, Gordon Nardell, David Hubber and David Noakes), Councillor Linda Manchester exercised her right of reply.

The late amendment 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 the draft revised statement of licensing policy

attached at Appendix A to the report, be approved.

2. That the following be specifically agreed:
 - 1) The revised policy on the licensing of adult entertainments as set out in paragraph 20 of the report which includes a proximity clause (clause 2) which states that *“applications will not normally be granted where the premises are located:*
 - a) *Near residential accommodation;*
 - b) *Near places of worship, community facilities, or public buildings;*
 - c) *Near schools, youth clubs, shops, parks, leisure and recreational establishments and any other similar premises directed at, or primarily used by children or families;*
 - d) *Or within sight of pedestrian routes or transport nodes (such as stations or bus stops) serving categories a), b) or c).”*
 - 2) The additional imposition of the suggested clause 5 of the revised policy on the licensing of adult entertainments as set out in paragraph 24-26 of the report and amended upon counsel’s advice to read
 - “5) That in deciding whether the imposition of particular conditions enables an application to be granted rather than refused, the licensing authority will bear in mind that the proper regulation of sex-related entertainment requires a range of conditions not only to be imposed, but to be supervised by the authority and specialist units of the police. The council will have regard to the practicalities of enforcement before imposing conditions.”
 - 3) The improvements to the current public consultation process undertaken in respect of premises licence and club premises certificate applications and review applications, as set out in paragraphs 47 and 49 of the report and, specifically in the case of applications involving striptease and nudity, in paragraph 22 of the report.
 - 4) Upon consideration of counsel’s advice, no local steps be taken at this stage to give immediate remedy to the restrictions placed upon ward councillors wishing to speak on licensing applications but that this matter be pursued through the forthcoming review of the Department of Culture Media and Sport’s guidance to the Licensing Act 2003.

And notes

- 5) That no proposals are made for consideration of saturation zones at this time but that relevant authorities will continue to monitor the situation in regard of each of the suggested areas raised for consideration under the policy consultation, set out in paragraph 54 of the report. This with the intention that in the event that the position may be reached where the relevant authorities consider there to be an evidential basis for the consideration of a policy in any one area, further local consultation will be undertaken by the licensing service with a view to reporting the situation back to council assembly for determination as to whether a policy may be necessary;
 - 6) The arrangements for reviewing the implications of premises licenses and the Disabilities Discrimination Act set out in paragraphs 63 to 65 of the report; and,
 - 7) The further consideration that is required to develop council policy on licensing, planning and the late-night economy (paragraph 71 of the report).
3. That the section relating to designated premises supervisor/personal licence holders and authorisations for the retail sale of alcohol (pages 36-37 of the revised draft policy) be deleted and the following be inserted:

“Designated premises supervisor / personal licence holders and authorisations for the retail sale of alcohol (page 36 / 37 of the revised draft policy)

“The 2003 Act provides that, where a premises licence authorises the sale or supply of alcohol, it must include a condition that no sale or supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or their licence has been suspended.

“In addition, the licence must require that every sale or supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence. This, in most instances, will be the designated premises supervisor who must hold a valid personal licence.

“This authority recognises that neither the Act nor the conditions outlined above require either a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold or supplied. Nor does the fact that every sale or supply of alcohol must be made under the authority of a personal licence holder mean that only personal licence holders can make such sale or supply or that they must be personally present at every transaction.

“However, this authority wishes to emphasise that the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the Licensing Act and conditions attached to the premises licence to promote the licensing objectives.

While the designated premises supervisor or a personal licence holder may authorise other individuals to sell alcohol in their absence, they are responsible for any sales that may be made. Similarly, the premises licence holder remains responsible for ensuring that licensing law and licence conditions are observed at the premises.

“This authority considers it reasonable to expect therefore that either the designated premises supervisor or another personal licence holder will normally be present upon the premises at all times that alcohol is either sold or supplied. This authority recognises that there may be occasions when this may not be possible but this authority considers that this should not occur for any extended period and there can be no abdication of responsibility in their absence.

