

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 2.12.03	<b>MEETING NAME</b> Executive
<b>Report title:</b>		Motion Referred from Council Assembly on 29 <sup>th</sup> October 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 Council Assembly on 29<sup>th</sup> October 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.2	-	Genetically Modified Crops
Motion No.4	-	Fireworks
Motion No.5	-	Local Environmental Taxation

## 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

Please see appendices for officer comments.

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**

- Appendix 1 - Audit Trail
- Appendix 2 - Motion No.2 Genetically Modified Crops
- Appendix 3 – Motion No.4 - Fireworks
- Appendix 3 Motion No.5 Local Environmental Taxation

**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>	1 <sup>st</sup> draft	
<b>Dated</b>	4.11.03	
<b>Key Decision?</b>		
<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>		

## APPENDIX 2

### MOTION NO.2      GENETICALLY MODIFIED CROPS

Moved by Councillor Lisa Rajan and seconded by Councillor Richard Thomas

#### **AGREED:**

1. That Council recognises that:
  - (i) genetic modification of crop plants is a rapidly advancing new branch of science and technology;
  - (ii) there is still scientific debate about the safety of Genetically Modified (GM) crops;
  - (iii) the commercial growing of GM crops present, legal, social and ethical problems that have not yet been properly addressed;
  - (iv) there is widespread public concern about GM products and many people are concerned that there is a risk that they might be unwittingly exposed to them.
2. That the Council therefore declares that Southwark Council will, as far as is possible, control the growth of GM crops and the use of GM food and feed.
3. That the Council therefore commits itself to:
  - (i) Provide GM-free goods and services for all areas where the Council has a direct responsibility, such as education and social services;
  - (ii) Request the Secretary of State for the Department of Environment, Food and Rural Affairs to provide legal protection for this borough as a GM-free area, in line with Article 19 of 2001/18/EC or under any relevant powers;
  - (iii) Ensure that no GM crops are grown on land over which it has control;
  - (iv) Agree in principle to adopt a GM free policy which, when contracts are let or if and when they become renewable, will ensure that GM food, ingredients, derivatives are eliminated;
  - (v) Instruct officers to report to the Executive on implementing such a policy. This report should include consideration of any legal, financial and practical implications of such a decision.

## **COMMENTS FROM THE STRATEGIC DIRECTORS OF ENVIRONMENT & LEISURE, EDUCATION AND CULTURE AND SOCIAL SERVICES**

The Director of Social Services is pleased to be able to confirm that Appertito, supplier to the Meals on Wheels service, have a policy not to supply GM food as far as is reasonably possible. In effect this means that as far as they are aware no GM ingredients are used in any of the foodstuffs they supply to the Council.

With Schools the situation is more complex. Cambridge Education Associates manage the contract for the supply of school meals to six special schools, three pupil referral units and three nursery schools on behalf of the Council. This contractor has a company policy not to use GM produce. Other schools manage their own catering locally and the food specification is defined by the school governing bodies. They only specific, statutory guidelines they have are with reference to nutritional requirements. However all are in favour of asking their suppliers not to use GM foods.

The Director of Environment & Leisure advises that there is unlikely to be a problem at the moment with GM foods being grown on Southwark allotments. GMOs are currently going through an evaluation and research process in the UK and EU and nothing has been approved for release onto the market (although no detailed research has been carried out on this point). It is anticipated that in most cases the conditions concerning screening and separation distances that are likely to be imposed on any release for marketing consent would make it difficult, if not impossible, for any GM crops to be grown on allotments. Where GM crops have been developed and are widely used it is understood they are mainly grown for commercial purposes in the USA and Canada.

Corporate Procurement will ensure that there are clauses in any new contracts that eliminate the use of GM foods.

**MOTION NO.4 FIREWORKS**

Moved by Councillor Barrie Hargrove and seconded by Councillor Dominic Thorncroft.

**AGREED:**

That Council notes that following Royal Assent given to a Private Members Bill to restrict the sale and misuse of Fireworks, new laws will be available to reduce their noise, nuisance and anti-social use. It therefore requests a report back from officers on setting out plans to fully implement in the London Borough of Southwark this new law in time for the lead up period to November 5 2004.

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

This Act received Royal Assent on 18 September 2003, and enables Regulations to be made by the Secretary of State to prevent :

- (a) death of persons or injury, alarm, distress or anxiety to persons,
- (b) death of animals or injury or distress to animals, and
- (c) destruction of, or damage to, property

Regulations can be made to:

- prohibit supply to young persons
- prohibit supply at certain hours of day and places
- prohibit supply of certain fireworks
- place restrictions on persons operating public displays
- license suppliers
- require certain information, such as warning labels
- prohibit imports
- require training
- 

A person guilty of contravening Regulations is liable on summary conviction to:

- (a) imprisonment for a term not exceeding six months, or
- (b) a fine not exceeding level 5 on the standard scale (£5,000)

The Act requires a Commencement Order to be made by the Secretary of State before coming into force. To date neither Regulations nor a Commencement Order have been laid. There is no timescale at the moment for bringing the Act into force. Once the content of the Regulations has been clarified Officers will report to the Executive on the powers to be made available to Local Authorities and how they will be applied in Southwark.



## **APPENDIX 4**

### **MOTION NO.5 LOCAL ENVIRONMENTAL TAXATION**

Moved by Councillor Richard Thomas and seconded by Councillor Graham Neale.

#### **AGREED:**

That Council notes that the Republic of Ireland has had some remarkable success with its levy on plastic bags - the levy led to a 90% reduction in the use of bags (about 277 million fewer than usual).

Council further notes that the Irish Government recently announced that it is to introduce a 'tax' on chewing gum, polystyrene food wrappers and cash machine receipts too - the money raised is to be used to fund a national clean-up.

Council applauds such efforts to support local authorities' attempts to clean up the local environment.

Council calls on the government to introduce measures similar to those adopted in Ireland - particularly if the money raised from levies will directly help councils in their fight against grime.

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

The success of the levy on plastic bags has had a significant contribution in reducing the amount of plastic waste in the waste stream in Ireland and as such has reduced the total amount of waste being produced.

The minimisation of waste is the cornerstone of not only Southwark's draft Waste Management Strategy but also the strategy for the UK as a whole and any tangible contribution to delivering this objective must be applauded. In fact extending the principle of placing a levy on virgin products must be extended if we are to stop the continuing growth of waste in the UK

The introduction of a tax on products, which significantly affect the cleanliness of not only Southwark but also the UK as a whole is a premise that must be supported. In fact the principle of 'polluter pays' should be seen as they way forward not only for the products mentioned but also for a wider range of products, in particular smoking related litter which makes up approximately 60% of litter on UK streets.

In terms of the re-circulation of money raised from the tax to Local Authorities to help fight against grime, it would be beneficial if this was delivered through a ring fenced part of the annual spending assessment to ensure that all Local Authorities benefited based on need.