



Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 23 January 2013 at 7.00 pm at The Charter School, Red Post Hill, London SE24 9JH

PRESENT:

The Worshipful the Mayor for 2012/13, Councillor Althea Smith (Chair)

Councillor Kevin Ahern	Councillor Paul Kyriacou
Councillor Anood Al-Samerai	Councillor Lorraine Lauder MBE
Councillor James Barber	Councillor Richard Livingstone
Councillor Columba Blango	Councillor Rebecca Lury
Councillor Catherine Bowman	Councillor Eliza Mann
Councillor Chris Brown	Councillor Catherine McDonald
Councillor Michael Bukola	Councillor Tim McNally
Councillor Denise Capstick	Councillor Darren Merrill
Councillor Sunil Chopra	Councillor Victoria Mills
Councillor Poddy Clark	Councillor Jonathan Mitchell
Councillor Fiona Colley	Councillor Michael Mitchell
Councillor Neil Coyle	Councillor Adele Morris
Councillor Robin Crookshank Hilton	Councillor Graham Neale
Councillor Rowenna Davis	Councillor Wilma Nelson
Councillor Patrick Diamond	Councillor David Noakes
Councillor Dora Dixon-Fyle	Councillor Paul Noblet
Councillor Nick Dolezal	Councillor The Right Revd Emmanuel Oyewole
Councillor Toby Eckersley	Councillor Lisa Rajan
Councillor Gavin Edwards	Councillor Lewis Robinson
Councillor Dan Garfield	Councillor Martin Seaton
Councillor Norma Gibbes	Councillor Rosie Shimell
Councillor Mark Glover	Councillor Andy Simmons
Councillor Stephen Govier	Councillor Michael Situ
Councillor Renata Hamvas	Councillor Cleo Soanes
Councillor Barrie Hargrove	Councillor Nick Stanton
Councillor Helen Hayes	Councillor Geoffrey Thornton
Councillor Claire Hickson	Councillor Veronica Ward
Councillor Jeff Hook	Councillor Mark Williams
Councillor David Hubber	Councillor Ian Wingfield
Councillor Peter John	

1. PRELIMINARY BUSINESS

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

The Mayor:

- Thanked Charter School for allowing council assembly to use their school.
- Stated that a list of residents or people who work in the borough who had received an honour in the Queen's New Year's Honours list had been circulated at the meeting. The meeting congratulated all those who had received an honour.
- Welcomed Councillor Rebecca Lury to her first council assembly meeting.

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

With the meetings agreement, the Mayor announced that she intended to accept one late and urgent item of business:

- Item 6.1: Council Tax Base 2013/14.

With the meetings consent, the Mayor announced that the five deputations on the theme would be considered.

The Mayor stated that following consultation with the group whips on the motions on the theme it had been agreed that the two motions and relevant amendments would be moved and seconded, followed by a single debate. At the close of the debate a separate vote would be taken on each amendment and motion. Items 5.2.1 – Motion on Save Southwark Emergency Services would also be considered in a similar manner.

The meeting agreed to suspend the following council assembly procedure rules:

- 1.1 (1) Deadline for receipt of reports
- 2.6 (11) No more than three deputations shall be considered at any one meeting.
- 1.14 (4) Single debate.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

The clerk announced that the monitoring officer had granted most members a dispensation in respect of Item 3 on the themed debate (affordable housing and social housing). Therefore members who had an interest as a council tenant or leaseholder did not need to make a declaration in respect of that item.

There were no declaration.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Mark Gettleson, Linda Manchester and Abdul Mohamed. Apologies for lateness were received on behalf of Councillors Lewis Robinson and Rosie Shimell.

1.5 MINUTES

(See supplemental agenda 1, pages 1 – 57)

RESOLVED:

That the minutes of the meeting held on 28 November 2012 be agreed and signed as a correct record.

2. ISSUES RAISED BY THE PUBLIC

2.1 PETITIONS

There were none.

