

MINUTES OF THE COUNCIL

Wednesday, 26 June 2013 at 7.30 pm

PRESENT: Councillors Olufunke Abidoye, Jackie Addison, Obajimi Adefiranye, Pauline Beck, Paul Bell, Chris Best, Kevin Bonavia, John Bowen, David Britton, Duwayne Brooks, Sir Steve Bullock (Mayor), Suzannah Clarke, Jenni Clutten, Liam Curran, Janet Daby, Vincent Davis, Amanda De Ryk, Damien Egan, Alexander Feakes, Julia Fletcher, Patsy Foreman, Vicky Foxcroft, Helen Gibson, Sven Griesenbeck, Alan Hall, Carl Handley, Michael Harris, Ami Ibitson, Mark Ingleby, Stella Jeffrey, Darren Johnson, Chris Maines, Jim Mallory, Paul Maslin, Joan Millbank, Pauline Morrison, John Muldoon, Crada Onuegbu, Sam Owolabi-Oluyole, Jacq Paschoud, John Paschoud, Philip Peake, Eva Stamirowski, Alan Till, Dan Whittle and Susan Wise.

Apologies for absence were received from Councillor Christine Allison, Councillor Abdeslam Amrani, Councillor Peggy Fitzsimmons, Councillor Helen Klier, Councillor Madeliene Long, Councillor Marion Nisbet and Councillor Alan Smith.

120. Declarations of Interests

Councillor Ingleby declared a personal interest in Item 6 as Chair of the Friends of the Grove Park Nature Reserve.

Councillor John Paschoud declared a personal interest in Items 6 and 20 as a Member of the Institute of Advanced Motorists.

Councillor Fletcher declared a personal interest in Item 6 as a member of the Management Committee of Wesley Halls.

Councillor Peake declared a personal interest in Item 20 as a parent of a child attending Fairlawn School.

Councillor Curran declared a personal interest in Item 6 as a member of the Save Lewisham Pubs campaign.

121. Minutes

RESOLVED that the minutes of the meeting held on 20 March 2013 be signed as a correct record.

122. Petitions

Councillor Feakes presented a petition bearing over 1,000 names asking the Council to reconsider its position regarding Discretionary Rates Relief in respect of Community Groups and Community Interest Companies.

Councillor Stamirowski presented a petition bearing 138 names asking the Council to re-route double decker buses 160 and N171 from Sangley Road and Sandhurst Road.

Councillor Johnson presented a petition bearing 171 names from the Guney Londra Dayanisma Dernegi/ South London Solidarity Association asking the Council to make a building available for use by the Turkish, Kurdish and Cypriot community in the borough.

On behalf of Councillor Fitzsimmons, Councillor Jeffrey presented a petition bearing 460 names asking that Glen's café in Ladywell Fields be retained and not sold to a private bidder.

Councillor Curran presented a petition bearing about 200 names asking that the Windmill pub in Kirkdale be retained and not replaced by a supermarket.

123. Announcements or Communications

(1) Report of the Returning Officer

On behalf of the Council, the Chair welcomed Councillor Olufunke Abidoye to her first meeting.

(2) Jim Dickens MP

All present observed a minute's silence in memory of a former MP for Lewisham West, Jim Dickens who had died in April.

(3) Greater London Assembly

The Chair congratulated Councillor Darren Johnson on being elected Chair of the Greater London Assembly for a second time.

(4) Group status

The Chair allowed an announcement from Councillor Hall confirming Councillor De Ryk had joined the Labour Party Group.

(5) Mayor Sir Steve Bullock

The Chair offered congratulations to the Mayor on celebrating his 60th birthday and led the Council in a rendition of 'Happy Birthday'.

124. Public questions

47 questions were received from the following member of the public which was answered by the Cabinet Member indicated. A copy of the questions and answers will be circulated separately.

