

MINUTES OF THE COUNCIL

Wednesday, 27 February 2013 at 7.30 pm

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

ALSO PRESENT: 6 members of the public.

Apologies for absence were received from Councillor Duwayne Brooks, Councillor Jenni Clutten, Councillor Marion Nisbet and Councillor Stephen Padmore.

91. Declarations of Interests

Councillor Muldoon declared a personal interest in Item 7 as a directly elected governor of the South London & Maudsley NHS Trust Members Council.

Councillor Long declared a personal interest in Item 7 as the remunerated Chair of the South London & Maudsley NHS Trust.

Councillor Onuegbu declared a personal interest in Item 7 as a Council appointed governor of the South London & Maudsley NHS Trust Members Council.

Councillors John and Jacq Paschoud both declared interests in Item 8 as members of Lewisham Healthcare Trust and as relatives of an employee of Lewisham Hospital. Councillor John Paschoud declared a personal interest in Item 7 as a member of the Forest Hill and Sydenham Youth Forum.

Councillor Peake declared a personal interest in Item 3 as a parent of a child at Fairlawn School.

Councillor Wise declared a personal interest in Item 8 as a patient of Lewisham Hospital.

Councillor Fletcher declared a personal interest in Item 7 as a member of the Lewisham Youth Theatre Council of Management.

Councillor Mallory declared a personal interest in Item 7 in respect of his daughter's employment in a Lewisham School, as Chair of Abbey Manor College governing body and as a member of two community groups due to be affected by budget reductions in the coming year.

Councillor Klier declared a personal interest in Item 7 as a Governor of Age Exchange.

Councillor Feakes and Till both declared a personal interest in Item 7 as Trustees of Voluntary Services Lewisham.

92. Minutes

RESOLVED that the minutes of the Council held on January 23 2013 be approved and signed as a true record subject to the minute on Gambling Policy indicating Councillor Eva Stamirowski as the seconder of that item.

93. Petitions

Councillor Peake presented a petition bearing 271 names from residents in local roads and parents of children attending Fairlawn School noting the previous proposals and later partial implementation of the Forest Hill 20mph zone four years ago; observing the narrow pavements, considerable use by children and relative high speeds of traffic on Honor Oak Road near Fairlawn School and calling on the Council to extend the zone to include the part of Honor Oak Road north of the junction with Horniman Drive, Canonbie Road and Netherby Road.

94. Announcements or Communications

(a) Former Councillor Mair Jennings

The Council observed a one minute silence in memory of former Councillor Mair Jennings.

(b) Evelyn by-election

The Chair confirmed the receipt of the resignation of Councillor Joseph Folurunso and that a by-election for the Evelyn Ward would be held on Maundy Thursday, March 28.

(c) Older People's Information Network Directory for Lewisham

Councillor Fitzsimmons launched a brochure containing information for older people in Lewisham and informed the Council further copies were available on request.

95. Public questions

19 questions were received from the following members of the public which were answered by the Cabinet Member indicated.

Copies of all questions and answers will be circulated separately.

<u>Question</u>	<u>Questioner</u>	<u>Member to Reply</u>
1.	Mr R Woolford	Councillor Wise
2.	Mr B Pope	The Mayor
3.	Mr D McKibbin	Councillor Wise
4.	Mrs P Richardson	Deputy Mayor
5.	Mr P Richardson	Councillor Best
6.	Mr P Phoenix	Councillor Egan
7.	Mr R Woolford	The Mayor
8.	Mr B Pope	The Mayor
9.	Mrs P Richardson	Councillor Maslin
10.	Mr P Richardson	Councillor Best
11.	Mr R Woolford	Deputy Mayor
12.	Mrs P Richardson	Councillor Millbank
13.	Mr P Richardson	Councillor Best
14.	Mr R Woolford	Deputy Mayor
15.	Mrs P Richardson	Councillor Maslin
16.	Mr P Richardson	Councillor Best
17.	Mr P Richardson	Councillor Best
18.	Mrs P Richardson	Councillor Wise
19.	Mr P Richardson	Councillor Millbank

96. Member questions

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

1.	Councillor Jeffrey	Councillor Klier
2.	Councillor Brooks	Councillor Maslin
3.	Councillor Fletcher	Councillor Wise
4.	Councillor Britton	Deputy Mayor
5.	Councillor Foreman	Deputy Mayor
6.	Councillor Johnson	Deputy Mayor
7.	Councillor John Paschoud	Councillor Klier
8.	Councillor Allison	Councillor Wise
9.	Councillor Griesenbeck	Deputy Mayor
10.	Councillor Maines	Councillor Best
11.	Councillor De Ryk	Councillor Wise
12.	Councillor Bowen	Deputy Mayor
13.	Councillor Feakes	Deputy Mayor
14.	Councillor Peake	Councillor Best
15.	Councillor Fletcher	Deputy Mayor
16.	Councillor Foreman	Councillor Wise
17.	Councillor Johnson	Deputy Mayor
18.	Councillor Britton	Councillor Wise
19.	Councillor Allison	Councillor Wise
20.	Councillor Griesenbeck	Deputy Mayor
21.	Councillor Maines	Councillor Wise

22.	Councillor De Ryk	Councillor Wise
23.	Councillor Feakes	Deputy Mayor
24.	Councillor Peake	Councillor Wise
25.	Councillor Brooks	The Mayor
26.	Councillor Fletcher	Deputy Mayor
27.	Councillor Foreman	Councillor Wise
28.	Councillor Allison	Councillor Wise
29.	Councillor Griesenbeck	Deputy Mayor
30.	Councillor Maines	Councillor Egan
31.	Councillor Feakes	Councillor Maslin
32.	Councillor Brooks	Councillor Wise
33.	Councillor Fletcher	The Mayor
34.	Councillor Griesenbeck	Deputy Mayor
35.	Councillor Maines	Councillor Wise
36.	Councillor Feakes	Councillor Wise
37.	Councillor Brooks	Councillor Wise
38.	Councillor Feakes	Councillor Wise
39.	Councillor Brooks	Councillor Wise
40.	Councillor Feakes	Councillor Wise
41.	Councillor Brooks	Councillor Maslin
42.	Councillor Brooks	Councillor Onuegbu
43.	Councillor Maines	Deputy Mayor
44.	Councillor Feakes	Councillor Wise
45.	Councillor Feakes	Deputy Mayor

97. Budget 2013-14

- 7.1 The Chair of Council proposed a procedure for consideration of this item which required the suspension of Council Procedure Rules. The Council agreed to have the Budget introduced by the Mayor and the Cabinet member for Resources, Councillor Paul Maslin. The Council then considered the Liberal Democrat motion appearing as Item 10 on the agenda and held one debate on both the motion and the budget proposal. During this general debate on the budget the 5 minute limit on speeches for the Mayor and Councillors Hall and Maines was suspended.
- 7.2 The Mayor reported that he did not intend to vary the budget proposals he had already fully set out at Mayor and Cabinet. He confirmed that as a result of representations made to him, the original Budget paper considered at the Public Accounts Committee on February 7 had been modified and saving CYP 21 had been moved from 2013/14 to 2014/15, allowing a year to explore alternative solutions; saving CYP 47 would not be taken; saving COM06 would be reduced to £120,000 so that each Local Assembly retained £15,000; saving COM34 would be moved from 2013/14 to 2014/15; saving COM38 would be reduced by 50% so that discussions with other providers could occur; savings CUS13 & CUS14 would not be taken but the Executive Director for Customer Services would be required to save at least £250,000 from this budget in 2014/15; and savings CUS22, CUS24, CUS25, CUS40,

CUS43 would not be taken and saving CUS44 would be deleted in 2014/15.

- 7.3 The Cabinet Member for Resources, Councillor Paul Maslin formally seconded the introduction of the Budget.
- 7.4 Item 10, the Liberal Democrat motion was next moved by Councillor Maines and seconded by Councillor Feakes. The Council also considered a supplementary agenda document containing officer commentary on the Liberal Democrat proposals.
- 7.5 There then followed a general debate on the Budget and Item 10 to which the Mayor, and Councillors Maslin, Johnson, Hall, Bell, Daby, and Bonavia contributed.
- 7.6 Once the debate was concluded, there was a vote on Item 10 which was declared to be clearly lost. Once the result of this vote was known the Mayor was asked if he wished to amend his proposals, being aware of the earlier debate and the results of the vote. He confirmed he did not wish to amend his submitted proposals as a result of the debate.
- 7.7 The Mayor's Budget was then formally moved by Councillor Maslin and seconded by Councillor Hall. Following a vote the Budget, containing the recommendations shown below, was declared to be clearly carried.

RESOLVED that the recommendations shown below in respect of the 2013/14 budget be agreed;

(i) that the comments of the Public Accounts Select Committee of 7 February 2013, incorporating the views of the respective select committees be noted;

(ii) that, having considered the views of consultees on the budget, subject to proper process and consultation, if required, the following modifications be made to the published proposals:

CYP 21 the suggested saving of £500,000 be moved from 2013/14 to 2014/15 allowing a year to explore alternative solutions;

CYP 47 not be taken but other Youth Service savings be formally taken, although note be made that the decision may be varied on re-consideration at Mayor & Cabinet on February 20 when Overview & Scrutiny views would be available for consideration;

COM 06 the saving be reduced to £120,000 so that each Assembly retains £15,000;

COM 34 the Broadway Theatre saving be moved from 2013/14 to 2014/15;

COM 38 the saving on Home Security be reduced by 50% so that discussions with other providers could occur;

CUS 13 not be taken & CUS 14 not be taken but the Executive Director for Customer Services be required to save at least £250,000 from this budget in 2014/15;

CUS 22 not be taken;

CUS 24 not be taken;

CUS 25 not be taken;

CUS 40 not be taken;

CUS 43 not be taken;

CUS 44 the saving in 2014/15 be deleted

Capital Programme

(iii) the 2012/13 Quarter 3 Capital Programme monitoring position be noted;

(iv) the 2013/17 Capital Programme of £460.5m be approved, noting that there are no new proposed major capital projects for this period;

Housing Revenue Account

(v) there be an increase of dwelling rents of £3.54 per week or 4.05%, in accordance with the Rent Restructuring formula;

(vi) there be an increase in the hostels accommodation charge by £2.18 per week or 3.48%, in accordance with the Rent Restructuring formula;

(vii) the consultation report on service charges to tenants and leaseholders in the Brockley area, presented to area panel members on 13 December 2012 be noted;

(viii) a Lewisham Homes consultation report on service charges to tenants and leaseholders and the Lewisham Homes budget strategy presented to area panel members on 11 December 2012 be noted;

(ix) the following average weekly increases be approved for dwellings for:

(A) service charges to non-Lewisham Homes managed dwellings (Brockley);

I. caretaking	3.0% (£0.08)
II. grounds	3.0% (£0.04)
III. communal lighting	0.0% (£0.00)
IV. bulk waste collection	0.0% (£0.00)
V. window cleaning	0.0% (£0.00)
VI. tenants' levy	No increase

(B) service charges to Lewisham Homes managed dwellings:

I. caretaking	1.60% (£0.09)
II. grounds	2.49% (£0.02)
III. lumber collection	50.0% (£0.15)
IV. window cleaning	0.0% (£0.00)
V. communal lighting	6.34% (£0.05)
VI. block pest control	1.10% (£0.02)
VII. tenants' levy	No increase

(x) the following average weekly percentage increases be approved for hostels and shared temporary units for;

- I. service charges (hostels) – caretaking etc., 116% (£16.55)
- II. energy cost increases for heat, light & power – 2.5% (£0.27)
- III. water charges increase – 2.5% (£0.06)

(xi) there be an increase in garage rents by inflation of 2.6% (£0.21 per week) for Brockley residents and 2.6% (£0.26 per week) for Lewisham Homes residents;

(xii) the Housing Revenue Account (HRA) budget strategy savings proposals in order to achieve a balanced budget in 2013/14, as set out at Appendix X1 be agreed;

Dedicated Schools Grant

(xiii) Council approves, subject to final confirmation of the allocation, that the provisional Dedicated Schools Grant allocation of £248.8m be the Schools' Budget for 2013/14 and note that this level of funding will not be supplemented by a general fund contribution;

General Fund Revenue Budget and Council Tax

(xiv) the overall variance against the agreed 2012/13 revenue budget be noted;

(xv) the previously approved revenue budget savings of the £4.574m for 2013/14, as summarised in Appendix Y2 be approved. These allow for an amendment of £0.170m from the original package of proposals of £4.744m;

(xvi) there be first round revenue budget savings of £26.102m, of which £13.708m relate to 2013/14, £11.547m for 2014/15 and £0.847m for 2015/16, as summarised in Appendix Y3 and set out in detail at Appendix Y21;

(xvii) there be second round revenue budget savings of £7.866m, of which £2.652m relate to 2013/14, £5.181m for 2014/15 and £0.033m for 2015/16, as summarised at Appendix Y4 and set out in detail at Appendix Y22;

(xviii) there be an additional revenue budget saving proposal of £0.250m for new Customer Services proposals for street cleansing;

(xix) Council notes that in agreeing the above recommendations, it will be approving an overall savings package of £38.792m for 2013/16, of which £20.934m relates to 2013/14, £16.978m for 2014/15 and £0.880m for 2015/16;

(xx) revenue budget pressures of £3.170m in 2013/14 as set out in Section 8 be funded;

(xxi) the Executive Director for Resources & Regeneration maintain a fund of £4.330m against which risks and other potential budget pressures which emerge during the year would be considered for funding;

(xxii) subject to decisions on the above proposals, Council agreed the option set out below:

(A) that a General Fund Budget Requirement of £284.632m for 2013/14 be approved, as a 1.75% increase in Lewisham's Council Tax element has been agreed. This will result in a Band D equivalent Council Tax level of £1,060.35 for Lewisham's services and £1,363.35 overall. This represents an overall increase in Council Tax for 2013/14 of 1.08% and is subject to the GLA precept for 2013/14 being reduced by 1.2% from its existing 2012/13 level, in line with the GLA's draft proposal;

(xxiii) the Executive Director for Resources & Regeneration issues final cash limits to all Directorates once the 2013/14 revenue budget is agreed;

(xxiv) the prospects for the revenue budget for 2014/15 and future years be noted;

(xxv) officers be asked to continue to develop firm proposals to help meet the forecast budget shortfalls in future years;

Treasury Strategy

(xxvi) the prudential indicators and treasury limits be approved, as set out;

(xxvii) the 2013/14 treasury strategy, including the an investment strategy and the credit worthiness policy, as set out in Appendix Z3, be approved;

(xxviii) the credit and counterparty risk management criteria be agreed, as set out in Appendix Z4 and the proposed countries for investment in Appendix Z5, but that it formally delegates responsibility for managing institutions which meet the criteria to the Executive Director for Resources & Regeneration;

(xxix) authority be delegated to the Executive Director for Resources & Regeneration during 2013/14 to make amendments to borrowing and investment strategies provided there is no change to the Council's authorised limit for borrowing;

Appendix Y8 – Early Intervention Grant (CYP14)

(xxx) the background to the proposed saving of £1.367m in the Early Intervention Grant be noted;

Appendix Y9 – Reshaping Youth Services (CYP17)

(xxxii) the responses to the public consultation on proposals for reshaping the Youth Service be noted;

(xxxiii) the reshaping of the Youth Service as outlined in section 6 of the supporting paper be approved;

(xxxiv) the savings proposals for the Youth Service consulted on in Round 1, be taken, but that those proposed in Round 2 not be taken;

(xxxv) the suggested timetable for implementation of the proposals be approved;

(xxxvi) discussions be taken forward with community organisations to explore alternative funding and uses for Oakridge Youth Centre without Council funding;

Appendix Y10 – Generation Play Clubs (CYP21)

(xxxvii) the outcomes of the consultation be noted;

(xxxviii) the proposals put forward to date for alternative use of the sites be noted;

(xxxix) officers continue to work with groups who wish to explore and establish alternative uses of the sites without Council funding; and

(xl) the closure of the Generation Play Clubs be delayed to allow time for organisations to establish alternative usage during 2013/14.

Specific Recommendations for Appendix Y13 – School Meal Prices (CYP13)

(xi) that it be noted the Lewisham paid primary meal price is currently the third lowest charge in London at £1.70 (including those boroughs where no charge is made); and

(xii) a price increase be approved of 10p to £1.80 from April 2013 for a primary meal and to £2.20 for a secondary meal.

STATUTORY CALCULATIONS

1) It be noted that at its meeting on 23 January 2013, the Council agreed the calculation of 72,198.5 as its Council Tax base for 2013/14 in accordance with the Local Authorities (Calculation of Taxbase) Regulations;

2) The following amounts be now agreed by the Council for the year 2013/14 in accordance with the Local Government Finance Act 1992:

a. £967,600,127 being the aggregate of the amounts which the Council estimated aggregate of the amounts which the Council estimates for gross expenditure, calculated in accordance with Section 31A (2) of the Act;

b. £682,968,372 being the aggregate of the amounts which the Council estimates for income, calculated in accordance with Section 31A(2) of the Act;

c. £284,631,755 being the amount by which the aggregate of 3(a) above exceeds the aggregate of 3(b) above, calculated by the Council, in accordance with Section 31A(4)of the Act, as its budget requirement for the year;

d. £208,072,289 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of start up funding assessment, individual authority business rates baseline funding and a top-up allocation;

e. £76,559,466 being the residual amount required to be collected from Council Tax payers. This includes the surplus on the Council's Collection Fund of £3,787.

f. £1,060.35 being the residual sum at (e) above, divided by the Council Tax base of 72,198.5 which is Lewisham's precept on the Collection Fund for 2013/14 at the level of Band D;

Band	Council Tax (LBL)
	£
A	706.90
B	824.72
C	942.53
D	1,060.35
E	1,295.98
F	1,531.62
G	1,767.25
H	2,120.70

Being the amounts given by multiplying the amount at (f) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

3) It be noted that for the year 2013/14, the Greater London Authority is currently consulting on the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance

Act 1992 (as amended), for each of the categories of dwellings shown below:-

Band	GLA Precept
	£
A	202.00
B	235.67
C	269.33
D	303.00
E	370.33
F	437.67
G	505.00
H	606.00

4) Having calculated the estimated aggregate amount in each case of the amounts at 2) (f) and 3) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, assumed the following amounts as the amounts of Council Tax for the year 2013/14 for each of the categories of dwellings shown below:-

Band	Total Council Tax (LBL & GLA)
	£
A	908.90
B	1,060.39
C	1,211.86
D	1,363.35
E	1,666.31
F	1,969.29
G	2,272.25
H	2,726.70

BASIC AND RELEVANT AMOUNTS OF COUNCIL TAX

'Basic' Amount of Council Tax	2012/13	2013/14
Council Tax Base	69,990.6	72,198.5
Council Tax Requirement with Levy (£)	72,937,904	76,555,679
Basic Amount of Council Tax (£)	1,042.11	1,060.35
% Increase in basic amount of Council Tax		1.75%

'Relevant' Amount of Council Tax	2012/13	2013/14
Levies	1,722,646	1,651,487
Council Tax Requirement without Levy	71,215,258	74,904,192

Relevant basic amount of Council Tax	1,017.50	1,037.48
% Increase in relevant basic amount of Council Tax		1.96%

Levy bodies for Lewisham	2012/13	2013/14	Decrease
London Pensions Fund Authority	£1,292,295	£1,244,988	£47,307
Lee Valley Regional Park	£255,940	£236,933	£19,007
Environment Agency	£174,411	£169,566	£4,845
Total Levies	£1,722,646	£1,651,487	£71,159

98. Lewisham Hospital

The Chair of the Healthier Communities Select Committee, Councillor John Muldoon moved that the recommendations be approved, and this was seconded by Councillor Vicky Foxcroft. Following contributions from Councillors Maines and Johnson and the Mayor, it was unanimously:

RESOLVED that the Head of Law be authorised to pursue judicial review proceedings in relation to:

- (i) the recommendations of Matthew Kershaw, TSA of SLHT dated 8 January 2013;
- (ii) the decision of the Secretary of State for Health dated 31 January 2013;

in so far as both relate to Lewisham Hospital if, following receipt of any response to the pre-action protocol letters sent to both on 7 February, she is of the opinion that the Council has a reasonable prospect of success in such proceedings.

- (iii) the setting up of a Legal Challenge Fund be endorsed and that in the event any monies received in that Fund are not required for legal costs, they be donated to Children First Lewisham.

99. Local Development Scheme Adoption

The Deputy Mayor, Councillor Alan Smith moved that the recommendations be approved, and this was seconded by the Chair of the Sustainable Development Select Committee, Councillor Liam Curran.

Councillors Muldoon and John Paschoud both asked that the Health and Well Being Strategy should be added to the list of strategies at 2.3 of the Local Development Scheme. The Deputy Mayor responded that he agreed with the suggestion in principle and would have regard to it when the Scheme was next reviewed.

RESOLVED that the Local Development Scheme be adopted and

brought into effect from the 27 February 2013.

100. Motion 1 to be proposed by Councillor Feakes and seconded by Councillor Maines

This motion was considered as part of Item 7.

101. Motion 2 to be proposed by Councillor Mallory and seconded by Councillor Foxcroft

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

An amendment was then proposed by Councillor Maines and seconded by Councillor Feakes. The amendment would have ensured that the motion read as:

“This Council notes that by the eve of the financial crisis the UK had one of the largest structural deficits in the developed world. Council notes that the former Chief Secretary of the Treasury is reported to have left the current Government a note stating that ‘there’s no money left’.

Council notes that 11 European countries have pledged to introduce a Transaction Tax on all financial exchanges, including shares, bonds and derivatives, in the process targeting those who created the financial crisis. Council notes its support for a global financial transaction tax and calls upon the Government to use its leadership of the G8 to push for an international consensus on the Financial Transaction Tax.

Council welcomes the Government’s introduction of a banking levy and calls upon the Government to introduce the recommendations of the Vickers report.

Council notes the need for urgent reform of the banks, separating the high street and investment arms, a crackdown on high-earners’ tax avoidance and proper regulation of the markets.

Following a contribution from Councillor Curran, Councillor Hall, seconded by Councillor Jeffrey, successfully moved a motion without notice that the question be now put. The amendment was then put to the vote and declared to be clearly lost. Thereafter the motion was put to the vote and declared to be clearly carried and it was:

RESOLVED that the following motion be agreed:

“This Council notes that the Coalition Government is making savage cuts across the public sector, in health, the police, in welfare and particularly in local government, and calls on it to reverse this policy.

Instead, the Government should be focusing on the need to sustain public services and invest in the real economy, rather than reducing the

spending power of ordinary people through job cuts that will reduce income, and inhibit investment and growth.

To do that, Britain should join the 11 European countries that have pledged to introduce a Transaction Tax on all financial exchanges, including shares, bonds and derivatives, in the process targeting those who created the financial crisis and going a long way to paying off the national debt.

It should be part of a wider programme that proceeds with the urgent reform of the banks, separating the high-street and investment arms, a crackdown on high-earners' tax avoidance, and proper regulation of the markets.

Further, the revenue raised should be used, among other things, to reverse the cuts in central grant to local government.”