2.2 PUBLIC QUESTION TIME

There were none.

2.3 DEPUTATION REQUESTS ON THE THEME

(See pages 1 - 4 of supplemental agenda 3)

Leathermarket Joint Management Board

Council assembly considered whether to receive the deputation from the Leathermarket Joint Management Board.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, John Paul Maytum, addressed the meeting.

The deputation asked a question of Councillor Fiona Colley, cabinet member for regeneration and corporate strategy. Councillor Fiona Colley provided an oral response.

Councillors Claire Hickson and Tim McNally asked questions of the deputation.

Thereafter the deputation returned to their seats in the public seating area.

Southwark Legal Advice Network

Council assembly considered whether to receive the deputation from Southwark Legal Advice Network

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Sally Causer, addressed the meeting.

The deputation asked a question of Councillor Ian Wingfield, deputy leader of the council and cabinet member for housing management. Councillor Ian Wingfield provided an oral response.

Councillors Darren Merrill, Anood Al-Samerai and Neil Coyle asked questions of the deputation.

Thereafter the deputation returned to their seats in the public seating area.

Rotherhithe Area Housing Forum

Council assembly considered whether to receive the deputation from Rotherhithe Area Housing Forum.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Mr Duckett, addressed the meeting.

The deputation asked a question of Councillor Fiona Colley, cabinet member for regeneration and corporate strategy. Councillor Fiona Colley provided an oral response.

Councillors asked questions of the deputation.

Thereafter the deputation returned to their seats in the public seating area.

Residents of Draper House

Council assembly considered whether to receive the deputation from residents of Draper House.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Luisa Pretolani, addressed the meeting.

The deputation asked a question of Councillor, Ian Wingfield, deputy leader of the council and cabinet member for housing management. Councillor Ian Wingfield provided an oral response.

Councillors Cathy Bowman and Neil Coyle asked questions of the deputation.

Thereafter the deputation returned to their seats in the public seating area.

Following the deputation from Draper House residents Councillor Ian Wingfield undertook to update members on the major works contract on the estate.

Residents of Four Squares Estate

Council assembly considered whether to receive the deputation from residents of the Four Squares estate.

RESOLVED:

That the deputation be received.

The deputation's spokesperson, Jim Titchener, addressed the meeting.

The deputation asked a question of Councillor Ian Wingfield, deputy leader of the council and cabinet member for housing management. Councillor Ian Wingfield provided an oral response.

Councillors Anood Al-Samerai, Eliza Mann, Gavin Edwards and Mark Williams asked questions of the deputation.

Thereafter the deputation returned to their seats in the public seating area.

3. THEMED DEBATE - AFFORDABLE HOUSING AND SOCIAL HOUSING

3.1 CABINET MEMBER STATEMENT

Councillor Ian Wingfield (deputy leader and cabinet member for housing management) and Councillor Fiona Colley (cabinet member for regeneration and corporate strategy) introduced the theme of the meeting.

The opposition spokesperson for resources and housing investment, Councillor Tim McNally, replied to the cabinet members' statements.

3.2 QUESTIONS FROM THE PUBLIC ON THE THEME

There were none.

3.3 MEMBERS' MOTIONS ON THE THEME

The meeting had agreed that there would be a single debate on the two motions on the theme.

MOTION 1 - GENUINELY AFFORDABLE COUNCIL HOUSING FOR SOUTHWARK

(see pages 3 – 4 of the main agenda)

Councillor Richard Livingstone, seconded by Councillor Darren Merrill, moved the motion.

Councillor Michael Bukola, seconded by Councillor Nick Stanton, moved Amendment A.

Councillor Toby Eckersley, seconded by Councillor Lewis Robinson, moved Amendment B.

MOTION 2 - MAJOR WORKS AND HOUSING REPAIRS

(See pages 4 – 5 of the main agenda)

Councillor Anood Al-Samerai, seconded by Councillor Catherine Bowman, moved the motion.

