



Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary) held on Wednesday 24 March 2010 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor for 2009-10, Councillor Jeff Hook (Chair)

Councillor Anood Al-Samerai	Councillor Jonathan Mitchell
Councillor James Barber	Councillor Abdul Mohamed
Councillor Paul Bates	Councillor Adele Morris
Councillor Columba Blango	Councillor Gordon Nardell
Councillor Denise Capstick	Councillor Wilma Nelson
Councillor Fiona Colley	Councillor David Noakes
Councillor Dora Dixon-Fyle	Councillor Paul Noblet
Councillor Toby Eckersley	Councillor Olajumoke Oyewunmi
Councillor Mary Foulkes OBE	Councillor Chris Page
Councillor Mark Glover	Councillor Andrew Pakes
Councillor Aubyn Graham	Councillor Caroline Pidgeon
Councillor James Gurling	Councillor Lisa Rajan
Councillor Barrie Hargrove	Councillor Sandra Rhule
Councillor Robin Crookshank Hilton	Councillor Lewis Robinson
Councillor Michelle Holford	Councillor Jane Salmon
Councillor David Hubber	Councillor Martin Seaton
Councillor Kim Humphreys	Councillor Mackie Sheik
Councillor Helen Jardine-Brown	Councillor Tayo Situ
Councillor Peter John	Councillor Bob Skelly
Councillor Jenny Jones	Councillor Robert Smeath
Councillor Paul Kyriacou	Councillor Althea Smith
Councillor Jelil Ladipo	Councillor Nick Stanton
Councillor Adedokun Lasaki	Councillor Richard Thomas
Councillor Lorraine Lauder MBE	Councillor Dominic Thorncroft
Councillor Richard Livingstone	Councillor Nick Vineall
Councillor Eliza Mann	Councillor Veronica Ward
Councillor Alison McGovern	Councillor Ian Wingfield
Councillor Tim McNally	Councillor Lorraine Zuleta

1. PRELIMINARY BUSINESS

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

The Mayor reminded all those present that the Mayor's Ball in aid of the 'Help the Heroes' charity is to be held on Saturday 15 May at Vinopolis.

The meeting:

- offered its congratulations to Councillor Gordon Nardell on his recent appointment to Queen's Counsel
- sent its best wishes to former Councillor and Mayor, Hilary Wines, who is seriously ill
- offered its condolences to Councillor John Friary on the death of his mother.

Tributes were paid to George Byfield MBE who recently passed away. He was the first black councillor in Southwark and an Honorary Alderman. A minute's silence was held.

As this was the last meeting before the election the Mayor invited the leaders of each political group, Councillors Nick Stanton, Peter John and Lewis Robinson, to pay tribute to those members who were leaving the council.

On behalf of the whole Council, the Mayor thanked all of those councillors who were not seeking re-election in May. He thanked them for the work and commitment that they had given to Southwark Council and to the community that live in the borough.

Councillor Tim McNally, executive member for resources, spoke in respect of his executive statement on the briefing from the Communities and Local Government Department on the implications for local government of the budget, which had been circulated around the chamber.

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

A late amendment to item 7.1: Proposed children and young people's plan was circulated at the meeting.

In accordance with council assembly procedure rule 1.11(m) Councillor Paul Bates, seconded by Councillor Peter John, moved a procedural motion to suspend the following rules in order that the late amendment could be debated:

- CAPR 2.9 (4) – Notice for amendment to be delivered.
- CAPR 1.9 (2) (3) – Amendment similar to one previously rejected and notice for amendment to be delivered.

The procedural motion was put to the vote and declared to be lost.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Gordon Nardell declared a personal and non-prejudicial interest in item 7.1 Proposed Children and Young Person's Plan, as he is a member of Southwark Cyclist.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors John Friary, Linda Manchester, Danny McCarthy and Kirsty McNeill.

2. MINUTES

Report: See Supplemental agenda 1, pages 1 - 54

RESOLVED:

1. That the open minutes of the meeting held on 27 January 2010 be agreed as a correct record and signed by the Mayor.
2. That the open minutes of the meeting held on 23 February 2010 be agreed as a correct record and signed by the Mayor.

3. PETITIONS

There were no petitions.

4. DEPUTATION REQUEST

Report: See pages 1 – 2 of the main agenda

The meeting agreed to hear a deputation of young people from Southwark Youth Council in relation to item 7.1: Proposed children and young people's plan 2010-13.

The representative from Southwark Youth Council, Martina Ewohime, addressed the meeting. Councillors Lisa Rajan, Peter John, Veronica Ward and Columba Blango asked questions of the deputation, which then withdrew to the public gallery.