“Thereby, while this authority will continue to consider each case on its merit and fact, it is this authority’s expectation that the designated premises supervisor or another personal licence holder shall not be absent from the premises at times when alcohol is either sold or supplied for longer than 30 hours in total in any rolling 7 day period. Furthermore, this authority expects that authorisations of other staff to sell and supply alcohol made by the designated premises supervisor and any other personal licence holders must be meaningful and be properly carried out.

“It is understood that, ultimately, whether or not an authorisation has been given within the meaning of the Act will be a matter for a court to determine on the evidence before it when the issue arose, but this authority notes the Secretary of State considers that the following factors should be relevant in considering whether there was real authorisation:

- a) The person(s) authorised to sell alcohol should be clearly identified;
- b) The authorisation should have specified the acts which may be carried out by the person being authorised;
- c) There should be an overt act of authorisation, for example a specific oral or written statement given to the individual(s) being authorised; and
- d) There should be in place sensible arrangements for monitoring by the personal licence holder of the activity authorised by him or her on a reasonably regular basis.

“This authority also considers that, while not a requirement of the Act, it is preferable for personal licence holders to give specific written authorisations to individuals, as in doing so they are more likely to be able to clearly demonstrate due diligence to the enforcement authorities.”

7.2 THE COUNCIL TAX BASE (see pages 156-168)

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

Councillor Richard Livingstone, seconded by Councillor Fiona Colley, moved Amendment B.

Councillor Paul Bates, seconded by Councillor Peter John, moved a procedural motion to move to the vote. The procedural motion was put to the vote and on the casting vote of the Mayor was declared to be lost.

Following debate (Councillors Toby Eckersley, Nick Stanton and Jenny Jones), Amendment B was put to the vote and declared to be lost.

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

RESOLVED: That the Council Tax Base for 2007/08 be set at:

	Number of band D equivalent properties
For the parish of St. Mary Newington	12,986.43
For the parish of St. Saviour's	1,149.08
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	77,656.38
For the whole borough	91,791.89

7.3 STRATEGIC MANAGEMENT ARRANGEMENTS (supplemental agenda 1, pages 183-193)

Having declared personal and prejudicial interests at the beginning of the meeting Councillors Adedokun Lasaki and Tayo Situ left the room and took no part in the discussion or voting upon this item.

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

Councillor Peter John sought and was given legal advice on Article 15 of the constitution. Councillor John said that the current version of the constitution stated that the council assembly would only approve changes to the constitution after consideration of the proposal by the standards committee. Councillors David Hubber, Paul Bates and Nick Stanton spoke on this issue. Following which the acting borough solicitor advised that constitutional council in May 2006 had amended the constitution so that the constitutional steering panel rather than standards committee now considered such changes. In light of this, he confirmed that it was in order for council assembly to consider the motion.

The recommendations contained within the report were put to the vote. In accordance with council assembly procedure rule 1.18(4), more than 45% of members present requested a recorded vote. The result of which were as follows:

In favour of the motion (30)

Councillors Paul Bachioo, James Barber, Columba Blango, Denise Capstick, Robin Crookshank Hilton, Toby Eckersley, James Gurling, Michelle Holford, Jeff Hook, David Hubber, Kim Humphreys, Helen Jardine-Brown, Paul Kyriacou, Jelil Ladipo, Linda Manchester, Eliza Mann, Tim McNally, Adele Morris, David Noakes, Paul Noblet, Caroline Pidgeon, Lisa Rajan, Lewis Robinson, Jane Salmon, Bob Skelly, Nick Stanton, Richard Thomas, Nick Vineall, Anne Yates and Lorraine Zuleta.