Councillor Gavin Edwards, seconded by Councillor Neil Coyle, moved Amendment C.

At 9.15pm the meeting adjourned, reconvening at 9.20pm.

Councillor Neil Coyle apologised to Councillor Anood Al-Samerai for comments that he had made about her whilst seconding Amendment C. Councillor Anood Al-Samerai accepted Councillor Coyle's apology.

The meeting then debated the two motions and three amendments (Councillors Peter John and Poddy Clark). Following points of personal explanation from Councillors Ian Wingfield, Poddy Clark and Mark Williams at 9.30 pm the Mayor announced that the time allocated to the themed section of the meeting had expired. The clerk announced that each motion and amendment which had been moved and seconded would be voted on separately.

Vote on Motion 1 and Amendments A and B – Genuinely Affordable Council Housing for Southwark

Amendment A was put to the vote and declared to be lost.

Amendment B was put to the vote and declared to be lost.

The substantive motion was put to the vote and declared to be carried

RESOLVED:

1. That council assembly welcomes the fact that the current Labour administration is:
 - Investing £326 million to ensure every council home in Southwark is warm, dry and safe by 2016
 - Building 1000 new council homes in Southwark over the next eight years - more than have been built in all of London in the last 10 years
 - Engaging in a borough-wide consultation into the proposals put forward by Southwark's groundbreaking independent housing commission which explored future housing options for strategy over the next 30 years

- And rejecting the government's definition of affordable housing as up to 80% market rents, by ensuring rents on phase 1 of the Heygate were lowered from 65% to 50% market rents to reflect the wishes of local residents.
2. That council assembly regrets the complete failure of the previous administration when it came to housing, including:
 - No new council homes approved between 2002-2010
 - An unworkable and unfunded decent homes programme which was millions of pounds over budget and left many Southwark residents without decent homes.
 - 7,800 fewer council homes in Southwark by the end of their time in office.
 3. That council assembly believes the Tory Liberal Democrat government's housing policy is not geared towards providing more affordable and social housing and opposes:
 - The housing benefit cap
 - "Affordable rent" of up to 80% of market rent
 - The ending of secure tenancies
 - The slashing of the social housing budget by £3.9 billion
 - The Growth and Infrastructure Bill which allows developers to deliver 0% affordable housing on new developments
 - Right to buy discounts of up to £75,000.
 4. That council assembly notes that Simon Hughes MP and the Liberal Democrats have supported all of these measures.
 5. That council assembly notes that sites for the first phase of the council's 1000 new homes have already been identified throughout the borough and calls on cabinet to draw up plans for consultation on the next phase of new council homes.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

Vote on Motion 2 and Amendment C - Major Works and Housing Repairs

Amendment C was put to the vote and declared to be carried.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly regrets the incident at Draper House and notes that the

council is doing everything in its power to ensure people feel safe in their homes. It notes that:

- An investigation was immediately begun into the cause of the incident and that the council has agreed to fully adopt any recommendations to ensure residents' safety.
 - Properties where similar work was carried out are undergoing inspection by the council's compliance team to ensure work has been done properly and to the required safety standards.
 - The council has also alerted the health and safety executive as safety is its top priority.
2. That council assembly notes that at Four Squares the project has been completely turned round. The uncertainty for residents caused by the previous Liberal Democrat administration's failed housing investment programme and failure to complete security works has now been replaced with certainty as the works start driving forward the £26 million investment on the estate. The cabinet member for housing and council officers have met regularly with residents throughout the process and the first of the packaged works is now being delivered on time, despite some unforeseen structural issues.
3. That council assembly welcomes the steps taken by the current administration to improve major works project management and performance it inherited from the Liberal Democrats, including:
- Labour's £326 million warm dry safe programme which is realistic, fully-costed and sets out a clear timetable so residents know exactly when their works will take place.
 - A substantial programme of fire risk assessment works, refurbishment of hostels and a programme of improvement to tenants and residents association halls - with 2013/14 individual heating programme brought forward into 2012/13, meaning inefficient boilers are being replaced with more efficient models helping to deliver savings for resident and tackle fuel poverty.
 - The restructure and the setting up of project management teams to give improved focus to project management on site and a more open and transparent culture where problems can be quickly identified and resources committed accordingly.
 - A comprehensive resident consultation process "Putting Residents First" which ensures the council is clear with residents from the outset about what we are delivering and how they can be involved.
4. That council assembly notes the good progress has been made in improving the repairs service but acknowledges that the service started from a low base thanks to the arrangements put in place by the previous Liberal Democrat administration. It notes that contracts have been terminated with Just Housing, Morrison and the council is a few months away from bringing the call centre in-house. It notes that overall contract management is improving. There is a greater focus on completing repairs quickly and to a high standard leading to reduced costs and a reduction in duplication. Repairs completed right first time is improving as is satisfaction with the repairs service. Complaint escalations are at an all time low as are the number of

overdue orders.

5. That council assembly notes that the telephone answering performance at the customer services centre (CSC) for repairs was poor in the last quarter of 2012. This is because the repairs contractor for the south of the borough changed which caused some disruption and resulted in an increase in demand for the telephone service that lasted longer than we predicted. It notes that the council provided further resources and call waiting times have reduced considerably in the first two weeks of 2013. It notes that a customer access strategy has been developed to improve the quality of customer services, ease of accessibility and reduce costs and that the new My Southwark, customer service point opened at The Blue in Bermondsey in mid December and represents the prototype for the future of face to face customer services in Southwark.
6. That council assembly believes an immediate review of major works will be to the detriment of tenants with regards to their works and upgrades being completed on time and would result in severe costs to leaseholders.
7. That council assembly therefore resolves on cabinet to:
 - Continue to deliver its £326 million housing investment programme which will make every council home in Southwark warm, dry and safe by 2016.
 - Continue to improve management of major works contracts and to develop its customer access strategy which will help to improve the quality of the council's customer services.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

4. OTHER DEPUTATIONS

There were none.

5. ISSUES RAISED BY MEMBERS

5.1 MEMBERS' QUESTION TIME

(See pages 6 - 12 of the main agenda and the blue and yellow papers circulated at the meeting)

There was one urgent question to the leader, the written response to which was circulated on blue paper at the meeting. Two supplemental questions were asked of the leader. All questions and written responses are attached as Appendix 1 to the minutes..

There were 41 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were eight supplemental questions. All questions and written responses are attached as Appendix 2 to the minutes.

At 10.03pm the Mayor announced that the guillotine had fallen.

5.2 MEMBERS' MOTIONS

MOTION 1 - SAVE SOUTHWARK EMERGENCY SERVICES

(See page 14 of the main agenda)

The guillotine having fallen, Councillors Peter John and Richard Livingstone, formally moved and seconded the motion.

Councillors James Barber and Geoffrey Thornton, formally moved and seconded Amendment D.

Amendment D was put to the vote and declared to be lost.

Councillors Michael Mitchell and Lewis Robinson, formally moved and seconded Amendment E.

Amendment E was put to the vote and declared to be lost.

Councillors Helen Hayes and Andy Simmons, formally moved and seconded Amendment F.

Amendment F was put to the vote and declared to be carried.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly believes that the safety and security of Londoners and the residents of our borough is being put at risk as a result of cuts to emergency services being pushed through by the Mayor of London and the Tory Liberal Democrat government to our key emergency services – the Metropolitan Police Service, the London Fire Brigade alongside the London Ambulance Service and the city's accident and emergency departments.
2. That council assembly believes that the cuts are going too far and too fast and that the many millions of pounds being cut from the budgets of the NHS, the Metropolitan Police Service and the London Fire Brigade will inevitably endanger families and communities across the capital.
3. That council assembly believes that the cuts are being carried out without consideration of the impact on Londoners' safety. The mooted closures of police front desks in Rotherhithe and East Dulwich, fire stations in Borough and Peckham and Lewisham A & E department will mean various pockets of London could see the safety of residents threatened by longer response times.
4. That council assembly rejects the position of the Mayor of London and of Simon Hughes MP that the scale of the cuts are necessary and acceptable and calls on both to stand up for Southwark residents against the cuts being imposed by the Tory

Liberal Democrat government to the emergency services on which we rely to keep Londoners safe.

5. That council assembly notes that since the substantive motion was drafted the Mayor has published his draft police and crime strategy for London, and that this document makes a number of recommendations which will have serious consequences for Southwark if they are implemented:
 - (a) The proposed closure of East Dulwich, Gipsy Hill and Sydenham police stations, which will leave a 'black hole' in counter service provision for the residents of College, Village and East Dulwich wards.
 - (b) The proposed closure of Rotherhithe police station, which will leave an isolated peninsula community without adequate access to dedicated police resources.
 - (c) The proposed dismantling of the neighbourhood policing model such that the current dedicated ward based teams of six staff members (one sergeant, three police constables and two police community support officers) will be reduced to one dedicated police constable plus a 'named sergeant'.
6. That council assembly notes the Mayor's election manifesto commitment not to close any police station facility without opening an 'equivalent or better' facility in the same area, and notes that the draft police and crime strategy breaks this pledge.
7. That council assembly deplores the lack of cross-borough co-ordination in planning police station closures which has resulted in the 'black hole' in counter service provision in the Dulwich and Crystal Palace areas, which are close to the boundary with four other London boroughs.
8. That council assembly further deplores the dismantling of the neighbourhood policing model which will see the majority of officers deployed to high crime areas, to the detriment of the very important and successful community liaison and crime prevention roles which have helped to keep crime low.
9. That council assembly records its grave concern at the impact of both police station closures and the dismantling of the neighbourhood policing model on vulnerable residents, victims of domestic violence and others for whom the local police station is a place of safety; and on the ability of the police to record crime statistics accurately. Further, council assembly is concerned at the impact of police station closures on the management of local police teams and the potential for valuable police time to be lost to wards in the south of the borough due to officer travel time from operational bases in the north of the borough.
10. That whilst council assembly acknowledges the need to make budget savings, it believes the 20% cut imposed by the Tory Liberal Democrat government goes too far and too fast. In addition whilst council assembly recognises the inappropriateness of some current police station buildings for on-going use, for example the current East Dulwich police station building, it is extremely concerning that the draft police and crime plan contains no proposals for alternative provision, no definition of 'equal or better' against which future performance can be measured, and no creative thinking. Council assembly requests that the cabinet calls upon the Mayor to honour his

manifesto commitment concerning police counter facilities, and to rethink the proposals for the south of the borough and for Rotherhithe, working creatively with the council and local communities, to ensure that the dangerous 'black hole' scenario is averted.

11. That council assembly recognises the council's commitment to working creatively with the Metropolitan Police in identifying alternative premises which have the potential to meet police security criteria in the south of the borough and in Rotherhithe.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

MOTION 2 - DNA DATABASE

(See pages 14 – 15 of the main agenda)

The guillotine having fallen, Councillors Graham Neale and Rosie Shimell, formally moved and seconded the motion.

Councillors Martin Seaton and Renata Hamvas, formally moved and seconded Amendment G.

Amendment G was put to the vote and declared to be carried.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council notes that in a fair society it is simply not right that innocent people can have their DNA stored by the state.
2. That council also notes with concern that since 2004 the UK's national DNA database (NDNAD) has been permitted to hold DNA samples of any individual arrested of an offence, regardless of whether that individual was actually charged or convicted.
3. That council notes that over million people, who have never been given a conviction, caution or formal warning are estimated to be on the national DNA database and acknowledges that the European Court of Human Rights found indefinite DNA retention to be in violation of Article 8.
4. That while council recognises that DNA evidence can be an important tool in criminal investigations, council believes that the indefinite retention of the DNA of innocent people constitutes a disproportionate intrusion by the state.
5. That council assembly notes the announcement that DNA samples held for innocent people will be destroyed in four months time in May 2013 and supports the Metropolitan Police Service's early deletion request scheme.
6. That in particular, council urges council officers to provide a link to the early deletion request scheme on Southwark Council's website and highlight the scheme in the next edition of Southwark Life.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

6. OTHER REPORTS

7. COUNCIL TAX BASE 2013/14

(See pages 58 – 77 of supplemental agenda 1 and pages 1 – 222 of supplemental agenda 2)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

Following debate (Councillors Richard Livingstone, Anood Al-Samerai and Toby Eckersley), the recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

1. That in accordance with the decisions of council assembly about council tax on 28 November 2012, the following be noted:
 - the local discretionary discount for homes counted as long-term empty (over 2 years) will be set at 150%
 - the discount/exemption for empty property the discount for second homes be set at 0%
 - the discount to replace Class A exemptions will be set at 0%
 - the discount to replace Class C exemptions will be set at 100% for a maximum of two months only.
2. That the council tax base for 2013/14 be set at 81,421.05 band D equivalent dwellings, as shown in paragraph 37 of the report.
3. That the assumed council tax collection level remains at 96.25%, noting the risks outlined in paragraph 30 of the report..
4. That the council tax base for 2013/14 for St. Mary Newington be set at 12,487.57 band D equivalent dwellings.
5. That the council tax base for 2013/14 for St. Saviour's be set at 1,175.02 band D equivalent dwellings.
6. That the net rate yield for national non domestic rates be set at £190,585,401 as shown in paragraph 47 of the report.
7. That the council tax reduction scheme (CTRS) written policy for both working and pensionable age claimants (see Appendix E of the report) be agreed; and the reduction in tax base of 21,215 band D equivalent properties as shown in paragraph

52 of the report be noted.

8. That any minor and consequential amendments to the council tax reduction scheme written policy be delegated to the strategic director of finance and corporate services, in consultation with the monitoring officer.

7.1 COUNCIL ASSEMBLY DATES AND CALENDAR 2013/14

(See pages 16 – 31 of the main agenda)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

Following debate (Councillor Tim McNally), the recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

Council assembly dates

1. That the following dates for meetings of council assembly be agreed and that these dates be fixed in the council calendar for the municipal year 2013/14, subject to the notes set out in the table below:

Dates of council assembly meetings 2013/14

Council Assembly Meetings 2013/14	Theme
Wednesday 3 July 2013	Welfare Reform
Wednesday 16 October 2013	Green Southwark
Wednesday 27 November 2013	Local Business and Enterprise
Wednesday 22 January 2014	Active Communities and the Elderly
Wednesday 26 February 2014	Budget and council tax setting
Wednesday 26 March 2014* Note: If local government elections take place on 1 May 2014, this meeting would be rescheduled for 19 March 2014. If there is a combined election in June 2014 this meeting would proceed.	Future Vision for Southwark
Wednesday 21 May 2014*	Annual meeting (Mayor making &

Note: This date is based on local government elections taking place on 1 May 2014. In the event of a combined election, the annual meeting would be held after the elections (in accordance with council assembly procedure rule 4.1.2).	constitutional)
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Note: * - There remains some uncertainty regarding confirmation of the dates for the local government elections and European elections in 2014. This could impact on the proposed dates for the council assembly meetings in March 2014 and May 2014. For further information see notes in table and paragraphs 5 to 9 of the report.

Council calendar

2. That the calendar of council meetings for the 2013/14 municipal year ahead as shown in Appendix 1 of the report be noted.

8. AMENDMENTS

Amendments are set out in Supplemental Agenda No.3.

The meeting closed at 10.12pm.

CHAIR:

DATED: