

Council Assembly (Ordinary Meeting)

Wednesday 16 March 2016
8.00 pm

(or at the rise of the cabinet member public question time whichever is the later)

The Chamber, City Hall, The Queen's Walk, More London, London SE1 2AA

Councillors are summoned to attend a meeting of the Council to consider the business contained herein

Eleanor Kelly
Chief Executive

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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Date: 4 March 2016



Council Assembly (Ordinary Meeting)

Wednesday 16 March 2016
8.00 pm

(or at the rise of the cabinet member public question time whichever is the later)

The Chamber, City Hall, The Queen's Walk, More London, London SE1 2AA

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	PRELIMINARY BUSINESS	
1.1.	ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE	
	To receive any announcements from the Mayor, members of the cabinet or the chief executive.	
1.2.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT	
	In special circumstances an item of business may be added to an agenda within seven working days of the meeting.	
1.3.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.	
1.4.	APOLOGIES FOR ABSENCE	
	To receive any apologies for absence.	
1.5.	MINUTES	
	To approve as a correct record the open minutes of the council assembly meeting held on 24 February 2016 (to be circulated separately).	

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2.	ISSUES RAISED BY MEMBERS	
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	To receive any questions from members of the council.	
3.	REPORTS	
3.1.	PAY POLICY STATEMENT	6 - 19
	In accordance with the Localism Act 2011 council assembly is asked to consider the council's annual pay policy statement.	
3.2.	CONSTITUTIONAL ISSUES 2015/16 - REPORT BACK ON MOTIONS, SUPPLEMENTAL QUESTIONS, COUNCIL TAX BASE, COUNCIL ASSEMBLY DATES AND CALENDAR OF MEETINGS 2016/17 AND PAYMENT TO CABINET MEMBERS FOR LOSS OF OFFICE	20 - 47
	To consider suggested changes to the constitution recommended by the constitutional steering panel.	
4.	MEMBERS' MOTIONS	48 - 52
	To consider the following motions:	
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5.	AMENDMENTS	
	Any member of the council may submit an amendment to a report or motion on the agenda. The amendments will be circulated to all members in a supplemental agenda.	
	ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING	
	EXCLUSION MOTION (IF NECESSARY)	

Item No.

Title

Page No.

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

PART B – CLOSED BUSINESS

ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING

Date: 4 March 2016

Item No. 2.1	Classification: Open	Date: 16 March 2016	Meeting Name: Council Assembly
Report title:		Members' Question Time	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

Members' question time shall not exceed 30 minutes. During this time, members may not question any one cabinet member or committee chair for longer than fifteen minutes.

Members are limited to one question at each meeting. One councillor from each community council will be able to submit a question on behalf of their community council.

Questions to the leader will be taken first, followed by question from community council councillors followed by questions to other cabinet members. The order in which the different political groups ask questions of the leader will be rotated. Questions to cabinet members will also be rotated. The order of portfolios will be rotated at each meeting such that the cabinet member answering questions immediately after the leader will be the last cabinet member to answer any questions at the next meeting of council assembly. The rotation is in line with decisions of council assembly in July 2014 and rotations circulated by the proper constitutional officer in April 2015.

Cabinet members and committee chairs have discretion to refer a question to another cabinet member.

Responses to members' questions will be circulated on yellow paper around the council chamber on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other cabinet members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

Notes:

1. The procedures on members' questions are set out in council assembly procedure rule 2.9 in the Southwark Constitution.
2. In accordance with council assembly procedure rule 2.9 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.
3. A question from a community council must have been previously considered and noted by the relevant community council (CAPR 2.9.2).

1. **QUESTION TO THE LEADER FROM COUNCILLOR LEO POLLAK**

What does the leader believe is the likely impact of the London Fire Brigade Commissioner's proposal to remove a fire engine from Old Kent Road Fire Station?

2. **QUESTION TO THE LEADER FROM COUNCILLOR LISA RAJAN**

Why is the Seven Islands site included in the current round of Southwark Regeneration in Partnership Programme schemes when there is an ongoing public consultation on the new leisure centre's location?

3. **QUESTION TO THE LEADER FROM COUNCILLOR JANE LYONS**

Given the drive to encourage more people to use public transport (especially from the south of the borough where public transport links are poorer than in the north) what conversations has he and council officers had in the last 6 months with rail companies with regard to improving access to North Dulwich station?

4. **QUESTION TO THE LEADER FROM COUNCILLOR OCTAVIA LAMB**

Can the leader confirm how many children in Southwark will benefit from free books through the Dolly Parton Imagination Library?

5. **QUESTION TO THE LEADER FROM COUNCILLOR DAMIAN O'BRIEN**

Can the leader provide more detail on the proposed emissions-based charges for parking permits and the timetable for implementation?

6. **QUESTION TO THE LEADER FROM COUNCILLOR GAVIN EDWARDS**

Can the leader explain how the council is ensuring residents in Southwark are aware of the detrimental impact the government's proposals in the Housing and Planning Bill could have on housing services?

7. **QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI**

How many tall buildings does the leader believe Southwark can accommodate?

8. **QUESTION TO THE LEADER FROM COUNCILLOR MAISIE ANDERSON**

Can the leader explain how the new £2m regeneration fund for shopping parades will be used to support local businesses and encourage people to shop locally?

9. **QUESTION TO THE LEADER FROM COUNCILLOR BEN JOHNSON**

How many complaints have there been from leaseholders and what have leaseholder satisfaction rates been in each of the past five financial years?

10. **QUESTION TO THE LEADER FROM COUNCILLOR MARTIN SEATON**

Can the leader give an update on community consultation on the proposals for Walworth Town Hall?

11. QUESTION TO THE LEADER FROM COUNCILLOR JAMES BARBER

What action has been taken by the administration in response to the motion passed by council assembly in January 2015 calling for additional powers for local authorities to increase the empty homes premium and reduce the qualifying period?

12. QUESTION TO THE LEADER FROM COUNCILLOR HAMISH McCALLUM

What factors are currently taken into account by the council when deciding whether to dispose of a council home on the open market?