Against the motion (28)

Councillors Paul Bates, Fiona Colley, Dora Dixon-Fyle, Mary Foulkes, John Friary, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Jenny Jones, Susan Jones, Lorraine Lauder, Evrim Laws, Richard Livingstone, Danny McCarthy, Alison McGovern, Kirsty McNeill, Abdul Mohamed, Gordon Nardell, Chris Page, Andrew Pakes, Sandra Rhule, Martin Seaton, Robert Smeath, Althea Smith, Dominic Thorncroft, Veronica Ward and Ian Wingfield.

In abstention (nil)

Absent (5)

Councillors Adedokun Lasaki, Jonathan Mitchell, Olajumoke Oyewunmi, Mackie Sheik and Tayo Situ.

The Mayor declared that the recommendation was carried.

RESOLVED: That the recommendations of the executive on January 16 2007 and the constitutional steering group on January 18 2007, as set out in the body of the report and in Appendix A of the report be agreed and the necessary changes be made to the constitution.

8. MOTIONS

8.1 MOTION 1 – VIOLENT CRIME STRATEGY (see pages 170-172)

Councillor Ian Wingfield, seconded by Councillor John Friary, moved the motion.

Councillor Jeff Hook, seconded by Councillor Caroline Pidgeon, moved Amendment C.

Following debate (Councillors Aubyn Graham, Columba Blango, Jenny Jones, Althea Smith, David Noakes, Dora Dixon-Fyle, Danny McCarthy, Martin Seaton and Adedokun Lasaki), Councillor Ian Wingfield exercised his right of reply.

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 notes the research carried out by Victim Support London that states Southwark has the highest level of gun crime in London and the annual performance report of the Safer Southwark Partnership (SSP), which ranks Southwark second worst amongst comparable boroughs in London for violent crime.
 2. That council deplores the recent serious violent events in East Walworth and Camberwell Green and regrets that these two Southwark wards are ranked in the worst five in London for such crime. Notwithstanding the above, Council welcomes the very visible Metropolitan Police Service (MPS) activity in these wards especially during peak pub

and club hours.

3. That council welcomes the delivery of neighbourhood policing teams and the work that the police, police community safety officers (PCSOs), Southwark community wardens and other professional enforcement teams do in tackling crime in Southwark.
4. That council notes that tackling violent crime is a priority within the SSP crime and drugs strategy and notes the development of a more meaningful violent crime “action plan” to manage the delivery of its programme in this area.
5. That council believes practical measures are needed to deal with violent crime in Southwark and notes projects currently underway to improve street lighting and provision of deployable CCTV cameras across the borough.
6. That council notes the contribution of lawful and well-managed bars and clubs to the life and economy of Southwark.
7. That council assembly welcomes the new proposed licensing policy that introduces stricter control on nightclub, planning and licensing applications and firmer action on badly managed clubs and pubs. Council assembly supports residents who exercise their power to call for the review of licenses under the new licensing act, and welcomes their having the power to do so.
8. That council assembly calls upon the executive member for community safety to lobby the government, the borough commander, the Metropolitan Police Authority and other local agencies to target resources at crime hot spots in Southwark.
9. That council calls for a report on these practical measures to be brought to the executive within three months.

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

8.2 MOTION 2 – SUSTAINABLE COMMUNITIES BILL & POST OFFICES (see pages 172-173)

Having declared a personal and prejudicial interest at the beginning of the meeting Councillor Ian Wingfield left the room and took no part in the discussion or voting upon this item.

Councillor Lewis Robinson, seconded by Councillor Tim McNally, moved the motion.

Councillor Richard Thomas, formally seconded by Councillor Kim Humphreys,

moved Amendment D.