At this point in the proceedings, the Mayor stated that he intended to vary the order of business to consider item 7.1 - Proposed children and young people's plan (see relevant minute below).

5. PUBLIC QUESTION TIME

There were no questions from the public.

6. MEMBERS' QUESTION TIME

Report: See pages 3 – 8 of the main agenda, page 1 of the blue paper and pages 1 - 13 and 1 – 4 of the yellow pages circulated at the meeting

There was one urgent question to the leader, the answer to which was circulated on blue paper at the meeting. There was one supplemental question. The questions and answers are attached as Appendix 1 to the minutes.

There were 37 members' questions, the written responses to which were circulated on

yellow paper. There were 17 supplementary questions, the answers to which are attached as Appendix 2 to the minutes.

7. REPORT(S) FOR DECISION FROM THE EXECUTIVE

7.1 PROPOSED CHILDREN AND YOUNG PEOPLE'S PLAN 2010-13 (POLICY FRAMEWORK)

Report: See pages 9 – 50 of the main agenda

The executive member for children's services, Councillor Lisa Rajan, presented the report.

Councillor Althea Smith, seconded by Councillor Aubyn Graham, moved Amendment A. Following debate (Councillors Peter John, Toby Eckersley, Columba Blango and Veronica Ward), Councillor Lisa Rajan exercised her right of reply. Amendment A was put to the vote and declared to be lost.

Councillor Barrie Hargrove, seconded by Councillor Gordon Nardell, moved Amendment B. Following debate (Councillors Tim McNally, James Gurling, Peter John and Nick Stanton), Councillor Lisa Rajan exercised her right of reply.

At this juncture the clerk sought clarification from the meeting that it wished to revise Amendment B as follows:

At the beginning of Amendment B, delete: "On page 29 in Appendix 1 insert new items to table as below" and insert:

"In the commissioning plan include a commitment to:"

The consent of the meeting was given.

Revised Amendment B was put to the vote and declared to be carried.

At this juncture the meeting consented to Councillor Chris Page moving Amendment C in Councillor John Friary's absence.

Councillor Chris Page, seconded by Councillor Robert Smeath, moved Amendment C. Following Councillor Barrie Hargrove's right of reply Amendment C was put to the vote and declared to be carried.

Councillor Ian Wingfield, seconded by Councillor Martin Seaton, moved Amendment D.

At this juncture the clerk sought clarification from the meeting that it wished to revise Amendment D as follows:

On page 31 in first column after "every council home up to" insert "at least".

The consent of the meeting was given.

Revised Amendment D was put to the vote and declared to be carried.

Following Councillor Ian Wingfield's right of reply the substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That the proposed new Children and Young People's Plan (CYPP) for 2010-2013 be adopted as Southwark Council's key policy framework document for children and young people, as recommended by executive on 9 February 2010 and amended by council assembly on 24 March 2010 as follows:

- 1) In the commissioning plan include a commitment to:
Help more young people to take up cycling as a healthy mode of transport through the provision of secure cycle parking on estates and in other residential areas, improved information and working across the authority and with Transport for London to improve safety for cyclists on Southwark's roads.

In second column:

More young people cycling and reduced obesity rates as a result.

- 2) On page 41 in Appendix 1 insert new items to table as below:

In first column:

Work with young people, community groups and the police to produce and deliver effective strategies for tackling youth and violent crime.

In second column:

Fewer young people victims of crime, including violent crime.

In first column:

Ensure that young people feel safe on Southwark's streets by working across the authority and with young people and communities to identify locations for the expansion of CCTV coverage.

In second column:

Lower rates of youth crime and youth victims of crime, and greater numbers of offences against young people being resolved.

- 3) On page 31 in Appendix 1 insert new items to table as below:

In first column:

Working across the authority to bring every council home up to at least decent homes standard to ensure that babies, infants and mothers live in an environment that is healthy, warm, safe and hygienic; working across the authority to ensure that regeneration schemes include a high proportion of high-quality socially-affordable homes suitable for families with children.

In second column:

More children and parents enjoying good health.

On page 32 in Appendix 1 insert new items to table as below:

In first column:

Working across the authority to ensure that vulnerable children living in council housing are growing up in an environment that meets decent homes standards.

In second column:

Improved health, well-being and educational outcomes for children living in improved homes.

2. That it be noted that the CYPP 2010-2013 will be subject to new statutory guidance, expected later this year, which may require revisions to these proposals.

Note: In accordance with the budget and policy framework procedure rule 2 (g), the executive recommendation had been amended and was therefore an in-principle decision and subject to an objection period of 5 days. Subsequently the leader provided written notice that he had no objections to the decision. The decision was implementable with effect from 26 March 2010.

