



## COUNCIL ASSEMBLY

MINUTES of the open section of the meeting of the Council Assembly held on Wednesday, February 21 2007 at 7.00 p.m. at the Town Hall, Peckham Road, London SE5 8UB

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### PRESENT:

The Worshipful the Mayor Councillor Paul Kyriacou

Councillor Paul Baichoo	Councillor Alison McGovern
Councillor James Barber	Councillor Tim McNally
Councillor Paul Bates	Councillor Kirsty McNeill
Councillor Columba Blango	Councillor Jonathan Mitchell
Councillor Denise Capstick	Councillor Abdul Mohamed
Councillor Fiona Colley	Councillor Adele Morris
Councillor Robin Ann 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 Robert Smeath
Councillor Peter John	Councillor Althea Smith
Councillor Jenny Jones	Councillor Nicholas Stanton
Councillor Susan Jones	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
Councillor Danny McCarthy	

## **1. PRELIMINARY BUSINESS**

### **1.1. ANNOUNCEMENTS**

The Mayor made the following announcements:

- a) That healthy and robust debate was part of the democratic process. However, it was important that members maintain respect for each other and the rulings of the chair. In his opinion, the conduct of some members at the last meeting of council assembly bordered on what was acceptable. Therefore, should issues concerning members' conduct arise, he informed members that this may result in a procedural motion requiring any member to be asked to leave the chamber. He concluded by saying that he was sure that members shared his view that it was a matter of concern how the public perceived the behaviour of their elected representatives.
- b) That the recent charity quiz night had raised £855 in aid of the Mayor's charities.

Councillor Danny McCarthy apologised to the Mayor for being dilatory in sitting down when requested to do so by the Mayor at the last meeting of council assembly

A minute's silence was held for the young people killed in Southwark as a result of recent incidents within the borough.

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

There were no late and urgent items.

### **1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

In relation to item 7.1 Members' Allowances, it was noted that all members had a personal interest in this item. Accordingly, all members present would be deemed to have declared a personal but non-prejudicial interest in this item.

### **1.4. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Bob Skelly, Ola Oyewunmi and Jelil Ladipo and apologies for lateness had been received from Councillor Andrew Pakes.

## **2. MINUTES**

**RESOLVED:** That approval of the minutes of the ordinary meeting held on Wednesday, January 24 2006 be deferred to the next ordinary meeting of council assembly.

## **3. PETITIONS**

There were none.

## **4. DEPUTATION REQUESTS**

### **4.1 DEPUTATION FROM SOUTHWARK PARENTS/CARERS COUNCIL** (See pages 1-4 and supplemental agendas no's. 1 and 2)

The Mayor announced that the deputation request had been withdrawn.

**4.2 DEPUTATION FROM THE FRIENDS OF CAMBERWELL LEISURE CENTRE** (See pages 1-4, supplemental agenda no. 3 and motion circulated at the meeting)

The meeting agreed to hear the deputation. Members were addressed by the deputation's spokesperson. Councillors Alison McGovern, Peter John, Veronica Ward and John Friary asked questions of the deputation. The Mayor thanked the deputation, which then withdrew to the public gallery.

Councillor Paul Bates, seconded by Councillor Ian Wingfield, moved that council assembly procedure rule 3.7 (20) (Deputations to council assembly: subject of deputation not on agenda), be suspended in order to extend the time allowed to debate the two motions arising out of the deputation to thirty minutes. The procedural motion was put to the vote and declared to be lost.

Councillor David Hubber, seconded by Councillor Nick Stanton, moved that council assembly procedure rule 1.16(4) (Rules of debate), be suspended in order to allow the two motions to be debated together. The procedural motion was put to the vote and declared to be carried.

Councillor Alison McGovern, seconded by Councillor Sandra Rhule, moved the first motion.

Councillor Lorraine Zuleta, seconded by Councillor Columba Blango, moved the second motion.

After debate (Councillors Jenny Jones and Ian Wingfield) the first motion was put to the vote and declared to be lost. The second motion was carried.

- RESOLVED:**
1. That council assembly notes:
    - The report agreed by the executive last week makes recommendations on capital expenditure totalling some £12.3 million for leisure services in the borough.
    - That no other authority in London is making such a commitment.
    - That the council leader, in his party's manifesto for the 2006 council elections, pledged to bring all leisure facilities in the borough up to 21<sup>st</sup> century standards and his recent reiterations of this pledge.
    - That the legacy of the previous administration was 40 years of under-investment in the borough's leisure centres and a brand new 'flagship' pool which could not even hold water.
    - That in 1998, the previous administration had a plan to close and sell off Camberwell leisure centre;
  2. That council assembly welcomes the proposals being put forward by members of the local community to transform the Camberwell leisure centre to a community hub with leisure services at its heart and believes that this is a proposal worthy of proper study.

3. That council assembly therefore welcomes the decision by the executive to continue to invest in Camberwell leisure centre to maintain current services whilst all options are explored including that of the community hub. Council assembly notes that the decision to investigate this option does not represent the abandonment of this facility but commends the executive for being willing to explore all options to provide a centre of true benefit to the people of Camberwell.
4. That council assembly believes that a delay of up to 12 months in the decision of how to proceed with the transformation of Camberwell leisure centre into a 21st century facility is justified if it means that all options, including that of a community hub, can be properly explored.
5. That council assembly further welcomes the decision by the executive to ring fence any monies received from the sale of land surrounding the Camberwell leisure centre for investment in the centre in whichever form it eventually takes.
6. That council assembly asks the executive to continue to work with the local community and others to explore the best options for the future of Camberwell leisure centre.

**Note:** This motion will be referred as a recommendation to the executive for consideration.

**4.3 DEPUTATION FROM SE5 FORUM FOR CAMBERWELL** (See pages 1-4 and supplemental agendas no. 1)

The Mayor announced that the deputation request had been withdrawn.

**5. REPORTS FOR RECOMMENDATION FROM THE EXECUTIVE**

**5.1 POLICY AND RESOURCING – THE COUNCIL’S 2007/08 REVENUE BUDGET (THE BUDGET AND POLICY FRAMEWORK)** (See pages 5-45 and supplemental agenda no’s. 1 and 3)

A list of written questions and answers on the revenue budget had been circulated round the chamber. The questions and answers are attached as Appendix 1 to these minutes, along with two supplementary questions and the answers thereto.

Councillor Nick Stanton, the leader of the council, moved the recommendations contained within the report.

Councillor Richard Livingstone, seconded by Councillor Peter John, moved amendment A. Following debate (Councillors Toby Eckersley and Kim Humphreys) Councillor David Hubber moved, seconded by Councillor Lewis Robinson, that Amendment A be put to the vote.

The closure motion to move to the vote was voted upon and declared to be carried.

Amendment A was then put to the vote and declared to be lost.

Following debate (Councillors John Friary, Denise Capstick, Caroline Pidgeon, Jeff Hook, Lisa Rajan, James Gurling, Lewis Robinson, Richard Thomas, Veronica Ward, Alison McGovern, David Noakes and Lorraine Zuleta), Councillor David Hubber moved, and it was seconded, that the substantive motion be put to the vote.

The closure motion to move to the vote was voted upon and declared to be carried.

Councillor Nick Stanton, the leader of the council, exercised his right of reply.

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

**RESOLVED:** That a balanced budget for 2007/08 as set out in paragraph 24 of the report submitted to the executive on February 13 2007, based on a council tax increase of 3.9% be agreed.

**Note:** In accordance with the budget and policy framework, the decisions set out in the resolution could be implemented with immediate effect.

## **5.2 SETTING THE COUNCIL TAX 2006/07** (see supplemental 1, pages 66-77)

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

As the meeting had agreed a revenue budget under item 5.1, Amendment B fell.

**RESOLVED:**

1. That council assembly note the new Greater London Authority precept level of £303.88.
2. That the council tax for band D properties in Southwark be set at:
  - (i) the former parish of St Mary Newington £1,176.21
  - (ii) the former parish of St. Saviours £1,179.20
  - (iii) the remainder of the Borough £1,180.94
3. That the formal resolution for council taxes in 2007/08 (shown in appendix 2 of the report) be approved.
4. That the existing local war widows schemes for housing benefits and council tax benefits be continued in 2007/08.

## **5.3 PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT STRATEGY** (See pages 46-66)

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

**RESOLVED:**

1. That prudential indicators covering capital finance, borrowing and cash management for the years 2007/08 to 2009/10 as set out in Appendix A of the report be agreed.
2. That the investment strategy for managing cash for the year 2007/08 as set out in Appendix B of the report be agreed.

3. That a capital allowance of £137.5 million, as set out in paragraph 28 of the report, enabling the council to continue to retain capital receipts for affordable housing and regeneration that would otherwise have to be passed on to the government under pooling arrangements be agreed.

## **6. REPORT BACK ON CONSIDERATION OF MOTIONS REFERRED FROM COUNCIL ASSEMBLY** (See pages 67-75)

Council assembly considered a report back from the executive on motions referred to the executive by council assembly.

A written question and answer on the report had been circulated round the chamber and is attached as Appendix 2 to these minutes.

**RESOLVED:** That the report be noted.

## **7. OTHER REPORTS**

### **7.1 MEMBER ALLOWANCES** (See pages 75-76 and supplemental agenda no. 3)

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

Councillor Paul Bates, seconded by Councillor Robert Smeath, moved Amendment C.

Following debate (Councillors David Hubber, Peter John, Kim Humphreys and Richard Livingstone), Amendment C was put to the vote and declared to be lost.

- RESOLVED:**
1. That the existing member allowance scheme be extended beyond March 2007 and that standards committee at its next meeting undertakes a further review to make recommendations to council assembly following consideration of the full London Councils (LC) Independent Panel report.
  2. That the existing allowances are increased by the agreed inflation rate for the Local Government Pay Scheme with effect from April 2007.
  3. That council assembly defer a decision to have the option of joining the Local Government Pension Scheme for a further year.

### **7.2 ESTABLISHMENT OF AUDIT COMMITTEE** (See pages 77-84 and supplemental agenda no. 3)

The clerk stated that there were three changes to the report's recommendations as set out in the constitutional steering panel's addendum to the report on pages 82 and 83 of the main agenda. The changes were, as follows:

Under paragraph 1: composition

1. Paragraph (c) to be amended to read –

“No more than one member of the scrutiny and overview committee ... “.

2. Paragraph (e) –

“The chair will be elected from among the councillors who are members of the committee.”

To be deleted.

3. Paragraph (f) to be renumbered paragraph (e).

Councillor David Hubber, chair of the constitutional steering panel, moved the report's recommendations, as amended by the constitutional steering panel.

Councillor John Friary, formally seconded by Councillor Barrie Hargrove, moved Amendment D.

Following debate (Councillors Paul Bates, Lewis Robinson and Fiona Colley), Councillor David Hubber exercised his right of reply.

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

- RESOLVED:**
1. That council assembly establish an audit committee, as set out in paragraphs 8-20 of the report.
  2. That the recommendations of the constitutional steering group relating to changes to the constitution be agreed as set out in supplemental agenda no. 3.
  3. That council assembly appoint a chair and vice-chair of the audit committee for the remainder of the municipal year.

### **NOMINATIONS FOR CHAIR AND VICE-CHAIR OF THE AUDIT COMMITTEE**

The Mayor asked for nominations for the positions of chair and vice-chair of the audit committee.

Councillor David Hubber, seconded by Councillor Anne Yates, nominated Councillor James Gurling for the chair of the audit committee.

Councillor Paul Bates, seconded by Councillor Dora-Dixon-Fyle nominated Councillor Richard Livingstone for the chair of the audit committee.

The Mayor then took a vote on the nominations for chair of the committee. The Mayor informed the meeting that Councillor James Gurling had been elected chair of the audit committee for the remainder of the municipal year.

Councillor Paul Bates, seconded by Councillor Althea Smith, nominated Councillor Richard Livingstone for vice-chair of the committee.

Councillor Kim Humphreys, seconded by Councillor David Hubber, nominated Councillor Lewis Robinson for vice-chair of the committee.

The Mayor then took a vote on the nominations for vice-chair of the committee. The Mayor informed the meeting that Councillor Lewis Robinson had been elected vice-chair of the audit committee for the remainder of the municipal year.

Councillor Lewis Robinson informed the meeting that he proposed to decline acceptance of the position of vice-chair of the audit committee.

The Mayor invited nominations from the floor for the position of vice-chair of the audit committee.

Councillor Althea Smith, seconded by Councillor Paul Bates nominated Councillor Richard Livingstone for vice-chair of the audit committee.

- RESOLVED:**
1. That Councillor James Gurling be appointed chair of the audit committee.
  2. That Councillor Richard Livingstone be appointed vice-chair of the audit committee.

## **8. MOTIONS**

### **8.1 MOTION 1 - LEGAL AID** (See pages 86-87)

The Mayor informed the meeting that the motion had been withdrawn.

### **8.2 MOTION 2 — FREE TRAVEL ON BUSES** (See page 88-89)

Councillor Barrie Hargrove, seconded by Councillor Andrew Pakes, moved the motion.

Following debate (Councillors Lisa Rajan and Richard Livingstone), the motion was put to the vote and declared to be carried.

- RESOLVED:**
1. That council assembly notes the budget proposal brought by some London Assembly members to remove free bus travel for under 18s in full time education and under 16s.
  2. That council assembly notes that free travel for under 18s in full time education and for under 16s is a benefit that saves families with school-age children £350 a year for each child. In addition to this financial benefit it also gives young people in Southwark the freedom to take advantage of the great cultural opportunities available to them across London. The suggested replacement of this London-wide scheme with a pilot school bus programme in just 6 boroughs would be wholly inadequate.
  3. That council assembly also notes the unproven complaints of some London Assembly members that anti-social behaviour on buses has increased since the introduction of the scheme. Council assembly believes that anti-social behaviour on London's bus network by a tiny minority of recipients of these free passes should be tackled by greater use of the powers to remove free travel passes from the perpetrators rather than from all young people.



4. That council resolves to ask the executive to:

- (i) Support free bus travel for under 18s in full-time education and under-16s;
- (ii) Represent this position at meetings of London Councils; and,
- (iii) Write to all London Assembly Members expressing Southwark's support for the scheme.

**Note:** The motion was referred to the executive for consideration.

The meeting closed at 9.41p.m.

**MAYOR:**

**DATED:**