Following debate (Councillor Susan Elan Jones), Amendment D 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 note the Sustainable Communities Private Members Bill proposed by Nick Hurd MP, which received its first reading in Parliament on Wednesday December 13 2006.
 2. That the Bill successfully secured a second reading on Friday January 19 2007 by 175 votes to 17 and that Simon Hughes MP was one of those who supported it. Council assembly regrets that Harriet Harman MP and Tessa Jowell MP failed to support the Bill and the government has indicated its opposition to it.
 3. That council assembly believes:
 - 1) The Sustainable Communities Bill is a welcome step towards returning power to local communities, and ensuring that money be spent by government on services provided for the benefit of local communities is to be spent in the way local communities wish, rather than central government determines.
 - 2) That the closure of community based services such as local post offices or counter services at police stations will have a detrimental effect on the wider community.
 4. That council assembly requests the executive:
 - 1) To support the Sustainable Communities Bill, and to urge the borough's MPs to demonstrate their support through the bill's remaining parliamentary stages.
 - 2) To affirm its commitment to the devolution of further powers to local communities by bringing forward proposals to strengthen the powers of Southwark's community councils.
 - 3) To continue to play an active role in the renewal of local community service provision, such as the work to reopen disused shop units on the Kingswood Estate for community use.

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

8.3 MOTION 3 – POSTHUMOUS AWARD OF THE FREEDOM OF THE BOROUGH
(see pages 173-174)

Councillor Danny McCarthy, seconded by Councillor Ian Wingfield, formally moved the motion. Councillor Danny McCarthy informed the meeting that since submitting the motion he was now aware of an additional recipient of the Victoria Cross and sought consent to vary the motion accordingly. This was agreed.

The revised motion was unopposed and declared to be carried.

- RESOLVED:**
1. That Southwark Council recognises the bravery of the men of Southwark that were awarded the Victoria Cross for actions in 1st & 2nd World Wars, and that last year was the 60th anniversary of the ending of the 2nd World War and it has been 87 years since the ending of the 1st World War.
 2. That the council assembly believes it would be a fitting recognition if the Freedom of the Borough were awarded posthumously to these brave men, of whom it is understood there were 12 recipients, who gave up their most precious gift to us, their life so we could live in a democracy.
 3. That officers make arrangements for posthumous awards to be made and that enquires be made to see if any of the families of these men are alive, who will then be able to accept the award of the Freedom of the Borough on the behalf of these brave men.

8.4 MOTION 4 – LEGAL AID (see pages 174-175)

The motion was deferred to the next meeting.

8.5 MOTION 5 – SOUTHWARK RACE AND EQUALITY COUNCIL (see page 176)

Councillor Tayo Situ, seconded by Councillor Aubyn Graham, formally moved the motion.

The motion was unopposed and declared to be carried.

- RESOLVED:**
1. That it be noted that the Southwark Race and Equality Council (SREC) earlier last year received extra funding from the council in order to support the recommendations of Lord Ouseley's report on equality and diversity issues in Southwark.
 2. That it also be noted that SREC has suffered a number of leadership crises in recent months and years.
 3. That it be further noted that the 3 year old PriceWatershouseCoopers recommendations for change to the SREC's structures and practices have not yet been implemented.
 4. That for these reasons the need for a radical restructuring of SREC is clear.

5. That the new national strategies for responding to race and equality issues be noted and support be given to the principle of a community led race equality council with wide representation and influence.
6. That the executive member responsible for race equality review council support for an effective strategic community led body for race equality in Southwark, that will engage with the community and works in partnership with the statutory agencies, business sector and concerned individuals; council assembly asks the executive member to present council assembly with proposals within four months.

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

8.6 MOTION 6 – GREEN ACTION PLAN (see page 176-179)

Councillor James Barber, seconded by Councillor Adele Morris, moved the motion.

Councillor Alison McGovern, seconded by Councillor Chris Page, moved Amendment F.

Following debate (Councillors Jenny Jones and Lisa Rajan), Amendment F was put to the vote and declared to be lost.

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

- RESOLVED**
1. That Southwark council is committed to taking its environmental responsibilities seriously, in terms of reducing global impact, increasing sustainability and improving our local environment.
 2. That the council recognises that this can only be achieved through encouraging changes in behaviour and targeting actions that will reinforce good practice and reduce negative environmental impact.
 3. That council noted the success of the greening Southwark council programme already in place, but believed that further action is now needed.
 4. That in order to make both Southwark council and Southwark itself cleaner and greener, council asks the executive, as far as possible within existing resources, to implement the following 50 point green action plan:

Make Southwark Council Greener

1. Increase the use of energy-saving light bulbs in council buildings.
2. Increase the amount of fleet vehicles using more environmentally friendly fuels in council-driven vehicles.
3. Consider the cost effectiveness, energy-saving prospects, and planning/conservation area implications of installing solar panels and/or wind

- turbines on the roof of Southwark town hall and other council-owned buildings.
4. Continue to encourage council staff to turn off unnecessary lights after working hours in council buildings.
 5. Rationalise the paper communications that Southwark council produces and ensure all are printed on recycled paper and are recyclable themselves.
 6. Provide coffee and tea making facilities that are more energy efficient in all council buildings.
 7. Encourage council staff turn off their computer monitors when not in use and examine the possibility of installing software that facilitates this automatically.
 8. Phase out the use of plastic crockery and cutlery in council buildings and use eco-friendly cleaning products.
 9. Continue to work with environmental groups to undertake green audits of the council.
 10. Provide more filtered tap water in council buildings and discontinue the use of water in plastic bottles for council meetings.
 11. Make Southwark council's environmental code of construction practice available online.
 12. Ensure that Southwark council continues to increase the provision of fair-trade goods in the council buildings.
 13. Significantly increase the amount of waste that is recycled in council offices.
 14. Encourage a reduction in the usage of lifts in council buildings by non-essential users.
 15. Reduce the amount of unnecessary paperwork produced for council meetings and ensure both sides of the paper are always used in agendas and reports.
 16. Facilitate the recycling of printer toner cartridges in council offices.
 17. Ensure that all toilet rolls and hand towels used in council buildings and public toilets are made from recycled paper.
 18. Promote local produce, GM-free and organic foods when providing food at council events and meetings.
 19. Encourage council staff to reduce car use and choose more sustainable forms of transport through the promotion and implementation of the green travel action plan.
 20. Turn two of the car parking spaces in the town hall car park (including the leader's space) into area where secure cycle parking facilities can be installed.
 21. Review controlled parking zone parking permit charges with a view to examine the implications of differentiating on the basis of emissions, pollutants and environmental impact.
 22. Pursue possibilities to enable the recycling of plastic bags, textiles, tetrapaks and food waste in the borough, including in doorstep collections.
 23. Improve on Southwark's position as the fourth cleanest borough in London.
 24. Encourage the reuse of rain water for domestic use through the Grey Water programme.
 25. Consider the introduction of split recycling bins for streets and domestic use.
 26. Continue to improve the quality of green spaces within Southwark and seek Green Flag status for all Southwark's parks.
 27. Continue to educate, publicise and take a zero-tolerance approach to littering, fly-tipping, graffiti and other envirocrimes.
 28. Increase the number of street bins that have integrated cigarette ashtrays and increase distribution of free Stubbi holders for cigarette butts.
 29. Save water by providing 'Hippos' for every toilet in council offices and housing stock where installation is possible and desired by tenants.
 30. Explore offering financial incentives to encourage Southwark householders to install renewable energy technologies on their properties.
 31. Increase public facilities for battery recycling.

32. Introduce measures to review compliance with planning requirements relating to energy efficiency, including thermal performance, in new buildings.
33. Support local producers bid for tenders to provide catering services for the public sector.
34. Demand that all new buildings built and procured by the council have 'Excellent' eco homes standard ratings.
35. Increase tree planting to improve our environment, reduce summer heat and improve air quality.
36. Continue to police and remove dog fouling and continue to encourage responsible dog ownership through publicity schemes such as 'Do we have to rub your nose in it?'.
37. Maintain Southwark's smoke control area status.
38. Continue to promote and increase the usage of wormeries and compost bins.
39. Subject to the outcome of the current procurement exercise and to assessment of financial and other risks, form a multi-utility services company (MUSCo) to deliver sustainable utilities infrastructure in the Elephant and Castle regeneration.
40. Provide more residents with 'Stop Junk Mail' information to minimise paper waste.
41. Encourage local businesses to recycle, be energy efficient and become more environmentally aware.
42. Encourage more parents to use real nappies instead of disposable ones.
43. Remove all reported fly tips within 24 hours.
44. Remove all reported graffiti within 24 hours.
45. Increase the number of voluntary street leaders and junior street leaders.
46. Promote the sustainable transport benefits of the cross river tram and the SUSTRANS green bridge over the Thames.
47. Encourage schools to produce green travels plans, provide walking buses, offer cycle training and discourage parents from driving children to schools.
48. Improve the council's Home Energy Conservation Act energy efficiency score.
49. Demand high eco standards in all new or refurbished leisure centres and libraries
50. Continue to reduce the number of missed waste and recycling collections.

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

8.7 MOTION 7 – MAUDSLEY 24 HOUR CLINIC (see pages 170-172)

A revised motion 7 had been circulated prior to the meeting in supplemental agenda 2.

Councillor David Noakes, seconded by Councillor Michelle Holford, moved the revised motion.

Following debate (Councillors Peter John, David Hubber, Denise Capstick, Aubyn Graham, Veronica Ward, Richard Thomas, Lorraine Zuleta and Dora Dixon-Fyle), Councillor David Noakes exercised his right of reply.

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

- RESOLVED:**
1. That council assembly notes:
 - That the government estimates that one in four people will

suffer from some form of mental illness at some point in their lifetime;

- That the South London and Maudsley Trust submitted plans to close the emergency clinic at the Maudsley Hospital which currently offers an 'open all hours' emergency service for people with mental health problems;
- That the Lambeth and Southwark Statutory Joint Health Committee referred this decision to the secretary of state for health to make the final decision on the grounds that they did not believe that the closure was in the best interests of local health services;
- That the chief executive of the South London and Maudsley Trust has admitted that there will be an increased reliance on the voluntary sector as a result of this cut;
- That the secretary of state has confirmed the decision to close the Maudsley emergency clinic.

2. That council assembly believes:

- That the Maudsley clinic is a vital service which helps to save lives and should remain open 24 hours a day, seven days a week, 365 days a year;
- That the closure of the Maudsley clinic will have a detrimental impact on neighbouring emergency health services and especially on the accident and emergency (A&E) department of King's College Hospital;
- That whilst the proposed changes to the community services are noted, these alone will not be a sufficient replacement for the loss of the emergency provision;
- That the current proposal for a new designated space adjacent to the A&E department of King's College Hospital is inadequate to replace the current provision, even when combined with the extension of the community service;
- That there are significant questions still to be answered about the proposed new King's A&E service, including the funding of staff, the waiting area for patients, the area provided for the service, security and overnight accommodation.

3. That council assembly recognises the impact that the strategic health authority's financial adjustments and "top-slice" of the primary care trust (PCT) budget increases has had on the South London and Maudsley health trust and calls for this policy to be reviewed

4. That council assembly congratulates the many individuals and organisations who have campaigned to keep the Maudsley Clinic open and the South London Press for helping to organise the campaign and notes that support for the campaign has been cross party and included local MPs.

5. That council assembly therefore resolves to ask the executive to support the campaign to keep the Maudsley emergency clinic open 24 hours per day. Council assembly asks the leader to write to the secretary of state for health seeking an urgent meeting with her to ask her to reconsider her decision and keep the clinic open.

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

8.8 MOTION 8 – POST OFFICES (see pages 181-182)

Having declared a personal and prejudicial interest at the beginning of the meeting Councillor Ian Wingfield left the room and took no part in the discussion or voting upon this item.

Councillor Bob Skelly, seconded by Councillor Nick Vineall, moved the motion

Councillor John Friary, seconded by Councillor Paul Bates, moved Amendment G. Following debate (Councillor James Gurling), Councillor Bob Skelly exercised his right of reply.

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

Councillor Fiona Colley, seconded by Councillor Richard Livingstone, moved Amendment H. Following debate (Councillors Toby Eckersley, Gordon Nardell and Nick Stanton), Councillor Bob Skelly exercised his right of reply.

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

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

- RESOLVED:**
1. That council assembly regrets the loss of three post offices in North Southwark and Bermondsey, seven post offices in Dulwich and West Norwood and two post offices in Camberwell and Peckham between 1999 and 2006, representing almost one in three of the total services available.
 2. That council assembly notes:
 - that on the December 14 the government announced plans for post office 'restructuring' that they expect to lead to the closure of a further 2500 post office branches by 2009;
 - that 4000 post office branches have been closed nationwide since the government came to power in 1997;
 - that the government announced in March 2006 the phasing out of the post office card account (POCA) on which many pensioners relied to receive their state pension and on which thousands of branches depended to keep them in business;
 - that closure of smaller post offices around the country has led to the closure of other local shops and businesses

- and the disintegration of local communities;
- that on the December 14, in the face of huge criticism of this decision, the government backed down and announced a replacement for POCA;
 - that the government has directly or indirectly overseen the post office losing TV licences, vehicle excise duty and passport authentication work;
 - the plans by Royal Mail to close the Herne Hill sorting office leading to delays in postal delivery times, the loss of local knowledge among postal delivery workers and inconvenience for local residents who have to pick up mail from a sorting office.
3. That council assembly further notes the social importance of post offices to the well being of both communities and individuals in Southwark.
 4. That council assembly believes that the recently announced closure programme is unnecessary and asks the executive to seek to persuade the government to:
 - 1) end the branch closure programme;
 - 2) remove the Royal Mail restrictions on the post office to open up further business opportunities for the network;
 - 3) stop removing government business from post offices;
 - 4) carry out a review of which additional government functions could be carried out through post offices;
 - 5) invest in the post office network.
 5. That council assembly further believes that the interests of residents are best served by the retention of the Herne Hill sorting office.
 6. That council assembly welcomes the decision of the government to withdraw its previous proposals to scrap completely the post office card account (POCA) but asks the executive to call on ministers to ensure that any replacement POCA should be open freely to all pensioners and benefit recipients who wants one.
 7. That council assembly asks the executive to call on the government to avoid putting pressure on current and future POCA users to switch to having benefits and pensions paid directly into bank accounts.
 8. That council assembly asks the MPs for Southwark to lobby ministers to save the post office from gradual demolition and to protect this vital service for the people. Council assembly further asks the MPs to report back to this council on their actions and asks the overview and scrutiny committee to undertake a scrutiny investigation into the impact of the closure of the Herne Hill sorting office.

9. That council assembly further asks the executive to urge Royal Mail to reconsider plans to close the Herne Hill sorting office.

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

8.9 MOTION 9 – BOROUGH AND BANKSIDE COMMUNITY COUNCIL CHAIR (see page 182)

Councillor David Hubber, seconded by Councillor Linda Manchester, moved the motion.

Following debate (Councillors Peter John, John Friary and Danny McCarthy), the motion was put to the vote and declared to be carried.

RESOLVED: That Councillor Danny McCarthy be removed as the chair of Borough and Bankside community council with immediate effect and that the January meeting of the council assembly appoint a new chair.

9. APPOINTMENT OF CHAIR OF BOROUGH AND BANKSIDE COMMUNITY COUNCIL

The Mayor stated that he had received one nomination for the chair of Borough and Bankside community council. No further nominations were forthcoming, therefore the nomination was put to the vote and declared to be carried.

RESOLVED: That Councillor Adele Morris be appointed chair of the Borough and Bankside community council for the remainder of the municipal year.

EXCLUSION MOTION

RESOLVED: That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in category 1 of paragraph 10.1 of the procedure rules.

The following is a summary of the actions taken in the closed section of the agenda.

MINUTES

The closed minutes of the special meeting of council assembly held on December 6 2006 were agreed and signed as a correct record.

The meeting closed at 12.10am.

MAYOR:

DATED: