

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 4th November 2003	<b>Meeting Name:</b> Executive
<b>Report title:</b>		Motion Referred from Council Assembly on 17 <sup>th</sup> September 2003 (Council Assembly Procedure Rule 3.6 (11))	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Chief Executive (Borough Solicitor & Secretary)	

## RECOMMENDATION

1. That the Executive consider the motions as set out in the Appendices attached to the report.

## BACKGROUND INFORMATION

2. At the Council Assembly meeting on 17<sup>th</sup> September 2003 the following motions were submitted in accordance with Council Assembly Procedure Rule 3.6 (11), and were subsequently referred to the Executive for consideration:-

Motion No.10	–	356 Bus Route
Motion No.2	–	Alternative Fuel
Motion No.3	–	Post Offices
Motion No.5	–	Buses Along Rye Lane
Motion No.4	–	Planning Policy on Mobile Telecommunication Masts
Motion No.8	–	Light Pollution
Motion No.12	–	Housing for People with Disabilities
Motion No.14	-	Unauthorised Advertising
Motion No.16	-	Herne Hill CPZ.

(The above motions are listed in the order in which they were considered by Council Assembly on 17<sup>th</sup> September 2003).

## KEY ISSUES FOR CONSIDERATION

3. In accordance with Council Assembly Procedure Rule 3.9 (3), the above motions were referred to the Executive, which shall report upon the outcome of their deliberations upon the motions to the next meeting of Council Assembly.
4. The constitution allocates particular responsibility for functions to Council Assembly, for approving the budget and policy framework, and to the Executive, for developing and implementing the budget and policy framework and overseeing the running of Council services on a day-to-day basis
5. Any key issues, policy or funding implications are included in the advice from the relevant Chief Officer.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Background Papers	Held At	Contact
Motions submitted in accordance with Standing Order 3.9 (11).	Town Hall, Peckham Road, London. SE5 8UB	Lesley John Constitutional Support Unit 020 7525 7228

### **LIST OF APPENDICES**

<b>Appendix 1 - Audit Trail</b>	<b>356 Bus Route</b>
<b>Appendix 2 - Motion No.10</b>	<b>Alternative Fuel</b>
<b>Appendix 3 - Motion No.2</b>	<b>Post Offices</b>
<b>Appendix 4 - Motion No.3</b>	<b>Buses Along Rye Lane</b>
<b>Appendix 5 - Motion No.5</b>	<b>Planning Policy on Mobile Masts</b>
<b>Appendix 6 - Motion No.4</b>	<b>Light Pollution</b>
<b>Appendix 7 - Motion No.8</b>	<b>Housing for People with Disabilities</b>
<b>Appendix 8 - Motion No.12</b>	<b>Unauthorised Advertising</b>
<b>Appendix 9 - Motion No.14</b>	<b>Herne Hill CPZ.</b>
<b>Appendix 10 - Motion No.16</b>	

**APPENDIX 1**

**Audit Trail**

<b>Lead Officer</b>	Ian Millichap, Constitutional Team Manager	
<b>Report Author</b>	Lesley John, Constitutional Support Unit	
<b>Version</b>	Final	
<b>Dated</b>	27th October 2003	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Chief Officer	Yes	Yes
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Support Services</b>	27th October 2003	

## **APPENDIX 2**

### **MOTION No.10 – 356 BUS ROUTE**

Moved by Councillor William Rowe and seconded by Councillor Kim Humphreys.

#### **AGREED:-**

That Council notes with disappointment that Transport for London (TfL) has failed to consult properly with residents affected by the re-routing of the 356 Bus Route and has ignored representations made by residents, councillors and officers requesting a delay to the scheme to allow proper consultation.

That the Executive is requested to instruct officers to take whatever steps are possible to persuade TfL to reconsider the re-routing of the 356 bus so that it can be more useful to residents.

### **COMMENTS OF THE STRATEGIC DIRECTOR OF REGENERATION**

The Council has made several written requests to London Buses to postpone the implementation of the Route 356 extension until a full public consultation is undertaken.

Initial requests to postpone the implementation of the Route 356 extension were undertaken during various telephone calls between Council Officers and representatives on London Buses. Written requests were sent to representatives of London Buses on 29 July 2003, 12 August 2003 and 20 August 2003. Despite the requests of the Council to postpone the routing of the bus London Buses started operation of the route on 30<sup>th</sup> August.

The Council is continuing to lobby London Buses find an alternative solution to the current re-routing of bus 356 along Crescent Wood Road so the amended route can be more acceptable to residents.

**MOTION NO.2 – ALTERNATIVE FUEL**

Moved by Councillor Barrie Hargrove, seconded by Councillor Dermot McInerney and subsequently amended.

**AGREED:-**

Council Assembly notes:

1. The positive impact of moving from conventional to alternative fuel “green” vehicles.
2. Southwark’s pioneering lead in introducing such vehicles for Council use.
3. Requests the Executive to receive a report laying out clear policy on the exclusive use of alternative fuelled vehicles by both the council itself and the council’s main contractors in the future and the possibility of establishing a biodiesel manufacturing plant within Southwark. Council asks that the report should look at all alternatives to petrol and diesel powered cars with the aim of reducing the emission of climate changing gases, particulates, SO<sub>2</sub>, NO<sub>x</sub> and other poisons.

**COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE**

The Council is at the forefront of the use of alternative fuel vehicles, winning the Green Fleet Award in 1999. We currently have 79 vehicles that run on Liquid Petroleum Gas (LPG) and 8 electric vehicles.

The council recently renewed all the Council’s operational fleet, taking the opportunity to increase the number of alternative, in this case LPG, fuel vehicles to over 100, which equates to approximately 35% of the fleet.

The use of alternative fuel vehicles is currently considered within the context of most appropriate for the designed use. Notwithstanding this all light vans and vehicles below 2.5 tonne gross weight are alternative fuel vehicles.

The Council has recently been approached by outside bodies to investigate the possibilities of establishing a biodiesel manufacturing plant within Southwark which could provide an alternative to LPG/electric vehicles.

A full detailed report will be provided to Executive outlining the current policy for the Council, an analysis on various fuels available together with a summary of current contractual arrangements with external partners. To follow.

## **APPENDIX 4**

### **MOTION NO.3 – POST OFFICES**

Moved by Councillor Graham Neale, seconded by Councillor Caroline Pidgeon and subsequently amended.

#### **AGREED:-**

- (1) Council condemns Post Office Limited for its moves to close up to 3000 urban post offices - one in three offices. Council notes with disappointment that Elephant & Castle and East Dulwich have already been casualties of this closure programme and Cheltenham Road, Nunhead is under consideration.
- (2) Council shares the concerns that Post Watch have expressed about two post offices (Cheltenham Road and St Norbetts Road) closing in the same area and the gap that this will leave in post office provision for local residents.
- (3) Council notes with concern that the proposed closures will come on top of the closure of over 4000 post offices since 1990 and that rural offices are not included in this scheme.
- (4) Council believes that post offices provide an indispensable service for every local community across the UK, and that they especially support people who are most vulnerable, this is borne out by the decision to protect rural post offices.
- (5) Council welcomes campaigning by local people to protect Southwark's post offices - such as the bilingual centre proposal at Elephant & Castle - and supports the recent community bid to save the Nunhead Post Office.
- (6) Council notes the recent changes in consultation on post office closure proposals which extend the consultation period from 4 to 6 weeks and introduces an approach to reviewing the future of post office provisions based on parliamentary constituency areas as opposed to individual post offices.
- (7) Council calls upon Post Office Limited not to proceed with further closures and produce a report on plans for post offices in the three Southwark parliamentary constituency areas.
- (8) This Council is also concerned about the potential effect that Direct Payments of benefits into bank accounts will have on the long term future of the Post Office and calls upon Government to simplify the process of opening a Post Office Card Account so that this can be done over the Post Office Counter and to urge major Banks to sign up to Universal Banking by making all current accounts accessible at Post Offices
- (9) This Council further calls upon the Executive to actively participate in any future consultation on the future of post offices closures reporting into

both the financial and social implications of any proposed closures and also to work with local Councillors, local Members of Parliament, Post Office Ltd and Post Watch to find creative ways to ensure a vibrant and successful future for all post offices at the heart of the community.

## **COMMENTS FROM THE CHIEF EXECUTIVE**

In October 2002 the Government gave the go-ahead to the 3-year programme aimed at closing up to 3,000 urban post offices across the UK. This followed a report by the PIU on the future of the post office network. The two principle objectives are to protect the rural network (an initial commitment to 2006) and to maintain convenient access and improve the quality of urban post offices.

In June 2003 it was announced that the programme would be accelerated in order to finish by December 2004. Data from Postwatch – the Post Office watchdog – indicates that 6 months into the *network reinvention initiative* around 50 Post Offices have closed (or are in the process of closing) in Greater London.

### Rationale for Closure

Post Office Ltd (POL) contends that there are too many urban post offices competing for too little business and that managers of sub post offices aren't making enough money, or are seeking alternative opportunities. POL feel that by closing some post offices the remaining ones in an area will be strengthened and will stay in business. Closures are necessary to curb the huge losses the POL has suffered in recent years and to ensure its long-term viability in the commercial environment.

### Selection Criteria

POL does not have a predetermined list of offices due to close under the programme. In considering a proposal for closure a number of factors are taken into account including:

- how many offices are close to each other in the area;
- the current and projected business volumes;
- whether individual sub-postmasters have indicated that they want to leave the network;
- an assessment of the impact of closure on customers and the local community.
- Postwatch have no power to overturn a decision by the POL. However, they are able to give their comments on the impact of a proposed closure – views which the POL must take into account. This has resulted in some post offices being reprieved.

### Recent changes to process

POL has agreed to produce area plans on what post offices will be closed on a constituency-by-constituency basis. This is an improvement on the current approach – potential closures are done on an individual basis, so one could face closure of a post office in the local area in June and in July be consulted about another possible closure in the area. The new approach will mean that all proposed post offices closures in a constituency area will

be consulted on simultaneously. This will allow key stakeholders, including customers, local councillors, MPs, etc the opportunity to comment on how the community would be able to function with a reduced service provision.

### **Factors for Consideration**

Closures in Southwark – In the last 6 months Southwark have been informed on proposals to closure 2 Post Offices. In March 2003, we were informed of plans to close East Dulwich Road Post Office. Despite feeding back the responses of a survey of the local community and identifying issues of deprivation and difficulties of access to the alternative offices the office was closed on 18<sup>th</sup> June 2003. In July 2003, we were informed of plans to close Cheltenham Road Post Office (Peckham Rye Ward). Again there was a strong campaign to oppose closure, over 1,000 survey forms were received and a petition with more than 400 names. The POL has recently informed Southwark that this post office will close permanently from 15<sup>th</sup> October 2003.

Alternative to Closure – In August 2003 Southwark were advised by POL of their intention to enter into partnership with two businesses, regarding the management of the main Post Offices at Peckham and Camberwell. This seems to be a positive way forward as it will allow these main Post Offices to remain open. POL are currently consulting with the local community, councillors etc about these proposals. If the partnership goes ahead, the POL are committed to making substantial investment in the branches – including full refurbishment and extended open hours.

Impact on Access – POL insist that the service remains accessible to every community and in giving notification of a potential closure provide information on transport links, disability access/facilities, which they have taken into consideration. This meets the POL objective that over 95% of people still live within a mile of the nearest Post Office branch. However, as the demographics of an area are not a factor POL takes into consideration, they may not have taken into account the special needs of the community. For example, the two recent closures in Southwark were in areas where there are high numbers of elder people with mobility issues.

Impact on Tackling Financial Exclusion - As part of the Council's Anti-Poverty Strategy, work has been done on ways to improve access to support services for those who are socially excluded. One proposal to address this problem was the development of Universal Banking Services. The purpose of UBS would be to give access at post offices to basic bank accounts; and the Post Office card account – an exclusive account for benefit recipients as benefit payments are being made by an automated system rather than giro. POL insist that the closure programme will not affect their ability to develop UBS, as the remaining post offices will be more viable and will be looking to take on the UBS as a new business service.



## **APPENDIX 5**

### **MOTION NO.5 – BUSES ALONG RYE LANE**

Moved by Councillor Andy Simmons, seconded by Councillor Dominic Thorncroft and subsequently amended.

#### **AGREED:-**

Council notes that many local residents (particularly elderly residents) in the Nunhead and Peckham Rye Community Council area who use the Rye Lane post office are being inconvenienced by the lack of two way working for buses along Rye Lane.

In February of this year a report was approved by the Executive, which proposed the use of enforcement powers available to the Council to address the problems associated with traffic congestion in Rye Lane.

Council welcomes:

The decision to return the two way working of buses to Rye Lane on a trial basis.

Council urges the Executive to:

- Ensure vigorous enforcement of car parking restrictions so that buses can get through;
- Take legal steps against car drivers who have been caught entering or parking illegally in Rye Lane and investigate publicly naming them;
- Publicise the presence of CCTV in the Rye Lane area to make drivers aware that they will be caught on camera if they abuse parking guidelines;
- Consider a report after 6 months on the success or failure of the enhanced enforcement.

#### **COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION AND STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE**

In February of this year a report was presented to the Executive, which proposed the use of enforcement powers available to the Council to address the problems associated with Traffic congestion in Rye Lane. The Executive also required officers to report back after 6 months on the success or otherwise of the enhanced enforcement. If necessary the Executive would then consider:-

- Reinstating the Rye traffic management scheme based on the use of bollards, or
- Developing and implementing an alternative commensurate with the challenge of relieving congestion on Rye Lane in the interest of the town centre's pedestrians.

Ensure more vigorous enforcement of car parking restrictions so that buses can get through.

The present resource is 2 full time parking attendants on street solely dealing with Rye Lane and the surrounding streets from 8.30am-6.30pm Monday – Saturday. We also enforce using 5 CCTV cameras 7 days a week from 7.00am-7.00pm this includes bank holidays.

In comparison to last year the actual offences have increased by 400%. This however, was always going to be the case as drivers took time to become aware of the new enforcement initiative. However, to compare the first full month of offences for April to the second month May offences recorded were 1112 compared to 953, which is a 17% reduction, which is indicative to increased compliance.

Take all legal steps against car drivers who have been caught entering or parking illegally in Rye Lane and investigate publicly naming them.

All legal steps are taken in relation to the Road Traffic Act 1991 in that any vehicle illegally parked is liable to receive a Penalty Charge Notice (PCN). Payment of which is pursued through all legal methods including bailiff action.

We have spoke to the Council's Legal Services and they are to investigate the legality of the request of naming offenders.

Properly publicise the presence of CCTV in Rye Lane area to make drivers aware that they will be caught on camera if they abuse parking guidelines.

Prior to enforcement, all addresses including churches were given a hand delivered letter, which explained the reasons why, and the action the Council will be taking.

Also 26 signs were erected in the surrounding area to inform drivers of the consequence of parking illegally.

To co-ordinate an active campaign involving Southwark's GLA representative and TfL to ensure that the bus companies return to two way working along Rye Lane as soon as possible.

Representatives from bus companies have recently carried out a survey of Rye Lane, which was brought forward by the need to carry out essential sewer works, on the weekend of the 21<sup>st</sup> June. Their findings were that there had been a significant improvement and the decision was made to return buses to Rye Lane on a trial basis from Saturday 21<sup>st</sup> June from 6.00am.

**MOTION NO. 4 – PLANNING POLICY ON MOBILE TELECOMMUNICATION MASTS**

Moved by Councillor Lewis Robinson and seconded by Councillor William Rowe.

**AGREED:-**

- (1) Council Assembly notes with concern the increasing proliferation of mobile telecommunication masts in the Borough. In particular, planning applications by different mobile telephone communications companies are being made for sites in close proximity to each other. Council notes that of the 8621 existing telecommunications masts which could be shared by companies in the UK only 3087 (36%) are currently shared.
- (2) Council requests the urgent development or update of a Borough wide planning policy on mobile telecommunications masts which would establish how many current masts in the borough could be shared by companies, where they are sited, and to require companies to be prepared to allow mast sharing in new applications submitted for planning approval.

**COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION**

The majority of telecommunication antenna in London is placed on buildings rather than on freestanding masts, and it is only the latter, where the mast would exceed 15 metres in height or fall within a conservation area, that requires planning permission. Whilst operators are required to notify the local planning point of view. The local authority is expressly disallowed from commenting on the principle of its installation. In the main, the placing of antenna on buildings (or as is now becoming more common, disguised as street furniture) is preferable from an aesthetic point of view to the erection of freestanding masts and the consequential clutter of equipment in often prominent locations.

Relatively few planning applications are received each year to erect new ground based masts of over 15 metres. In each case the operator will submit a statement setting out the opportunities for mast sharing. All of the main telecommunication operators already ascribe to the industry's 'ten commitments' of good practice that include a commitment to first explore the opportunities for mast sharing. Vodafone, for example, claim that 40% of their masts are shared by other operators and that 60% of their installations are located on other operator's masts, buildings or other existing structures that have removed the need to erect a new mast. Southwark planning policy on this issue is under review but consideration will be given to requiring operators applying to erect new masts of over 15 metres to enter into a legal agreement with the Council to ensure that space is made available for other operator's equipment. However, that additional equipment will still need to be the subject of a separate application for planning permission if it is to be positioned higher than 15 metres above ground level. authority of their intention to place individual antenna on buildings, or to erect masts of under 15 metres, the local authority may only comment in these cases on the siting and appearance of the equipment from an aesthetic.

## **APPENDIX 7**

### **MOTION NO.8 – LIGHT POLLUTION**

Moved by Councillor Mark Glover and seconded by Councillor Barrie Hargrove.

#### **AGREED:-**

Southwark Council notes the proliferation of light pollution (caused by excessive artificial light being misdirected) in Southwark, London and the rest of the industrialised world.

Southwark Council further notes that waste light from poorly designed lighting has led to the urban population of the UK being deprived of a view of the night sky that our predecessors would have taken for granted.

Southwark Council is concerned that much of the energy used in generating wasted light is produced through the burning of fossil fuels, producing the carbon dioxide emissions that the UK is pledged to reduce, and that in general, light pollution can be reduced without detriment to the lighting task.

Southwark Council therefore requests the Executive to bring forward proposals designed to control and minimise light pollution, in accordance with guidelines issued by the Institute of Lighting Engineers. These should include consideration of the following specific proposals:

1. On highways and paved areas where Southwark Council has responsibility for upkeep, new and replacement street light fittings to be shielded and designed to permit an upward light ratio in line with ILE guidelines.
2. As part of the Local Development Framework to specifically address light pollution, developers could be required to submit details of lighting schemes required as part of any new development in the planning application. Applicants could be asked to demonstrate that the scheme proposed is the minimum needed for security and working purposes and that it minimises potential pollution from glare and spillage through measures such as shielding.
3. To support the broad aims of the Council for the Protection of Rural England's campaign against 'night blight' including supporting the introduction of a light pollution clause in a future environmental protection bill.

#### **COMMENTS FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT & LEISURE**

1. All current lighting schemes are designed using the maximum column spacing and minimum light distribution as specified in the British Standards to eliminate light pollution, with careful consideration to the surrounding environment. This is enhanced by the use of specifically designed lighting equipment recommended by the Institute of Lighting Engineers, that reduces to a minimum the upward spread of light.

Highway Lighting for many years now, have specified the use of flat glass lanterns with a full horizontal cut off, installed at 0 degree uplift, ensuring that the main beam angle is directed towards the carriage/footway. The introduction of a

concept of curfew is also used in all amenity areas, under its control, switching lights off when not required. Along with this up and down lighters will only be used where no other lighting solution is possible.

2. The CPRE campaign calls for further controls on the use and design of lighting, including: -
  - Government amendments to planning law so as to introduce regulations for exterior lighting similar to those that currently cover outdoor advertising including the designation of areas of special control.
  - That light pollution be legally defined as a Statutory Nuisance as set out in the Environmental Protection Act. This would place a statutory duty on Local Authorities to investigate complaints of light pollution and allow people to take action in the civil courts against lighting that causes substantial interference with use and enjoyment of their property.
  - A change in the British Standards Institution's Code of Practice for Road and Street Lighting requiring full cut-off lights.
  - A Government standard for lighting could make lighting standards uniform throughout England.
  - Amending building regulations,
  - The establishment by Government of an indicator showing when light pollution is getting better or worse and basing policy decisions on such data.

Their campaign also calls for Local Authorities to

- Introduce a policy to control light pollution into their local planning policies setting limits on light pollution and requiring light pollution assessment at the planning application stage of new developments together with ensuring that environmental statements required for major development schemes address light pollution.
- Set targets for replacing all their light-polluting street and road lights with 'Full Cut Off' types (see above). Consider using solar powered LED studs (see above) instead of street lighting on rural roads. Local authorities should address these issues in their Local Transport Plan.
- Consider reducing the number of road and streetlights in over lit areas as part of any replacement programme.

While in principal the Council supports these objectives we have severe concerns that giving Local Authorities additional powers to deal with light pollution will raise public expectation and demand on already stretched enforcement teams within the planning and environmental health services. Thus any change in legislation in this area must be supported by additional resources to Local Authorities, if the matter is to be dealt with effectively.

The Council supports the call for a change in the BSI COP in that we have adopted the proposals already. The flat glass lanterns referred to above are full cut-off lanterns. With regard to non-polluting alternatives such as LED it is clear from lighting industry sources that the semi-conductor industry is providing more and more illumination technology such as white LED lights. Southwark's lighting engineer will be attending a conference in September to review the impact of LED technology and the possible impact on future lighting provision.

## **COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION**

Although light pollution is not referred to specifically in the adopted or the draft replacement Unitary Development Plan, it would be covered by policies 3.1 Environmental Effects and 3.2 Protection of Amenity in the new draft plan. There is, also, specific mention of light pollution in the Resources Supplementary Planning Guidance in the section on pollution in which the Council encourages the use of adequate lighting and well designed lighting for uses that do not cause adverse affects on nearby residential properties. For developments that include proposals for significant amounts of lighting, the Council requires applicants to submit the following information:

- i. Description of the lighting poles including height and colour;
- ii. The expected brightness of the lighting;
- iii. The location of the nearest residential properties;
- iv. Any screening that may mitigate against unnecessary light spillage into neighbouring residential properties;
- v. The expected times of day that the lights will operate.

Southwark Council supports the broad aims of the CPRE campaign with regard to planning controls and will consider ways to make planning policies and supplementary planning guidance more effective with regard to this issue based on advice provided by the CPRE.

**MOTION NO. 12 – HOUSING FOR PEOPLE WITH DISABILITIES**

Moved by Councillor Stephen Flannery and seconded by Councillor Anne Yates.

**AGREED:-**

- (1) Council notes the large number of Southwark residents who are on the Council Housing waiting list and have a specific need for a disability unit. Some of these residents have been on the list for many years and face little prospect of a move in the near future.
- (2) Council acknowledges the general shortage of social housing. Council recognizes however, that long waits for properties with disabled access are caused by: a) an acute shortage of suitable properties; b) the occupation, for various reasons, of some of these few existing properties by those without a disability.
- (3) Council requests the Executive to agree that this important matter should be considered as part of the ongoing Housing Allocations Review.

**COMMENTS FROM THE STRATEGIC DIRECTOR OF HOUSING**

The Strategic Director of Housing supports the motion. Although only 63 of the 13,173 housing applicants on the council's Housing List as at 1 September 2003 are registered in the 'disability category' some have waited for a number of years. All applicants in this category have been assessed by the Disability Panel as needing a home fully adapted for a wheelchair user. During 2002-03 a total of 23 such properties were let.

The wait can be considerable for such properties because the needs of the person with the disability or the household can be difficult to meet. For example 9 of the applicants can only be considered for 1 or 2 of the 21 rehousing areas in the borough and a total of 27 households need an adapted 3- or 4-bedroom home.

The 'Lifetime Homes' standard for all new-build properties is contributing to easing the situation for applicants needing extensively adapted homes, but this is insufficient to meet the local needs.

It would be appropriate therefore for the Allocations Policy Review Board to consider initiatives which will improve access to homes which are fully adapted to meet the needs of applicants with disabilities.

**MOTION NO.14 – UNAUTHORISED ADVERTISING**

Proposed by Councillor David Hubber, seconded by Councillor Gavin O'Brien and referred to the Executive without debate.

**AGREED:-**

Council notes that pollution can come in many guises, including intrusive and unsightly advertising – of which estate agents boards are a prime example.

Council notes that the Town & Country Planning Act 1990 allows Local Authorities to deal with unauthorised advertising on public highways.

Council agrees that the above powers should be extended to include private properties where such advertising is visually intrusive and/or a safety hazard and therefore requests the Executive to lobby the Government accordingly.

**COMMENTS FROM THE STRATEGIC DIRECTOR OF  
REGENERATION AND THE STRATEGIC DIRECTOR OF  
ENVIRONMENT & LEISURE**

The Town and Country Planning Act 1990 and the Town and Country [Control of Advertisements] Regulations 1992 as amended give the Council control over the display of advertisements in its area. The Regulations define certain types of applications that do not require either deemed or express consent under the regulations for their display. Certain types of applications can, subject to various criteria being satisfied, be displayed under the deemed consent granted by the Regulations and do not require the consent of the Council. All advertisements which do not benefit from deemed consent, or do not require any consent at all, require the express consent of the Council. This applies to advertisements on all land. Advertisements displayed in contravention of the Regulations can be enforced against. Sections 10, 11 and 12 of the London Local Authorities Act 1995 give the Council additional powers to take action against the display of unauthorised advertisements.

Estate agents' boards can be displayed with the benefit of deemed consent granted by the Regulations subject to their satisfying criteria relating to size, number, maximum 14 day period of display after sale or transaction is completed and not being illuminated.

The Environment and Leisure Department currently utilises these powers along with Section 132 of the Highways Act 1980 to remove unauthorised advertisements.



**MOTION NO.16 – HERNE HILL CPZ**

Proposed by Councillor Lewis Robinson, seconded by Councillor Kenny Mizzi and referred to the Executive without debate.

**AGREED:**

In respect of the design of those parts of the proposed Controlled Parking Zone at Herne Hill which lie within a conservation area, the Executive is requested to heed the research and representations of the Stradella and Springfield Residents Association (in particular as set out in their letter of 16<sup>th</sup> August 2003 to the Transport and Traffic Group) on the flexibilities which are permitted in conservation areas, with a view both to reducing the intrusiveness of signage and markings in this particular zone and also to indicating clearly that Southwark is at the forefront of efforts to reconcile heritage and conservation principles with a sound basis for enforceability and clarity of information to road users.

**COMMENTS OF THE STRATEGIC DIRECTOR OF REGENERATION**

Comments to follow