8. OTHER REPORTS

8.1 CONSTITUTIONAL CHANGES

Report: See pages 51 - 83 of the main agenda

In accordance with council assembly procedure rule 2.10(2) the Mayor formally moved the recommendation contained within the report.

Following debate (Councillors Paul Bates, Richard Livingstone, Adele Morris and David Hubber), the recommendations were put to the vote and declared to be carried.

RESOLVED:

That the following constitutional changes be agreed:

Annual and Local Elections 2010: Council Assembly Procedure Rules

1. That council assembly procedure rule 1.1 (notice and summons of meetings) be amended as follows for the May 2010 annual meeting of council assembly if parliamentary and local elections are held on the same day in 2010:

Add new rule 1.1 (1b) to read:

‘In the event that the parliamentary and local elections are held on the same day, the chief executive will give notice to the public of the time and place of any meeting in accordance with the access to information rules. At least five clear working days before the meeting, the chief executive will send a summons signed by him or her by post to all members of the

council or leave it at their usual place of residence.’

Renumber the existing rule 1.1 (1) as 1.1 (1a).

2. That the amendment be applied to the annual meeting in 2010 only.

Article 10: Designation of scrutiny officer

3. That Article 10 of the constitution be amended in accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009 by inserting a new section designating an officer as scrutiny officer to support the work of the overview and scrutiny committee. The detailed changes are set out in Appendix 1 of the report.

Part 3M: Standards Committee - Politically restricted posts

4. That the roles and functions of the standards committee in relation to politically restricted posts be amended in clause 14 as follows:

Insert ", hearing appeals" after "granting" to read

"To consider the granting, hearing appeals and supervision of exemptions from political restrictions".

Community Council Procedure Rules

5. That revised community council procedure rules, within Part 4 of the constitution, be adopted as set out in Appendix 2 of the report.
6. That as a consequence of the above resolution a set of committee procedure rules be approved, by deleting sections and references to community councils in the current committee and community council procedure rules.

Consequential changes

7. That officers be authorised to undertake any consequential and cross referencing changes arising from changes to the constitution.

9. MOTIONS

9.1 LABOUR’S FAILURE IN TACKLING POVERTY AND INEQUALITY

Report see pages 85 – 86 of the main agenda

Councillor Nick Stanton, seconded by Councillor Lewis Robinson, moved the motion.

Following a point of personal explanation from Councillor Gordon Nardell, Councillor Peter John, seconded by Councillor Fiona Colley, moved Amendment E.

Following debate (Councillors Mary Foulkes, Paul Noblet, Paul Bates, Lisa Rajan, Jenny Jones, Kim Humphreys, Caroline Pidgeon, Andrew Pakes, Anood Al-Samerai, Dominic

Thorncroft, Columba Blango and Gordon Nardell), at 10.10pm the bell was rung and the Mayor announced that the guillotine had fallen. Amendment E was put to the vote and declared to be lost.

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

RESOLVED:

That council assembly noted:

1. The promise made by former PM, Tony Blair in 1995 that “If the Labour government has not raised the living standards of the poorest by the end of its time in office, it will have failed.”
2. The National Equality Panel, set up by Harriet Harman MP, whose report from January 2010 stated:
 - 1) “Inequality in any dimension is wider in London than in any other region, and inequality in earnings and income has increased faster in London over the last decade than anywhere else”
 - 2) “People’s occupational and economic destinations in early adulthood depend to an important degree on their origins. Moreover rates of intergenerational mobility in terms of income are low in international terms and in terms of occupation are below the international average for men and the bottom of the range for women.”
 - 3) “The top tenth of households having wealth above £853,000 and the bottom tenth having less than £8,800”.
3. The Marmot Review ‘Fair Society, Healthy Lives’ (February 2010) that showed in England, people living in the poorest neighbourhoods, will, on average, die seven years earlier than people living in the richest neighbourhoods and the average difference in disability free life expectancy is 17 years. So, people in poorer areas not only die sooner, but they will also spend more of their shorter lives with a disability.
4. Statistics from the Joseph Rowntree Foundation ‘poverty site’ show in 2007-08, 13½ million people in the UK were living in poverty (defined as incomes below 60% of median income after deducting housing costs), representing 22% of the population and an increase of 1½ million compared with three years previously. In addition more households were on incomes below 40% of median income than had ever been recorded in history with the proportion of people living in relative poverty in the UK almost twice that of the Netherlands, and one-and-half times that of France.
5. That after 13 years of Labour government more than 20,000 children (42% of all 0-15 years olds) in Southwark are still living in poverty – enough to fill 66 primary schools.

