

EXECUTIVE

MINUTES of the open section of the Executive held on Tuesday December 15 2009 at 7.00 pm at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Nick Stanton (Chair)
Councillor Kim Humphreys
Councillor Linda Manchester
Councillor Tim McNally
Councillor Adele Morris
Councillor David Noakes

1. APOLOGIES

Apologies for absence were received from Councillors Paul Kyriacou, Paul Noblet, Lisa Rajan and Lewis Robinson.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice that the following items would be considered for reasons of urgency, to be specified in the relevant minute:

- Item 7 Addendum report – Adoption of Local Development Document Area Action Plan
- Item 15 Addendum report – Canada Water Publication – Submission report
- Item 20 Motions referred from Council Assembly November 4 2009
- Item 21 Appointments to Panels, Boards and Forums 2009-10 (A Forum)

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions

5. MINUTES

RESOLVED:

That the minutes of the open section of the meetings held on November 24 and 30 2009 be agreed as a correct record and signed by the chair.

6. DEPUTATION REQUESTS

Burgess Park Action Group Deputation

RESOLVED:

That the deputation be received.

The Burgess Park Action Group spokesperson addressed the meeting and outlined their concerns relating to the Aylesbury Area Action Plan item 7 on the agenda and raised issues relating to open spaces, tall buildings and carbon footprint.

Correspondence was also circulated from Friends of Burgess Park, the Camberwell Society and Southwark Friends of the Earth in respect of the Aylesbury Area Action Plan.

Tenants Council – Varying Southwark’s Conditions of Tenancy

RESOLVED:

That the deputation be received.

A spokesperson for Tenants Council addressed the meeting and reported that significant progress had been made since the deputation request had been submitted. The spokesperson expressed their thanks to officers and the deputy leader and executive member for housing for their assistance.

7. ADOPTION OF LOCAL DEVELOPMENT DOCUMENT: AYLESBURY AREA ACTION PLAN

An addendum report was circulated.

RESOLVED:

1. That the binding report of the Planning Inspector on the Aylesbury Area Action Plan - final (appendix A of the report) incorporating the binding recommendations of the Inspector be noted.
2. That the Aylesbury Area Action Plan – final (appendix A of the report) incorporating the binding recommendations of the Inspector, consultation plan (appendix B), consultation report (appendix C), sustainability appraisal (appendix D), equalities impact assessment (appendix E) and appropriate assessment (appendix F) be agreed.
3. That council assembly be recommended to adopt the Aylesbury Area Action Plan - final (appendix A) incorporating a factual amendment set out in table 1 to the addendum report, the binding recommendations of the Inspector and the sustainability appraisal (appendix D of the report).

NOTE: In accordance with the budget and policy framework these recommendations will be referred to council assembly for decision.

8. VARYING SOUTHWARK'S CONDITIONS OF TENANCY

Councillor Kim Humphreys expressed his thanks for the assistance given by the Tenants Council, Southwark Group of Tenant Organisations, the working party and council officers in preparing the document.

RESOLVED:

1. That the progress made to date in the drafting of amendments to the existing tenancy agreement for secure and introductory tenants be noted.
2. That the recommendations made by Tenant Council, the area housing forums, the tenants' working party, Southwark Group of Tenant Organisations and individual tenants as summarised in Appendices 2 & 3 of the report be noted.
3. That the proposed changes to the conditions of tenancy as laid out in Appendix 1 of the report be agreed in principle subject to any amendments that may arise from the further consultation currently being undertaken.
4. That any amendments arising from the further consultation be

approved by the deputy leader and executive member for housing.

5. That the changes take place in respect of all tenants granted tenancies before January 19 2010 from the April 5 2010 or as soon as possible thereafter once the requirements of a Notice of Variation are met.
6. That directly following the implementation date all new tenants be signed up to the new conditions of tenancy with immediate effect.
7. That the Tenants Handbook be prepared and published by April 5 2010 or the date from which the changes are to take place (whichever the later) to complement the new tenancy agreement.

9. SCRUTINY REPORT - REVIEW OF THE BUDGET AND POLICY FRAMEWORK

Councillor Toby Eckersley, chair of scrutiny sub-committee C was in attendance to present the report.

RESOLVED:

That in respect of the recommendations of the scrutiny sub-committee C the following was agreed:

1. It be noted that recommendation 5 is now withdrawn.
2. Recommendations 3, 6, 7, 8, 9 and 10 will be subject to the annual constitutional review process.
3. That the executive member for resources and finance director be invited to consider the comments made in recommendations 1 and 2 of the scrutiny report in respect of the next budget and annual constitutional review process.

10. SCRUTINY REPORT - SOUTHWARK'S ENTERPRISE AND EMPLOYMENT STRATEGY

RESOLVED:

That the scrutiny report be noted and the comments of the strategic director of regeneration and neighbourhoods be agreed as the executive's response to the overview and scrutiny committee.

11. POLICY AND RESOURCES STRATEGY 2010/11-2012/13 - MEDIUM TERM RESOURCES STRATEGY AND LOCAL GOVERNMENT SETTLEMENT

RESOLVED:

1. That the provisional local government settlement for 2010/11 be noted.
2. That taking all the issues in the report, the finance director be instructed to report back to the executive at its meeting on January 26 2010 with proposals that balance the budget for 2010/11 for onward agreement at council assembly.
3. That in view of the recession and uncertainty with regard to future grant settlements, the finance director and other chief officers be instructed to closely monitor and review business and budget plans and processes.

12. LONDON COUNCIL'S GRANTS SCHEME 2010-2011

RESOLVED:

1. That Southwark Council's response to the London Council's Leaders Committee recommended budget for the London Councils Grants Scheme including a commitment of £960,621 for 2010/2011 be approved.
2. That the proposed levy of £960,621 be included in budget proposals to be submitted to the council assembly in February 2010.

13. FREEDOM PASS RENEWAL UPDATE

RESOLVED:

1. That the Freedom Bus Pass & Blue Badge Service improvement programme in response to the recommendations of the overview and scrutiny committee be noted.
2. That the revised process for renewal and the responsibilities for both the Council and London Councils, including mitigating actions in place for tackling risks associated with the renewal be noted.
3. That the delivery plan for the renewal and action taken to address concerns in respect of client vulnerability be noted.

14. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL - CORPORATE INSURANCE PROCUREMENT (EXCLUDING PROPERTY INSURANCE)

RESOLVED:

That the procurement strategy outlined in paragraphs 26-28 of the report for the corporate insurance procurement (excluding property insurance) be approved.

15. CANADA WATER PUBLICATION-SUBMISSION SUMMARY REPORT

An addendum report was circulated.

RESOLVED:

1. That the Canada Water Area Action Plan Publication/Submission Version (appendix A), the consultation plan (appendix B), the consultation report (appendix C), sustainability appraisal (appendix D) equality impact assessment (appendix E) and appropriate assessment (appendix F) be agreed and recommended to council assembly for approval.
2. That the further changes set out in table 1 of the addendum report be incorporated into the Canada Water Area Action Plan publication/submission version.
3. That the Canada Water Area Action Plan Publication/Submission Version be published before submission to the Secretary of State.
4. That the Canada Water Area Action Plan Publication/Submission Version be approved for submission to the Secretary of State for Communities and Local Government provided no substantive changes are necessary following consultation.
5. That the approval of any minor amendments resulting from the meeting or consultation to the Canada Water Area Action Plan Publication/Submission Version be delegated to the strategic director for regeneration and neighbourhoods in consultation with the executive member for regeneration before submission to Secretary of State.

NOTE: In accordance with the budget and policy framework these decisions will be referred to council assembly as recommendations.

16. RESPONSE TO THE MAYOR'S DRAFT TRANSPORT STRATEGY

RESOLVED:

That the council's formal response to the 'Mayor's draft Transport Strategy' as set out in Appendix A of the report be agreed subject to the following amendments:-

- River transport. Welcome positive approach to encourage greater usage of the Thames.
- Bus operation and the need to review bus route planning. To reference the need for bus timetabling to take account of school children travelling on buses. Bus timetables should address capacity and interchange issues, especially at the end of the school day in order to take children to their destination safely.

17. LOCAL AUTHORITY NEW BUILD PROJECTS

Councillor Fiona Colley submitted written comments in respect of this item which were circulated.

RESOLVED:

1. That the successful bids for the development of two local authority new build projects be noted.
2. That authority to make financial arrangements for the project including prudential borrowing should it be necessary be delegated to the finance director.

18. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - CUSTOMER & CORPORATE SERVICES

RESOLVED:

That the write off of the debts as set out in the closed report be approved.

19. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL - LONDON CONSORTIUM INTEGRATED COMMUNITY SERVICE FRAMEWORK CONTRACT

RESOLVED:

1. That the procurement strategy outlined in the report for the London Consortium Integrated Community Equipment Service Framework Contract be approved.

2. That authority be delegated to the chief officer, strategic director of health & community services, to approve the award of a 4 year service contract through the framework.
3. That the decision for a single 2 year extension after the initial 4 year term be delegated to the chief officer.

20. MOTIONS REFERRED FROM COUNCIL ASSEMBLY ON NOVEMBER 4 2009

This item had not been circulated 5 clear days in advance of the meeting. The chair agreed to accept the item as urgent as it was important that motions from council assembly were referred to executive at the first available opportunity to ensure that the issues raised in these motions were considered without delay.

Pedestrian Safety at Junction of Lordship Lane and Dulwich Common

RESOLVED:

The executive notes:

1. The long standing calls by College Ward councillors and local residents, particularly the elderly of the Lordship Lane Estate, for the introduction of a "pedestrian phasing" of the traffic lights at the junction of the South Circular with Lordship Lane at Dulwich Common.
2. The council traffic survey commissioned by College Ward councillors through cleaner, greener, safer funding which concluded that the most effective way to improve pedestrian safety and reduce car collisions at this junction was the introduction of "pedestrian phasing" amongst other measures.
3. Following the survey the description of this junction in local newspapers as "Is this the most dangerous junction in Southwark?" (Southwark News).

That executive welcomes:

4. The commitment now given by Transport for London (TfL) under the new London Mayor that a "pedestrian phasing" will now be introduced at this junction in the next 12 months.
5. The recent petition of local residents organised by College Ward councillors which calls on TfL to recognise the importance of making this junction as safe as possible and to bring forward the "pedestrian phasing" forward in their work programme at the earliest opportunity.

The executive agrees:

6. To make the appropriate representations to TfL in support of ward councillors to ensure that these works are brought forward at the earliest opportunity in the next 12 months and coincide with upgrading the lights to ease any potential traffic congestion.

Southwark Council Housing

RESOLVED:

1. Executive notes that in a draft of the housing strategy a £700 million gap in the funding for the executive's Southwark decent homes programme was reported. Executive notes omission of this figure in the housing strategy agreed by the executive as further work is still being carried out as part of the stock condition survey.
2. The executive regrets the large number of homes classified as non-decent in Southwark and notes that the housing strategy recognises this is a problem across all sectors with more than a third of housing association homes classified as such. Executive further notes that Southwark has far more council housing than any other London borough.
3. Executive reaffirms its support for the settled view of Southwark tenants that:
 - a) they wish to remain as tenants of the council
 - b) that the government's so-called decent homes standard is an inadequate and insufficient standard for Southwark's homes
 - c) when refurbishment takes place the work should be comprehensive and take into account landlord obligations, decent homes and other improvements, rather than simply reflect artificial, piecemeal and partial government targets.
4. Executive regrets the continued restrictions imposed on the council by government that prevent it meeting the legitimate aspirations of tenants and leaseholders and its failure to provide any additional funding for fire safety work.
5. Executive welcomes the review of the housing revenue account (HRA) by the Communities and Local Government department, particularly over suggestions that power will be returned to local government over rent incomes and capital receipts and supports London Councils in its view that 'where an exceptional need to spend is identified, certain local authorities should have their level of debt reduced so as to create additional headroom for local prudential borrowing', but awaits detailed proposals with concern given the government's recent record on housing finance.
6. That a campaign be launched to persuade the government to

recognise Southwark's unique position and look at other solutions, excluded from the HRA review, and allow the council to invest in its homes through a combination of:

- a) Writing off historic debt – particularly for estates that have been demolished or redeveloped
- b) Allowing the council to remortgage parcels of its debt at the current competitive rates
- c) Allowing the council a temporary 'debt holiday'
- d) Lifting the restrictions on the use of receipts from planning gain
- e) Giving councils full control over their rent and other income.

Freedom Pass Cuts

RESOLVED:

1. Executive notes the Labour government review of the last year of the 3-year special grant for concessionary fares to support the introduction of the English national concession which has resulted in London losing £28.6 million from the funding it had already been promised be noted.
2. Executive condemns the decision for the following reasons:
 - a) It means the council is likely to lose around £1,000,000 of already promised central government funding in 2010-11.
 - b) It goes against sensible financial planning as the government is proposing unilateral changes to the final year of a three year funding settlement.
 - c) The announcement is very late and creates huge uncertainty for London boroughs in dealing with TfL by the end of December.
3. Executive notes with anger that every other urban area in the country will receive a 100% subsidy from the Labour government for the cost of elderly and disabled travel, while London council taxpayers will have to contribute between one half and a third of the cost of the scheme in the capital.
4. Executive supports the view of London Councils' Chairman, Councillor Merrick Cockell be supported, who said: "The government's decision at this late stage to renege on the deal they had already agreed is absolutely stunning and will be met with anger across the capital."
5. That the executive members for resources and health and adult care write to the Minister for London and the Junior Transport Minister, Sadiq Khan, in the strongest possible terms, to express its anger and demand that London boroughs get a fair deal.
6. Executive approves the use all appropriate means to publicise this funding withdrawal, particularly among Southwark residents applying

for freedom passes.

Save the South London Line

RESOLVED:

1. Executive notes the importance of the current South London Line rail service between London Bridge and London Victoria via four stations in Southwark to the residents, businesses and public services of Camberwell, Peckham and South Bermondsey.
2. Executive notes that under the current proposals to end the operation of the South London Line, Denmark Hill and Peckham Rye stations would lose half of their daytime services to London Victoria and have no service at all to Victoria at evenings or on Sundays. Executive further notes that Denmark Hill station will lose all direct services to London Bridge.
3. Executive further notes the vital importance of the service for helping some of the borough's most vulnerable residents access health services at Guy's Hospital, King's College hospital and The Maudsley.
4. Executive recognises that residents in areas such as Peckham Rye and East Dulwich continue to be poorly served by public transport despite the efforts of the council to secure the implementation of the Cross River Tram.
5. Executive notes and welcomes the fact that retention of a direct Victoria to London Bridge service will be considered as part of the Transport for London (TfL) / London Travelwatch study into the options for the future of the South London Line.
6. Executives notes that TfL and Department for Transport (DfT) agreed that £24m Department for Transport funding intended for a new London Victoria-Bellingham service be diverted to the provision of East London Line Extension Phase 2.
7. Executive strongly believes that this borough needs both the East London Line Extension and the South London Line. This is not an either or debate.
8. Executive calls on the Department for Transport to provide the funding necessary to provide platform capacity for the service at London Bridge station as part of its redevelopment.
9. Executive congratulates the community and cross-party campaign be congratulated against the threat to the South London Line services on its high-profile and effective activities to date, and re-affirms its own commitment to the campaign.

10. Executive agrees to seek a written assurance from TfL that the retention of direct Victoria-London Bridge services is being considered as part of the South London Line Options Study.
11. That the responsible executive member meet with Network Rail and the Department for Transport at the earliest opportunity to put the case for the revision of the plans for London Bridge station so that it is developed to its full capacity, including terminating platforms for the South London Line.
12. Executive agrees to work in conjunction with the leaders of all political groups on Southwark Council to ensure the strongest representations continue to be made to the Department for Transport, London Mayor, Network Rail, the Minister of Transport and Minister for London to retain the South London Line service.
13. That it be noted that some of these issues have been addressed as part of the council's response to the Mayors draft transport strategy.

**21. APPOINTMENTS TO PANELS, BOARDS AND FORUMS 2009-10
(ADMISSIONS FORUM)**

This item had not been circulated 5 clear days in advance of the meeting. The chair agreed to accept the item as urgent as the local authority was required to report to the Schools Adjudicator on the membership of the Admissions Forum and the Schools Adjudicator should refer matters concerning membership and the prescribed maximum limit of an Admissions Forum to the Secretary of State where they do not comply. It was therefore desirable that the local authority representation issue was addressed as soon as possible.

RESOLVED:

That this report be deferred until executive January 26 2010 meeting.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That 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 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the decisions taken in the closed section of the meeting.

22. MINUTES

The executive agreed as a correct record the closed minutes of the meetings held on November 24 and 30 2009.

23. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - CUSTOMER & CORPORATE SERVICES

The executive considered the closed information relating to this item. See item 18 for decision.

24. GATEWAY 1- PROCUREMENT STRATEGY APPROVAL- LONDON CONSORTIUM INTEGRATED COMMUNITY EQUIPMENT SERVICE FRAMEWORK CONTRACT

The executive considered the closed information relating to this item. See item 19 above for decision.

CHAIR:

DATED:

The meeting ended at 9.20pm

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY DECEMBER 23 2009.

THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE EXECUTIVE BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.