

Item No.	Classification: Open	Date: 16 th December 2003	Meeting Name: Executive
Report title:		Motions Referred from Council Assembly on 26th November 2003	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor & Secretary)	

RECOMMENDATION

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

BACKGROUND INFORMATION

2. At Council Assembly on 26th November 2003 the following motions were submitted in accordance with Council Assembly Procedure Rules 3.7(9), and 3.9 (3), and were subsequently referred to the Executive for consideration:-

Deputation Request 3.2	Muscatel Place
Motion No.1	National Health Service
Motion No.6	Arts Centre on Peckham Wharf Site
Motion No.9	Bus Routes
Motion No.10	Local Democracy
Motion No.12	Affordable Housing
Motion No.13	Private and State Schools

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.

Background Papers	Held At	Contact
Motions submitted in accordance with Standing Order 3.9 (3).	Town Hall, Peckham Road, London. SE5 8UB	Kevin Flaherty Constitutional Support Unit 020 7525 7236

LIST OF APPENDICES

Appendix 1 - Audit Trail	
Appendix 2 - Deputation 3.2	Muscatel Place, Camberwell
Appendix 3 - Motion No.1	National Health Service
Appendix 4 - Motion No.6	Arts Centre on Peckham Wharf Site
Appendix 5 - Motion No.9	Bus Routes
Appendix 6 - Motion No.10	Local Democracy
Appendix 7 - Motion No.12	Affordable Housing
Appendix 8 - Motion No.13	Private and State Schools

APPENDIX 1

Audit Trail

Lead Officer	Ian Millichap, Constitutional Team Manager	
Report Author	Kevin Flaherty, Constitutional Support Unit	
Version	Final	
Dated	8.12.03	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Chief Officer	Yes	Yes
Executive Member	No	No
Date final report sent to Constitutional Support Services	8.12.03	

APPENDIX 2

DEPUTATION REQUEST 3.2 MUSCATEL PLACE, CAMBERWELL

In accordance with Council Assembly Procedure Rule 3.7 (9) the following Motion without notice was moved by Councillor Ian Wingfield and seconded by Councillor Alison Moise.

AGREED:

That this Council Assembly requests that the Council Executive agrees to the introduction of double yellow lines in Muscatel Place forthwith and that the Council bear the full cost.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

1. A deputation was heard by the Camberwell Community Council at its meeting held on 16th October. The deputation highlighted the problems that residents were experiencing owing to anti social parking in Muscatel Place.
2. As a result of the representations the decision of the Community Council was as follows:

AGREED:

“That the Community Council supports the deputation made by Southwark and London Diocesan Housing Association’s residents requesting that double yellow lines are placed in Muscatel Place and that all funding options are explored in order to do this.”

- 3 In addition to this deputation there was also on the agenda a petition from people in Dalwood Street opposed to the introduction of the yellow lines. They did not attend the meeting of 16th October to state their case.
- 4 The statutory consultation regarding the introduction of “at any time” waiting restrictions (double yellow lines) commenced on 30th October. As a result of this an objection has been received. As the Traffic Management Order relating to the yellow line is being introduced under experimental powers the Council does not have to consider these objections for up to 18 months. However it is practice to review the objections, if they cannot be resolved, within 6 months. In order to facilitate this a report will be made to the Camberwell Community Council.
- 5 Officers are awaiting a response from London Diocesan Housing regarding that body making a contribution to the cost of introducing the double yellow lines.

APPENDIX 3

MOTION NO.1 NATIONAL HEALTH SERVICE

Moved by Councillor Denise Capstick and seconded by Councillor Eliza Mann

AGREED:

1. That Council notes:
 - The Government's plans to give limited operational and financial freedom to foundation hospitals;
 - That foundation hospitals would create an unnecessary divisive element in the NHS and lead to a two-tier system;
 - The decision over which hospitals are allowed to become foundation hospitals will be taken by ministers based on how the hospital meets political targets rather than their ability to treat patients;
 - The proposals may lead to staff poaching because the new hospitals will have the freedom to pay staff extra;
 - The proposals for public 'membership' are still very unclear and the foundation hospitals will not have to have the new patient forums, which the Government itself created when it abolished community health councils;
 - That hospitals are being made to consult on bids for foundation status before the relevant legislation is agreed by Parliament – thus pre-empting decisions made by locally elected representatives.
2. That Council believes that all hospitals should be free of central political control and free from the culture of political targets.
3. That Council notes with concern that nearby Lewisham Hospital will not be among those hospitals to benefit from being a foundation hospital but that nearby Guys & St Thomas' and Kings College Hospital will.
4. That Council condemns the Government for not tackling the real problems facing struggling hospitals, such as staff shortages and lack of beds.
5. That Council calls on the government to bring in proper reforms in the NHS that would devolve power to local people and raise the standard of all hospital hospitals, putting patients' needs first.
6. That Council resolves to continue to work closely in partnership with Southwark PCT in supporting those hospitals that serve the residents of Southwark.

COMMENTS FROM THE STRATEGIC DIRECTOR OF SOCIAL SERVICES

The decision to apply for Foundation Trust status is one that will be taken by the respective Trust Boards of King's College Hospital NHS Trust and Guy's and St Thomas' Hospital NHS Trust.

The Trusts have undertaken a series of public meetings to discuss their proposals, and take questions from the public as well as going out to speak to local community groups and attending all the Community Councils. The consultations are focused around the proposed governance arrangements if the trusts decide to apply for Foundation Trust status; they are not consulting on the wider issues surrounding the Government's policy on this issue.

A report is being prepared for the Executive on the 25 November 2003 to consider the Council's response to the consultations being undertaken by the Trusts.

APPENDIX 4

MOTION NO.6 ARTS CENTRE ON THE PECKHAM WHARF SITE

Moved by Councillor Aubyn Graham and seconded by Councillor Alfred Banya and amended by Councillor Jonathan Hunt seconded by Councillor Graham Neale.

AGREED:

1. That Council Assembly notes the need for an Art Centre to incorporate the facilities of the former North Peckham Civic Centre within the Peckham Square to complement Peckham MediaTech Centre & Library and the Peckham Pulse.
2. That Council Assembly notes that the Peckham Community Council at its July meeting passed a motion, proposed by Councillor Jonathan Hunt and seconded by Councillor Barrie Hargrove, which includes the following:

Council welcomes the New Peckham Wharf proposal to complement the Peckham Pulse and Library to provide a venue where quality arts activity may be performed; attract people to Peckham; provide a showcase for the vibrant and exciting range of talent that exists in our community; and offer ancillary facilities

Council believes the best option for progressing the proposal is to form a locally-based working party, including representatives from local residents other interested bodies, such as the LPO, arts organisations and commercial partners, and for it to procure an assessment as to its viability, and to produce a business plan.

Council asked the Executive to:

- 1. fund such an assessment and business plan and to provide such assistance and support as this Council may require;*
 - 2. ensure that all money raised from the sale of land should be used for the Wharf project.'*
3. That Council Assembly calls on the Deputy Leader to bring back a report to the next Council Assembly that will detail proposals for the Council's contribution (financial and otherwise) towards an Arts Centre on the Peckham Wharf Site.

COMMENTS FROM THE STRATEGIC DIRECTOR OF EDUCATION AND CULTURE

Consultants have been commissioned to assess six options for the cultural/arts component of the Peckham Wharf development, including options for funding and cost implications for the Council. This options appraisal will form part of a broader report on the way forward for the Peckham Wharf site, which is due to be considered by the Executive in January 2004.

APPENDIX 5

MOTION No,9- BUS ROUTES

Proposed by Councillor Kim Humphreys and seconded by Councillor David Bradbury and amended by Councillor Michelle Pearce, seconded by Charlie Smith.

AGREED:

1. That Council notes that there are proposals to develop a bus route from Crystal Palace, past the Kingswood Estate, through Dulwich Village and onto Dulwich Hospital, East Dulwich and Camberwell. Council Assembly welcomes the principle of the route which will link College Ward, and in particular, the Kingswood Estate with East Dulwich and Camberwell. Council further notes that the proposed route currently suggested goes down many residential roads and crosses the South Circular at a dangerous junction (Alleyn Park/Gallery Road junction with Dulwich Common). Accordingly Council Assembly requests the Executive to instruct officers to work with Transport for London (TfL) to devise proposals that are both safe, using existing routes as much as feasibly possible and utilise the least intrusive types of vehicles.
2. That Council further asks the Executive to instruct officers:
 - a) To make representations to Transport for London in favour of reviewing the No 227 bus (Bromley North - Crystal Palace) with a view to extending it to cover the Dulwich route;
 - b) To liaise closely with TfL on the cost benefit ratios involved in the various options for covering the route in order to report back fully to members;
 - c) To explore, if necessary, whether the route could be made viable by some amount of subsidy from potential partners, e.g. Sainsbury's, the Health Authorities, Southwark Alliance.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION

Following the Council Assembly meeting on 23rd July 2003, officers have raised with Transport for London (TfL) the provision of a new bus service for Dulwich.

The proposed routing would link Crystal Palace, the Kingswood Estate, Kingsdale School, Dulwich Village (including Dulwich Hospital, Housing and Social Services and Dulwich Leisure Centre), and Camberwell (including Kings College Hospital).

London Buses' official response following investigations regarding the feasibility of the route is that it is not possible to proceed with the proposal, as the route does not meet their planning criteria. Without specific funding London Buses will not consider operating services that do not offer good value for money.

Officers will continue to look at possibilities with TfL for providing improved links to Kingswood Estate, using routings that are safe and utilise existing public transport infrastructure in the Borough.

APPENDIX 6

MOTION No,10 - LOCAL DEMOCRACY

Proposed by Councillor Alfred Banya and seconded by Councillor Alison Moise.

AGREED:

1. That Council Assembly congratulates all those who participated in the activities organised during the recent 'democracy week'. In particular the students from Sacred Heart School and Peckham Academy who took part in a successful debate in the Council Chamber. This has led to Harriet Harman, MP for Camberwell & Peckham feeding their comments to the Electoral Commission as part of the consultation on lowering the voting age.
2. That Council Assembly calls for an annual all party event for local democracy which will involve children from Southwark Schools, teachers, Southwark Youth Forum representatives, Southwark Youth Council Representatives, MPs and Councillors to debate issues of concern to young people, and the Southwark Community TV should be invited to arrange a live web-cast of the event to promote Southwark Council and its young people.
3. That Council Assembly requests the Executive to prepare a report on a range of future events including the above proposal and to present it to the Council Assembly at the earliest opportunity.

COMMENTS FROM THE CHIEF EXECUTIVE

The event referred to was organised as part of the LGA's sixth annual 'Local Democracy Week' activities. Local Democracy Week focuses on how local authorities are promoting democracy and how they are encouraging the public to take a more active role in how they make decisions. It is a chance to showcase to the Council's clients, residents, voluntary groups and businesses, what we do and how we do it - making the link for people about local services being provided by local government through the local democratic process. The themes for Local Democracy Week change each year.

This year's week focused on 'Listening to Tomorrow's Voters Today'. Southwark's communications team tied activity into this theme with the first council live discussion forum event in the country. The Excellence in Cities team supported the event by arranging for thirty pupils to participate at the Southwark Learning Centre. Councillor Nick Stanton helped young candidates debate their views live online.

The Council proposal for an all-party event for local democracy involving children from Southwark schools would probably be welcomed by schools. It would support the teaching of Citizenship and provide an opportunity for young people to be actively involved in their local communities. The potential to develop on-going pupil active participation presents exciting possibilities and would be a way of giving young people a voice in the local democratic process and feed into the Council.

APPENDIX 7

MOTION No,12 - AFFORDABLE HOUSING

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

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by the Executive and has been referred by Council Assembly without debate. However, the Executive is reminded an identical motion was submitted to the October 29th Council Assembly and at that meeting the amendment shown below was offered.

Council notes:

- that officers' advice in the past has been against adopting a quota of 50% affordable housing for new residential developments;
- the decisions of Ratification Committee that officers undertake further work to look at this issue
- that the Liberal Democrats called on the Council to require developers to provide up to 50% affordable housing on new residential developments.
- the significant increase in the number of affordable housing units now being offered on the Bermondsey Spa development as a result of lobbying by local councillors and Executive Members;

Council further notes that despite the shortage of three and four bedroom units in Southwark, such units rarely feature in affordable housing agreements secured by the Council with developers.

Council therefore instructs officers to report to the Executive at the earliest opportunity on how to ensure that developers provide a higher proportion of affordable family units.

AMENDMENT A

Moved: Councillor Fiona Colley
Seconded: Councillor Charlie Smith

Delete all except last two paragraphs.

In the second to last paragraph **delete** the word 'further'.

COMMENTS FROM THE STRATEGIC DIRECTOR OF REGENERATION AND THE STRATEGIC DIRECTOR OF HOUSING

Officers have been carrying forward work as requested taking account of new research and the findings of the examination in public (EIP) into the Draft London Plan. They will report to the Executive shortly on the approach to setting the requirement for affordable housing within new private developments. This will take account of an up to date assessment of the most appropriate mix of units to meet the needs of the area. The affordable housing requirement will form part of the revised draft of the Unitary Development Plan, which will be brought to Council for final decision.

APPENDIX 8

MOTION No.13 - PRIVATE AND STATE SCHOOLS

Proposed by Councillor William Rowe and seconded by Councillor Kenny Mizzi.

Please note that in accordance with Council Assembly Procedure Rule 3.9 (3), this motion shall be considered by the Executive and has been referred by Council Assembly without debate.

That the Executive is requested to note the report on growing links between private and state schools in the *Economist* magazine on 18th October 2003.

The Executive is requested to instruct officers to;

- a. Carry out a brief benchmarking exercise to compare Southwark's education administration costs with those of the Church Schools Company which are reported by the *Economist* to be 3% of total cost.
- b. Report back to members on any conclusions from the benchmarking exercise which would allow a greater proportion of education spending to be directed to schools.
- c. Consider the types of links between successful private sector schools and state schools referred to in the *Economist* article (for example sponsorship of City Academies) and report back on possibilities for taking advantage of such types of links in Southwark

COMMENTS FROM THE STRATEGIC DIRECTOR OF EDUCATION AND CULTURE

Financial benchmarking of service costs can be a valuable exercise for any organisation to carry out to contribute to its internal review processes and in pursuit of best value. However, for the exercise to be meaningful the comparison must be as close as possible with an organisation operating in a similar sector or with a like function within organisations operating in different sectors.

The Audit Commission carries out analysis and comparisons of costs between local education authorities across the main functions that they perform and these can be useful in raising questions. Even here, however, where the range of functions is similar, care needs to be taken to identify precisely what is covered under any particular expenditure column and any contextual factors that could have a significant impact on costs.

The most useful way of approaching a benchmarking exercise in relation to strategic management costs would be to identify comparator LEAs in relation to those areas of activity being examined, taking account size, location and demographics and to then seek agreement with those other LEAs to share the detail of costs behind the headline figures.

Benchmarking against LEAs has a validity arising from the shared responsibilities that they have under education legislation and the functions identified through the funding regime as lying within the LEA block. Benchmarking with organisations that are in the education sector (such as the Church Schools Company) but have a very different set of responsibilities needs to be considered differently. An approach that looks at specific functions where there are broad similarities in the operations could be valid if due account is taken of the scope of the function in the different circumstances. A benchmarking exercise looking at costs and service delivery would be valuable but would require a significant investment of time, with the associated costs.

The government has, for some time, been promoting links between private sector schools and the maintained sector. These can be valuable in a number of ways, including providing access to facilities, co-operation on curriculum development and opportunities for professional development. There are examples where academies are being developed on the basis of sponsorship/partnership with a private sector school e.g. the academy in Folkestone. The proposal in this case clearly identifies that benefits are expected on both sides from the collaboration. These initiatives may well provide important examples of good practice that can be used in Southwark.