

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> December 15 2009	<b>Meeting Name:</b> Executive
<b>Report title:</b>		Motions Referred from Council Assembly	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## RECOMMENDATION

1. That the executive considers the motions set out in the appendices attached to the report.

## BACKGROUND INFORMATION

2. Council assembly at its meeting on Wednesday, November 4 2009 agreed a number of motions and these stand referred to the executive for consideration.
3. The executive is requested to consider the motions referred to it. Any proposals in a motion are treated as a recommendation only. The final decisions of the executive will be reported back to the next meeting of council assembly. When considering a motion, executive can decide to:
  - Note the motion; *or*
  - Agree the motion in its entirety, *or*
  - Amend the motion; *or*
  - Reject the motion.

## KEY ISSUES FOR CONSIDERATION

4. In accordance with council assembly procedure rule 2.9(6), the attached motions were referred to the executive. The executive will report on the outcome of its deliberations upon the motions to a subsequent meeting of council assembly.
5. The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and to the executive for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis.
6. Any key issues, such as policy, community impact or funding implications are included in the advice from the relevant chief officer.

## REASON FOR URGENCY

7. It is important that motions from council assembly are referred to executive at the first available opportunity to ensure that the issues raised in these motions are considered without delay.

## REASON FOR LATENESS

8. It has not been possible to circulate this report five clear days in advance of the meeting due to the need to receive and provide comments in respect of these motions from the relevant chief officer.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Motions submitted in accordance with council assembly procedure rule 2.9 (6).	Town Hall, Peckham Road, London SE5 8UB	Lesley John Constitutional Team 020 7525 7228

## LIST OF APPENDICES

Number	Title
Appendix 1	Pedestrian Safety At Junction Of Lordship Lane And Dulwich Common
Appendix 2	Southwark's Council Housing Crisis
Appendix 3	Freedom Pass Cuts
Appendix 4	Save The South London Line

## AUDIT TRAIL

<b>Lead Officer</b>	Ian Millichap, Constitutional Team Manager	
<b>Report Author</b>	Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	December 10 2009	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Environment and Housing – appendix 2	Yes	Yes
Deputy Chief Executive – appendix 3	Yes	No
Strategic Director of Regeneration and Neighbourhoods – appendix 1 and 4	Yes	No
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	December 10 2009	

**Pedestrian Safety at Junction of Lordship Lane and Dulwich Common**

At council assembly on Wednesday November 4 2009 a motion on pedestrian safety at the junction of Lordship Lane and Dulwich Common was moved by Councillor Lewis Robinson and seconded by Councillor Kim Humphreys. The motion was agreed and stands referred to the executive as a recommendation.

**Recommendation**

That council assembly notes:

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

That council assembly welcomes:

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

That council assembly requests the executive to:

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

**Comments of the Strategic Director of Regeneration and Neighbourhoods**

None received at the time of despatch.

## Southwark's Council Housing Crisis

At council assembly on Wednesday November 4 2009 a motion on Southwark's council housing crisis was moved by Councillor Ian Wingfield and seconded by Councillor Martin Seaton. The motion was subsequently amended and the amended motion stands referred to the executive as a recommendation.

### Recommendation

1. That council assembly notes in a draft of the housing strategy a £700 million gap in the funding for the executive's Southwark decent homes programme was reported. It notes the omission of this figure in the housing strategy agreed by the executive as further work is still being carried out as part of the stock condition survey.
2. That council assembly regrets the large number of homes classified as non-decent in Southwark and notes that the housing strategy recognises this is a problem across all sectors with more than a third of housing association homes classified as such. Council assembly further notes that Southwark has far more council housing than any other London borough.
3. That council assembly reaffirms its support for the settled view of Southwark tenants that:
  - a) they wish to remain as tenants of the council
  - b) that the government's so-called decent homes standard is an inadequate and insufficient standard for Southwark's homes
  - c) when refurbishment takes place the work should be comprehensive and take into account landlord obligations, decent homes and other improvements, rather than simply reflect artificial, piecemeal and partial government targets.
4. That council assembly regrets the continued restrictions imposed on the council by government that prevent it meeting the legitimate aspirations of tenants and leaseholders and its failure to provide any additional funding for fire safety work.
5. That council assembly welcomes the review of the housing revenue account (HRA) by the Communities and Local Government department, particularly over suggestions that power will be returned to local government over rent incomes and capital receipts and supports London Councils in its view that 'where an exceptional need to spend is identified, certain local authorities should have their level of debt reduced so as to create additional headroom for local prudential borrowing', but awaits detailed proposals with concern given the government's recent record on housing finance.
6. That in addition council assembly calls on the executive to launch a campaign to persuade the government to recognise Southwark's unique position and look at other solutions, excluded from the HRA review, and allow the council to invest in its homes through a combination of:
  - a) Writing off historic debt – particularly for estates that have been demolished or redeveloped
  - b) Allowing the council to remortgage parcels of its debt at the current competitive rates
  - c) Allowing the council a temporary 'debt holiday'
  - d) Lifting the restrictions on the use of receipts from planning gain
  - e) Giving councils full control over their rent and other income.

## Comments of the Strategic Director of Environment and Housing

The Decent Homes Standard was introduced in 2003 with a demanding target set for all local authority landlords to create 'safe secure and warm homes' by 2010. In translation this meant major capital investment in the external fabric and internal fittings of most council homes. Additionally capital funds were only made available to these authorities who chose to form arms length management companies. London Borough of Southwark decided to remain a local authority landlord and submitted an options approval to Government that suggest that the target could be met from existing resources. These figures are currently being revised.

In response to the specific points in the motion:

1. There is not a £700 million gap to fund Southwark's decent homes programme.

The early draft of the housing strategy contained the estimated cost of the investment need to our stock at the higher Southwark standard. This is not the investment gap, as the council do have resources to fund the programme, albeit not to the full level of need. A review of our funding available is taking place. The housing strategy initially had figures for our five year investment need based on a number of models, ranging from delivering a basic decent homes standard to a more realistic requirement for the wider investment needs of our stock.

The figures in the draft housing strategy had not been fully validated, so were removed from the final draft of the housing strategy. Officers in both environment and housing and regeneration and neighbourhoods are currently reviewing the figures from the new stock condition survey and assumptions of associated costs and an interim base position will be available in January 2010, with final data completed by April 2010. As part of the process of review there will also be a continual up-date of our stock condition which will inform our asset management strategy.

External funding for the programme amounts to around £50 million per annum, comprising £37m through major repairs allowance and £12.5 million GLA supported borrowing; the latter is not likely to be available after March 2011. We have to make up the gap through a variety of sources, mainly capital receipts from housing and land sales but also including revenue contributions. This is a substantial annual commitment from the council and shows the priority for delivering long term improvement to our estates.

Spending priorities for improvement works are consulted with our residents, in line with government guidance. This has tended to give priority to lifts, common areas and the external environment as well as delivering the decent homes standard. This reprioritisation has reduced our ability to meet the strict standard but has been more responsive to tenants and has been a more rational approach in relation to the long term asset management of our stock. This is highlighted in the executive report of April 2008 'Southwark's decent homes standard.'

2. From the recently published data from government (CLG – Business plan statistical returns 2008/9) 206,000, or 11%, of local authority homes will be non-decent at the 2010/11 (original) target date.

Southwark is London's largest local authority landlord. We manage some 54,500 properties, of which 39,500 are tenanted and 15,000 homeowners. Our particular problem is the age and nature of our housing stock, which has required very high maintenance costs in terms of its structure, external fabric, lift maintenance, etc.

We spend around £80m per annum on improvements to our stock, including £40m on decent homes/area priorities. Last year (2008/9) we spent £89 million on our stock and £55 million on decent homes/area priorities.

Even with this funding we will not meet the 2010/11 target. However some 2000 homes have been made decent every year and, as many improvements have been made which have not qualified for the decent homes measure, the average cost of bringing all our stock up to this standard is substantially less per unit than many other boroughs.

No council has unlimited funds and the decent homes challenge for Southwark is probably greater than any other London borough. With resident support, the only prudent answer is to potentially demolish and redevelop the stock that have the highest costs to maintain however this has short term cost implications for the investment programme. Such regeneration schemes will not only transform the overall condition of the borough's stock, they will create more mixed communities and can also generate significant capital receipts.

3. (a) Southwark is a retained authority – maintaining ownership and management of our stock. This was a positive decision and in line with the guidance on option appraisals. *'For an OA to be signed off it is not enough that tenants are merely consulted, they must be able to make meaningful contributions to the process and thus have some ownership of the conclusions'* (CLG Guidance).

Changes in both ownership and management have been tested on a number of occasions within Southwark, for either a full or partial stock funding solution:

2000 – Housing options – transfer of stock to RSLs

2001 – Aylesbury estate – failed LSVT ballot

2002- Tabard Gardens – pre-ballot consultation showed there was no support for LSVT

2006 – Option appraisal process concluded 'There was no strong support for any of other options, including the mixed model, other than stock retention' – Exec report – March 2006.

2005 - present. Option appraisal working group and decent homes review working group

- (b) Decent homes standard.

In the executive report 2008, it was determined that this standard was too low and a higher Southwark decent homes standard was to be delivered. It was acknowledged that the higher standard would cost more and take longer to deliver.

4. As retained authority Southwark does not have the same access to funding as have ALMO, PFI authorities, nor RSLs with transferred stock.

Southwark has been lobbying for additional funding from government through the Government Office for London, Homes and Communities Agency and most recently through evidence given to a CLG Select Committee 'Beyond Decent Homes'.

In addition our response on the current housing finance review has been that levels of investment and management funding is up-lifted to enable to meet the true cost of maintaining our stock.

We are also investing significantly in fire safety works following the tragic fire at Lakanal, a cost not met by government and one which could significantly affect our ability to meet the decent homes target. Our stock profile and the size of our portfolio makes balancing demands across these competing areas extremely difficult.

5. CLG has indicated that capital grant would be available in future for remaining backlog works but it is not clear how much, so having an initial debt reduction would be a more definite way of receiving assistance.
6. (a) Debt post-review would be set at an affordable level, given what would be left from future rent income after meeting management and maintenance expenditure - based on future stock. The effect of demolished stock on debt will thus have effectively been removed under the review proposals issued. Full national write-off has been considered in the review and found unaffordable and it would be difficult for CLG to justify and finance fully writing-off debt of particular positive-subsidy authorities.

(b) We are able currently to repay and reborrow debt but suffer early repayment premiums on PWLB debt the premium payments go to government. There is no detail in current proposals on interest rate levels post-settlement and we have asked for reduction for high interest rate authorities to be looked at. Exemption from early repayment premiums during debt resettlement would be useful.

(c) A debt holiday would be quite complicated to set up and as relief against something that is not necessarily a problem, harder to justify than a simple capital grant towards decent homes work.

(e) As stated in 5 the review proposals would give councils control over rents and other income, providing the initial debt settled is affordable.

## Freedom Pass Cuts

At council assembly on Wednesday November 4 2009 a motion on freedom pass cuts was proposed by Councillor David Noakes and seconded by Councillor Tim McNally. The motion was subsequently amended and the amended motion stands referred to the executive as a recommendation.

### Recommendation

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

### Comments of the Deputy Chief Executive

None received at the time of despatch.



## Save the South London Line

At council assembly on Wednesday November 4 2009 a late motion on save the South London Line was proposed by Councillor Caroline Pidgeon and seconded by Councillor Barrie Hargrove. The motion was agreed and stands referred to the executive as a recommendation.

### Recommendation

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

11. That council assembly calls on the responsible executive member to meet with Network Rail and the Department for Transport at the earliest opportunity to put the case for the revision of the plans for London Bridge station so that it is developed to its full capacity, including terminating platforms for the South London Line.
12. That council assembly requests that the executive works in conjunction with the leaders of all political groups on Southwark Council to ensure the strongest representations continue to be made to the Department for Transport, London Mayor, Network Rail, the Minister of Transport and Minister for London to retain the South London Line service.

**Comments of the Strategic Director of Regeneration & Neighbourhoods**

None received at the time of despatch.