

Council Assembly Ordinary Meeting

Wednesday 25 January 2012
7.00 pm

Walworth Academy, 34 - 40 Shorncliffe Road, London SE1 5UJ

Councillors are summoned to attend a meeting of the Council to consider the business contained herein

Annie Shepperd
Chief Executive

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Lesley John on 020 7525 7228 or 020 7525 7222 or email: lesley.john@southwark.gov.uk;
andrew.weir@southwark.gov.uk; constitutional.team@southwark.gov.uk

Date: 13 January 2012



Council Assembly

Wednesday 25 January 2012
7.00 pm
Walworth Academy, 34 - 40 Shorncliffe Road, London SE1 5UJ

Order of Business

Item No.	Title	Page No.
----------	-------	----------

PART A - OPEN BUSINESS

1. PRELIMINARY BUSINESS

1.1. ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

To receive any announcements from the Mayor, members of the cabinet or the chief executive.

1.2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

In special circumstances an item of business may be added to an agenda within seven working days of the meeting.

1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

1.4. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1.5. MINUTES

To approve as a correct record the Open minutes of the council assembly meeting held on 29 November 2011 (to be circulated separately).

2. ISSUES RAISED BY THE PUBLIC

2.1. PETITIONS

To formally receive any petitions lodged by members of the council or the public which have been received in advance of the meeting in accordance with council assembly procedure rules.

2.2. PUBLIC QUESTION TIME

The deadline for public questions is Midnight, Thursday 19 January 2012. Questions can be emailed to constitutional.team@southwark.gov.uk.

Questions from the public will be distributed in a supplemental agenda.

2.3. DEPUTATION REQUESTS

Deputation requests have been received from the following groups:

- Save Your Riverside – on the proposed use of Chambers Wharf
- John Donne Primary School – on energy efficiency and sustainability in public buildings
- Transition Town Peckham
- StreetLeaders
- City of London School – on recycling and energy saving in schools.

Deputation requests will be listed in full on a supplementary agenda. The meeting rules state that no more than three deputations shall be considered at any one meeting. However the meeting can decide to suspend this rule in order to hear more or vary the order.

3. THEMED DEBATE - ENVIRONMENT**3.1. CABINET MEMBER STATEMENT**

1 - 4

The cabinet member for transport, environment and recycling to present the theme of the meeting.

3.2. QUESTIONS FROM THE PUBLIC ON THE THEME

Item No.	Title	Page No.
	<p>The deadline for public questions on the theme is Midnight, Thursday 19 January 2012. Questions can be emailed to constitutional.team@southwark.gov.uk.</p> <p>Questions from the public will be distributed in a supplemental agenda.</p>	
	3.3. MEMBERS' MOTIONS ON THE THEME	5 - 8
	<p>To consider the following motions on the theme submitted by members of the council:</p> <ul style="list-style-type: none"> • Carbon neutral council by 2020 • Environment • Making Southwark a cycling borough. 	
4.	ISSUES RAISED BY MEMBERS	
	4.1. MEMBERS' QUESTION TIME	9 - 16
	To receive any questions from members of the council.	
	4.2. MEMBERS' MOTIONS	17 - 20
	To consider the following motions:	
	<ul style="list-style-type: none"> • Post offices for Southwark • Changes to NHS Southwark • Save Chambers Wharf. 	
5.	REPORT FROM THE CABINET	
	REPORT FOR DECISION FROM THE CABINET	
	5.1. BADMINTON HOUSE, QUORN ROAD, SE22 - DISPOSAL OF FREEHOLD INTEREST	21 - 30
	<p>Following a recommendation by cabinet on the 13 December 2011, council assembly is asked to approve an application to the Secretary of State for the Department of Communities and Local Government (DCLG) for consent to the disposal of the property.</p>	
	REPORT FOR INFORMATION FROM THE CABINET	

Item No.	Title	Page No.
-----------------	--------------	-----------------

	5.2. REPORT BACK ON MOTIONS REFERRED TO CABINET FROM COUNCIL ASSEMBLY	31 - 33
--	--	---------

On 12 October 2011 council assembly referred several motions to the cabinet for consideration, this report sets out the cabinet's decision in relation to each motion.

6. OTHER REPORTS

	6.1. COUNCIL TAX BASE 2012/13	34 - 45
--	--------------------------------------	---------

Regulations require the council to inform its preceptors of the council tax base by 31 January 2012. This report sets out the statutory information that members need in order to set the council's council tax base for 2012/13.

	6.2. APPLICATION FOR THE REGISTRATION OF A NEW TOWN OR VILLAGE GREEN AT KING'S STAIRS GARDENS, JAMAICA ROAD, LONDON SE16.	46 - 71
--	--	---------

Council assembly is asked to agree the application to register King's Stairs Gardens, Jamaica Road, London SE16; as a village green.

	6.3. DATE OF COUNCIL ASSEMBLY IN FEBRUARY	72 - 73
--	--	---------

Council assembly is invited to consider whether it wishes to set an alternative date for its February 2012 meeting.

7. AMENDMENTS

Any member of the council may submit an amendment to a report or motion on the agenda. The amendments will be circulated to all members in a supplemental agenda.

ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING

EXCLUSION MOTION (IF NECESSARY)

Item No.

Title

Page No.

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, 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 section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

PART B – CLOSED BUSINESS

- 8. BADMINTON HOUSE, QUORN ROAD, SE22 - DISPOSAL OF FREEHOLD INTEREST**

Date: 13 January 2012

Walworth Academy: Transport and map

Walworth Academy, Shorncliffe Road, London SE1 5UJ

Buses:

21 from Lewisham Centre to Newington Green/Mildmay Road
53 from Orchard Road/Griffin Road to Horse Guards parade
63 from Forest Hill Tavern to King's Cross Station/York Way
172 from Brockley Rise/The Chandos to King Edward Street
363 from Crystal Palace Parade to Lambeth Road
453 from Deptford Bridge to Great Central Street
168 from Royal Free Hospital to Dunton Way

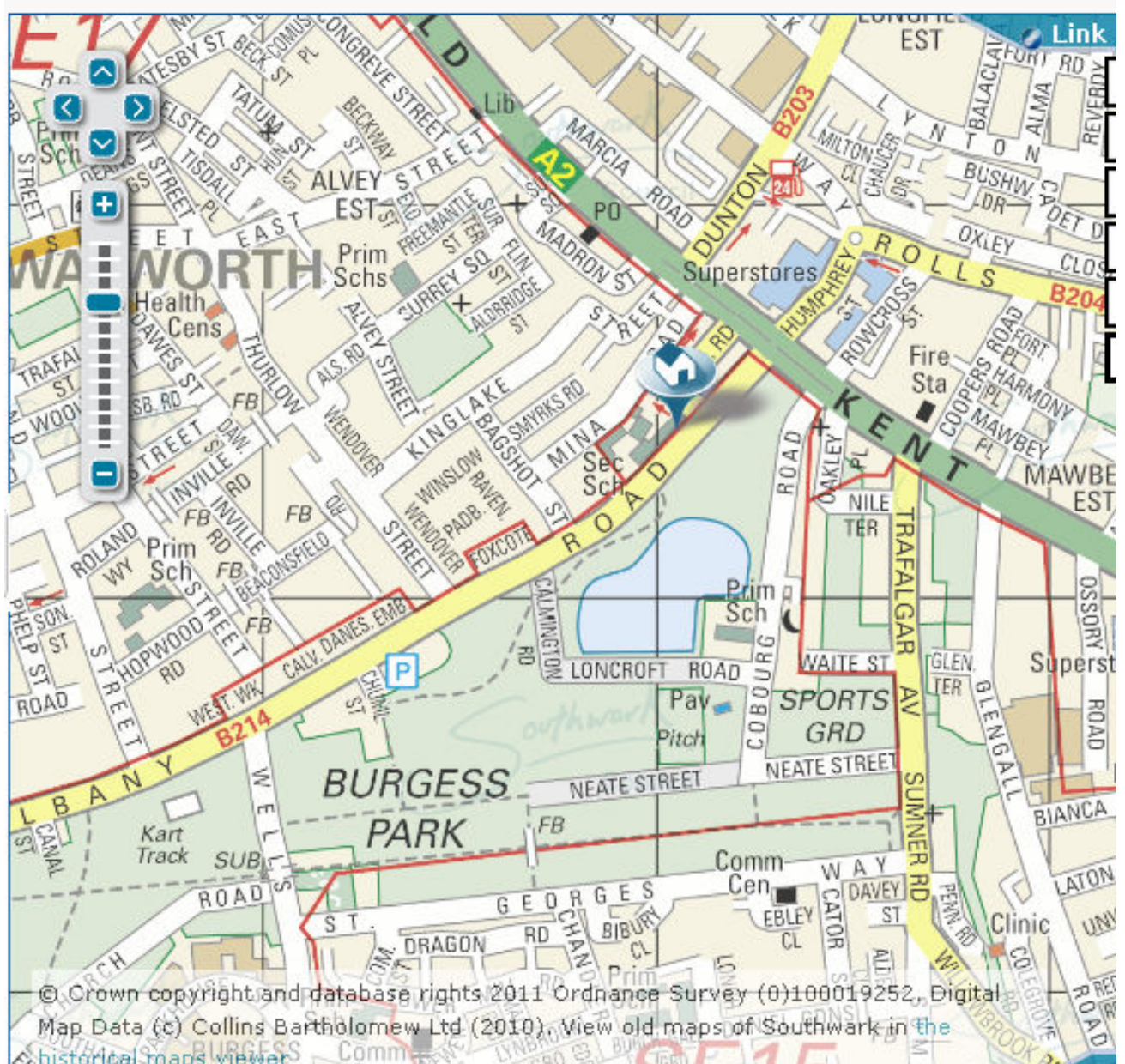
All stop at Dunton Way, on the Old Kent Road

78 from Shoreditch High Street to St Marys Road – stops at Humphrey Street

The following link is a map of all bus routes close to the venue:

<http://www.tfl.gov.uk/tfl/gettingaround/maps/buses/pdf/oldkentroad-11306.pdf>

Map of the venue and surrounding area:



Item No. 3.1	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Themed Debate: Environment	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

BACKGROUND INFORMATION

Introduction

1. On 11 April 2011 the council assembly business panel met to agree the themes for the themed section of council assembly meetings for the 2011/12 municipal year. The council assembly business panel agreed that the theme for the themed section of council assembly in January should be 'Environment'.
2. On 22 December 2011 the cabinet member for transport, environment and recycling, Councillor Barrie Hargrove, circulated a letter to all councillors on the themed debate for the council assembly meeting on Wednesday 25 January 2012. A copy of the letter is attached as Appendix A.

What happens at the meeting?

3. At the meeting the agenda will be:
 - Cabinet member has 10 minutes in which to present the theme, plan or strategy
 - Public pre-submitted questions on the theme of the meeting (maximum of 15 minutes)
 - Member's motions on the cabinet theme using present principles to allow sufficient political balance and for political groups to hold cabinet to account (maximum 30 minutes).

One hour shall be allocated for the themed debate. The Mayor shall have the discretion to vary timings as appropriate.

Public questions on themed debate

4. The deadline for public questions is Midnight, Thursday 19 January 2012. To find out more visit www.southwark.gov.uk/democracy or to submit a public question email constitutional.team@southwark.gov.uk.
5. The Mayor may reject a question if it is not relevant to the theme, plan, strategy or policy under discussion.
6. The time during which public questions shall be taken at a themed meeting shall not exceed 15 minutes and shall be conducted under the existing rules for public questions.

Members' motions

7. All motions shall be relevant to the topic under discussion and shall be conducted under the existing rules for members' motions. Normal deadlines shall apply for the submission of members' motions.
8. The order of motions and timings shall be determined by the Mayor.

Themes

9. The themes for each meeting are set by the council assembly business panel.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet member letter on the theme - Dated 22 December 2011	160 Tooley Street London SE1 2QH	Constitutional Team constitutional.team@southwark.gov.uk 020 7525 7228

APPENDICES

No.	Title
Appendix A	Letter from Councillor Barrie Hargrove

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Lesley John, Constitutional Officer	
Version	Final	
Dated	4 January 2012	
Key decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	4 January 2012	



APPENDIX A

**Councillor Barrie Hargrove
Cabinet Member for Transport,
Environment and Recycling**

Labour Member
for Peckham Ward

Date: 22 December 2011

Ref: BH/20111122

Dear Colleague,

Council Assembly 25 January 2012 – Themed Debate on Environment

Looking after and enhancing our environment is not an optional extra to be pursued only when times are good. A good quality local environment and access to open green space are essential for a healthy happy life for us and our families. Ensuring the future health of the planet is our duty to future generations.

The financial pressure that the council continues to be under, due to the unprecedented cuts in government funding presents new challenges for continually going further in enhancing the local environment and minimising our impact on a global level. And at times of financial pressure it is all too easy to talk green, whilst being neglectful of green issues in practice. But in spite of the challenges, this council is prioritising environmental issues; we are not just talking a good game we are following through by delivering.

In just the last eighteen months we have piloted and are now rolling out food waste recycling, and we have seen considerable increases in recycling rates where it has been introduced. We have already and are committed to protecting green spaces and cutting our carbon footprint as an organisation. We have managed to retain Cleaner, Greener, Safer capital budgets and will in this year's budget introduce a new revenue budget for community councils as well.

But we recognise that there is still more that needs to be done, and as the cuts continue to bite, finding new ways to enhance our environment will be increasingly difficult.

We would therefore welcome the views of members from across the chamber on the following four questions, to help direct the work of the cabinet and council in the future:

- How the council can promote energy efficiency, not just in buildings owned by the council, but in all properties?
- How the council can further encourage local residents to recycle?
- How the council can encourage more sustainable travel, especially cycling and walking?
- Given the huge reductions in the council's budget this year and in the coming years, how the council can further protect the public realm, Southwark's parks and green spaces by encouraging people to respect and care for their local environment?

Members from all sides of the political divide recognise that caring for our local and global environment goes beyond party politics. I hope that it is in this spirit, of cross-party working and measured consideration that we will be able to find solutions together in this upcoming themed debate.

Yours faithfully,

COUNCILLOR BARRIE HARGROVE
CABINET MEMBER for TRANSPORT, ENVIRONMENT AND RECYCLING

Item No. 3.3	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Motions on the Theme: Environment	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

BACKGROUND INFORMATION

During the themed debate, council assembly may debate motions. Members' motions on the theme will use present principles to allow sufficient political balance and for political groups to hold cabinet to account (maximum 30 minutes).¹

Members are limited to moving one motion and seconding one motion in the themed section of the meeting.

All motions shall be relevant to the topic under discussion and shall be conducted under the existing rules for members' motions. Normal deadlines shall apply for the submission of members' motions.

The order in which motions are debated and timings shall be determined by the Mayor.²

1. **MOTION FROM COUNCILLOR GEOFFREY THORNTON** (Seconded by Councillor James Barber)

Carbon neutral council by 2020

1. Council assembly notes that climate change is one of the biggest threats to our borough.
2. Council assembly further notes that Southwark Council emits 14.5% of the borough's carbon emissions and should take the lead in reducing total emissions.
3. Council assembly welcomes the continuing carbon reduction schemes started under the previous administration; including the green buildings programme, the 200 Club and the ecoschools programme
4. Council assembly regrets the lack of new initiatives in the council's energy and carbon reduction strategy and the cabinet's recent disastrous decision to reduce short term targets for carbon reduction.
5. Council assembly further regrets the cabinet's decision to abandon a green energy plant as part of the Elephant and Castle regeneration agreement

¹ Council assembly procedure rule 2.7 (3)

² Council assembly procedure rule 2.7 (9) and (10)

and not to include full home insulation as part of the cabinet's definition of warm, dry and safe.

6. Council assembly believes that Southwark Council should be more ambitious and lead the way in carbon reduction by becoming a carbon neutral council by 2020.
7. Council assembly therefore calls on the cabinet to commit to this target by using innovative ways of making the council's operational estate, schools, academies and leisure centres carbon neutral, including new powers for local authorities to sell renewable energy on the grid, developing a green energy plant at the Elephant and insulating every council home along the lines of the Bermondsey community council project.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

2. MOTION FROM COUNCILLOR DAN GARFIELD (Seconded by Councillor Darren Merrill)

Environment

1. Council assembly believes that even in times of austerity protecting our natural environment is one of the most important issues for the borough and must remain a key priority for the council.
2. Council assembly believes this is recognised by all political parties and so calls on councillors to work together to suggest innovative ways for the council and Southwark residents to tackle carbon emissions and protect our natural environment.
3. Council assembly notes that the majority of emissions from transport in Southwark are from road vehicles and welcomes the council's transport plan which aims to reduce the impact of transport on air quality by encouraging sustainable travel choices within the borough.
4. Council assembly believes that the council should set an example in energy efficiency and welcomes the fact that it has delivered on its promise to reduce carbon emissions in council buildings by 8.5%.
5. Council assembly welcomes the introduction of food waste recycling to all street-based properties in the borough and notes the impact this is already having in areas involved in the scheme where recycling has increased to 51%.
6. Council assembly calls on members to consider these issues and discuss:
 - How the council can encourage more sustainable travel, especially safe cycling and walking
 - How the council can promote energy efficiency, not just in buildings owned by the council, but in all properties
 - Given the huge reductions in the council's budget this year and in the coming years, how the council can protect the public realm, Southwark's parks and green spaces.

7. Council assembly notes the stated aim of the coalition government to be the “greenest government ever” and calls on members to consider how Southwark can use government funding to support green investment and green jobs in our borough.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

3. MOTION FROM COUNCILLOR MARK GETTLESON (Seconded by Councillor Lisa Rajan)

Making Southwark a cycling borough

1. Southwark councillors send their deepest condolences to the family of Ellie Carey who tragically died on her bike on Tower Bridge Road recently.
2. Council assembly notes that, in 2010, 35 cyclists were killed or seriously injured on Southwark's road.
3. Council assembly further notes the importance of promoting cycling as a sustainable form of transport and the urgent need to improve safety for cyclists.
4. Council assembly regrets that the current percentage of cyclists in Southwark is 4% and the lack of ambition of the cabinet which is aiming for a pathetic increase to 5% by 2025.
5. Council assembly therefore calls on the cabinet to:
 - Increase the target from 5% to 20%
 - Work with Transport for London to increase the safety of junctions and roads, and in particular the Tower Bridge Road and Abbey Street junction
 - Reverse any decisions to remove cycle paths
 - Devolve lighting and highway maintenance to community councils.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions on the Themed Debate	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Lesley John, Constitutional Officer
Version	Final
Dated	12 January 2012

Item No. 4.1	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Members' Question Time	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

BACKGROUND INFORMATION

Members' question time shall not exceed 30 minutes. During this time, members may not question any one cabinet member or committee chair for longer than fifteen minutes.

Members are limited to one question at each meeting. One councillor from each community council will be able to submit a question on behalf of their community council.

Questions to the leader will be taken first, followed by question from community council councillors followed by questions to other cabinet members. The order in which the different political groups ask questions of the leader will be rotated. Questions to cabinet members will be taken in the order of receipt and portfolio. The order of portfolios will be rotated at each meeting such that the cabinet member answering questions immediately after the leader will be the last cabinet member to answer any questions at the next meeting of council assembly.

Cabinet members and committee chairs have discretion to refer a question to another cabinet member.

Responses to members' questions will be circulated on yellow paper around the council chamber on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other cabinet members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

Notes:

1. The procedures on members' questions are set out in council assembly procedure rule 2.9 in the Southwark Constitution.
2. In accordance with council assembly procedure rule 2.9 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.

1. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

In view of the tragic death of Mr Frederick Watts do you have confidence in the cabinet members for housing and health and adult social care?

2. QUESTION TO THE LEADER FROM COUNCILLOR PATRICK DIAMOND

What efforts has your administration made to consult with local groups on the council's 2012/13 budget?

3. QUESTION TO THE LEADER FROM COUNCILLOR CATHERINE BOWMAN

How many post offices were closed in Southwark under the previous Labour government?

4. QUESTION TO THE LEADER FROM COUNCILLOR NICK DOLEZAL

Was he surprised by the comments of the previous Liberal Democrat leader of the council, Councillor Nick Stanton, in the Guardian on 30 December regarding The Shard in which he admitted their had been a "failure of imagination" in terms of his inability to link the project like this to local outcomes?

5. QUESTION TO THE LEADER FROM COUNCILLOR MICHAEL BUKOLA

Has Southwark signed up to the Armed Forces Community Covenant?

6. QUESTION TO THE LEADER FROM COUNCILLOR HELEN MORRISSEY

The council has rightly been praised for its youth fund, one component of which is the Southwark Scholarship Scheme. What is the council doing to secure sponsorship for Southwark scholars from local businesses and charities?

7. QUESTION TO THE LEADER FROM COUNCILLOR TIM MCNALLY

When will the council exercise its option to terminate the Vangent contract and bring the customer service centre operation back in house?

8. QUESTION TO THE LEADER FROM COUNCILLOR DAN GARFIELD

Can he provide an update on the restructure of the council's top management?

9. QUESTION TO THE LEADER FROM COUNCILLOR PAUL NOBLET

Will the chief executive be replaced, and if so what are the arrangements?

10. QUESTION TO THE LEADER FROM COUNCILLOR ALTHEA SMITH

What will be the impact on Southwark of the Mayor's decision to increase fares on public transport above inflation for a third year in a row?

11. QUESTION TO THE LEADER FROM COUNCILLOR GRAHAM NEALE

How many complaints have been received by Southwark Council over the past year? How many have been responded to within the target timescales? Please provide answers by department.

12. QUESTION TO THE LEADER FROM COUNCILLOR ELIZA MANN

Could the leader of the council table the work done by the deputy cabinet members since their appointment? The deputy cabinet member for heritage led Black History Month– what was his substantial contribution?

13. QUESTION TO THE LEADER FROM COUNCILLOR JAMES BARBER

With Islington becoming the first London 20mph borough, is the leader minded to follow the lead of his Labour colleague and lead Southwark to become the second 20mph London borough?

14. QUESTION TO THE LEADER FROM COUNCILLOR DAVID HUBBER

Could you please provide a comparative costing of council assembly meetings prior to the sale of the town hall with the recent nomadic versions? Please provide an itemised breakdown for each school including security guards, public displays, council officer time and transportation.

15. QUESTION TO THE LEADER FROM COUNCILLOR PAUL KYRIACOU

Did the leader authorise giving gold coins to a former Labour councillor?

16. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR MARK GETTLESON (BERMONDSEY COMMUNITY COUNCIL)

What is the cabinet member for transport, environment and recycling doing to improve pedestrian and cyclist safety on Tower Bridge Road? Does he think devolving local budgets would help in addressing local residents' concerns?

17. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR JEFF HOOK (ROTHERHITHE COMMUNITY COUNCIL)

What progress has been made for improving traffic flows around Rotherhithe gyratory system and Lower Road, and when will it be completed?

18. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR PODDY CLARK (BOROUGH AND BANKSIDE COMMUNITY COUNCIL)

Can the member provide a breakdown of the number of tenants attending the mobile housing office and customer satisfaction figures for each individual venue point? Please provide an itemised breakdown of costs including officer hours and vehicle running costs.

19. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY FROM COUNCILLOR CLEO SOANES (PECKHAM COMMUNITY COUNCIL)

The residents of Peckham Community Council were absolutely thrilled to learn that a local florist had donated a Christmas tree to Peckham Square in December 2011 to inject some Christmas spirit to the area and Southwark Council agreed to erect it and decorate it – just one shining example of the council working in collaboration with a local trader. What else is Southwark Council doing to encourage and develop a successful sustainable working partnership with the local business community in Peckham?

20. QUESTION TO THE LEADER FROM COUNCILLOR MARTIN SEATON (WALWORTH COMMUNITY COUNCIL)

Can he provide a breakdown by ward of the proportion of households that are on the electoral register in the Walworth Community Council area?

21. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY FROM COUNCILLOR VICTORIA MILLS (NUNHEAD AND PECKHAM RYE COMMUNITY COUNCIL)

Could the cabinet member provide an update on the Nunhead and East Peckham Renewal Area including the latest details of the resources allocated to the project and the agreement of a detailed implementation programme?

22. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR THE RIGHT REVEREND EMMANUEL OYEWOLE

Can she provide an update on the council's preparations for the 2012 Olympic Games?

23. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR CHRIS BROWN

Following the opening of Canada Water library, has there been much interest from local people or voluntary groups?

24. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR CLEO SOANES

Has the council considered linking its three "events" in 2012 to London's Olympic celebrations?

25. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR MICHAEL SITU

What are the current plans for the Livesey Museum building?

26. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR GEOFFREY THORNTON

Will there be enough space at Seven Islands for the replacement squash courts that will be lost from Elephant and Castle? Will this sufficiently service the 9,000 existing uses?

27. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR LINDA MANCHESTER

How will the 50 Olympic tickets that Southwark has bought be allocated?

28. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR JEFF HOOK

Due to the fact that Southwark Park athletic track astro turf pitch has been condemned, can arrangements be made to allow Red Lions Boys Club the use of the football pitches in the evening after Southwark Park has officially closed? (If official access is granted pitch lighting could be managed by Fusion staff at Seven Islands Leisure Centre as normal).

29. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR COLUMBA BLANGO

What are the improvement works and what is the timescale for upgrading the Southwark Park athletics track and astro turf pitch? Will these be completed in time for the Olympics?

30. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR MARK GETTLESON

Can the cabinet member please tell me what the implications are for Southwark residents of the Alternative Olympic Route Network which I believe is proposed along parts or all of - Borough High Street, Bricklayers Arms roundabout, Camberwell Road, Elephant & Castle, Lower Road, Newington Butts, New Kent Road, Peckham Road, Southwark Street, Stamford Street, Tooley Street, Tower Bridge Road?

31. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR LISA RAJAN

In light of the fact that nine out of the 10 projects for the capital legacy fund are in the centre and south of the borough, what reassurances can the cabinet member give that residents in Bermondsey, Rotherhithe, Borough and Walworth will have increased access and participation to sport and physical activity?

32. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR ROSIE SHIMELL

Please confirm where in the borough the GLA grant for dressing for the Olympics will be located, how much of the total pot will be spent in each ward and when will it be completed and on view to the public?

33. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR KEVIN AHERN

Is she pleased that after eight years of dither and delay from the previous administration, we are finally seeing some progress on Camberwell Library and can she provide an update?

34. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR NEIL COYLE

What action is the council taking to address complaints regarding the taxicard service?

35. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR MARTIN SEATON

Following the demise of the Aylesbury Resource Centre, what alternative offer is being made to people with disabilities in the Aylesbury area?

36. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR NORMA GIBBES

When will Southwark's health and wellbeing board be established?

37. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR MARK WILLIAMS

The well-publicised demise of Southern Cross is extremely concerning for Southwark's care home residents. What work has she been doing with care home providers in Southwark to ensure care home residents have certainty about their accommodation for the future?

38. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR VICTORIA MILLS

The council's wardens service is vitally important to Southwark residents who live in sheltered accommodation, some of whom are extremely vulnerable. What is she doing to improve the council's warden service in light of the fact it was cut back by the previous administration?

39. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR DAVID NOAKES

Can the cabinet member for health and adult care confirm whether she supports having a majority of elected councillors on the health and wellbeing board to address the longstanding "democratic deficit" in health?

40. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR DENISE CAPSTICK

Can the cabinet member for health and adult social care confirm how many quality alerts there have been for the financial years 2008/09 to date broken down for 1) homecare and 2) day centres/services?

41. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR JONATHAN MITCHELL

In light of the fact that the cabinet member for health and adult social care was removed from the Kings College Board of Governors for non-attendance, can she provide her attendance record (meetings attended out of total number of meetings held) for all meetings of the Supporting People Commissioning Body; South London and Maudsley Members' Council; and Guy's and St Thomas' Council of Governors since May 2010?

42. QUESTION TO THE CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE FROM COUNCILLOR PODDY CLARK

Can the cabinet member confirm the current number of eligible service users who currently hold a personal budget and will this meet the target of 60% by the end of March 2012?

43. QUESTION TO THE CABINET MEMBER FOR REGENERATION & CORPORATE STRATEGY FROM COUNCILLOR MICHAEL MITCHELL

Would the cabinet member for regeneration and corporate strategy please advise the average compensation paid, in each of the years ended 31 December 2009, 31 December 2010 and 31 December 2011, for surrender of leases on the Heygate estate, in categories by size of accommodation, either square footage or number of bedrooms, whichever is the more practicable, for each of the years?

44. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR NICK STANTON

What was the start and finish date of the road improvements in Grange Road and Southwark Park Road, what was the cost, and why did remedial works to the junction with Dunton Road have to be undertaken?

45. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR ADELE MORRIS

How many pot holes have been fixed in Borough and Bankside over the past year?

46. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR WILMA NELSON

What has the council done about rat running through Cherry Gardens Estate and Millpond Estate to Cathy Street and Jamaica Road?

47. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR ROBIN CROOKSHANK HILTON

The Energy Savings Trust have recently produced a study about using LED lighting in 35 social housing sites where they concluded LED lighting is smaller, cheaper to run and brighter than current lighting. Residents on the Lytcott Grove Estate have been requesting the lights be changed to LED and motion detectors be installed in their community garden and on the street properties. What plans does the deputy leader and cabinet member for housing management have to

exploit this technology across Southwark housing, reducing CO2 emissions and saving tenants money?

48. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR LEWIS ROBINSON

In light of the increase in major works administrative charges to the legal maximum of 10%, which in effect has more than doubled the administrative charges for leaseholders at Crystal Court, can he outline under what circumstances he might exercise his delegated powers to vary the charges?

49. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR TOBY ECKERSLEY

Noting that the government announced on 5 January 2012 as follows:

"The government is consulting on new draft statutory guidance on social housing allocations for local authorities in England. The new guidance is intended to assist authorities to take advantage of the provisions in the Localism Act 2011 which give back to local authorities the freedom to manage their own waiting lists, and make it easier for them to move existing social tenants to more suitable accommodation. It also encourages authorities to make use of the existing flexibilities within the allocation legislation to ensure that social homes go to people who need and deserve them the most."

Would the deputy leader and cabinet member for housing management please confirm that the forthcoming new flexibilities are welcomed by the council and indicate the steps he is considering for implementation once the final guidance is issued?

Item No. 4.2	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Motions	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes¹.

A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then debate the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

Note: In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

¹ Council assembly procedure rule 1.14 (9)

1. **MOTION FROM COUNCILLOR CATHERINE BOWMAN** (Seconded by Councillor Anood Al-Samerai)

Post offices for Southwark

1. Council assembly notes the importance of local post office branches in Southwark for local people, small businesses and the community as a whole.
2. Council assembly regrets the closure of a number of vital post offices by the previous Labour government including Peckham Road, Old Kent Road, East Street, Nunhead, East Dulwich, Dockhead and Brandon Estate.
3. Council assembly welcomes the fact that after more than 20 years of reductions of service and closures of post offices, the current government is investing £1.34 billion to stabilise, improve and extend the services of post offices throughout the UK.
4. Council assembly notes the recent request from Post Office Minister Ed Davey for councils to enter into strategic relationships with the post office to:
 - Review the current location of post offices
 - Review the services in which they specialise
 - Look at ways of enhancing co-operation between the post office and all public sector bodies, particularly councils
 - Develop methods for working together to deal with problems of financial inclusions.
5. Council assembly calls on the leader to write to the chair of the post office to invite talks for the establishment of such a partnership in areas where there is a particular need, such as on the Brandon Estate.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

2. **MOTION FROM COUNCILLOR NEIL COYLE** (Seconded by Councillor Mark Williams)

Changes to NHS Southwark

1. Council assembly recognises and appreciates the excellent work done by doctors, nurses and other health workers in Southwark.
2. Council assembly believes the government's Health and Adult Social Care Bill is creating uncertainty in the NHS at a time when budgets are already tight and regrets that Southwark PCT will be required to hold back £21 million, which could be spent on patient care, to pay for the government's reorganisation.
3. Council assembly believes the government's top down reorganisation lacks direction and is an unnecessary distraction to Southwark's NHS staff at a time when they want to focus on patient care.

4. Council assembly also notes that the number of people in Southwark waiting more than 18 weeks from referral to treatment has increased by 168% since May 2010 – the largest increase in London.
5. Council assembly believes the government's decision to abolish waiting time targets has led to this increase in Southwark and now means fewer than 90% of Southwark patients are being treated within 18 weeks.
6. Council assembly believes giving patients' certainty about when they will be treated is fundamentally important to their health and that low waiting times are a benchmark for excellence in the NHS.
7. Council assembly welcomes the opposition of Harriet Harman and Tessa Jowell to the government's NHS reforms and notes Simon Hughes's comments on 8 December that there had been a "particular issue" in Southwark regarding waiting times. It hopes that instead of blaming hardworking NHS staff in Southwark Simon Hughes will take their side and oppose the government's NHS reforms.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

3. MOTION FROM COUNCILLOR PETER JOHN (Seconded by Councillor Claire Hickson)

Save Chambers Wharf

1. Council assembly notes the purchase of Chambers Wharf by Thames Water and that it is the company's preferred construction site in Southwark for a "Super Sewer" junction.
2. Council assembly notes that 150 residential properties, two schools with over 1000 students and the Thames Path are situated very near to the Chambers Wharf site.
3. Council assembly regrets the impact Thames Water's plans could have on the local community and notes that construction will take at least seven years, three years of which will be 24 hours a day for 7 days a week. This will not only lead to an increase in noise pollution but to increased heavy vehicle traffic on the local roads, which are not only narrow but also where the schools are located posing a real danger to school children and local residents.
4. Council assembly believes construction so close to residents and schools for such a length of time would be a major source of air pollution possibly causing respiratory illnesses, asthma and bronchitis.
5. Council assembly is also concerned that Southwark residents' water bills are likely to increase by £70 per year if Thames Water's proposal goes ahead and, once completed, Thames Water cannot guarantee there will not be sewage smells from the site.
6. Council assembly requests the cabinet to call on Thames Water to find an alternative non-residential site to Chambers Wharf that will have no impact on Southwark residents and welcomes the report of the Selborne

Commission which has been set up by a number of riverside London councils to examine alternatives to the Thames Tunnel.

7. Council assembly calls on all political groups in Southwark and local MPs to stand up to Thames Water in opposing Chambers Wharf as a construction site.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Lesley John, Constitutional Officer
Version	Final
Dated	12 January 2012

Item No: 5.1	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Badminton House, Quorn Road, SE22 – Disposal of freehold interest – Application to the Secretary of State for the Department of Communities and Local Government (DCLG)	
Wards or Groups affected:		South Camberwell	
From:		Cabinet	

RECOMMENDATIONS

1. That the council assembly:
 - (i) notes the Cabinet decision of the 31 May 2011 to dispose of Badminton House, SE22 (“the Property”) as contained in the report entitled ‘East Dulwich Estate Regeneration Scheme Update and Proposals for revision’.
 - (ii) notes the Cabinet decision of the 13 December 2011 to approve the disposal of the Property on the terms outlined in the closed version of that report.
 - (iii) following a recommendation by Cabinet on the 13 December 2011, approves an application to the Secretary of State for the Department of Communities and Local Government (DCLG) for consent to the disposal of the Property.

BACKGROUND INFORMATION

2. The recent Cabinet report of the 13 December 2011, approving the sale of the freehold interest in the Property, is attached at Appendix A. This outlines the background to the decision to sell the Property.
3. The Property has been marketed for sale by informal tender. The terms of a proposed disposal have been approved by the Council’s Cabinet and are detailed in the closed version of the report presented on the 13 December 2011.
4. Cabinet have been advised that as the Property is land held for housing purposes any disposal of it can only proceed in accordance with Section 32 of the Housing Act 1985 (as amended) (“the 1985 Act”), for which purposes the consent of the Secretary of State for the DCLG is required. However, a number of general consents have been issued in The General Housing Consents 2005 (“the General Consents”) which permit the sale of housing land, provided that certain conditions are met.
5. The proposed disposal of the Property is one which is not permitted under the General Consents and therefore the council will need to seek the consent of the DCLG to the disposal of the Property. The recommendation to dispose of the

Property is a matter reserved to Cabinet for collective decision making under Part 3C, paragraph 13 of the council's constitution. Agreeing an application to the DCLG for consent to dispose of the Property is a matter reserved to Council Assembly under Part 3A, paragraph 12 of the council's constitution.

KEY ISSUES FOR CONSIDERATION

6. It is imperative that all relevant consents are sought and obtained to enable the sale of the Property to proceed in a timely manner to completion.
7. A substantial capital receipt will arise as a result of the proposed sale. This is needed to replenish the Housing Investment Programme that has forward funded the costs of the East Dulwich Estate regeneration.

SUPPLEMENTAL ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

8. The comments from the Strategic Director of Communities, Law & Governance are set out in the report attached at Appendix A.

Finance Director (NR/F&R/4/1/12)

9. The comments from the Finance Director are set out in the report attached at Appendix A (approval by Cabinet) and confirms the same.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Badminton House, Quorn Road, London SE22	Development Team, Property Division, 160 Tooley Street, London SE1 2QH	Paul Davies 020 7525 5529

APPENDICES

No.	Title
Appendix A	Badminton House, Quorn Road, SE22 – Cabinet Report dated 13 December 2011, Disposal of Freehold interest (Open report)

AUDIT TRAIL

Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Paul Davies, Principal Surveyor	
Version	Final	
Dated	11 January 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	11 January 2012	

APPENDIX A

Item No. 17.	Classification: Open	Date: 13 December 2011	Meeting Name: Cabinet
Report title:		Badminton House, Quorn Road, SE22 – Disposal of Freehold interest	
Wards affected:		South Camberwell	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

FOREWORD - COUNCILLOR RICHARD LIVINGSTONE CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY

This report recommends the sale of Badminton House on the edge of the East Dulwich Estate. Cabinet agreed on 31 May to dispose of this site. The report identifies the risk of squatting if this building is left as it is. The commercial tenants in the shops at ground level will maintain their leases after the sale.

The proceeds of the sale will go to the housing investment programme to help make every council home warm, dry and safe. In doing so, it will replenish the resources from that programme used to refurbish the East Dulwich Estate. This is necessary as a result of the significant over-spend on the Southwark Estate Initiative programme to regenerate that estate.

RECOMMENDATIONS

1. That cabinet approves the disposal of the council's freehold interest in Badminton House, Quorn Road, SE22 ("the Property") on terms outlined in the closed version of this report, subject to council assembly's approval of an application to the Secretary of State for the Department for Communities and Local Government ("DCLG") for consent to the disposal of the property.
2. That cabinet recommends to council assembly that it approves an application to DCLG for consent to the disposal of the Property.
3. That cabinet authorises the capital receipt to replenish the Housing Investment Programme from which the East Dulwich Estate refurbishment programme was forward funded.
4. That cabinet authorises the head of property to agree any minor variations to the terms of the sale, with the purchaser, which may arise prior to completion of the transaction or alternatively to agree terms with any of the under bidders subject to best consideration requirements if in the unlikely event the original offer fails to progress to completion.

BACKGROUND INFORMATION

5. The East Dulwich Estate (which is held for housing purposes) was first identified for regeneration in 1997 and formed part of the Southwark Estates initiative (SEI), agreed by housing committee on 15 December 1998. The scheme proposed redevelopment and refurbishment to the estate of 753 properties in 24 blocks. Following a review, the executive agreed a new approach to this regeneration programme in April 2005. Whilst the scheme has largely been delivered cabinet approved on the 31 May 2011 variations of approach to both complete the regeneration and crucially to provide funding to reimburse the housing investment programme for expenditure already made.
6. The scheme is based on the SEI principle of self financing. Resources for the scheme are to be generated from a combination of ring fenced disposals from outside the estate and disposals of property assets from the estate itself. The cabinet report of the 31 May detailed the financial position which clearly identified the significant cost overruns to the project and the need to identify further property assets from within the estate to compensate for the increased expenditure incurred by the council necessary to complete the scheme.
7. Following consideration of a report dated the 31 May 2011 entitled 'East Dulwich Estate Regeneration Scheme Update and Proposals for Revision', cabinet resolved that 'in principle agreement be given to the disposal of Badminton House, including the commercial interests, to a third party and detailed terms to be considered at a later date'.
8. The property is a five storey traditionally built block currently arranged as two retail units situated on the ground floor and eleven residential units of varying bed sizes spread over the five floors. The retail units are let on commercial leases and are actively trading. All the residential units are empty. The property is identified in bold outline on the attached ordnance survey extract, at appendix 1.
9. Following the cabinet decision on the 31 May, the property has been marketed for sale by the council's property team. Following the preparation of both a brochure together with a relevant sales pack and after undertaking adequate due diligence, advertisements were placed in the Estates Gazette on the 9 July and 30 July. A sales board was also erected at the property during the period of marketing and a series of regular viewings were held for prospective purchasers.
10. A list of property contacts including, developers, architects, investors, registered providers and housebuilders were all sent a brochure detailing the development opportunity arising from the proposed sale. These marketing actions generated a healthy response by those that sought further information and the sales pack that detailed the informal tender process.
11. The informal tender exercise generated twelve bids from eleven bidders. Eleven of these bids were received by the bid date of the 23 September 2011. These are detailed in the spreadsheet contained in the closed version of this report.
12. From these twelve bids the top two bidders were asked to submit their best and final offers by the 7 October. These 'final' bids are detailed in the closed version of this

report.

13. The property is currently empty save for the retail units that occupy part of the ground floor. Although the Property has been robustly secured with metal grilles and security doors, it is at risk of further deterioration and becoming squatted.
14. The property is held in the housing revenue account (HRA).
15. The property was declared surplus to the council's requirements by the then strategic director of regeneration and neighbourhoods on 5 July 2011.

KEY ISSUES FOR CONSIDERATION

16. In accordance with the principles and policy of good asset management laid down by government, together with local authority regulations, councils are required to dispose of surplus property assets subject to best consideration requirements. The head of Property confirms that the sale of the property will comply with these requirements and the price achieved equates to its current market value.
17. The property has been properly marketed for sale by Informal tender and the highest bidder has been identified, thus complying with the council's statutory duty to achieve best consideration. The details of which are contained in the closed version of this report.
18. The sale of the property to a third party developer and/or investor should ensure that it is quickly brought back into beneficial use.
19. The capital receipt that will be generated as a result of the sale of the property is needed as a contribution to the costs of the estate refurbishment. These costs rose as the project progressed from an initial total capital cost of £25.1m to £30.9m. Cabinet have approved that this additional resourcing will be met by the sale of additional voids and the sale of the property.

Policy implications

20. The disposal of the property will generate a substantial capital receipt, which will be used to provide capital funding in support of the council's key priorities. This includes the provision, refurbishment and redevelopment of affordable housing. This assists the council in meeting its commitment to regeneration and sustainability in housing as demonstrated through the 2009-2016 Southwark Housing Strategy.
21. The disposal of the property is consistent with the recommendations contained within the report considered by cabinet on the 31 May 2011 entitled 'East Dulwich Estate Regeneration Scheme Update and Proposals for Revision'.

Effect of proposed changes on those affected

22. The sale of properties within the HRA stock will have a negative impact on the number of council properties available to let. However, this will be offset by gains made through investment to retained stock.

23. Increased investment into Southwark's stock to provide warm, dry and safe homes will have a positive impact on disadvantaged and minority communities, who are statistically more likely to be council tenants than the general population as a whole.
24. The commercial tenants occupy their units on leases which have statutory protection which will continue after the sale of the property. They have been advised of the sales process and of the relatively small impact that a change of ownership will have on them.

Community impact statement

25. The East Dulwich Estate regeneration project team (EDERPT) has been central to the delivery of the estate regeneration. Consultation and regular communication with the group has been ongoing throughout the delivery of the overall regeneration project. EDERPT are opposed to the outright disposal of the property.
26. Any planning application seeking to redevelop or change the use of any part of the property will have to conform to the requirements of the local development framework and will be subject to the statutory consultation process.
27. Any refurbishment or redevelopment of this currently deteriorating and empty block will likely have a positive benefit on the wider community.

Resource implications

28. The HRA rent budget for 2011/12 allows for stock loss through void sales and we have requested that CLG take these into account in setting our self-financing debt level for 2012/13 onward. There are no current recurring costs.
29. As the property is being disposed of under the strategy, set out in the report to Executive on 31 May 2011 the impact of loss of rental potential and on subsidy has been considered within the cumulative impact on the housing revenue account of this strategy.
30. There will be loss of rental income derived from the retail units. These currently generate a combined rental of £13,300 per annum.
31. The purchaser has agreed to pay the council a contribution towards its surveyors and legal costs. This is based upon 0.5% of the purchase price.
32. Disposals expenditure would include reasonable incidental management and legal charges which would be reimbursed from receipts, as well as sales and marketing costs.
33. The proposed transaction is largely without condition and therefore should complete within the financial year.
34. There are no other risks or costs involved.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

35. Cabinet is advised that as the property is land held for housing purposes any disposal of it can only proceed in accordance with Section 32 of the Housing Act 1985 (as amended) (“the 1985 Act”), for which purposes the consent of the Secretary of State for the Department of Communities and Local Government is required (“the DCLG”). However, a number of general consents have been issued in The General Housing Consents 2005 (“the General Consents”) which permit the sale of housing land, provided that certain conditions are met.
36. The proposed disposal of the Property is one which is not permitted under the General Consents and therefore the council will need to seek the consent of the DCLG to the disposal of the property. The recommendation to dispose of the Property is a matter reserved to cabinet for collective decision making under Part 3C, paragraph 13 of the council’s constitution. Agreeing an application to the DCLG for consent to dispose of the Property is a matter reserved to council assembly under Part 3A, paragraph 12 of the council’s constitution.

Finance Director

37. This report concerns the disposal of the council’s freehold interest in Badminton House, Quorn Road, and the use of the capital receipt to replenish the housing investment programme. This is subject to the head of property agreeing any minor variations with the purchaser.
38. The finance director notes best consideration will be obtained as outlined in paragraph 16, and that the purchaser will pay a further 0.5% as a contribution to the council’s surveying and legal fees laid out in paragraph 31. Officer time to effect the recommendations will be contained within existing budgeted revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Badminton House, Quorn Road, London SE22	Paul Davies Development Team, Property Division, 160 Tooley Street, London SE1 2QH	Paul Davies 020 7525 5529

APPENDICES

No.	Title
Appendix 1	OS plans, indicating the property – Outlined in bold

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Paul Davies, Principal Surveyor	
Version	Final	
Dated	2 December 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	2 December 2011	

TITLE.

1 to 11 Badminton House,
Quorn Road, SE22 8BH.

APPENDIX 1



DRAWING No.

LBS_2566

DRAWN BY.

MMANKTELOW
Property Division

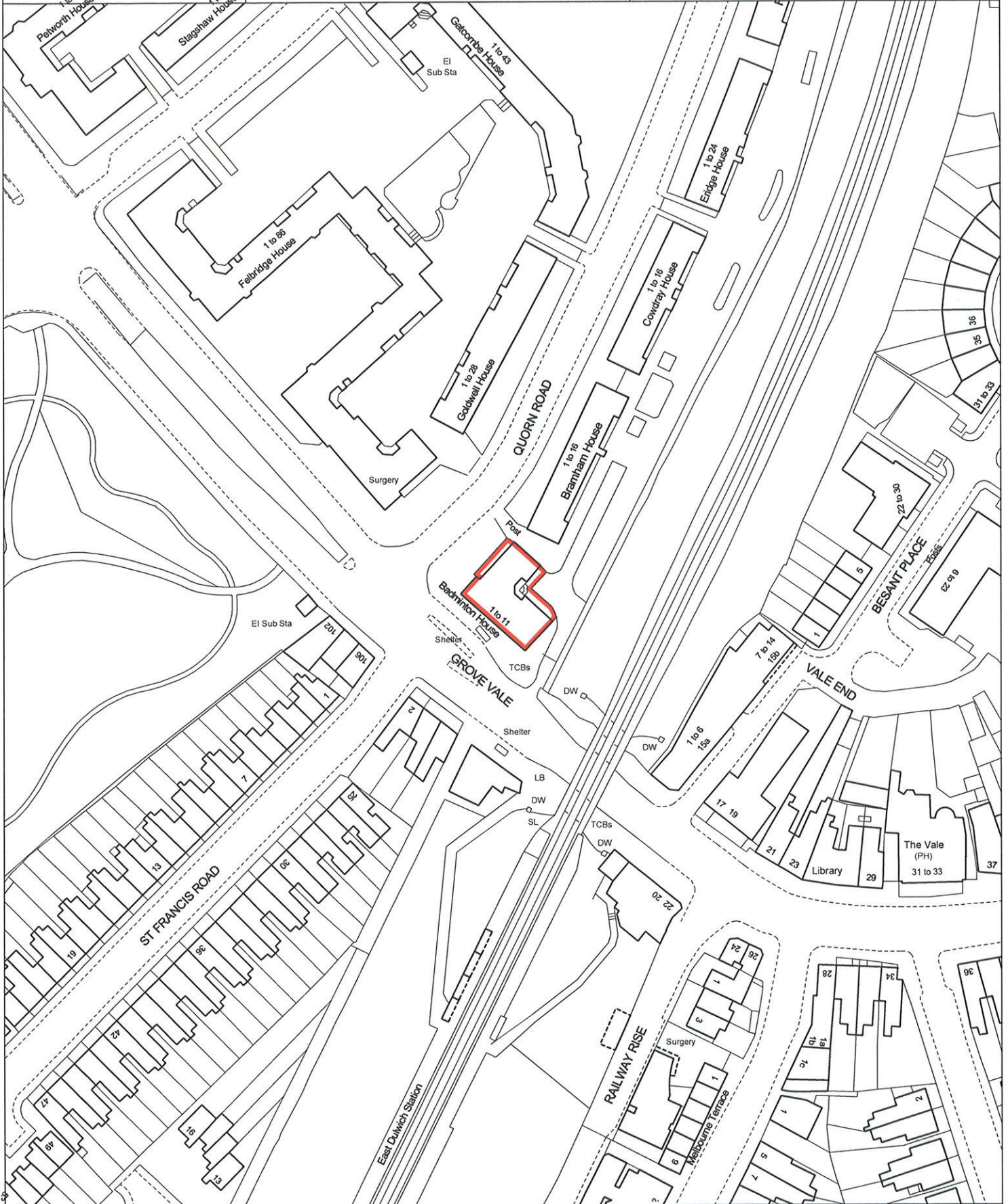
DATE.

10/8/2011

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (London Borough of Southwark / Licence No. LA096541).

Original Scale - 1:1250

Subject to variation when reproduced from an Adobe pdf source



Item No. 5.2	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Report back on motions referred to cabinet from council assembly	
Ward(s) or groups affected:		All	
From:		Cabinet	

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – COMMUNITY RESPONSE TO AUGUST’S DISTURBANCES

Cabinet on 22 November 2011 considered the following motion referred from council assembly on 12 October 2011 which had been moved by Councillor Michael Situ and seconded by Councillor Rowena Davis and subsequently amended.

1. That council assembly notes the letter to all members from the leader of the council on 7 September outlining tonight’s theme.
2. That council assembly notes the disturbances and looting that took place on 8 August 2011 and condemns the criminality and lawlessness which took place across the borough. However, it further notes residents’ response in the days that followed, and the action by our community to come together and repair the damage that had been done.
3. That council assembly believes that this community response more accurately reflects the state of the borough than the disturbances themselves, but further believes that the causes of the disturbances require a genuine and thoughtful response.
4. That council assembly notes the authority’s ongoing “community conversations”, engaging with residents on the causes of the disturbances. It calls on the leader to update members on the council’s response to disturbances of the initial findings of the “community conversations”.
5. That council assembly believes that the themed debate ought to feed into that wider “community conversations” and notes the questions contained within the leader’s letter:
 - What caused the outbreak of disturbances and looting in Southwark?
 - What caused the community to respond in the positive way that it did?
 - What can we all do to continue to build our civil society in Southwark?

Council assembly calls on all members to contribute their views on those three questions in the debate. It calls on the cabinet to take those views on board, to feed them into the ongoing community conversation and to feed back to council

assembly on what action will be taken following the community conversations in no more than six months.

6. That council assembly calls on cabinet to ensure feedback from the council's community conversations informs how we can create a fairer future for all in Southwark.

We noted and agreed the motion.

Additionally, it was also noted that the council continues to respond and be involved in the local and national debate on the riots. The government's inquiry into the August riots chaired by Darra Singh and the 'community conversation' work undertaken by the council was also noted.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – PAYDAY LOANS

Cabinet on 22 November 2011 considered the following motion referred from council assembly on 12 October 2011 which had been moved by Councillor Martin Seaton and seconded by Councillor Kevin Ahern and subsequently amended.

1. That council assembly notes the large number of "payday loan" shops in the borough; particularly in Peckham and on the Walworth Road.
2. That council assembly notes that the interest rates charged on these loans can often be in excess of 2000% meaning that the average borrower ends up paying far more than the original cost of the loan.
3. That council assembly believes that charging such large interest rates on loans to often financially vulnerable people is exploitative and takes money away from individuals and families at a time when the cost of living is rising.
4. That council assembly also notes that many lenders use underhand means to lure consumers into automatic loan renewals, fail to disclose the true cost of the loan, or use other usurious tactics to sink consumers in a quagmire of debt.
5. That council assembly believes lending of this kind is both socially and financially irresponsible and a scourge on our communities. It condemns the prevalence of these businesses on Southwark high streets and calls for alternative low cost loans to be made available to our residents.
6. That council assembly believes this is an issue of concern to people across the political spectrum and calls for all political parties in Southwark to support and prioritise alternative affordable models of lending, particularly those provided by London Mutual Credit Union. Council assembly welcomes the proposal by London Mutual Credit Union to introduce a new affordable loan which will be available to Southwark residents and calls on all members to contribute their views on this issue.

We agreed the motion.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet agenda and minutes – 22 November 2011	Constitutional Team, 160 Tooley Street, London SE1 2QH	Paula Thornton 020 7525 4395

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	1 December 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	1 December 2011	

Item No. 6.1	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		The Council Tax Base for 2012/13	
Ward(s) or groups affected:		All	
From:		Finance Director	

RECOMMENDATIONS

1. That the council tax base for 2012/13 be set at:

	Number of band D equivalent properties
For the parish of St. Mary Newington	13,420.12
For the parish of St. Saviour's	1,184.39
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	85,426.83
For the whole borough	100,031.34

2. That the council tax assumed collection level be increased from 96% to 96.25%

BACKGROUND INFORMATION

3. Regulations require the council to inform its preceptors of the council tax base by 31 January 2012.
4. This report sets out the statutory information that Members need in order to set the council's council tax base for 2012/13. A further report will be presented to Council Assembly in February 2012 setting out the level of council tax needed to meet the council's expenditure for the year.

KEY ISSUES FOR CONSIDERATION

Council tax base for 2012/13

5. Calculation of the council tax ("the tax") is governed by the Local Government Finance Act 1992 and various regulations there under. In particular, Section 33(1) of the Act requires the basic (Band D) tax to be calculated by applying the formula:

The budget requirement less Formula Grant

Divided by

The council's "Tax Base"

6. Although the council's net budget requirement has not yet been determined, the "tax base" can be set and is subject to the Local Authorities (calculation of council tax base) Regulations 1992, made under section 33 of the Act and subsequent amendments. Regulation 8 of the 1992 regulations requires the calculation for 2012/13 to be made between 1 December 2011 and 31 January 2012.
7. The proportions applicable to the various council tax bands (the "basic" band being D) are as follows:

Band	Proportion (ninths)
A	6
B	7
C	8
D	9
E	11
F	13
G	15
H	18

8. The council's basic tax is calculated in respect of band D. Band A properties therefore pay 6/9 of the basic tax, band B 7/9 of the basic tax and so on up to band H where the tax is 18/9 or twice the tax at Band D.
9. A calculation of the total number of dwellings net of discounts needs to be made for each of the above bands. This takes into account the number of dwellings on the official valuation list as at the 2012/13 CTB1 submission, the estimated number of dwellings that are exempt, attract disabled relief, attract single person discount, are empty, or have only disregarded residents, and estimated changes in the status of the dwellings during the year. Appendix A attached tabulates the above information for each of the bands. Line 3 of Appendix A (i) shows the total number of dwellings net of discounts for each band, which total 109,394.00
10. The line 3 total of 109,394.00 described above must be converted into the number of band D equivalents by applying the proportions shown in paragraph 6 above. The result for each of the bands is shown on line 4 of the appendix, which totals 103,928.67.
11. It is necessary to calculate the council's tax base by applying an estimated collection rate to the total of all properties converted to the average equivalent property at band D shown in Appendix A(i).
12. The Finance Director recommends that, based on collection performance in previous years and to date in 2012/13 (see below), a 96.25% assumed collection rate would give the best estimate of the likely value to be obtained from the demands issued in April 2012. A comparison of this rate to those currently levied and proposed for other inner London authorities is included as Appendix B. It can be clearly seen in the appendix that there is not a firm trend in projected collection rates within Inner London boroughs, the rate of 96.25% is consistent with the Inner London average, and similar to near neighbours Lambeth and Lewisham.
13. The resultant council tax base is calculated as follows:

Total of the relevant amounts (appendix A (i) line 4) 103,928.67

Estimated collection rate 96.25%

2012/13 council tax base 100,031.34

14. Additional earmarked income may be available from Trust Funds, which can subsidise the council Tax in the former parishes of St. Mary Newington and St. Saviour's. Separate calculations have to be made for these specific areas. These are set out at Appendices A (ii & iii). The subsidy to St Mary Newington is taken from interest earned on the Walworth Common Trust capital sum, divided by the taxbase to give a band D equivalent subsidy, the subsidy to St Saviour's comes from contributions from the Borough Market Trustees, again divided by the taxbase.
15. The council also has local discretion, granted under the Local Government Act 2003, in setting the discount for homes counted as long-term empty and second homes. These are currently:

Reason	Discount Given	Local / Statutory
Single Person	25%	Statutory
All except one person in household disregarded	25%	Statutory
All persons in household disregarded	50%	Statutory
Second Home	10%	Local Statutory Minimum 10% Statutory Maximum 50%
Long-term empty	0%	Local Statutory Minimum 0% Statutory Maximum 50%

Collection performance

16. The council's contract with Liberata for the collection of revenues transferred back to the council on 1 April 2011 following a hugely successful transition programme and since then has been provided by the in-house team.
17. The outturn in-year collection performance during 2010/11 was slightly improved in their final year of the contract. Performance for that year out-turned at 92.65%, some 0.15% or £144k above the contract in-year target. Arrears collection performance in 2010/11 was £3.7m compared to £3.6m in 2009/10.
18. Since the service has returned in-house, considerable work has been undertaken to cleanse and improve the quality of the database, In addition, the processing time and administration of customer accounts has significantly improved resulting in prompt and accurate billing. Whilst this work has been undertaken and improvements have been made, it will take time to improve council tax collection to 96.25% but this is achievable.

19. Current in-year collection performance during 2011/12, remains challenging but showing signs of improvement with the latest figures for in-year collection at 31 December 2011 of 81.01%. This is a higher figure on the equivalent time in December 2010 and is forecast to achieve an outturn performance of 93%.
20. Performance in respect of arrears collection is higher compared to last year as at 31 December 2011 with collection of £2.9m compared to £2.7m at a similar stage in 2010/11. A stretch collection target of £4.5m was set at the start of the year for 2011/12 which is an increase on £0.6m from last year on the basis of improved data cleansing of all debts subject to court Liability Orders. Whilst most of this work has recently been completed and will improve collection of arrears, it is too early to estimate the collection improvement in the short term. Based on the work undertaken during this year and the timescales required to complete it, the revised forecast for arrears collection in 2011/12 has been revised down to £4m.

Collection Performance for previous tax years

21. Historically, collection performance has been low compared to other London Borough's and this has been reflected in the collection rate not only for collection in year but in total for the tax year over a 6 year period. Collection performance for each year of council tax for the last 6 years, when the service was outsourced to Liberata, has taken a considerable of time to achieve a collection rate marginally above 96%. The council tax collection and achieved and projected final collection is detailed in Appendix C.
22. Since the service returned in-house in April 2011, the following have been completed in the first year;
 - (a) Correspondence maintained within 10 day turnaround since July with improvements in processing quality,
 - (b) Reviewed 16,000 aged closed accounts resulting in excess of £7m of irrecoverable debt to be written off,
 - (c) Reviewed and data cleansed 55,000 accounts including 33,000 Liability Orders that had been returned from bailiffs,
 - (d) Reviewed 16,000 Liability Orders for council tenant debtors and appropriate enforcement action instigated,
 - (e) Reviewed all enforcement debt stages and "joined up" debts to allow a single view and action to be taken on the full debt owed,
 - (f) Reviewing all large debts to ensure appropriate enforcement action is being taken including bankruptcy and charging orders, where appropriate
 - (g) Reviewing all Southwark Council Tenant debts and working closely with Housing to ensure contact is made and appropriate enforcement action is taken
23. The collection rate of 96.25% for 2012/13 is considered achievable given that the service is now being delivered in-house and the work that is being undertaken above. However, as the in-house service has effectively been operational for 9 months, it is considered too soon to increase in the collection rate above this for 2012/13.
24. Consideration has also been given to the age and status of debt when the service transferred in-house, the current economic climate and the high levels of transience and deprivation in Southwark which make collection increasingly challenging.

Collection fund monitor 2011/12

25. The estimated balance on the Collection Fund for council Tax transactions to 31 March 2012 is a deficit of £0.166m, of which Southwark's element is £0.124m.

	£m
Southwark Council	0.124
Greater London Authority	0.042
Total deficit	0.166

26. The deficit must be accounted for in the council tax calculations for 2012/13 and recovered from council tax payers.

Revenue budget implications 2012/13

27. Subject to council approval, the tax base recommended and the projected deficit on the collection fund as at 31 March 2012 will be used in the calculation of the level of council tax that will be recommended to council on 29 February 2012.

Consultation

28. Calculation of the council Tax Base forms an integral part of the revenue budget setting process for 2012/13. The budget is underpinned by the council's draft medium term resource strategy as agreed by Cabinet on 21 June 2011.

Community impact statement

29. This report contains technical calculations relating to the council's tax base for 2012/13. There is no direct community impact at this stage. The impact on the community of any potential change in service design, outcomes or access arising from recommendations relating to the 2012/13 revenue budget will need to be addressed and identified as part of the final budget submission to Council Assembly on 29 February 2012.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

30. Section 33(1) Local Government Finance Act 1992 imposes a duty on a billing authority to calculate its council tax by applying a formula laid down in that Section. This relies on calculating a figure for the council tax base for the year. The Local Authority (Calculation of Council Tax Base) Regulations 1992 require a billing authority to use a given formula to calculate the council tax base.
31. Other legal implications are set out in the body of the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
CTB (1) Working Papers	Revenues and Benefits, 160 Tooley Street, London SE1 2QH	Dominic Cain 020 7525 0636

APPENDICES

Appendix	Title
Appendix A (i)	Council Tax Base for 2012/13 for the Whole Area
Appendix A (ii)	Council Tax Base for 2012/13 for the Parish of St Mary Newington
Appendix A (iii)	Council Tax Base for 2012/13 for the Parish of St Saviours
Appendix A (iv)	Council Tax Base for 2012/13 for the whole area excluding the parishes of St Mary Newington and St Saviours
Appendix B	Inner London – Council Tax Collection Rates Used for Tax Setting
Appendix C	Council Tax – Collection Achieved and Projected

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Finance Director	
Report Author	Norman Lockie, Revenues and Benefits John Braggins, Finance and Resources,	
Version	Final	
Dated	13 January 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	13 January 2012	

COUNCIL TAX BASE FOR 2012/2013 FOR THE WHOLE AREA – FOR COUNCIL TAX SETTING

	BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
(a) Number of Chargeable Dwellings per Valuation List		12,460.00	37,271.00	33,259.00	20,753.00	13,661.00	5,691.00	3,942.00	556.00	127,593.00
(b) Estimated number of Dwellings not listed (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(c) Estimated number of Dwellings listed, which will not be in that Band (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(d) Estimated number of Exempt Dwellings etc		-503.00	-1,212.00	-1,074.00	-656.00	-524.00	-171.00	-89.00	-42.00	-4,271.00
(e) Number of Dwellings falling into the Band as a result of disabled relief	5.00	21.00	43.00	67.00	33.00	21.00	16.00	9.00	0.00	215.00
(f) Number of Dwellings falling out of the Band as a result of disabled relief	0.00	-5.00	-21.00	-43.00	-67.00	-33.00	-21.00	-16.00	-9.00	-215.00
1 Revised Number of Chargeable Dwellings (a+b+c+d+e+f) Number of Discounts:	5.00	11,973.00	36,081.00	32,209.00	20,063.00	13,125.00	5,515.00	3,846.00	505.00	123,322.00
(g) Estimated number @ 25% (No of properties x 1)	-2.00	-7,723.00	-20,870.00	-13,775.00	-6,833.00	-3,500.00	-1,315.00	-687.00	-63.00	-54,768.00
(h) Estimated number of @ 50% (No of properties x 2)	0.00	-24.00	-72.00	-52.00	-40.00	-42.00	-26.00	-52.00	-38.00	-346.00
(i) Estimated number of @ 10% (No of properties x 0.4)	0.00	-27.60	-101.60	-145.20	-89.60	-117.20	-64.00	-43.20	-9.60	-598.00
(j) Total Appropriate Percentage Discounts (g+h+i)	-2.00	-7,774.60	-21,043.60	-13,972.20	-6,962.60	-3,659.20	-1,405.00	-782.20	-110.60	-55,712.00
2 Total deducted from Chargeable Dwellings at 25% (j) x 25%	-0.50	-1,943.65	-5,260.90	-3,493.05	-1,740.65	-914.80	-351.25	-195.55	-27.65	-13,928.00
3 Total in Band ((1) - (2))	4.50	10,029.35	30,820.10	28,715.95	18,322.35	12,210.20	5,163.75	3,650.45	477.35	109,394.00
Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
4 Number of Band D Equivalents	2.50	6,686.23	23,971.19	25,525.29	18,322.35	14,923.58	7,458.75	6,084.08	954.70	103,928.67
5 Estimated Collection Level										96.25%
6 Estimated 2011/2012 TAX BASE (4) x (5)										100,031.34

COUNCIL TAX BASE FOR 2012/2013 FOR ST MARY NEWINGTON – FOR COUNCIL TAX SETTING

	BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
(a) Number of Chargeable Dwellings per Valuation List		3,633.00	7,338.00	5,121.00	1,811.00	1,257.00	368.00	49.00	12.00	19,589.00
(b) Estimated number of Dwellings not listed (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(c) Estimated number of Dwellings listed, which will not be in that Band (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(d) Estimated number of Exempt Dwellings etc		-132.00	-329.00	-283.00	-171.00	-118.00	-17.00	-3.00	0.00	-1,053.00
(e) Number of Dwellings falling into the Band as a result of disabled relief	1.00	1.00	9.00	3.00	4.00	1.00	0.00	0.00	0.00	19.00
(f) Number of Dwellings falling out of the Band as a result of disabled relief	0.00	-1.00	-1.00	-9.00	-3.00	-4.00	-1.00	0.00	0.00	-19.00
1 Revised Number of Chargeable Dwellings (a+b+c+d+e+f)	1.00	3,501.00	7,017.00	4,832.00	1,641.00	1,136.00	350.00	46.00	12.00	18,536.00
Number of Discounts:										
(g) Estimated number @ 25% (No of properties x 1)	-1.00	-1,788.00	-3,854.00	-2,011.00	-574.00	-298.00	-86.00	-6.00	0.00	-8,618.00
(h) Estimated number of @ 50% (No of properties x 2)	0.00	0.00	-8.00	-8.00	0.00	0.00	-2.00	-2.00	-4.00	-24.00
(i) Estimated number of @ 10% (No of properties x 0.4)	0.00	-4.40	-14.00	-10.00	-8.40	-6.40	-2.40	0.00	0.00	-45.60
(j) Total Appropriate Percentage Discounts (g+h+i)	-1.00	-1,792.40	-3,876.00	-2,029.00	-582.40	-304.40	-90.40	-8.00	-4.00	-8,687.60
2 Total deducted from Chargeable Dwellings at 25% (j) x 25%	-0.25	-448.10	-969.00	-507.25	-145.60	-76.10	-22.60	-2.00	-1.00	-2,171.90
3 Total in Band ((1) - (2))	0.75	3,052.90	6,048.00	4,324.75	1,495.40	1,059.90	327.40	44.00	11.00	16,364.10
Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
4 Number of Band D Equivalents	0.42	2,035.27	4,704.00	3,844.22	1,495.40	1,295.43	472.91	73.33	22.00	13,942.98
5 Estimated Collection Level										96.25%
6 Estimated 2012/2013 TAX BASE (4) x (5)										13,420.12

COUNCIL TAX BASE FOR 2012/2013 FOR ST SAVIOURS - FOR COUNCIL TAX SETTING

	BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
(a) Number of Chargeable Dwellings per Valuation List		57.00	285.00	325.00	180.00	178.00	111.00	145.00	37.00	1,318.00
(b) Estimated number of Dwellings not listed (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(c) Estimated number of Dwellings listed, which will not be in that Band (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(d) Estimated number of Exempt Dwellings etc		-3.00	-11.00	-7.00	-3.00	-4.00	-4.00	-4.00	-3.00	-39.00
(e) Number of Dwellings falling into the Band as a result of disabled relief	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	1.00
(f) Number of Dwellings falling out of the Band as a result of disabled relief	0.00	0.00	0.00	0.00	0.00	-1.00	0.00	0.00	0.00	-1.00
1 Revised Number of Chargeable Dwellings (a+b+c+d+e+f)	0.00	54.00	274.00	318.00	178.00	173.00	107.00	141.00	34.00	1,279.00
Number of Discounts:										
(g) Estimated number @ 25% (No of properties x 1)	0.00	-34.00	-158.00	-159.00	-73.00	-60.00	-39.00	-43.00	-3.00	-569.00
(h) Estimated number of @ 50% (No of properties x 2)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-2.00	-2.00
(i) Estimated number of @ 10% (No of properties x 0.4)	0.00	0.00	-0.40	-0.40	-3.20	-0.80	-2.80	-4.80	-2.40	-14.80
(j) Total Appropriate Percentage Discounts (g+h+i)	0.00	-34.00	-158.40	-159.40	-76.20	-60.80	-41.80	-47.80	-7.40	-585.80
2 Total deducted from Chargeable Dwellings at 25% (j) x 25%	0.00	-8.50	-39.60	-39.85	-19.05	-15.20	-10.45	-11.95	-1.85	-146.45
3 Total in Band ((1) - (2))	0.00	45.50	234.40	278.15	158.95	157.80	96.55	129.05	32.15	1,132.55
Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
4 Number of Band D Equivalent	0.00	30.33	182.31	247.24	158.95	192.87	139.46	215.08	64.30	1,230.54
5 Estimated Collection Level										96.25%
6 Estimated 2012/2013 TAX BASE (4) x (5)										1,184.39

COUNCIL TAX BASE FOR 2012/2013 FOR THE WHOLE BOROUGH EXCLUDING THE PARISHES OF ST MARY NEWINGTON & ST SAVIOURS - FOR COUNCIL TAX SETTING

	BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
(a) Number of Chargeable Dwellings per Valuation List		8,770.00	29,648.00	27,813.00	18,762.00	12,226.00	5,212.00	3,748.00	507.00	106,686.00
(b) Estimated number of Dwellings not listed (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(c) Estimated number of Dwellings listed, which will not be in that Band (f.y.e.)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(d) Estimated number of Exempt Dwellings etc		-368.00	-872.00	-784.00	-482.00	-402.00	-150.00	-82.00	-39.00	-3,179.00
(e) Number of Dwellings falling into the Band as a result of disabled relief	4.00	20.00	34.00	64.00	28.00	20.00	16.00	9.00	0.00	195.00
(f) Number of Dwellings falling out of the Band as a result of disabled relief	0.00	-4.00	-20.00	-34.00	-64.00	-28.00	-20.00	-16.00	-9.00	-195.00
1 Revised Number of Chargeable Dwellings (a+b+c+d+e+f)	4.00	8,418.00	28,790.00	27,059.00	18,244.00	11,816.00	5,058.00	3,659.00	459.00	103,507.00
Number of Discounts:										
(g) Estimated number @ 25% (No of properties x 1)	-1.00	-5,901.00	-16,858.00	-11,605.00	-6,186.00	-3,142.00	-1,190.00	-638.00	-60.00	-45,581.00
(h) Estimated number of @ 50% (No of properties x 2)	0.00	-24.00	-64.00	-44.00	-40.00	-42.00	-24.00	-50.00	-32.00	-320.00
(i) Estimated number of @ 10% (No of properties x 0.4)	0.00	-23.20	-87.20	-134.80	-78.00	-110.00	-58.80	-38.40	-7.20	-537.60
(j) Total Appropriate Percentage Discounts (g+h+i)	-1.00	-5,948.20	-17,009.20	-11,783.80	-6,304.00	-3,294.00	-1,272.80	-726.40	-99.20	-46,438.60
2 Total deducted from Chargeable Dwellings at 25% (j) x 25%	-0.25	-1,487.05	-4,252.30	-2,945.95	-1,576.00	-823.50	-318.20	-181.60	-24.80	-11,609.65
3 Total in Band ((1) - (2))	3.75	6,930.95	24,537.70	24,113.05	16,668.00	10,992.50	4,739.80	3,477.40	434.20	91,897.35
Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
4 Number of Band D Equivalent	2.08	4,620.63	19,084.88	21,433.83	16,668.00	13,435.28	6,846.38	5,795.67	868.40	88,755.15
5 Estimated Collection Level										96.25%
6 Estimated 2012/2013 TAX BASE (4) x (5)										85,426.83

APPENDIX B

Inner London - Council Tax Collection Rates Used for Tax Setting

	2007/08	2008/09	2009/10	2010/11	2011/12	Proposed 2012/13
	%	%	%	%		
Camden	97.25	97.50	97.50	97.50	97.50	97.75
Greenwich	95.00	95.00	95.00	95.00	95.00	95.00
Hackney	92.00	93.00	97.00	94.00	94.00	95.00
Hammersmith and Fulham	97.50	98.00	98.00	97.50	97.50	97.50
Islington	96.80	96.80	96.80	96.80	96.80	96.80
Kensington and Chelsea	96.50	97.00	97.25	97.25	97.25	N/a
Lambeth	95.00	95.00	95.25	95.25	95.25	95.75
Lewisham	96.25	96.25	96.25	96.25	96.25	96.25
Southwark	96.00	96.00	96.00	96.00	96.00	96.25
Tower Hamlets	97.00	97.00	97.00	97.00	97.00	97.00
Wandsworth	95.00	95.00	95.00	95.50	95.50	N/a
Westminster	96.00	96.00	96.00	96.00	96.00	96.00
Inner London Average						N/A

COUNCIL TAX - COLLECTION ACHIEVED & PROJECTED

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Total Debit	122,306	127,677	135,282	141,943	143,598	145,863	147,448
Exemptions	(6,491)	(6,867)	(7,479)	(8,003)	(8,353)	(8,005)	(6,625)
Disabled relief	(42)	(44)	(46)	(48)	(48)	(44)	(41)
Discounts	(14,054)	(14,441)	(14,954)	(14,832)	(14,854)	(15,309)	(15,171)
Collectable debit	101,719	106,325	112,801	119,060	120,344	122,504	125,611
Council Tax collected to date	(74,307)	(78,513)	(84,095)	(89,088)	(88,820)	(90,501)	(80,351)
Less credit balances	286	418	540	593	464	820	2,165
Migration Adjustments	71	23	0	0	0	0	0
CTax collection to date	(73,949)	(78,072)	(83,555)	(88,495)	(88,356)	(89,682)	(78,185)
Future collection adjustment	0	(5)	(23)	(100)	(300)	(800)	(14,700)
Total projected CTax collection	(73,949)	(78,077)	(83,578)	(88,595)	(88,656)	(90,482)	(92,885)
Benefits	(23,991)	(24,470)	(25,146)	(25,867)	(26,923)	(27,144)	(27,735)
Total projected income	(97,940)	(102,547)	(108,724)	(114,462)	(115,579)	(117,626)	(120,620)
Actual Collection to date (as at 31st December 2011)	96.3%	96.4%	96.4%	96.1%	95.8%	95.4%	84.3%
Projected final collection level	96.3%	96.4%	96.4%	96.1%	96.0%	96.0%	96.0%

Item No. 6.2	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Application for the Registration of a New Town or Village Green at King's Stairs Gardens, Jamaica Road, London SE16	
Ward(s) or groups affected:		Rotherhithe	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATIONS

Council assembly is asked to:

1. Consider the contents of this report and the summary of the evidence provided with the application as set out in Appendix 1.
2. Agree the application to register King's Stairs Gardens, Jamaica Road, London SE16; as a Village Green.

BACKGROUND INFORMATION

3. The purpose of the Register of Common Land and Town and Village Greens is to register land as common land or as a town or village green and to register rights of common exercisable over land so registered.
4. The former Greater London Council were, until 1986, responsible for maintaining the registers of Common Land and Town and Village Greens. In 1986 this function was transferred to local authorities and in the London Borough of Southwark (the Council) is currently held by the Local Land Charges service.
5. The Council has seven areas of Common Land registered, all of which are in the southern part of the borough, primarily in Nunhead, East Dulwich and Dulwich Village.
6. Prior to August 2011, there had been no new applications for the registration of either Common Land or Town and Village Greens, since the council took over this function in 1986. There have been some minor amendments to existing registrations.

The application

7. On 1 August 2011, the Council received an application to register a new Town and Village Green, located in the north of the borough at an area known as King Stairs Gardens. The application is made under Section 15(2) of the Commons Act 2006.
8. The plan attached to the application (Appendix 2) shows the boundary of the area to be considered as fronting the River Thames to the north, the rear

gardens of properties in Elephant Lane to the east, Jamaica Road to the south and Fulford Street and Paradise Street to the west. The application was accompanied by numerous supporting documents consisting of completed questionnaires carried out on behalf of the applicant, Elaine Holland.

9. The application is made on the basis that a significant number of inhabitants of the locality or any neighbourhood within that locality have indulged as of right in lawful sports and pastimes on the land for a period of 20 years and they continue to do so.
10. Upon receipt of the application for the registration of a new Town and Village Green, arrangements were made for the publication of a Notice in the Southwark News and South London Press, indicating that the Council had received the request and that a consultation period had begun.
11. The Notices were in the editions of the Southwark News on 8 September 2011, and the South London Press on 9 September 2011. The Notices advised that the consultation process was open until Monday 24 October 2011, with any representations being sent by post or e-mail, prior to that date, for consideration. Copies of the application and supporting documents could be inspected at Bermondsey One Stop Shop and Rotherhithe Library.
12. Site Notices were placed at six locations around the application area notifying residents and visitors that the consultation process had begun and indicating access to document arrangements together with any representations on 8 September 2011.
13. At the closing date of the consultations there were no representations received by either post or e-mail regarding the proposed application for registration of a new Town or Village Green at King Stairs Gardens. Thus no objections to this application were received.
14. As the land is owned by the council, formal notice was given to the council's Head of Property. Thames Water was served with a notice as an interested party, as the site was identified as a preferred site in relation to the Thames Tunnel or 'Super Sewer'.

KEY ISSUES FOR CONSIDERATION

History of the land

15. The council does not hold any information or records about how it came into the possession of the land. Extensive research was undertaken to establish how (for what purpose) the council holds the land. The only information officers have been able to obtain is from the London Metropolitan Archives who were able to provide a plan of the site of King's Stairs Gardens stating that it was transferred to the London Borough of Southwark under the Local Government Act 1985 Local Government Reorganisation (property etc.) Order 1986 Article 3 Schedule 1 Paragraph 1(b). That provides that land held by an abolished council for their purposes of their functions relating to parks (including country parks), open spaces and burial grounds shall vest in the local council. It is normally the transfer order that would specify whether the land is transferred for a particular purpose (e.g. use as park) or whether it simply vests in the council for general purposes. However, this information is generally contained in the specific transfer

order, which officers have not been able to obtain a copy of.

16. Enquiries were made with the London Metropolitan Archives, the National Archives at Kew, the British Library and DCLG but a copy of the transfer order could not be obtained.
17. The only other relevant information that is available on the Internet is available from Wikipedia which has the following entry:

In July 1947 the London County Council (LCC) declared Bermondsey a Reconstruction Area, and as part of wholesale post-war regeneration approved the idea of extending Southwark Park to the river. The idea of a link to the river pre-dated the Second World War by a few years, but the post-war need to reconstruct gave this aim more resonance.

In January 1948 the LCC Planning Committee endorsed the policy of a park by the river at King's Stairs riverside.

Putting the policy into practice proved to be a slow business because of a combination of objections by amongst others Bermondsey Borough Council and local businesses. For instance in 1953 the LCC's Draft Development Plan for London was subject to an Inquiry and the Bermondsey and Rotherhithe Chamber of Commerce objected to the park extension.

In September 1954 the Ministry of Housing approved the compulsory purchase of land in order to extend the park, but this took a few years to implement.

In 1960 the LCC approved a design for the King's Stairs riverside walk, which was opened in November 1962. In January 1963 the LCC approved the name King's Stairs Gardens.

In 1964 the LCC agreed a grassed area to the south of The Angel public house. Again the implementation seems to have been delayed due to financial constraints, and it was not until 1968 that the Greater London Council (the successor body to the LCC) reappraised the site, and agreed to three green space additions. These were finally completed by 1982, and it is in that form that King's Stairs Gardens still exists today.

The land as it presently exists

18. The area of King's Stairs Gardens that is maintained by the Parks Section is approximately 34,404 square meters. There is a play area which is a dog free zone, there are picnic spots within the park and the Thames Riverside Path runs close to the park.

The relevant considerations

19. The relevant considerations in determining the Application for the registration of a new Town or Village Green at King Stairs Gardens, London SE16 are set out briefly below.
20. The section 15(2-) Commons Act 2006 allows the registration of a village or town green for land on which: -

- **a significant number of the inhabitants** of any locality, or of any neighbourhood within a locality
- **have enjoyed a lawful sport or pastime**
- **as of right**
- **for a period of 20 years** (section 15, Commons Act 2006).

Significant number

21. In the application's supporting documents there are 137 completed questionnaires from inhabitants of the locality/neighbourhood. Of these, 55 have stated that they have used King's Stairs Gardens for sports or pastimes for at least 20 years. This is 40.1% of the respondents. Of the 137 questionnaires it would appear that approximately 23 have addresses outside the locality/neighbourhood. However, there is case law which suggests that there is no requirement for most of the users to have lived in the locality or neighbourhood. The requirement is that those people are among the recreational users of the land and it does not matter that some users come from elsewhere.
22. This criterion requires that a 'significant number of inhabitants' of a locality or neighbourhood within a locality have indulged in lawful sports and pastimes on the land for at least 20 years.
23. A 'significant number' does not mean 'a considerable or substantial number'. The number of people using the land has to be sufficient to indicate that it is in general used by the local community for informal recreation. Significant is a matter of impression after analysing the evidence. What matters is that the number of people using the land is sufficient to indicate that it is in general used by the inhabitants of any locality or neighbourhood within a locality. Members are referred to Appendix 1 which summarises the evidence, including a column entitled 'others' which is there to show that in the evidence provided other people or members of their family also are referred to as using King's Stairs gardens in the manner required in the column entitled 'others'.
24. Analysis of the evidence shows that there is use of the application area, by the inhabitants of the locality and further afield, for sports, pastimes and community activities and that these uses have been in existence for at least 20 or more years. The evidence also suggests that the application area is used for these various sports and pastimes at all times of the day and is therefore not limited to specific periods of the day.

The locality

25. An applicant for registration under section 15(1) is required to identify, by description or by reference to a map, the area relied upon as the 'locality or the 'neighbourhood within the locality, a significant number of inhabitants of which have used the land for recreation.
26. The application states the locality/neighbourhood as the "Parish of St Peter and The Guardian Angels". A plan was also included with the application, showing the extent of the locality/neighbourhood.
27. A locality is defined as a legally recognised administrative area, such as a civil parish, or an ecclesiastical parish. An electoral ward would also qualify.

28. Officers accept that the relevant locality/neighbourhood to consider is the Parish of St Peter and The Guardian Angels. The summary of evidence at Appendix 1 shows whether each person lives within or outside the locality.

Lawful sports and pastimes

29. These activities do not need to be either organised or have a communal element. Activities such as dog walking, kite flying, solitary or family activities are sufficient to justify registration as long as there is an established pattern of use and it is not trivial or sporadic. It is also not necessary for local inhabitants to have participated in a range of diverse sports and pastimes. One off annual activities are unlikely to suffice to justify registration, as such an activity would be too sporadic to amount to continuous use for lawful sports and pastimes. Once registered the land can be used generally for sports and pastimes and use is not limited to pre-registration activities.
30. The lawful sports and pastimes relied upon by the applicant are walking, running, games, children's playground, community activities and nature education. A summary of the types of activities undertaken can be seen in Appendix 1.

As of right

31. In order to meet this criterion, the applicant needs to provide evidence that the application site has been used for lawful sports and pastimes without force, without secrecy and without permission. There is no evidence to suggest that the application does not meet the criteria relating force and permission.
32. However, with regard to the criterion that the land must have been used without permission, Members are advised that the situation is not entirely clear. As set out in the section above explaining the history of the land, the council does not have any information as to the purpose for which the land is held. This is relevant here because if users already have a statutory or other legal right to use it for lawful sports and pastimes, the use is considered to be 'by right' or 'of right'. This is because where there are express statutory provisions that confer the right to use the land for recreational purposes, the land is effectively held on trust for that the enjoyment for that purpose by the general public who is in essence the beneficiary of the trust and cannot be regarded as trespassers.
33. Members are advised that the application area is managed by the Parks and Open Spaces and that the general public is permitted to use the park for recreational purposes.
34. Nonetheless in the absence of any evidence that there is a statutory or other legal right to use King's Stairs Gardens for recreational purposes, the council would have difficulty resisting the application for registration on this basis.

For a period lasting at least 20 years

35. There must be evidence of qualifying use for a period of at least 20 years. It is not necessary for particular individuals to have used the land for the full period of 20 years, but there should be evidence that the local inhabitants taken together have used the land for the full period.
36. The evidence submitted with the application shows that the quantity and

regularity of use are such as to demonstrate to a reasonable landowner that such a right was being asserted. In order to demonstrate sufficient use, one has to take a broad view of the usage. Officers' view is that the applicant has established use for a period lasting at least 20 years.

37. The broad range of uses, from the supporting documents submitted with the application, range from, walking, games, use of children's playground, nature education, running/jogging, walking the dog, taking in the river views, picnics and just relaxing/reading. The range of uses appear from the supporting documents, to have been in place for many years, from the 1970's and 1980's, and would certainly comply with the twenty year requirement for the application. The summary of evidence at Appendix 1 shows how many people have used King's Stairs Gardens for 20 years, and how many people have used the area for less than 20 years.

Community impact statement

38. The proposed registration of the new application for Town and Village Greens will enable the residents, young and old, of the locality and others from within the borough and further afield, to continue enjoyment of an open space for lawful sports and pastimes.

Legal implications

39. If no objection is received (as is the case in this application), the Council can register the application, if it is satisfied that the application is properly made and evidenced.
40. The Commons Act 2006 (the Act) and the Commons (Registration of Town or Village Greens)(Interim Arrangements)(England) Regulations 2007 (the Regulations) govern the procedures applicable to an application for registration as a village green. The council's role in relation to village green applications is as Registration Authority.
41. The effect of registration of land as a village green is that the right for local people to use the land for recreational uses is protected. Any development must facilitate that right. In short the land is preserved as a green. Any owner or tenant's rights are still preserved but they must not interfere or be inconsistent with the established lawful recreation uses. It is important in terms of the significance of the decision to note the effect on the landowner (in this case the council) as it restricts the owner's right to deal freely with the land.
42. In order for the land to qualify for registration as a town or village green, the Commons Act 2006 requires that the land must have been used 'as of right' for lawful sports and pastimes for a period of at least 20 years by the inhabitants of any 'neighbourhood' or 'locality'.
43. The determination of an application by the Registration Authority is a non-executive function and does not involve any exercise of discretion. The Registration Authority's role is to ascertain how the land in question has been used for the relevant period and on what legal basis. The question then is whether or not in light of the aforementioned considerations the land is properly registrable as at own or village green under the Act.

44. The application must be determined impartially and without reference to any planning permission or other proposal which may be pending or has been granted in respect of the land. It is not uncommon for applications for registration of a town or village green to be prompted by some sort of proposed development (in this case the Thames Tunnel). However, it is important for Members to bear in mind that the merits of the Thames Tunnel and the relative merits of registration of King's Stairs Gardens as a town or village green are not material matters for the consideration of the Registration Authority.
45. Members are therefore advised that they should not take into account in its deliberations any views they may have as to the benefits or disbenefits of the Thames Tunnel or the relative merits of registering King's Stairs Gardens as a village green.
46. Where the council as Registration Authority makes a determination regarding this application, it must notify the applicant and objectors of its decision. If the application is refused, reasons for refusal must be given. If the application is allowed, notice (but not necessarily reasons) must be given to all who objected.
47. Where a decision is taken to register a village green, this may be challenged by way of judicial review by an objector. Similarly where a decision is taken not to register the land as a village green, the applicant may seek to judicially review the Registration Authority's decision. There is no statutory right of appeal.
48. Part 3P, paragraph 1 of the constitution (page 63) provides that all matters that are not reserved to Council Assembly, Cabinet or a committee are delegated to the appropriate chief officer. It further advises in paragraph 3 of that part of the constitution that it is the responsibility and duty of the chief officer that where appropriate matters are reported to Council Assembly. In this case it was considered appropriate for the matter to be reported to Council Assembly due to the high profile nature of the development proposed by Thames Water.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Application for Registration of a New Town and Village Green	Local Land Charges Service, 160 Tooley Street, London SE1 2QH	Paul Horsnell 020 7525 7686
Supporting documents accompanying application	Local Land Charges Service, 160 Tooley Street, London SE1 2QH	Paul Horsnell 020 7525 7686

APPENDICES

No.	Title
Appendix 1	Summary of Evidence
Appendix 2	Plan of King's Stairs Gardens

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Paul Horsnell, Land Charges Manager	
Version	Final	
Dated	11 January 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	12 January 2012	

APPENDIX 1

King's Stairs Gardens – Summary of Evidence

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
A C	4 p/w	Fast walking, art (photography), view and plants, sitting and reading, (sunny or not!) picnics, slow walking	24 years	✓	Yes
W M and J M	3 p/w	Jogs daily, we walk the dog, my family use park daily e.g. cycling, football, sunbathing, bird watching	24 years	✓	Yes
R E A	Most days	Walking, jogging, callisthenics, exploring trees and bushes, picking cherries and nuts in season	25 years		Yes
S C	Several days p/w	Play Frisbee with friends, when friends with children are visiting we use playground			Yes
M A	At least twice a day	Football and cricket, skateboarding and cycling, and jogging	23½ years	✓	Yes
R S	2/3 days p/w	Football kickabouts, entertaining nephews, looking at birds and walking	20 years	✓	Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
J S	2/4 times a day	Walking, watching birds, looking at river view	20 years	✓	Yes
H N	Once a day	Taking children to playground, walking dog, picnics	30 years	✓	Yes
V R	1 day p/w	To walk through to Time & Talents	40 years	✓	Yes
M T	1/3 days p/w	Bicycles, nature, sunbathing, reading and picnics	25 years	✓	Yes
L T	1 day p/w	Taking pictures, picnics, bike riding, looking at flowers	25 years	✓	No
D A	Every day	Sports	25 years	✓	Yes
J G	Weekly	Walking, children to park, dog walking	All my life		Yes
E A	Every 2 weeks	Walking through park regularly, admiring spring daffodils and looking at river	21 years		No
J H	Every day	Walking, relaxing, access to church and club	50 years	✓	Yes
A H	Every day	Walking, enjoying surrounds and nature	34 years		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
S K	Every day	Walking to/from work daily, running, sunbathing	20 years		Yes
L H	4-5 days p/w	Walking and playing with grandchildren	30 years	✓	Yes
F J B	3 days p/w	Light exercise, stretching, sports practice and picnics	30 years		Yes
P M	7 days p/w	Dog walking, cycling, admiring the wildlife, beautiful trees and flowers and views over Tower Bridge	9 years		Yes
C A H	1 day p/w at least	Badminton, picnics with friends, reading, watching squirrels, playing with granddaughter in playground and walking	25 years	✓	Yes
K G	4 days p/w	Walking exercise, looking at the Thames	10 years		Yes
K L	Daily	Dog walking, spending time by riverside and recreationally when relatives visit	6 years	✓	Yes
K B	7 days p/w	Football club on a Saturday morning, rugby with my son and his friends, practice for the school sports day,	13/14 years	✓	Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		walking, picnics, reading books, looking for wildlife, riding bicycles and scooters, watching the boats			
C S	Once a day	Jogging, running, picnics, reading	7 years		Yes
F N	Once/twice per month	Taking grandchildren to the park	8-10 years	✓	Yes
M O'C	Every day	Walking, running, picnics, relaxing	9 years	✓	Yes
V F	3 days p/w, sometimes more	Walking, photography, bird watching	10 years		Yes
R I C	3/4 times a day	Attend community events, church fairs, picnics, sunbathing	16½ years	✓	Yes
S L	Every day	Dog walking, sunbathing, picnicking, bird watching, admire view of river	Approx 13 years		Yes
J L	Every day	Dog walking, sunbathing, picnicking, bird watching, admire view of river	17 years		Yes
D S	7 days p/w	Football, cricket, golf, walking, picnics, playing with my children, looking at trees, flowers and wildlife, photography,	7 years	✓	Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		reading, climb trees and meeting friends			
J C	Once a day	Walk through to get to work, play area with grandchildren	75 years		Yes
R V	Once a week or more often on occasions	Jogging, picnics, playing with children, enjoying the outdoors and nature	7 years	✓	No
J S	Daily	Cricket, mini, kids golf, running, football, kids activities, picnics, social gatherings, walking, riding bicycles, flora and fauna watching, sunbathing, relaxation, free-climbing, playground use	7 years		Yes
S A	Twice a month	playground	3 years		No
N H	3-4 days p/w	Taking children to use playground	6 years		Yes
A D	2 days p/w	Relaxing, walking, sunbathing, looking at flowers, taking friends kids to the park	4 years		Yes
S H	Every day	Tai Chi, running, general fitness, football, frisbee	11 years	✓	Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
P D	Twice a day	Walking, cycling, dog walking, playing with children, sit by the river, picnicking, watching boats at dusk	11 years	✓	Yes
D D	2-4 days p/w	Picnics, sunbathing, walking, sit for a bit of fresh air	18 years		Yes
M T	Every day	Running, walking, yoga, cycling, Tai-Chi, looking at flowers, nature and wildlife	13 years	✓	Yes
A	3 times a day	Walking dog and running, plotting with friends	5 years	✓	Yes
J R	Every day	Jogging, walking, photographing wildlife, picnics, relaxing in pleasant green surroundings by the river	5 years		Yes
T G	6 days p/w	Yoga-type stretching exercises, walking, picnics, sunbathing and reading	3 years	✓	Yes
W W	Once a fortnight	Looking at nature, walking, seeing the River Thames	11 years		No
B & P W	Every day	Dog walking, sunbathing, looking at	6 years	✓	Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		river and flowers			
A H	Every day	Walking and picnics	9 years	✓	Yes
E D	1/2 days p/w	-	10 years		No
G R	2 days p/w	Exercise, brisk walking, sunbathing, photography, looking at river view	4 years		Yes
M M	3 days p/w	Plying football, frisbee, badminton, inspect/animal hunting, teaching my daughter to ride her bike or rollerblades, leaf/nature hunting, collecting for craft projects	11 years	✓	Yes
N H	Weekly	Running, as part of my marathon training, taking my children to playground		✓	No
B W	2/3 times a day	Dog walking, exercise, bat spotting, watching river activity and recreational wanderings	5 years		Yes
D T	Once a month	Walking and nature walking	13 years		Yes
R B	Every day	Walking, gentle exercise, occasional kick around football with my	7 years	✓	Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		grandchildren, looking at flowers, trees and wildlife, especially birds, playground with my grandchildren			
S S	Every day	Walking	6 years	✓	No
C S	Every day	Family rounders, walking, picnics, playing with my children, sunbathing, riding bicycles, yoga, looking at flowers and birds	20 years		No
L W	2 days p/w (weekends)	Relaxing, entertaining friends, picnics	5 years	✓	Yes
P W	3/4 days p/w	Running, picnics and sunbathing	5 years		Yes
A H	1 day p/w	Watch birds and looking at daffodils	17 years		Yes
J D	1 day p/w	Yoga class, running, reading	23 years		Yes
S & P M	2 days p/w	Strolling, picnics, sunbathing, children use playground	10 years	✓	Yes
D S	2-3 days p/w	Jogging, walking, bird watching, picnics	11 years		Yes
J E	7 days p/w	Walking, sit by river, grandson plays in park, dog walking, playing with	46 years		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		grandchildren			
B B	7 days p/w	Picnics with family, playing with the children and sitting by the river	44 years		Yes
B O	2-3 days p/w	Picnics with family, playing with grandchildren, watching river, cruise ships etc.	42 years	✓	Yes
M M	7 days p/w	Walking, daily church services Tuesday to Sunday inclusive, daily mass, summer fair, church meetings etc	15 years	✓	Yes
F C	1 day p/w	Walking, picnics, reading, enjoying fresh air and views from the river	4 years	✓	Yes
B P	Weekends	Picnics, playing with grandchildren	10 years	✓	Yes
R D	5 days p/w	Picnics, playing with grandchildren and writing	1½ years	✓	No
N R	7 days p/w	Walking, picnics, sunbathing, games, nature trails	4 years		Yes
K B	Work next to park	Go for lunch every weekday, walk with group of children	8 years	✓	No

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
L F	7 days p/w	Walking, keep fit, dog walking, playing with children, feeding squirrels with grandchildren	20 years		No
P S	2 days p/w	Walking, picnics etc	10 years		Yes
A G	3-4 days p/w	Running, reading, sunbathing	5½ years		Yes
M B	7 days p/w	Dog walking, looking at the view	1 year	✓	Yes
S K	7 days p/w	Jogging, cycling, admiring riverside views	7 years		Yes
S K	7 days p/w	Picnics, exercise before tennis, admiring the view of the river	7 years		Yes
D L	1-2 days p/w	Meet and socialise with friends and have picnics with family and friends	6 months	✓	No
J G	7 days p/w	Running, bird watching and looking at daffodils	16 years		Yes
F McD	Weekly	Walking and running	5 years		No
R C F G	5 days p/w	Walking, looking at Thames	16 years		Yes
L B	7 days p/w	Keep fit, running and cycling	14 years		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
J J	7 days p/w	Dog walking, sitting by river, enjoying nature, meeting friends	29 years	✓	Yes
E H	7 days p/w	Walking, enjoy peace and quiet	12 years		Yes
H S	1 day p/w	Walking, running, river views, picnics	8 years	✓	Yes
M W	2-3 times a month	Running, walking, picnics, knitting group	10 years	✓	Yes
W	7 days p/w	Ball games, eg football, jogging, walking, playing with children, picnics, bikes	Not sure but a long time	✓	Yes
G P	Most days	Walking, sunbathing	6 years	✓	Yes
P D	7 days p/w	Walking and keep fit, dog walking, observing wildlife, bird watching, insect life, foxes, admiring trees and horticulture eg butterfly garden	5 years or more	✓	Yes
N C	7 days p/w	Jogging, sledging, picnics, reading, watching London Bubble rehearse	Since 2004		Yes
E H	7 days p/w	Walking, helping with after school club with games in park, looking at flowers,	30 years		No

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		taking photos, dog walking			
L T	Most days	Walking, picnics, playing with neighbour's son and dog walking, watching wildlife, watching boats on river	15 years	✓	Yes
R & Y J	7 days p/w	Walks, keep fit, viewing the river, picnics, sunbathing, looking at trees, plants, birds, passing boats, playing with grandchildren	15 years		Yes
B C	5 days p/w	Walking, meeting friends, first holy communion, photographs	18 years		No
S B	3 days p/w	Football, cricket, rounders, taking children from after school club, sunbathing, playing with children and nature walks	10 years		No
M C	7 days p/w	Walking, running, keep fit, relaxing	12 years	✓	Yes
D P	7 days p/w	Running, walking, looking at daffodils, photographing nature	Daily since 05/02 Weekly between 1995-2002		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
I S	4-5 days p/w	Mass, church fetes, walk to Over Sixty Club, listen to birds and children in park	Since 1994		Yes
S	1 day p/w	Walking, looking at flowers and birds	10 years		No
S W	7 days p/w	Picnics, treasure hunts with niece and nephews, sunbathing, eating my lunch	10 years		No
A M	7 days p/w	Tai Chi, yoga, running, walking, reading, yoga, cycling, sunbathing, looking at trees	6 years		Yes
D L	7 days p/w	Jogging, cycling, walking, frisbee, badminton, football, picnics, sunbathing, playgroup, photography	17 years	✓	Yes
V W H	Monthly	Walks, playing with children	3 years		No
B B	1 day p/w	Walking	10 years	✓	No
P & C N	7 days p/w	Walking, running, walks along river, picnics, socialising with family, friends and neighbours	13 years	✓	Yes
K M	7 days p/w	Dog walking	5 years	✓	No

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
M B	3 times a week	Reading, watching boats go by, walking, resting	30 years	✓	Yes
T H	Several times a week		30 years approx		Yes
E H	Every day	Access to shops, doctors, station, church activities	30 years approx		Yes
G P	Once a month	(Not resident in UK at present), Walking	4 years		Yes
L S	Several times a week	Walking, jogging, cycling	29 years	✓	Yes
W G	2/3 times a week	Walking, picnics, relaxing with family	45 years	✓	Yes
C D	Daily	Sport, playground, picnics, walking, nature study, roller skating	25 years	✓	Yes
R S	Every day	Walking the dog, Church activities, walking, picnics	20+ years	✓	Yes
M D	Every day	Running, walking, general enjoyment of the trees and greenery, relaxation	20 years		Yes
B W	Once a week	Viewing flora and fauna, reading,	34 years		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
		sunbathing, relaxing on the Knowle			
T T	2/3 times a week	Tai Chi, keep fit, photography, socialising with friends	30 years		Yes
R S	4/5 times a day	Dog walking, exercising, bird watching, nature day, church fetes, sports	26 years	✓	Yes
A S	4 times a day	Dog walking, exercising, bird watching, nature day, church fetes, sports	26 years		Yes
M H	6 times a week	Walking, River views, Church fetes,	39 years		No
K C	2/3 times a week	Walking, watching wildlife and trees	20 years	✓	Yes
R D	3 times a week	Fast walking, playing football, walking the dog, Community festival, rolling easter eggs down the hill	23 years	✓	Yes
S M	Twice a week	Eat lunch, meet with friends and their children, educational purposes, walking	29 years	✓	Yes
A D	Daily	Football, access to the river, birdwatching	20 years		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
S D	Every day	Access to the river, walking, sports, fetes	35 years	✓	Yes
M H	Every day	Walking, taking grandchildren to park, walk along the river front, fetes	20 years	✓	Yes
S D	Every day	Football and volleyball, fetes, walk to shops/station	35 years	✓	Yes
S A & N D	Every day	Picnics, badminton, tennis, keep fit, playground, walking, nature spotting, bike rides	23 years	✓	Yes
M H	2/3 times a month	Take grandchildren to enjoy views, walking	20+ years		Yes
K M W	Daily	Walking, playing with grandchildren, river access	22 years	✓	Yes
C	Most days	Taking grandchildren to use the park, enjoy wildlife, picnics, walking	30 years	✓	Yes
J B	Every day	Running, sit and watch the river from the mound, fetes, walking, using the playground, reading.	26 years	✓	Yes
M Z	3 or 4 times a	Walking, picnics, play with	12 years		Yes

Name	Visits	What they use King's Stairs Gardens for	For how long	Others	Locality
	week	grandchildren, playground, fetes,			
H McC	Once/twice a week	Football, running, cricket, socialising with friends, relaxing	23 years		Yes
J B & G M	Twice a week	Walking the dogs, used to take grandchildren to play there	30 years		Yes
S M	Every day	Running, football, reading, relaxing, sunbathing, dog walking, picnics, playing with children	30 years		Yes

Item No. 6.3	Classification: Open	Date: 25 January 2012	Meeting Name: Council Assembly
Report title:		Date of Council Assembly in February	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATIONS

1. That council assembly considers whether it wishes to reschedule the 22 February council tax setting meeting of council assembly to 29 February 2012.
2. That should council assembly wish to set an alternative date, the meeting resolves to suspend council assembly procedure rule 2.1 (Dates and frequency of meetings).

BACKGROUND INFORMATION

3. Last year the budget was considered by council assembly on 22 February 2011. The Greater London Assembly (GLA) set its precept on 23 February, later than anticipated; therefore council assembly had to establish a committee for setting the council tax for 2011/12. In order to avoid a similar situation occurring this year, officers have reviewed the forthcoming calendar for other organisations which are now more readily available. It is suggested that the council tax setting council assembly meeting be rescheduled to Wednesday 29 February 2012. This will allow additional time to include the GLA precept and accommodate any late changes to the timetable.
4. The finance director has been consulted on the suggested new date for the council tax setting meeting and has advised that the revised timetable would ensure that the council tax notices can be published within the required deadline.
5. In addition this change will bring the council more in line with when other boroughs set their council tax. Both Lambeth and Lewisham Councils will be holding their council tax setting meeting on 29 February and therefore it would be beneficial to coincide with neighbouring boroughs.
6. The council tax setting meeting is scheduled to be held at Southwark Town Hall.

KEY ISSUES FOR CONSIDERATION

7. The annual meeting of council assembly in May 2011 set the dates for ordinary meetings in 2011/12, and only council assembly can consider changes to these dates.
8. It should be noted that if a change of date was agreed this would have some impact on the council calendar. However if meetings displaced by council assembly do have any business they could be accommodated on other days.

Legal implications

9. If council assembly wishes to set an alternative date it would have to suspend council assembly procedure rule 2.1, which states “Meetings (or ordinary meetings) shall take place on such dates agreed by the annual meeting...”

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Procedure Rule 2.1, Southwark Constitution	Constitutional Team 160 Tooley Street, London SE1 2QH	Lesley John 020 7525 7228

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Ian Millichap, Constitutional Manager	
Version	Final	
Dated	10 January 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	N/a	N/a
Finance Director	Yes	Incorporated
Cabinet Member	No	No
Date final report sent to Constitutional Team	10 January 2012	

This page is left intentionally blank

**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)
MUNICIPAL YEAR 2011/12**

NOTE: Original held by Constitutional Team; all amendments/queries to
Lesley John Tel: 020 7525 7228

ONE COPY TO ALL UNLESS OTHERWISE STATED	Copies	To	Copies
Councillors (To all Labour, Liberal Democrat and Conservative members)	1 each	Officers	4
Group Offices	2	Ian Millichap	1
John Bibby, Cabinet Office	1	Sonia Sutton	1
Opposition Group Office	1	Robin Campbell	1
Libraries	1	Doreen Forrester-Brown	1
Local History Library	1	Constitutional Team	25
Press	2	(Copies to Lesley John , 2 nd Floor, Hub 4, Tooley Street)	
Southwark News	1	Trade Unions	9
South London Press	1	Roy Fielding, GMB	
Corporate Management Team	8	Mick Young, Unite	1
Annie Shepperd	1	Chris Cooper, Unison	1
Eleanor Kelly	1	Tony O'Brien, UCATT	1
Deborah Collins	1	Michael Davern, NUT	1
Gill Davies	1	James Lewis, NASUWT	1
Romi Bowen	1	Pat Reeves, ATL	1
Duncan Whitfield	1	Miss Sylvia Morris, NAHT	1
Susannah White	1	Irene Bishop, ASCL	1
Gerri Scott	1	Local M.P.	1
		Simon Hughes M.P.	
		Others	2
		Shahida Nasim, Audit Commission, Ground Floor, Tooley Street	1
		Mr. Mark Roelofsen	1
		Total:	122