1.	Mr R Stocker	Mayor
2.	Ms B Raymond	Mayor
3.	Mr R Woolford	Cllr Maslin
4.	Mr G Ambrose	Cllr Daby
5.	Ms V Cooper-Smith	Mayor

6.	Ms G Raggett	Cllr Best
7.	Mrs P Richardson	Mayor
8.	Mr P Richardson	Cllr Best
9.	Mr R Carey	Cllr Wise
10.	Ms C Oliver	Mayor
11.	Mr S Mills	Cllr Wise
12.	Herselman Hattingh	Mayor
13.	Ms S Buck	Cllr Handley
14.	Ms H Mercer	Mayor
15.	Mr C Baulch	Cllr Wise
16.	Ms S Preece	Cllr Handley
17.	Mr M Morley	Mayor
18.	Mr H Patel	Mayor
19.	Mr R Stocker	Mayor
20.	Ms B Raymond	Mayor
21.	Mr R Woolford	Cllr Maslin
22.	Mr G Ambrose	Cllr Wise
23.	Ms G Raggett	Cllr Best
24.	Mrs P Richardson	Cllr Best
25.	Mr P Richardson	Cllr Best
26.	Mr R Carey	Cllr Wise
27.	Ms C Oliver	Cllr Wise
28.	Mr S Mills	Mayor
29.	Herselman Hattingh	Cllr Wise
30.	Ms S Buck	Mayor
31.	Mr C Baulch	Cllr Wise
32.	Mr M Morley	Cllr Best
33.	Mr H Patel	Mayor
34.	Mr R Stocker	Mayor
35.	Mr R Woolford	Cllr Maslin
36.	Mrs P Richardson	Cllr Best
37.	Mr P Richardson	Cllr Best
38.	Ms S Buck	Cllr Wise
39.	Mr C Baulch	Cllr Wise
40.	Mr R Woolford	Cllr Maslin
41.	Mrs P Richardson	Cllr Maslin
42.	Mr C Baulch	Cllr Wise
43.	Mr R Woolford	Mayor
44.	Mr R Woolford	Cllr Wise
45.	Mr R Woolford	Cllr Wise
46.	Mr R Woolford	Cllr Wise
47.	Mr R Woolford	Cllr Wise

125. Member questions

30 questions were asked from Members of the Council and written answers were provided by the Members indicated.

1.	Cllr Brooks	Cllr Daby
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2.	Cllr Hall	Cllr Maslin
3.	Cllr John Paschoud	Mayor
4.	Cllr Curran	Mayor
5.	Cllr Johnson	Mayor
6.	Cllr Clutten	Cllr Wise
7.	Cllr Peake	Mayor
8.	Cllr Ingleby	Mayor
9.	Cllr Fletcher	Mayor
10.	Cllr Maines	Mayor
11.	Cllr Brooks	Cllr Daby
12.	Cllr Curran	Mayor
13.	Cllr Johnson	Cllr Maslin
14.	Cllr Clutten	Cllr Wise
15.	Cllr John Paschoud	Mayor
16.	Cllr Peake	Cllr Wise
17.	Cllr Fletcher	Mayor
18.	Cllr Brooks	Cllr Daby
19.	Cllr Curran	Mayor
20.	Cllr Johnson	Cllr Wise
21.	Cllr Peake	Mayor
22.	Cllr Brooks	Mayor
23.	Cllr Peake	Cllr Wise
24.	Cllr Peake	Cllr Maslin
25.	Cllr Peake	Mayor
26.	Cllr Peake	Cllr Wise
27.	Cllr Peake	Mayor
28.	Cllr Peake	Mayor
29.	Cllr Peake	Mayor
30.	Cllr Peake	Mayor

126. Site Allocations Local Plan - Adoption

The Cabinet Member for Resources, Councillor Paul Maslin moved that the recommendations be approved, and this was seconded by Councillor Liam Curran.

RESOLVED that the Site Allocations Local Plan be adopted.

127. Development Management Local Plan

The Cabinet Member for Resources, Councillor Paul Maslin moved that the recommendations be approved, and this was seconded by Councillor Liam Curran.

RESOLVED that the Development Management Local Plan and the accompanying Sustainability Appraisal be approved for submission to the Secretary of State for the purpose of an Independent Examination.

128. Revised Statement of Community Involvement

The Cabinet Member for Resources, Councillor Paul Maslin moved that the recommendations be approved, and this was seconded by Councillor Liam Curran.

RESOLVED that the Draft revised Statement of Community Involvement be approved for the purpose of public consultation.

129. Catford Town Centre Local Plan

The Cabinet Member for Resources, Councillor Paul Maslin moved that the recommendations be approved, and this was seconded by Councillor Liam Curran.

RESOLVED that the Catford Town Centre Local Plan and the accompanying Sustainability Appraisal be approved for submission to the Secretary of State for the purpose of an Independent Examination.

130. CRPL Budget Changes

The Cabinet Member for Resources, Councillor Paul Maslin moved that the recommendations be approved, and this was seconded by Councillor Liam Curran. Following a contribution from Councillor Feakes and a reply by Councillor Maslin, it was:

RESOLVED that

(i) CRPL be authorised to borrow the additional 13/14 budget amount detailed, if required, to complete the proposed project;

(ii) the project will be financed by permitting CRPL to utilise the existing Capital Working Loan facility as agreed by Council on 27 January 2010 and that the terms of the borrowing and final interest rate will be agreed by the Executive Director for Resources and Regeneration; and

(iii) the CRPL directors will make the final project decision on the delivery option based on the financial return to the company.

131. Membership and Voting HWB

Councillor Alan Hall moved that the recommendations be approved and stated that a further review of the membership of the Board would take place at the Constitution Working Party. The recommendations were seconded by Councillor Chris Best. Following contributions from Councillors Maines and Bell, the Head of Law confirmed the Council had a lot of discretion in terms of deciding the membership of the Board, as long as the Board was consulted about any proposals.

RESOLVED that

- (i) the agreement of the Health and Wellbeing Board with the Council's proposals be noted;
- (ii) Tony Nickson be appointed as a representative of the voluntary sector; and
- (iii) the process through which an additional voluntary and community sector representative will be identified be approved.

132. Allocation of seats and Appointments

Councillor Alan Hall moved that the recommendations be approved, and this was seconded by Councillor Foxcroft.

Councillor Alan Hall for the Labour Group and Councillor Chris Maines for the Liberal Democrat Group notified the Council of changes to appointments to Planning Committees. The Council also noted appointments made to the Housing Select Committees by the Overview and Scrutiny Committee.

RESOLVED that

- (i) the proposals in this report in relation to the allocation of seats on ordinary committees be approved;
- (ii) the following appointments be approved:

Planning Committee A – Councillor Peake replaces Councillor De Ryk as a Liberal Democrat Group representative;

Planning Committee A - Councillor De Ryk replaces Councillor Affiku as a Labour Party Group representative;

Strategic Planning Committee Councillor Feakes replaces Councillor De Ryk as a Liberal Democrat Group representative;

- (iii) the existing size of, and allocation of seats on the Overview and Scrutiny Committee and its select committees be reconfirmed; and

- (iv) the appointment by the Overview & Scrutiny Committee of Councillor De Ryk as a Labour Group representative on the Housing Select Committee and the reduction in Liberal Democrat places be noted.

133. Friendship agreement Kingston and St Andrew

The Mayor introduced this item which was formally moved by the Chair

of Council and seconded by the Vice Chair of Council. Following contributions from Councillors Griesenbeck, Wise, Daby, and Maines, there was a reply by the Mayor and it was:

RESOLVED that the formal friendship agreement between London Borough of Lewisham and Kingston and St Andrew Corporation be agreed.

134. Action by Chair of Council

The Chair of Council moved that the recommendation be approved, and this was seconded by the Vice Chair, Councillor Jackie Addison.

RESOLVED that the action taken by the Chair of Council be noted.

135. Action by Chair of OSC

The Chair of Overview & Scrutiny, Councillor Alan Hall moved that the recommendation be approved, and this was seconded by the Vice Chair of Overview & Scrutiny, Councillor Kevin Bonavia.

RESOLVED that the action taken by the Chair of Overview & Scrutiny be noted.

Councillor Alan Hall successfully proposed and Councillor Stella Jeffrey seconded a motion without notice that the order of business be varied and that the next items be taken in the order of 18, 19, 20 and 17.

136. Motion 2 Proposed by Councillor Maslin Seconded by Councillor Hall

The motion was moved by Councillor Maslin and seconded by Councillor Hall.

A motion without notice proposed by Councillor Brooks and seconded by Councillor Griesenbeck that the question be now put was put to a vote and declared to be clearly lost.

There was then a debate to which the Councillors Wise, Ingleby, De Ryk, Johnson, Fletcher, Maines, and Feakes contributed. There was a reply by Councillor Maslin and the motion was then put to the vote and declared to be carried.

RESOLVED that the following motion be agreed:

“Council notes the austerity policies enacted by the Coalition Government which have forced £77m of cuts on the Council so far and a further £50m over the next two years.

Council deplores the cruelty of the Coalition for forcing the poor, disabled and

vulnerable to bear an unreasonable burden of cuts using the shabby cloak of 'welfare reform'.

Council fears further ideologically driven cuts to local government and welfare in the Spending Review and demands Government to rethink its economic strategy to promote jobs and growth.

Council resolves to continue taking all legal and financially viable measures to protect the people of Lewisham from the worst of the impact of the Coalition Government cuts."

137. Motion 3 Proposed by Councillor Curran Seconded by Councillor Foxcroft

The motion was moved by Councillor Curran and seconded by Councillor Foxcroft.

Councillor Johnson then successfully proposed and Councillor Foxcroft seconded a motion without notice that the question be now put. The motion was put to the vote and declared to be carried unanimously.

RESOLVED that the following motion be agreed:

"That Lewisham Council agrees that:

Further to its decision to pursue legal proceedings to overturn the decision of the Secretary of State for Health made on 31 January 2013 in so far as it relates to Lewisham Hospital;

Council continues, on behalf of Lewisham residents, to robustly declare its support for Lewisham Hospital with a fully-functioning A&E and other services as declared in its submissions to the Trust Special Administrator (TSA) and the Secretary of State for Health;

Council still fails to understand how a busy and successful General Hospital such as Lewisham could be included in an "unsustainable providers' regime" UPR.

Council believes that the changes planned, based on the decision of the Secretary of State and the recommendations by the Trust Special Administrator do not have a sound financial, administrative or clinical basis;

Council is concerned that recent comments by the new Trust Special Administrator suggest that irrespective of legal proceedings many of the recommendations made by the previous TSA will go ahead and therefore formally requests the House of Commons Public Accounts Committee investigate the process conducted by the Secretary of State and the TSA."

138. Motion 4 Proposed by Councillor John Paschoud Seconded by Councillor Curran

The motion was moved by Councillor John Pascoud and seconded by Councillor Curran.

An amendment was then proposed by Councillor Peake and seconded by Councillor Brooks. The amendment would have, after the words "This Council notes the progress already made in establishing 20mph speed zones over 66% of Lewisham-controlled streets in the borough", deleted all and inserted:

We believe this lower speed limit is an important way to reduce accidents and save lives. Council wishes to join other authorities who have established or are establishing borough-wide 20mph zones.

Council wishes to do this as quickly, effectively and economically as possible. We note that Government changes to Regulations this year have reduced the cost of implementing 20mph zones. However, it remains the case that the new minimum requirement of repeater signs creates a significant cost while councils are being forced to make Government imposed cuts in so many other areas.

With so many places now adopting 20mph it seems wrong that they are being treated in this way when it would be more cost effective to simply sign the exceptions which is what happens already in areas with 40mph and 50mph limits.

We call on the Mayor to write to the Under-Secretary of State for Transport (Norman Baker) urging him to:

- 1. Allow signage of exceptions to 20mph limits and announce this change as soon as possible.*
- 2. Consider reducing the national speed limit to 20mph. This switch would still allow higher speed limits where we deemed it appropriate. It would also be much quicker and less work for our officers who could then spend their time on other aspects of promoting sustainable transport, modal shift and economic growth. This would save hundreds of millions in 20mph limit implementation costs nationwide and significant amounts in Lewisham.*
- 3. Ensure that technology such as speed guns is approved by the Department for use as evidence gathering equipment at 20mph and that the police co-operate effectively with councils in appropriate enforcement activity."*

Following a contribution from Councillor Johnson, there was a reply by Councillor Peake and the amendment was put to the vote and declared to be clearly lost. The motion was then put to the vote and declared to be carried unanimously.

RESOLVED that the following motion be agreed:

"This Council notes the progress already made in establishing 20mph speed limits on 66% of Lewisham controlled streets in the borough. We believe this lower speed limit is an important way to reduce accidents and save lives and would like to establish it on all roads where it's appropriate as quickly and economically as possible.

However, the Council notes that the current regulations require repeater signs in 20mph zones which place a significant cost on their implementation when we are being forced to make Government imposed cuts in so many other areas.

With so many places now adopting 20mph it seems wrong that they are being treated in this way when it would be more cost effective to simply sign the exceptions which is what happens already in areas with 40mph and 50mph limits.

We call on the Mayor to write to the Under-Secretary of State for Transport (Norman Baker) urging him to:

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2. Consider reducing the national speed limit to 20mph. This switch would still allow higher speed limits where we deemed it appropriate. It would also be much quicker and less work for our officers who could then spend their time on other aspects of promoting sustainable transport, modal shift and economic growth. This would save hundreds of millions in 20mph limit implementation costs nationwide and significant amounts in Lewisham.”

139. Motion 1 Proposed by Councillor Brooks Seconded by Councillor Maines

The motion was moved by Councillor Brooks and seconded by Councillor Maines. An amendment proposed by Councillor Wise and seconded by Councillor Harris was accepted by the mover. The motion was then put to the vote and declared to be carried unanimously.

RESOLVED that the following motion be agreed:

“This Council expresses concern about some of the practices employed by unscrupulous bailiffs and debt recovery agencies.

Council deplores the increased use of payday lenders and loan sharks, who often use unscrupulous bailiffs and debt recovery agencies, which has been fuelled by the Government’s failed economic policies.

Council notes the response submitted in May 2012 to the Government’s Consultation, *Transforming Bailiff Action*, which called for stronger legal powers, agreed with the proposed national standards and agreed that Enforcement Agents should not be able to use force against the person. Council notes that this response is available on Council’s website.

Council therefore welcomes the Government’s announcement that it will change the law to ban the use of force against debtors, stop bailiffs entering homes when only children are present and that it will prevent bailiffs from visiting debtors at night.

Council believes that such practices are completely unacceptable; notes that they give credit collection agencies a bad name and acknowledges the distress that such practices cause vulnerable residents in Lewisham.

Council supports the Government's move to introduce mandatory training and a new certification process for bailiffs and the decision to legislate on a set of rules detailing when bailiffs can enter a property, what goods they can take and establish a fee structure.

Whilst Council notes that companies and individuals have a right to recover debts, Council expresses its strong concern about the exorbitant and excessive fees that are sometimes charged, as outlined in the Council's response which called for the fee structure to be simplified and defined in statute. Council believes that there should never be a place for bullying tactics or intimidation within the debt recovery industry.

Council further notes the importance of ensuring that local residents in Lewisham are made fully aware of their rights in relation to credit collection firms.

Council, therefore, agrees to ensure that:

- Information detailing residents' rights and how to complain about bailiffs is available and easily accessible on the Council's website.

When Lewisham Council pursues debt recovery action for any Council-related debt or passes such debt to a credit collection agency, the Council includes information about acceptable debt recovery practices, residents' rights and how to complain about the credit collection agency, within its letters to affected individuals.