That council assembly believes:

6. It is clear by their own objectives on fighting poverty and raising living standards for

the poorest that Labour in government has failed.

7. That this is due in no small part to Gordon Brown's economic policies which have:
 - 1) over-centralised public sector budgets and social policy making.
 - 2) created a command and control ethos in Whitehall which impedes local authorities in both taking action or devising appropriate local strategies to tackle poverty and inequality.
 - 3) introduced an overly complicated tax and benefit system that has increased welfare dependency, made benefit take up more difficult – for example more than half of all low-income households are now paying full council tax, much higher than a decade ago – and directly hit those on very low incomes with the withdrawal of the 10p tax rate.
 - 4) wasted hundreds of millions of pounds on failed 'public/private partnership' schemes, such as Metronet estimated to have lost the taxpayer more than £400 million – more than enough to pay for the Cross River Tram.
8. That a change of government and direction is now long overdue.
9. A radically new and different approach from government to allow local authorities to more effectively tackle poverty and inequality and maximise employment, training and skills opportunities across the public, private and voluntary sectors should be introduced.
10. Continued improved opportunities for local young people to get a good education with investment in new schools and classrooms will build on the record GCSE results and primary school achievement.
11. The council must continue to use major regeneration schemes – particularly the Elephant and Castle – to provide opportunities to transform employment and training prospects for local people.

9.2 TACKLING THE FEAR OF VIOLENT CRIME WITH CCTV

See pages 86 – 87 of the main agenda

The guillotine having fallen, Councillor Chris Page (with the meeting's consent in the absence of Councillor John Friary) and Councillor Peter John, formally moved and seconded the motion.

Councillors Caroline Pidgeon and Jonathan Mitchell, 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 notes the CCTV strategy agreed by the executive earlier in the year.
2. That council assembly notes that the strategy takes account of the Home Office's national CCTV strategy best practice recommendations and will mean better coordinated, more modern and flexible cameras that meet the latest standards and regulatory requirements.
3. That council assembly believes that the fight against crime is being hampered by excessive legislation and bureaucratic red tape emanating from the Labour government that has spread confusion among police officers, judges and other professionals and gets in the way of detection and prosecution of crimes for which effective CCTV is a vital part.
4. That council assembly further notes that the Labour government has created 4,289 new criminal offences, between 1997 and 2009 - approximately one for every day Labour have been in office including such ludicrous offences as:
 - 1) Disturbing a pack of eggs when directed not to by an authorised officer. (SI 2007/2245, Eggs and Chicks (England Eggs for Hatching and Chicks) 13.1c&8a. and SI 2008/1718).
 - 2) Causing a nuclear explosion. (Nuclear Explosions (Prohibition and Inspections) Act 1998).
 - 3) Sells or offers for sale a bird of game killed on a Sunday or Christmas Day. (SI 2007/2007 Regulatory Reform (Game) Order 2007, amendment to Game Act 1831 s. 3A).
 - 4) To wilfully pretend to be a barrister.
 - 5) Obstruct workers carrying out repairs to the Docklands Light Railway.
 - 6) Land a catch of unsorted fish at a harbour without permission.
5. That council assembly calls for a halt to this compulsive obsession with unnecessary legislation which is simply about ministers posturing on penalties and wishing to be seen to be tough on violent crime.
6. That council assembly calls for a change of direction in crime and disorder policy making the focus on catching criminals, increasing the number of police and other enforcement officers on the street, a reduction in red tape and more efficient use of technology such as CCTV, as outlined in the CCTV strategy agreed by the executive in February.
7. That finally, council assembly notes that between 1997 and 2009 the Labour government built 19,983 prison cells and just 2,710 council homes. Notes these cells are full of petty offenders with around 60,000 prisoners jailed for less than 12 months and often violent criminals go free. Notes short term prison sentences do not work with more than 60% of those jailed for less than 12 months reoffending and that the National Audit Office estimates the cost of this to be in the order of £10 billion.

9.3 HUMAN RIGHTS, RACE AND EQUALITY

See page 87 of the main agenda

The guillotine having fallen, Councillors Tayo Situ and Althea Smith, formally moved and seconded the motion.

Councillors Adele Morris and Mackie Sheik, 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 assembly notes the withdrawal of council funding from the Southwark Human Rights, Race and Equality Board (SHRREB).
2. That council assembly notes the concerns about the effectiveness of SHRREB but believes that the lack of an alternative body is deeply concerning.
3. That council assembly welcomes the recent launch of the council's expression of interest document for local organisations to provide this service, and notes its aim of having a service funding agreement in place by July 2010.

10. AMENDMENTS

The amendments are set out in supplemental agenda 2.

The meeting closed at 10.20pm.

CHAIR:

DATED: