

CROYDON COUNCIL

MINUTES

**MEETING OF THE COUNCIL
HELD ON
Monday, 22 April 2013 at 6.30pm
in the Council Chamber, Town Hall.**

THE MAYOR, COUNCILLOR EDDY ARRAM – PRESIDING

Councillors Avis, Ayres, Bains, Bashford, Bass, Bee, Bonner, Butler, Buttinger, Chatterjee, Chowdhury, Clouder, Collins, Cromie, Cummings, Fisher, Fitze, Fitzsimons, Flemming, Gatland, George-Hilley, Godfrey, Gray, Hale, Hall, Harris, Hay-Justice, Hoar, Hollands, Hopley, Jewitt, Kabir, Kellett, B Khan, S Khan, Kyeremeh, Lawlor, Lenton, Letts, Mansell, Marshall, D Mead, M Mead, Mohan, Neal, Newman, O'Connell, Osland, Parker, Pearson, Perry, H Pollard, T Pollard, Qadir, Rajendran, G Ryan, P Ryan, Scott, Selva, Shahul-Hameed, Slipper, Smith, Speakman, Thomas, Watson, Wentworth, Winborn, Woodley and Wright.

Absent Councillors Gray, Flemming, G Ryan and Scott.

The Mayor spoke of the recent death of Baroness Thatcher, the first female Prime minister and longest serving peacetime prime Minister of the Country. He went on to say that she had achieved a lot for the country and whilst not everyone had agreed with her, she was a person who put the Country first. The Mayor also passed condolences to Baroness Thatcher's family.

The Council stood and observed a moment of silence in respect of Baroness Thatcher.

1. APOLOGIES FOR ABSENCE (agenda item 1)

Apologies were received from Councillors Gray, Flemming, G Ryan and Scott

2. MINUTES (agenda item 2)

RESOLVED that subject to the correction to the minutes relating to the Camera Resolution and Part B minutes, that the minutes of the meeting held on Tuesday 26th February 2013 be agreed; and that the minutes of the extraordinary Meeting held on 18th March 2013 be agreed

3. DISCLOSURE OF INTERESTS (agenda item 3)

All Members of the Council confirmed that their interests as listed in their Declaration of Interests Forms were accurate and up-to-date.

Councillor Vidhi Mohan Agenda item 8 Governor of Park Hill Infant School re the petition relating to the school.

Councillor Patricia Hay- Justice agenda item 14 - husband is member of Health and Well Being Board

Councillor Dudley Mead declared that he had been appointed to the court of the Whitgift Foundation and that he had no pecuniary interest.

Councillor Margaret Mead declared in the spirit of openness that she was a court governor of the Whitgift Foundation

Councillor Toni Letts declared she was a foundation governor at the Whitgift Foundation

4. URGENT BUSINESS (agenda item 4)

None

5. ANNOUNCEMENTS (agenda item 5)

The Mayor reported that on the 14th April 2013, accompanied by the Mayoress, the Mayor completed the Annual Mayor's Walk from Whittington Stone in Archway to Mansion House a distance of 5 miles.

The Mayor reported that the next charity event was the Annual St Georges Day cream tea to be held in the Town Hall on 23rd April 2013.

6. VOTE OF THANKS

As this was the last Ordinary Meeting of the Council before his year of office came to an end, the Mayor made his farewell address.

The Mayor said that during his year he had presided over 15 Council meeting, attended 7 induction of ministers, sadly informed the Chamber of the deaths of 7 people associated with the Borough, attended 6 Jack Petchey awards, 3 graduation events, received Royal visitors three times and been to five 100th birthdays. Add in the Olympic and Jubilee celebrations the year had been spectacular and extremely busy.

His proudest moment of the year had been to attend, together with representatives of Croydon's London Youth games team and Croydon's London Para youth games team, an event to collect the winners cups for both the London Youth Games and London Para Youth Games.

The Mayor spoke of his visit, with the Mayoress, to Arnhem and of the kindness and warmth shown by not only local people but also the veterans who attended the various events over the weekend. The Mayor expressed his disappointment that Croydon's local press were unable to fully report the event.

The Mayor also spoke of the many volunteer organisations in Croydon and the volunteers

themselves, not just with his own charities MS Croydon and SSAFA but those that visited old people homes, youth leaders, helpers at day centres, sports club organisers and many more. He quoted from a sign in the Carers shop in the Whitgift Centre 'a volunteer does not get paid because they are worthless, they do not get paid because they are priceless'.

The Mayor went on to speak about the work undertaken by the youth of Croydon and the community work they undertake, of the Youth parliament at work and of the talents that is seen in performing arts, sports, debating competitions and academia. This, the Mayor said, was the norm for Croydon's youth and that the town was proud of them.

The Mayor thanked his Deputy Mayor Councillor Tony Harris and his wife Mrs Val Harris for their support and hard work over the year. This included the Deputy Mayor paddling 100 miles down the river Wye and abseiling down Juries Inn.

The Mayor thanked his wife Judith, the Mayoress, who had worked tirelessly, despite personal loss and illness, throughout the year as chairman of the Charity Committee organising events and making them a huge success.

The Mayor went on to thank members of the Charity Committee for their hard work and support, Craig Douglas from SSAFA, Chris Day and Karen Thatcher from MS Croydon, John Hilton, Gill Hecks and Margarita Bowen. The Mayor also thanked those people that had sponsored events and given donations to the charity.

The Mayor thanked all the staff in the Mayoral office for their hard work and organisation for the whole year.

In concluding the Mayor expressed his thanks to the Council for electing him as Mayor and hoped that this had been repaid by the number of visits the Mayor had undertaken throughout the year, the support to a large number of voluntary and other organisations that had been visited and by promoting all that was good in Croydon.

Councillor Fisher moved a motion of thanks which was seconded by Councillor Newman as follows,

MOTION OF THANKS:

(a) the Council tender their grateful thanks to The Worshipful, The Mayor, Councillor Eddy Arram, for the courteous and efficient manner in which he presided over the Council's deliberations during the past year;

(b) the Council record their sincere appreciation of the dignified manner in which Councillor Eddy Arram has carried out the traditional duties of the office of Mayor, of the support and encouragement which he and the Mayoress, Mrs Judith Arram, have given to the local organisations and of the prominent part which they have taken in the social life of the Borough during the Mayor's period of office; and

(c) that this resolution be engrossed and sealed and presented to the Mayor at the Annual Council Meeting in a suitable form.

The motion was passed unanimously

7. PUBLIC QUESTION TIME (agenda item 7)

Under the provisions of the Council Procedure Rules (Croydon Constitution, Part 4A), written questions had been submitted and written replies were given by the relevant Cabinet Member. These were placed in the Chamber and Public Gallery, oral supplementary questions were asked by members of the public and oral replies were provided by the relevant Cabinet Members.

Oral Supplementary questions were asked by:

PQ019-13 Ms C Davies

PQ021-13 Ms S Kennett

PQ022-13 Mr J Cartwright

PQ026-13 Ms C Kirkby

In each case there was an oral reply from the relevant Cabinet Member.

[Note the written Public Questions and written replies can be found at www.croydon.gov.uk/agenda]

8. NOTICES OF PETITIONS PRESENTED AT THE MEETING (agenda item 8)

Petitions were presented formally by Councillors as follows in accordance with Council Procedure Rules:

1. A petition presented by **Councillor Helen Pollard** on behalf of residents, relating to a parking issues in Mill View Gardens. I

This petition does not fall under the Council Petition Scheme and will be referred to the Traffic Management Cabinet Committee

9. RESPONSES TO PETITIONS PRESENTED TO COUNCIL (agenda item 9)

In accordance with the Council procedure rules, the printed responses were open to questions from Councillors

Councillor Winborn – asked if the temporary buildings at Park Hill Infant school would be replaced this summer.

Councillor Pollard confirmed that the building would be replaced during the summer holidays.

10. ANNUAL SCRUTINY REPORT 2012/2013 (agenda item 10)

Councillor Hollands in moving the report advised that item 7 of the Annual report regarding the South West London Joint Health Overview a and Scrutiny Committee had been withdrawn the report is in draft and a final report would come back to Council at a later date.

Councillor Cummings seconded the report.

Councillor Hollands introduced the report 2012/13 had been an interesting and busy year for Scrutiny with the Annual review of the Council Budget, changes to the

Council Tax benefits scheme, policing, 2 health JOSCs and various call ins. Councillor Hollands spoke of increased participation by members of the public and hoped that this would continue over the coming year. He thanked the deputy chair Councillor Cummings and vice chair Councillor Fitzsimons and all members of the scrutiny committee and the independent members. He also thanked the staff involved in scrutiny support.

This was followed by reports from the Chairs of the Sub-Committees;

Councillor Jason Cummings presented a report in respect of the Health, Social Care and Housing Sub-Committee. He explained how it had been a busy year where the sub committee had looked at various subjects including personalisation and reablement, a meeting was held at Baptist Church, covering the Purley Hospital refurbishment, Croydon University Hospital was covered twice with the second meeting asking some robust questions regarding the situation at the Trust. He thanked all members and co-opted members of the sub committee for their hard work.

Councillor Sean Fitzsimons in presenting a report of the Children and Young People Sub-Committee opened by thanking the councillors and co-opted members of the sub committee for their work throughout the year. Topics covered during the year included provision of activities to young people, "call in" grant funding, looked into safeguarding in particular children adolescence checking on educational standards of schools, and looking at the future or education landscape. He thanked the scrutiny support staff for their work throughout the year.

The following Members asked questions on the reports:

Councillor Avis – praised the work of the committee covering the recent Croydon University meeting

Councillor Neal – policing in the borough

Councillor Mansell – page 30 of the report and CAMHS

Councillor Lenton – Impact of Scrutiny on the Council budget process

Councillor H Pollard – page 23 of the report regarding the changes to recycling in the borough

Councillor Buttinger – student participation at meetings

Councillor Ayres – Joint agreement and amendment to the draft wording.

Replies were given by the appropriate Scrutiny chair.

RESOLVED that the Annual Report be received.

11. COUNCILLORS' OPEN SESSION ON WARD MATTERS (agenda item 11)

Councillor Adam Kellett, Ashburton Ward, spoke about the housing situation and covered three main topics, quality of the stock, waiting lists and overcrowding. He said that there were 857 council flats and houses in the Ward and only 6 had failed the decent homes standard and that matter would be addressed by the end of 2013. All properties would be double glazed by 2015 and work continues on improvements to kitchen and bathroom. Whilst the opportunities for new build are limited, 5 new homes at Milford Gardens, 5 houses have been extended to make 5

and 6 bedroom homes. Still 80 families living in overcrowded accommodation. He went on to say that changes in benefits would encourage downsizing and free up larger properties.

Councillor Carole Bonner said that she was proud to represent the residents of Fieldway Ward. She spoke of the recent announcement of police station closures. Following the riots it was recommendation that New Addington area have a dedicated police station and residents feel let down that no action has been taken on that recommendation. She spoke of how residents of Fieldway had come together during the search for Tia Sharp (*a teenager who had disappeared and subsequently found murdered*) and how they proved to the outside world that the vast majority are law abiding and have a community spirit. She spoke of other issues concerning residents; pavements and road deteriorating and not repaired properly, community activates being required to pay for road closures.

Councillor Michael Neal, Croham Ward, spoke about £3million investment in the public realm in South Croydon. Shop fronts would be improved which would compliment the thriving restaurant quarter n the area. The South Croydon Business forum community and residents are engaging with the Council over areas for further improvements. Crime in the area was reducing, reported incidents falling 144 to 115 over a 12 month period. He went on to say that recycling increasing and garden waste collection was due to start again.

Councillor Sherwan Chowdhury, Norbury Ward, spoke of residents feeling the effects of cuts in benefits and of the number of residents that would be affected by these changes. He spoke of the long hours that residents were working long hours or taking two jobs to earn sufficient money to pay the bills. He went on the say that employment in the area had fallen for the last three months. He also spoke about the poor street lighting and asked when the work would be completed, dirty streets and fly tipping not being investigated. He spoke about the lack of social and affordable housing.

Councillor Tony Pearson, New Addington Ward, spoke of recent comments made following his blog on the contribution to poverty debate. He said that poverty is an issue for some, a disgraceful situation in 2013; his comments had been misquoted by members of the opposition. He spoke about a new job club started and staff by volunteers where the numbers of people subscribing had exceeded expectations and had seen some success with getting people into jobs. He also spoke about residents wanting investment and regeneration opportunities in the Ward, including a supermarket, and that the long and expensive battle over the Village Green that had held up regeneration on the west side of central parade would be well under way.

Cabinet Members replied orally to matters raised.

12. RETAINING CROYDON'S STATUS AS A FAIRTRADE BOROUGH

Councillor Bashford in moving the recommendations contained in the report said that the Council had supported Fairtrade since 2003 and was pleased that the report would continue this support. She advised that Councillor Richard Chatterjee would be the Councils Fairtrade Champion. In concluding she advised that a 10th

Anniversary event was being held in the clocktower café on 10th May between 11am and 1pm and all councillors were invited to attend.

Council **RESOLVED** to

1. Note the achievements of the Croydon Fairtrade Community Network and Croydon as a Fairtrade Town; and
2. Renew its support for Fairtrade by passing the resolution at appendix A to the report.

13. BUSINESS REPORT OF THE LEADER AND CABINET AND COUNCILLORS' WRITTEN QUESTIONS TO CABINET MEMBERS (agenda item 12)

The Leader presented the Business Report summarising the proceedings of the Cabinet since the last meeting of the Council, including matters considered by Cabinet Committees.

In accordance with Council Procedure Rules, written questions had been submitted in advance by Council Members and written replies had been given by the relevant Cabinet Members. The questions and answers had been placed in the Chamber. Supplementary questions were asked by Members of the Council and replies were given by the relevant Cabinet Members.

Each Cabinet Member was asked in turn if they had anything to add to their report. Questions were then invited from the Chamber for each Cabinet Member who replied orally to the questions asked by Members of the Council on specific paragraphs or submitted questions.

The following Members asked questions on the Business Report

Cabinet Member

Leader: Councillors, Newman, Speakman, Collins, H Pollard, P Ryan, Bains and Letts

Councillor Mohan: Councillor Woodley, Chatterjee, Cummins and Collins

Councillor Hoar: Councillor Smith, Parker, George Hilley, B Khan, Cromie, Buttinger and Woodley

Councillor Bashford: Kellett, Marshall and B Khan

Councillor Tim Pollard: Councillors Bee, Parker, Lenton, Wentworth and Cromie.

Councillor Dudley Mead: Councillor Butler, Quadir and Hall

The following Cabinet Members made announcements

Councillor Bashford made two announcements

1. The Council had achieved Council tax collection rate of 96% and business rate collection of 98.2%, and thanked all staff involved.
2. Clocktower clock (bell) would not chime for 4-6 weeks in May and June whilst maintenance is being carried out.

Councillor M Mead – made a statement regarding membership and voting rights of the Health & Well Being Board. In accordance with the law the Health and Well Being Board was being consulted on Council's proposals relating to

non voting members. Council is asked to delegate the decision to issue a direction to the Corporate Service Committee.

At 9.20pm the Leader moved a procedural motion 1.11.9 to move to the next item of business Seconded by Council Dudley Mead and agreed by Council.

Following the announcements by Cabinet Members the recommendations contained in the business report were put and it was **RESOLVED** with Councillor Fitzsimons voting against the recommendation relating to item 17 to:

1. Note the business report of the Leader and Cabinet; and
2. Adoption of Conservation Area Appraisals and Management Plans and the Conservation Area General Guidance as supplementary planning documents (item 9)
3. School Admissions Criteria Update (item 12)
4. Adoption of the Croydon Local Plan – Strategic Policies development plan document and Croydon Local Plan – Strategic Policies development plan document Policies Map (item 17)
5. Adoption of the Croydon Opportunity Area Planning Framework as a supplementary planning document to the Croydon Local Plan – Strategic Policies (item 17)
6. Establishing a Croydon Health & Well Being Board (item 21)

14. RECOMMENDATIONS DEFERRED FOR DEBATE (agenda item 14)

There were none.

15. MOTION FOR DEBATE (agenda item 15)

Two motions were submitted for debate in accordance with Council Procedure Rules as follows:

Proposed by Councillor Lynne Hale
Seconded by Councillor Dudley Mead

This Council sends its condolences to the family of the late Baroness Thatcher, who made such a contribution to the restoration of our national fortunes and will be fondly remembered by many in Croydon.'

Councillor Hale in moving the motion to send condolences to the family of Baroness Thatcher said that it was a rare occurrence for the death of a public political figure to dominate the news around the world in such a way as had been seen. She said that Lady Thatcher had been a great moderniser, in 1979 she inherited a country on its knees and dragged it into the late 20th century. She had taken tough decisions in the knowledge they were necessary, breaking the stranglehold of the unions, and removing the state from large sections of the economy. Gave people a stake in their future, help to get on the property ladder, buy shares and work for private enterprise, she gave meaning to the word 'aspiration'. Lady Thatcher led the country for 11 years winning three elections in a row, often controversial policies divided opinion but was committed to driving a radical reform agenda at home while championing Britain's interests abroad. She leaves a significant legacy as the first woman prime minister.

An Amendment was moved by Councillor Sean Fitzsimons and Seconded by Councillor Bernadette Khan as follows:

Delete everything after the word 'Thatcher'.

Amended motion will read

"This Council sends its condolences to the family of the late Baroness Thatcher"

Councillor Fitzsimons in moving the amendment to the motion said that it was appropriate that condolences should be passed onto Lady Thatcher's family but that the Labour group could not support the political statements in the motion.

The following Councillors spoke in favour of the original motion

Councillor Winborn and Councillor D Mead, both spoke of Baroness Thatcher's achievements being the foremost politician of the 20th Century, opinions had been divided over her policies. She had been the first and only woman prime minister with a strong self belief. When she came to power the country had suffered at the hands of the unions where previously 30million working days had been lost in strikes, there was a 98% tax rate and inflation was above 25%. Both Councillor spoke of her standing in world politics and her actions over the Falklands.

The following Councillors spoke against the original motion and in favour of the amended motion

Councillor Smith and Councillor B Kahn both agreed that condolences should be sent to the family of Baroness Thatcher but that there were; victims' of her policies 3 million unemployed, mining villages devastated , had dismantled the industrial base of the country and put nothing in to replace those industries.

Following the debate the amended motion was **put and lost**.

The original motion was then **put and carried**.

The second Motion for debate;

Proposed by Councillor Alison Butler

Seconded by Councillor Jane Avis.

"As a responsible local authority with a duty to promote a positive and preventative health agenda, this Council should cease investing our staff's pension fund in Tobacco shares. This Council should be seen to set a positive example for young people, many whom will die of smoking related diseases if they continue to smoke, at a cost not only to themselves and their families but also to the public purse."

Councillor Butler opened the debate by asking members of the Majority Group "Why did you become a politician?", she went on to say that she had become a politician because in society she could see injustice, unfairness and too many people doing the wrong thing for the sake of money. Councillor Butler said that investing the staff pension fund in the tobacco industry was simply the wrong thing. Smoking is the biggest cause of illness and early death in England and also contributes more than any other risk factor to inequities in life expectancy.

Councillor Butler went on to say that the Majority group could not promote public health in the borough whilst investing in the tobacco industry. She went on to say that there must be alternative investment opportunities, investment in housing in the borough would benefit many residents.

Councillor Margaret Mead speaking against the motion agreed with Cllr Butler that young people should be encouraged to stop smoking and given examples of how it can affect them and their families, shorten their lives and time with loved ones. Cllr Mead said that Croydon was already doing this and had a good record in promoting the well being of people through quit smoking campaigns. She said she supported the health warnings on cigarette packets, the plain packets and supermarkets being asked not to display tobacco products. However she asked why Labour had singled out tobacco shares, why not alcohol or drug shares, transfat products, processed food with high salt content. Should we disinvest in these as well?

Councillor Lawlor speaking for the motion said that from 1st April 2013 the Council had taken over the reins for helping people to stop smoking but invested £2.1million of the staff pension fund in the tobacco industry. He went on to say that this was a clear conflict of interest and sent mixed signals to those trying to stop smoking. He went on to quote an article that was issued by Share Action in January 2012,

"Local authority pension funds are governed by different laws to other types of pensions; members of the pension committee have similar fiduciary duties to pension fund trustees. The phrase 'duty to maximise return' does not appear in any UK statute or case law. Pension fund Trustees have a fiduciary duty to invest "in the best interests of members and beneficiaries." This is based on the common law duty of loyalty, which exists to ensure that trustees avoid conflicts of interest and do not abuse their position to further their own ends. Trustees also have a duty to invest prudently."

In conclusion he urged the council to stop investing in the tobacco industry and look at other ethical stocks such as Fair-Trade.

Councillor Kellett speaking against the motion agreed that smoking was bad for you but that people had to decide for themselves whether to give up or not. He went on to say that successive governments had 'interfered' in people's choices by taxing tobacco as a weapon of choice to improve the nation's health. Councillors on the Pension Fund have to ensure that they follow the advice given by the financial advisors and maximise the returns for the Fund.

Councillor Dudley Mead speaking against the motion said that in 1994, the Labour administration disinvested in tobacco shares. As that time the Staff Pension Fund was 100% funded and almost 100% invested in Equities, mostly in the UK. From 1994 to 1999 UK rose by record levels, the overall rise in the FTSE100 was 100% but tobacco shares had risen 400%. Croydon's Pension Fund missed out on approximately £20 million of investment return. In 1998 Pension funds were taxed by the Labour Government and this together with low interest rate cost about £30million cumulative to date. In 2006 when the policy was reversed (to allow tobacco investment) the Fund had fallen to 48% funded, this was due to in part low interest rates, poor management and poor investment returns. The fund was valued at about £460million in 2006 now about £730million but ends to be £900

million if it is to meet all its known liabilities. In conclusion Cllr Mead said that the Croydon Fund was on the road to recovery and that he would not put the wellbeing of current and future beneficiaries, who are our staff, in jeopardy for political gain.

Councillor Avis in seconding the motion spoke of the decision made in 2006 to re-invest in tobacco industry was a callous disregard to the health and wellbeing to the people of Croydon. She went on to say that smoking was the largest single cause of preventable illness and premature death in the UK. Smoking related illness in Croydon cost the economy £83million. She went on to say that it was now widely accepted that environmental and social issues do affect investment performance and that socially responsible investments were outperforming other shares.

At the conclusion of the debate Councillor Newman asked for a show of hands; the motion were then put and **lost** 29 Labour, 34 Conservative.

16. CAMERA RESOLUTION

RESOLVED – That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the remainder of the meeting on the grounds that it would involve the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

SUMMARY OF PART B DISCUSSION

The remainder of the meeting included disclosure of exempt information (as defined by paragraph 3 of Schedule 12A in Part 1 of the Local Government Act 1972: 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)'. The minutes of the discussion are therefore also exempt and not available to the public. A summary of the discussion is below, as required by section 100C(2) of the Local Government Act 1972.

PART B MINUTES OF THE PREVIOUS MEETING

RESOLVED – That the Part B minutes of the meeting held on 26th February 2013 be approved as a correct record and signed by the Mayor.

17. TERMINATION OF MEETING

The meeting ended at 22:13

A copy of the Council agenda, reports and appendices are available in the Members Library and on the Council website at www.croydon.gov.uk/agenda.