13. QUESTION TO THE CABINET MEMBER FOR PUBLIC HEALTH, PARKS AND LEISURE FROM COUNCILLOR BILL WILLIAMS (BERMONDSEY AND ROTHERHITHE COMMUNITY COUNCIL)

Can the cabinet member for public health, parks and leisure advise, what is the net loss of trees within the Bermondsey and Rotherhithe community council area over the last 5 years. How many of those trees will be replaced and with what type or types of tree?

14. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR KIERON WILLIAMS (CAMBERWELL COMMUNITY COUNCIL)

Would the leader of the council give an update on the position in Camberwell on improving safety for cyclists and pedestrians and how the council has been putting pressure on Transport for London (TfL) to see how that is achieved?

15. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR JON HARTLEY (DULWICH COMMUNITY COUNCIL)

The community council would like to ask how the council were working with the police and other statutory/community agencies to address crime and community safety issues in the Dulwich area?

16. QUESTION TO THE CABINET MEMBER FOR PUBLIC HEALTH, PARKS AND LEISURE FROM COUNCILLOR JOHNSON SITU (PECKHAM AND NUNHEAD COMMUNITY COUNCIL)

The community council would like to ask the council to provide an update on the provision available for people with learning difficulties and mental health issues including the support they provide to projects in the Peckham and Nunhead area?

17. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR MARTIN SEATON (BOROUGH, BANKSIDE AND WALWORTH COMMUNITY COUNCIL)

Could the cabinet member give an update regarding the proposals for the changes to East Street?

18. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR MICHAEL MITCHELL

What is the budgeted cost of the Quietway construction works currently proposed for Calton Avenue, Turney Road and the Dulwich Village junction? How many additional

cycle journeys a day are expected to arise as a direct result of these works, were they to go ahead?

19. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR REBECCA LURY

What is the council doing to keep the borough's high streets clean?

20. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR SARAH KING

Can the cabinet member give an update on the implementation of cycle quietways?

21. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR ANNE KIRBY

Following the completion of the works at Townley Road, what has the response from residents in the local community been to the changes?

22. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR ROSIE SHIMELL

Can the cabinet member update us on Southwark's recycling performance in 2014-2015?

23. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR ADELE MORRIS

What steps are being taken by the council to address the issue of residents without access to bins leaving their refuse/recycling in the street?

24. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR SANDRA RHULE

Can the cabinet member provide the most recent figures on the council's diversion from landfill rates?

25. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR NICK DOLEZAL

Since the Herne Hill flood alleviation project was complete, what other schemes has the council been working on to protect properties in the borough from flooding?

26. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR CHARLIE SMITH

Since the introduction of the bulky waste fee, can the cabinet member confirm how fly tipping rates in the borough have changed?

27. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR DAVID NOAKES

Please provide a table showing the number of Fixed Penalty Notices issued by the council for idling vehicle engines over each of the past five years.

28. **QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR ELIZA MANN**

Can the cabinet member provide year-on-year figures for the number of fly tips reported in the borough since the introduction of charges for bulky waste collections?

29. **QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR SUNIL CHOPRA**

Would the cabinet member explain what the council is doing to reduce business crime and make the borough a safe business environment?

30. **QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR CLEO SOANES**

Can the cabinet member set out how the noise service is fulfilling the council's Fairer Future promise of zero tolerance to noise nuisance?

31. **QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR SUNNY LAMBE**

What can the council do to tackle the rise in hate crimes?

32. **QUESTION TO THE CABINET MEMBER FOR HOUSING FROM COUNCILLOR MARIA LINFORTH-HALL**

Can the cabinet member provide an update on the installation of sprinklers in individual sheltered housing unit flats, and fire and heat alarms in dedicated older person dwellings?

33. **QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR DAVID HUBBER**

Can the cabinet member explain why the council is allowing non-policy compliant levels of car parking in developments when Southwark is supposed to be a borough that promotes walking and cycling?

34. **QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR JAMES OKOSUN**

How many Southwark children are being taught in classes of thirty or more pupils?

Item No. 3.1	Classification: Open	Date: 16 March 2016	Meeting Name: Council Assembly
Report title:		Pay Policy Statement	
Ward(s) or groups affected:		All	
From:		Chief Executive	

RECOMMENDATION

1. That the council's pay policy statement, as set out in Appendix 1, be agreed.

BACKGROUND INFORMATION

2. The Localism Act 2011 ("the Act") sets down requirements on authorities to prepare pay policy statements on an annual basis. These statements must describe an authority's policy for the pay of its workforce and be agreed annually in advance of the coming financial year. The Department of Communities and Local Government published initial guidance for local authorities on preparing their statements, which they further supplemented in February 2013, and has been taken into account in developing the pay policy statement given in Appendix 1.

KEY ISSUES FOR CONSIDERATION

3. Pay policy statements must be published and thus open to public scrutiny. Under the Localism Act, the statement must describe specific elements of remuneration paid to chief officers. The roles of chief officers are defined and accord with the descriptions used in the Local Government and Housing Act 1989, these being:
 - The head of the authority's paid service designated under section 4(1) of the Act
 - Its monitoring officer designated under section 5(1) of that Act
 - A statutory chief officer mentioned in section 2(6) of that Act
 - A non-statutory chief officer mentioned in section 2(7) of that Act
 - A deputy chief officer mentioned in section 2(8) of that Act.
4. Nothing in the Act supersedes existing responsibilities and duties placed on authorities in their role as employers. Each local authority is an individual employer in its own right and has the autonomy to make decisions on pay that are appropriate. Instead, the Act focuses on requiring authorities to be more open about their policies and how decisions are made.
5. The Act does not require authorities to publish specific salary data as part of the pay policy statement. Doing so risks data being out of date where any pay awards apply. The declaration of specific salary information is managed by the publication of the statement of accounts and other information under data transparency arrangements. Such specific information is published on the council's website.

6. Appendix 1 to this report sets out the proposed pay policy statement for agreement by council assembly. This reflects the scope of the posts to be captured and the range of information to be included; as defined in the Act. It should be noted that following publication of pay policy statements in 2012 there was a public debate on whether the statement should include the ratio of earnings between the highest paid employee and other employees. There is no requirement to do so in the Act. The Local Government Data Transparency Regulations 2014 have subsequently moved the issue on. These regulations require that councils publish the pay multiplier, defined as the ratio between the highest paid taxable earnings for the given year and the median taxable earnings figure of the whole of the authority's workforce. As per the regulations this will coincide with reporting at the end of the financial year and will be published on the council's website. An assessment, using basic salary information from December 2015, shows that the ratio between the top earner and median earnings is 6.02 to 1; this is lower when compared against other public bodies which have reported such data.
7. Subject to council assembly's agreement it is proposed to again publish the pay policy statement on the Southwark website as part of open data. For the purpose of this report Appendix 3 gives the council's current salary and grading structure. The National Joint Council for Local Government Employees offer of a pay increase from April 2016 has not yet been agreed. There is a proposal for a 1% increase from 1 April in 2016 and 2017, with greater percentage increases covering spinal points 8 up to 17 to ensure that they meet the London Living Wage rates. The Southwark pay spine will be adjusted to consolidate the London Living Wage rate as the minimum spinal column point and deliver on cabinet's decision of 30 July 2013 that those earning less than £21,000 (full time equivalent) should at minimum receive an annual increase in pay of £250.
8. From 1 April 2013 there was a statutory transfer of public health staff into the council. Under the transfer scheme, with Transfer of Undertakings (Protection of Employment (TUPE) like protection, existing employees retain their NHS salaries and core national, primarily pay related, terms and conditions of employment. There are different protected terms of employment, complicated by additional personal entitlements and supplementary payments. The role of Director of Public Health is defined as a chief officer. The actual earnings of this post holder will be published in the annual statement of accounts. When all allowances are taken into account, the earnings of the director of public health are equivalent to other chief officers. For the purpose of this statement; the salary range and key pay characteristics of this post and the assistant directors of public health are described as "other information" to the pay policy statement.

Senior managers

9. The pay policy statement is primarily concerned with the salary arrangements of chief officers as defined in the Local Government and Housing Act 1989 (as above). In Southwark these have been defined as members of the directors' forum, which are roles at grade 17 and above. These positions form the senior management team of the council.
10. Performance is rewarded through award of incremental progression based on clear achievement. Performance related pay was removed as part of last year's budget reductions.

New employees

11. Members will note that the proposed pay policy statement also makes specific reference to the salary package for staff newly appointed to senior management posts. The Localism Act has the impact of amending the Local Government Act 1972 (appointment of staff) as follows:
 - “A local authority’s power to appoint officers on such reasonable terms and conditions as the authority thinks fit is subject to section 41 of the Localism Act 2011 (requirement for determinations relating to terms and conditions of chief officers to comply with pay policy statement”.
12. Elected members have a special role in the appointment of chief officers and deputy chief officers as defined, whereby they must be given the opportunity to raise any well founded and material objection to appointment prior to an offer being made. As in previous years it is proposed that to meet requirements under “the Act”, notification of an appointment includes confirmation of the salary package which attaches to the post and whether this accords with the council’s pay policy statement. Were the proposed salary package to be outside the current statement, this to be deemed as an amendment to the pay policy which requires explicit members’ approval.

Lowest paid employees

13. The Act requires the council to describe the relationship between the remuneration of its chief officers, and other staff and to define the “lowest-paid employees” adopted by the authority for the purposes of the statement. The specific information to be included on pay actuals is limited.
14. As described in the statement, the use of job evaluation and the grading structure is the method used to determine the relativities of posts across the Southwark structure. The council’s decision to adopt the London Living Wage rate sets the minimum pay rate for staff across the council. Employers’ participation in the London Living Wage is voluntary. The council has made a commitment to adopt the London Living Wage and support its intention to stop working Londoners from falling into poverty; making sure that the unemployed in London are better off in work than living on benefits. The current London Living Wage is set at £9.40 per hour. The rate is reviewed annually and is due for further review in November 2016. This rate compares favourably against the national minimum wage of £6.70 per hour.

Policy implications

15. The statement is used as a method to articulate the council’s existing policy on remuneration, with specific details on senior manager posts in particular. As such it does not amend or introduce new policy. Should any current arrangements need amending as a consequence of the development of this statement; the policy implications and contractual implications would require review by cabinet.
16. Publication of the pay statement as presented in Appendix 1 does not create conflict with the Data Protection Act as it does not contain information relating to a particular individual.

Community impact statement

17. Development and publication of the pay policy statement is a useful step in increasing accountability and transparency of council business to the local community. This continues the trend of openness. It allows elected members, those who are directly accountable to the local community, to have input into how decisions on pay are made, particularly senior level pay.
18. The equality analysis provided in Appendix 2 to this report clarifies that there are no adverse implications for people of protected characteristics. Publication of the statement accords with good practice of openness in pay arrangements.

Resource implications

19. There are no specific implications arising from the development and publication of the pay statement so far as this represents existing policy. Were future statements seeking agreement to move away from established arrangements it would be necessary to consider financial resources and the employment implications. Changes to individual's terms and conditions are likely to reflect a contractual change requiring consultation and due process in order to be lawful.

Consultation

20. The trade unions have been advised of the need to publish the statement and have been provided with a copy. As the statement is a method to articulate existing policy rather than a change, it is not part of the formal consultation process.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

21. Section 38 of the 'the Act' requires a relevant authority (which includes a London Borough) to prepare a pay policy statement for each financial year, by 31 March of the year immediately preceding that to which the pay policy statement relates. The pay policy statement must be approved by a resolution of the authority, and it is a matter reserved to council assembly.
22. Pursuant to section 43 of the Act, a London borough is defined as a 'relevant authority'. The statement must set out an authority's policies towards a range of issues relating to the pay of its workforce including the remuneration of its chief officers; the remuneration of its lowest-paid employees; and the relationship between the pay of its chief officers and that of other employees. Chief officer is defined to include chief and deputy chief officers as defined in the Local Government and Housing Act 1989. The statement must state the definition of "lowest paid employees" adopted by the authority for the purposes of the statement and the authority's reasons for adopting that definition. Pay policy statements have to be prepared for each financial year; this began with year 2012/13.
23. The pay policy statement must also specifically cover the authority's policies relating to:
 - The level and elements of remuneration for each chief officer (including salary, bonuses and benefits in kind)

- Remuneration of chief officers on recruitment
 - Increases and additions to remuneration for each chief officer
 - The use of performance-related pay for chief officers
 - The use of bonuses for chief officers
 - The approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority
 - The publication of and access to information relating to remuneration of chief officers.
24. Section 39 of the Act states that an authority's pay policy statement must be approved by a resolution of the authority before it takes effect. This means that the resolution must be by full council before 31 March 2016. Once approved the statement must be published as soon as possible on the authority's website and in any other manner the authority thinks fit. An authority can amend its pay policy statement and any amendment must be made also by resolution by council assembly.
25. In complying with its duties relating to pay policy statements, regard must be had to Department of Communities and Local Government ('DCLG') guidance Openness and accountability in local pay: Guidance under section 40 of the Localism Act (2012) and supplementary guidance (February 2013)'. The guidance sets out the key policy principles that underpin the pay accountability provisions.
26. Supplementary guidance was issued in February 2013. These were taken into account in preparing this statement. There have not been any further updates since this time.
27. The draft pay policy statement in Appendix 1 will enable the council to meet its obligations under sections 38 to 43 of the Localism Act.
28. The Director of Law and Democracy notes that the requirement under the Local Government Data Transparency Regulations 2014 to publish pay multiplier information, as has been reflected in paragraph 6 of this report.
29. When exercising any of its functions, section 149 Equality Act 2010 requires the authority to have due regard to the need to eliminate discrimination and other prohibited conduct and advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not. Information about the consideration given to equalities issues is set out in paragraphs 17 and 18 of the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Communities & Local Government: Openness and accountability in local pay	Human Resources Southwark Council 160 Tooley Street London SE1 2QH	Marie Rance 020 7525 0714
Localism Act – Sections 38 – 43	Human Resources Southwark Council 160 Tooley Street London SE1 2QH	Marie Rance 020 7525 0714
Supplementary guidance issued by The Department of Communities and Local Government in February 2013	Human Resources Southwark Council 160 Tooley Street London SE1 2QH	Marie Rance 020 7525 0714

APPENDICES

No.	Title
Appendix 1	Southwark Council pay policy statement
Appendix 2	Equality analysis
Appendix 3	Current salary and grading structure

AUDIT TRAIL

Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Marie Rance, Acting Head of Human Resources	
Version	Final	
Dated	3 March 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	3 March 2016	

SOUTHWARK COUNCIL – PAY POLICY STATEMENT

1. The Localism Act 2011 requires the council to publish a pay policy statement for each financial year.
2. This statement relates to year 2016-17 and it is approved by council assembly.

Scope

3. The statement describes our policies towards the pay of senior managers (referred to in the Act as “chief officers”) and our approach to the pay of our lowest paid employees.
4. Provisions in the Act do not apply to the staff of local authority schools. Under the Act a “chief officer” is defined as:
 - The head of the authority’s paid service designated under section 4(1) of the Local Government and Housing Act 1989
 - Its monitoring officer designated under section 5(1) of that Act
 - A statutory chief officer mentioned in section 2(6) of that Act
 - A non-statutory chief officer mentioned in section 2(7) of that Act
 - A deputy chief officer mentioned in section 2(8) of that Act.
5. In Southwark, this would apply to the Chief Executive, strategic directors and divisional heads. We refer to these as “senior managers”. This includes the Director of Public Health and the Assistant Directors of Public Health who joined the council from NHS Public Health on 1 April 2013 under the transfer scheme, with “TUPE-like” protection. As such, existing employees retain their NHS salaries and terms and conditions of employment. This approach is mandatory on the council. The characteristics of the pay packages of these postholders therefore differ from other senior managers in the council. They are excluded from the description that follows; details on these post holders are noted in “Supplementary information – Public Health” below.

Remuneration

6. For existing senior managers the term remuneration is used to describe salary, expenses and other monetary allowances or benefits.
7. The council does not employ senior managers under a contract for services, (people who are self-employed), and therefore remuneration for such arrangements is not described. All senior managers are paid via the council's payroll with appropriate tax and National Insurance deductions made in accordance with HMRC regulations.

Salary

8. In Southwark posts, including senior op managers, are job evaluated using a single system (the Hay Group methodology) to determine the job size. All job evaluation results for senior managers are scrutinized by independent experts at the Hay Group.

9. The job size determines a job's placement against the pay spine, through an established grading structure.
10. The pay spine is increased in accordance with pay award settlements determined by the National Joint Council for Local Authorities Services. The last pay award, agreed in 2014, covered up to 31 March 2016. The pay award from April 2016 is yet to be agreed.
11. In addition Southwark has introduced special arrangements for its lowest paid workers, as described below. Were there any amendments, which are determined by the National Joint Council for Local Authorities Services, these would be applied to all relevant employees without further referral to council assembly.
12. Individual staff are paid within the grade. People may move through the grades by incremental progression in accordance with a performance management framework.
13. There is an element of flexibility that allows the payment of market factor supplements; subject to justification against external data and with annual review.
14. For posts at JNC level (grade 14 and above), specific benefits up to a financial cap may be taken in kind (e.g. season ticket purchase, car leasing) or paid as an addition to salary. For senior managers (grade 16 and above) the annual financial value of such benefits currently ranges from £3,468 up to £6,129, dependent on grade. The rates for car leasing have been frozen since 2006 and car leasing arrangements have been closed to senior managers joining the organisation since 2007. Pay rates in Appendix 3 reflect the current position.

Other payments and expenses

15. With the exception of standby payments made to a limited number of posts in social care, no additional allowances are paid to senior managers.
16. Senior managers are not eligible to receive overtime for excess hours worked. In line with all other (non-teaching) staff their full time equivalent weekly hours are 36. However, for senior managers the contract of employment states this as a minimum and individuals are required to do whatever hours are necessary to get the job done, with no additional payment. Where hours are worked outside "normal office hours"; senior managers do not receive enhancements nor shift allowances which other staff on NJC conditions for Local Authorities Services may be entitled.
17. Senior managers do not receive an expenses allowance. In line with all other staff, where essential expenses are incurred in the performance of their duties, costs can be reclaimed, where these are reasonable and public money is being used prudently.

Fees for election duties

18. Council staff can be employed on election duties of varying types. The fees paid to Council employees for undertaking these election duties differ according to the type of election they participate in and the nature of the duties they undertake.
19. Returning Officer duties (and those of deputy returning officers) are contractual requirements and fees paid to them for national elections/referendums are paid in accordance with the appropriate Statutory Fees and Charges Order and are paid by the body responsible for the conduct of the election.

New appointments

20. Senior managers joining the organisation:
- Are paid on the grade for their post.
 - Join at the bottom spinal column point of the grade; unless the person can demonstrate that payment above the minimum is essential to match current earnings, or to reflect the prevailing market, or to recognise experience and skills to secure engagement. No staff are paid above the grade maximum.
 - Do not receive a lump sum payment on joining, sometimes referred to as a “golden hello”.
 - May receive expenses relating to their home relocation where this is necessary to secure engagement.
21. Members have the opportunity to question all salary packages to be offered as part of the recruitment to senior management posts.

Leaving the organisation and pensioners

22. All staff leaving the council (including senior managers) on a voluntary resignation basis do not receive a severance payment.
23. Where the council decides to terminate any employee’s service on the basis of redundancy in employment law terms this is based on the facts of the case, (deletion or diminution of the post). Payment entitlements are enshrined in the council policy on redeployment redundancy and reorganisation and comprise contractual entitlements, (notice un-worked, leave not taken), plus redundancy element, in accordance with the statutory table. Payments are made as a multiple of an actual week’s pay. The council retains discretion to pay an additional compensation for loss of office with the aim of avoiding compulsory redundancies. Also for those aged 55 and over, under the pension regulations they become entitled to immediate pension as earned; any costs accruing to the council for pension payments are capital costs based on an actuarial calculation linked to service and age. Entitlements are not discretionary to an individual once a redundancy situation arises.
24. The government’s Enterprise Bill proposes to establish a £95,000 cap on the total value of exit payments made to an individual in relation to their exit from public sector employment. Any exemptions would require full council agreement and need to be published in the annual statement of accounts.
25. Where the council decides to terminate any employee’s service on the basis of mutual termination on efficiency of the service grounds, the council calculates entitlements relying on the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and the pension regulation where over 55 years old. Should the cost of the total package exceed £95,000, agreement will be obtained via council assembly or another properly constituted member body, prior to finalization.
26. The government has issued draft regulations concerning the recovery of exit payments, proposing the recovery of redundancy and other exit payments made to any

employee earning more than £80,000 per annum who returns to the public sector within 12 months of leaving their previous employment. This will include payments made as a consequence of leaving employment and include the “pension strain” generated from the early unreduced payment of Local Government Pension Scheme benefits. The Regulations are due to take effect from April 2016 and our pay policy will be adjusted accordingly.

27. For senior managers, where redundancy or mutual termination occurs, information would be included in the declared salary data included in the Statement of Accounts each year. Were an employee’s services to be terminated on these bases, the council would not re-engage the individual on a contract for services (i.e. self-employed basis).
28. Vacant senior management positions are recruited to in accordance with the council’s recruitment policy with the overarching aim of employing on merit; to engage the best person for the job.
29. New recruits may be in receipt of a pension under the Local Government Pension Scheme (LGPS) e.g. as a result of service with another Authority. In such cases, the employee’s pension entitlement would be abated (reduced in accordance with actuarial calculation) or capped as required under LGPS regulations. This would have no impact on the council’s remuneration arrangements.
30. Under the LGPS Regulations eligible employees may be considered for one of the Scheme’s flexible retirement options. This would include instances where the employee reduces to a part time basis or demotion. On such occasions the council’s remuneration arrangements would continue as described above plus any pension payable determined by application of LGPS Regulations and that person’s membership entitlements.

Lowest paid staff

31. All posts are job evaluated to determine their relative job size; the responsibilities and impact of the post, and the level of knowledge and skill required to carry out those responsibilities. Job sizes are used to determine the grade. Grades are linked to the salary scale. Staff have the potential to move through the grades by incremental progression, based on performance.
32. Appropriate terms and conditions, e.g. shift allowances, reflect the duties and obligations of posts in accordance with the NJC for Local Authorities Services. There are a small number of posts under different national schemes – education related, craft and retained conditions e.g. Public Health. Bonus payments are not a feature of pay arrangements. Staff are contracted to work 36 hours per week (full time equivalent). Where service provision demands that it is necessary for additional hours to be worked above the full time equivalent, overtime rates would apply. Rates are determined in accordance with NJC conditions of service.
33. Alongside the job evaluation and grading framework the council has determined that no employee should receive an hourly rate less than the London Living Wage; the current rate is £9.40 per hour. This is the baseline payment for the lowest paid staff.

Other information

34. In addition to this statement, the council publishes other information on the detail of payments. Information can be found on the open data section of the council’s website (www.Southwark.gov.uk). This includes:

- The council's grading structure and salary scales.
 - The annual statement of accounts. This includes the numbers of people earning £50,000 per year or more in £5,000 bandings. The accounts also give detail, including the name, for those whose pay is £150,000 or more. This covers all remuneration elements including employer's pension contribution.
35. In accordance with the Local Government Data Transparency Regulations 2014; to coincide with the reporting at the end of the financial year, the council publishes the ratio between the highest paid taxable earnings for the given year and the median earnings figure of the whole of the authority's workforce.

Supplementary information public health

36. As noted previously in this statement, from 1 April 2013 a number of post holders transferred from NHS Public Health where the roles that they are performing for the council are captured by the definition of senior managers under the Localism Act. The Director of Public Health is a statutory role and a joint post that is shared with Lambeth Council with responsibilities across both boroughs. The director has four direct reports; three posts of assistant director, one post of consultant in public health. At the present time the council is formally consulting with public health staff on a re-organisation of the service. The details of the re-organisation have been set out in a consultation document, which has been issued to staff and the trade unions. The outcome of the consultation will be implemented in 2016/17.
37. The transfer protected contractual terms and pay. Pay rates, grade ranges and scope for pay progression remain as at transfer. This is a legal requirement and not one which the council has the ability to change without going through a process of consultation and dismissal and re-engagement procedures. The option for the council to harmonise only arises two years after the transfer This is because at the point of transfer there was a nationally agreed Memorandum of Understanding effectively preventing local authorities from harmonising NHS terms and conditions such as pay, including sick and holiday pay, and any other terms and conditions where there are no local flexibilities. These were covered by national and contractual obligations and negotiated through national arrangements.
38. The Director of Public Health and three of the direct reports are medically qualified consultants on the Consultant Contract 2003. There are three more medically qualified consultants within the joint service. The body that determines salary scales / pay levels for medical consultants is the Doctors and Dentist Review Body (DDRB) and medically qualified staff are on the Consultant Contract (2003). The Director of Public Health's fourth direct report, a non-medically qualified public health consultant assistant director, transferred on Agenda for Change terms and conditions. The [NHS Employers website](#) offers transparency for both.
39. The Director of Public Health's salary comprises of the following elements:-
- Basic - Grade range (YM66); [NHS Employers website](#)
 - London Weighting
 - On call
 - Programmed Activities (PAs) (see below)
 - Clinical Excellence Awards

- Director of Public Health population supplement.
40. Actual earnings of the Director of Public Health will be published in the council's annual statement of accounts. The total annual earnings of the four reports to the Director will not be listed individually but for information:
- The actual contractual hours of these post holders range from 24 hours per week to 40 hours per week.
 - Based on contractual hours and variable elements, noted below, total annual gross earnings range from £64,715 - £121,076.
41. The key features of the consultant contract that relate to pay are:
- **Programmed Activities (PAs)**. The contract is based on a number of PAs with provision for additional PAs that attract additional funding and are represented in additions to base salary. These are not pensionable.
 - **On Call**. There is provision for 'on call' premium rate payments which are in recognition of the unsociable nature of work falling outside the period of 7 am to 7 pm Monday to Friday and any time on a Saturday, Sunday or public holiday. The rate varies between 1% and 8% basic salary. Depending on the frequency of the duty and whether a call may require return to work
 - **Clinical Excellence Awards (CEAs)** are given to recognise and reward the exceptional contribution of NHS consultants, over and above that normally expected in a job, to the values and goals of the NHS and to patient care. Information on the Clinical Excellence Awards Scheme for consultants can be found on the Advisory Committee on Clinical Excellence Awards (ACCEA) website.
 - **Pay progression** for medical consultants through the pay thresholds is determined by the number of years as a consultant at the appropriate threshold. Incremental progression is by virtue of years of service on start date anniversary and includes steps where staff mark time and receive no additional monies. Progression is served and at the discretion of the Director of Public Health.
42. The assistant director, on [Agenda for Change](#) conditions, receives a High Cost Area Supplement (£6,279 per annum) in accordance with Agenda for Change terms and conditions. There is no further scope for pay progression for this assistant director who is on the maximum salary for their grade.

EQUALITY ANALYSIS – PAY POLICY STATEMENT

Overview

1. The Localism Act 2011 requires authorities to develop and publish a pay policy statement. This would include the remuneration arrangements for its most senior staff and approaches on remuneration to its lowest paid employees.

Impact

2. The development and publication of the pay statement does not in itself amend policy. Were changes to arise as a consequence, proposals would require scrutiny including the impact upon people of different protected characteristics.
3. The publication of the pay statement does however accord with good practice on managing equal pay; increasing transparency on organisational arrangements. There are no adverse impacts on people of specific protected characteristics arising from this development. Instead it may reasonably be argued that greater openness may reduce the fear of potential discrimination by setting out arrangements which are in force.
4. On a continuing basis the council undertakes monitoring of its workforce to identify and take action to address potential adverse impacts on people of specific protected characteristics. Monitoring data is published on the council's website through the annual workforce report, in accordance with the specific duties of the Equality Act 2010.

Appendix 3 -SALARY & WAGES SCALES 2015/16

Inner London												JNC Southwark	
												2	47373
8	17175											3	48918
9	17439											4	50514
10	17958											5	52155
11	18612											6	53871
12	18933											7	55638
13	19335											8	57468
14	19644											9	59349
15	19977											10	61314
16	20367											11	63339
17	20775											12	65439
18	21120											13	67596
19	21780											14	69852
20	22452											12a	£69,756
21	23145											13a	£72,057
22	23658											14a	£74,463
23	24252											15	£76,935
24	24936											16	£79,521
25	25620											17	£82,161
26	26337											18	£84,912
27	27108											19	£87,756
28	27879											20	£90,696
29	28845											21	£93,744
30	29697											22	£96,909
31	30525											23	£100,161
32	31323											24	£103,551
33	32157											25	£107,052
34	32964											26	£110,664
35	33579											27	£114,414
36	34380											28	£118,281
37	35253											29	£122,310
38	36186											30	£129,240
39	37257											31	£134,919
40	38151											32	£139,521
41	39069											33	£144,267
42	39981											34	£149,190
43	40896											35	£154,269
44	41811											36	£159,537
45	42672											37	£164,997
46	43620											38	£170,653
47	44544											39	£176,196
48	45462											40	£181,926
49	46359											41	£187,839
50	47283											42	£193,944
51	48207												
52	49128												
53	50064												
54	51045												
55	52041												

Planned Overtime per hr			
grade 9	£ 19.80	sleeping in	unit standby
grade 10/11	£ 21.21	£ 34.00	£ 9.03
grade 12	£ 23.01		

On SAP these grades will be prefixed LBS-0. Grades prefixed LBS-1 are for w/e working where +2 SCP apply	
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Item No. 3.2	Classification: Open	Date: 16 March 2016	Meeting Name: Council Assembly
Report title:		Constitutional Issues 2015/16 - Report back on Motions, Supplemental Questions, Council Tax Base, Council Assembly Dates, Calendar of Meetings 2016/17 and Payment to Cabinet Members for Loss of Office	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

That council assembly considers the recommendations of the constitutional steering panel in respect of the proposals set out in this report.

RECOMMENDATIONS

Report back on motions

1. That the proposed change to council assembly procedure rule (CAPR) 2.10.6 in respect of reporting back on motions at council assembly be agreed (see paragraph 19).

Procedural change - supplemental questions

2. That the current practice of producing transcripts of supplementary questions and responses for members' questions, public questions and questions on reports at council assembly be replaced with the uploading of audio files on the council's website (see paragraphs 20-24).

Council tax base

3. That the proposed changes to Part 3A: Council Assembly and Part 3B: Cabinet Role and Functions set out in paragraph 19 in respect of the council tax base and the designation of this decision as an executive function be agreed (see paragraph 28).

Council assembly dates 2016/17

4. That the list of dates for meetings of council assembly be fixed in the council calendar for the 2016/17 municipal year be agreed (see paragraphs 30-34):
 - Ordinary meeting – Wednesday 13 July 2016
 - Ordinary meeting / Leader's Public Question Time – Wednesday 5 October 2016 (*Note: Alternative date is Wednesday 12 October 2016, subject to venue availability*)
 - Ordinary meeting – Wednesday 30 November 2016
 - Budget and council tax setting – Wednesday 22 February 2017 (*Note: Statutory meeting*)

- Ordinary meeting / Cabinet Member Public Question Time – Wednesday 22 March 2017 (*Notes: (1) This meeting is scheduled earlier than usual to avoid last week before school holidays; (2) Alternative date is Wednesday 15 March 2017, subject to venue availability*)
 - Annual meeting – Saturday 13 May 2017 (*Notes: (1) Statutory meeting; (2) Alternative date is Saturday 20 May 2017, subject to venue availability*)
5. That officers review the feasibility of holding separate leader's public question time and cabinet member public question time events on the same evening as the remaining council assembly dates based on the experience in March 2016 and report to the constitutional steering panel.
 6. That the calendar of council meetings for the 2016/17 municipal year as shown at Appendix 1 be noted, subject to the changes to standards committee, audit and governance committee and cabinet as set out in paragraphs 35 to 39 of the report be agreed.
 7. That a revised roles and functions of the audit, governance and standards committee be agreed (to be circulated separately as Appendix 2).

Payment to cabinet members for loss of office

8. That the addition of the following paragraphs to the Member Allowances Scheme in the Constitution be agreed:

"Payment to cabinet members for loss of office

49. Members entitled to a full band 3 or full band 4 Special Responsibility Allowance (SRA) will be entitled to a payment for loss of office when they cease to be eligible for a full band 3 or 4 allowance.
 50. Members must have served at least one year in Cabinet to claim a payment for loss of office. Members are eligible to claim a payment for loss of office no more than once in any 4 year council term.
 51. The level of payment is set at 4 weeks of the full band 3 or band 4 SRA plus 1 week for every year in continuous full time service. The maximum level any member can receive is 13 weeks of the full band 3 or band 4 SRA.
 52. The Standards Committee (or its relevant sub-committee) will adjudicate on any dispute as to entitlement and any allegation of abuse, and shall be authorised to determine any reduction or withholding of a loss of office payment."
9. That paragraph 33 of the Member Allowances Scheme in the Constitution be amended so it makes specific reference to Payment to Cabinet Members for loss of office and reads as follows:
 33. In accordance with the Local Authorities (Member Allowances) (England) Regulations 2003, the council is required to publish details of any basic and special responsibility allowances paid to councillors during each financial year along with details of the allowances scheme which applied at that time. This statutory notice also includes

details of subsistence, travel and carer's allowance. In addition the council publishes further information regarding members' expenses. Any payments to cabinet members for loss of office will also be published."

Consequential changes

10. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

BACKGROUND INFORMATION

Introduction

11. The context for this report is the on-going review of efficient democracy and the current financial climate requiring savings to be identified. The changes will be introduced via efficiency savings and realignment of workloads and business activity.
12. In making recommendations consideration has been given to prioritising the statutory requirements of the service, officers have identified non-statutory or discretionary functions as savings.
13. The recommendations in this report reduce democratic activity in a number of ways:
 1. Reduction in the number of ordinary council assembly meetings from seven to six.
 2. Delegate council tax to cabinet thus removing the need for a January council assembly meeting
 3. Review feasibility of holding separate leader's and cabinet member public question time events on the same evening as the remaining ordinary council assembly meetings
 4. Reduce frequency of cabinet
 5. Combine the functions of audit, governance and standards into a single committee, retaining the existing standards sub-committees on conduct and civic awards.
14. A separate consultation exercise is taking place on proposals to enhance the community engagement role of community councils with new town hall style meetings and shorter decision making meetings taking place before two of the five meetings.

Decision making route and constitutional changes

15. In accordance with Article 1.5 of the constitution, any changes to the constitution, including the Member Allowances Scheme are considered by constitutional steering panel, which then recommends changes to council assembly. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.5(b). Changes to council assembly procedure rules are reserved to council assembly. The constitutional steering panel considered the proposals on Wednesday 2 March 2016 and agreed to recommend the changes contained within this report to council assembly.

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
- Deletions (shown with a ~~strikethrough~~).

KEY ISSUES FOR CONSIDERATION

16. This report considers a number of constitutional changes:
1. Report back on motions
 2. Procedural change - supplemental questions
 3. Council tax base
 4. Council assembly dates and calendar 2016/17, including changes to standards committee, audit and governance committee and cabinet.
 5. Member allowances scheme – payment to cabinet members for loss of office.

REPORT BACK ON MOTIONS

17. CAPR 2.10.6 (motions to be debated at council assembly), states that "having considered the motion, cabinet, committee or sub-committee shall report on the outcome of their deliberations to the next meeting of the council assembly."
18. This is time-consuming and inefficient, as this information is readily available in the minutes produced by the relevant meeting. Cabinet is the body most frequently referenced in motions, and current practice is to circulate the draft minute as a notice of decision within two clear working days of the meeting to all councillors to begin the call-in process. Updating the CAPRs to reflect this practice will allow for efficiency savings in officer time, member time before and during council assembly, and reduced printing costs.
19. A revised procedure rule is shown below:

Proposed change to procedure rules – Motions to be debated at council assembly

Revised procedure rule:

2.10.6 - Motions to be debated at council assembly

6. Unless the member, when submitting the motion, requests that the motion is debated at the council assembly, the motion will stand referred to the cabinet or to a committee or sub-committee, as appropriate. Having considered the motion, the ~~cabinet, committee or sub-committee,~~ proper constitutional officer shall ~~report on the outcome of their deliberations to the next meeting of the council assembly~~ circulate the outcome of their deliberations to all members.

PROCEDURAL CHANGE - SUPPLEMENTAL QUESTIONS

20. There is currently no requirement within the CAPRs to circulate written transcripts of supplemental questions from members' question time, public question time or questions on reports.

21. It is our current practice to produce transcripts of the supplemental questions from members' question time, public question time or questions on reports for inclusion as an appendix to the minutes of council assembly.
22. Following a technology development, we are now capable of producing an audio record of the meeting, which will be associated with the agenda and minutes in the "Meetings and minutes" section of the council's website. Recordings will be available sooner than the transcripts currently are, allowing greater public access to the information in them. It is expected that they can be uploaded within five clear working days of the meeting.
23. With the reduced administrative support available in the council, the staff with the relevant skills to produce transcripts are no longer readily accessible. Outsourcing this work would incur an additional expense at a time of limited financial resources. Technological developments mean there is an alternate solution.
24. Officers propose to discontinue the practice of creating transcripts of supplemental questions from members' question time, public question time or questions on reports, to achieve significant efficiency savings in officer time and printing costs. Instead, email notification of the publication of the recordings will be sent to all members when they are available. Prior to publication, the audio recordings will be edited should any confidential information have been released in any of the supplemental questions. It is noted that in some circumstances where an equality case exists it may be necessary to provide the recordings in a different format.

COUNCIL TAX BASE

25. The Local Government Finance Act (LGFA) 1992, as amended by the LGFA 2003 & LGFA 2012, requires the authority to formally calculate the council tax base each year and pass this information to precepting authorities by 31 January 2015. The tax base must be set between 1 December and 31 January.
26. Section 67 of the Local Government Finance Act 1992 was amended by section 84 of the Local Government Act 2003, (and more recently the Localism Act 2011), to enable council assembly to delegate the power to set the tax base to another decision maker i.e. cabinet, individual cabinet member or chief officer. This report recommends that the constitution be duly amended to designate this decision as an executive function. As such it would be then the responsibility of the leader to delegate this function to the relevant decision maker using the notice of variation process (see Article 6.8). At this stage it is envisaged by officers that the decision would be delegated to the cabinet. As a cabinet decision it will be subject to the call-in process, and officers would need to programme the decision to ensure implementation by the 31 January. It is proposed that the council tax base be considered by the cabinet meeting in December. The new arrangements would apply to the next council tax base decision for the 2017/18 financial year, i.e. cabinet in December 2016.
27. The council tax base is the primary purpose for holding a council assembly meeting in January. With the delegation of this function, it is recommended that this meeting be removed from the schedule of council assembly meeting. The cost of holding a council assembly meeting at Tooley Street is approximately £15,000.

28. This requires a constitutional change to Parts 3A and 3B: Who takes decisions, as follows:

PART 3A: COUNCIL ASSEMBLY (See page 27 of the constitution)

Matters reserved for decision

The following matters are reserved to the council assembly for decision:

7. Agreeing the budget and determining the level of local taxation. The budget includes the allocation of financial resources to different services and projects, proposed contingency funds including reserves and balances, ~~the council tax base~~, setting the council tax and decisions relating to the control of the council's borrowing requirement, the treasury management strategy and the setting of virement limits.

PART 3B: CABINET ROLE AND FUNCTIONS (See page 30 of the constitution)

Financial management and resources

12. To have responsibility for the strategic management of the council's resources, financial, land, property and staffing, and to take decisions on such matters in the context of the budget and policy framework agreed by council.
13. To have responsibility for the council's revenue and capital budgets, including the council tax base, the housing revenue account, ensuring effective financial control and the achievement of value for money, within the provisions of financial standing orders.
29. Research from other local authorities indicates that a number have already delegated this function:

Table 1: Delegation of council tax base report in other local authorities

Borough	Decision Taker
Lambeth	Corporate Committee
Lewisham	Mayor and Cabinet
Hackney	Cabinet
Enfield	Full Council
Bromley	Executive
Bexley	General Purposes Committee
Wandsworth	Finance and corporate resources committee
Kensington & Chelsea	Full Council
Westminster	Cabinet
Havering	Cabinet

COUNCIL ASSEMBLY DATES AND CALENDAR 2016/17

Council assembly dates 2016/17

30. Council assembly procedure rules require that meetings shall take place on such dates as agreed by council assembly. Council assembly is asked to formally agree these dates, in accordance with the relevant constitutional provision.
31. A schedule of proposed council assembly meetings for the 2016/17 municipal year has been prepared. In line with recommendation 4 on the council tax base, the list of proposed dates does not include a January meeting. In 2014 a leader's public question time event staged at City Hall was held instead of an October council assembly. A similar event was due to take place in 2015, but was cancelled due to the South Camberwell by-election. It is recommended that this event is reinstated together with a cabinet member public question time. Officers will review the feasibility of a holding separate leader's public question time event and cabinet member public question time event on the same evening as an existing council assembly. It is envisaged that the constitutional steering panel will continue to maintain an oversight of the arrangements for the question time events. This would leave six council assembly meetings per annum; two of which are required by statute.
32. The list of recommended dates is set out below:

Proposed Dates for Council Assembly 2016/17

- Ordinary meeting – Wednesday 13 July 2016
 - Ordinary meeting / Leader's Public Question Time – Wednesday 5 October 2016 (*Note: Alternative date is Wednesday 12 October 2016, subject to venue availability*)
 - Ordinary meeting – Wednesday 30 November 2016
 - Budget and council tax setting – Wednesday 22 February 2017 (*Note: Statutory meeting*)
 - Ordinary meeting / Cabinet Member Public Question Time – Wednesday 22 March 2017 (*Notes: (1) This meeting is scheduled earlier than usual to avoid last week before school holidays; (2) Alternative date is Wednesday 15 March 2017, subject to venue availability*)
 - Annual meeting – Saturday 13 May 2017 (*Notes: (1) Statutory meeting; (2) Alternative date is Saturday 20 May 2017, subject to venue availability*)
33. It is anticipated that the annual meeting in 2017 will be held jointly with the civic awards ceremony, however at this stage the date may be subject to variation due to venue availability and the civic diary.
34. The table below sets out the frequency of other local authorities full council meetings.

Table 2: Number of council assembly meetings per year

Borough	Number of Full Council meetings per year
Lambeth	7
Lewisham	6
Hackney	5
Enfield	7

Borough	Number of Full Council meetings per year
Bromley	7
Bexley	5
Wandsworth	7
Kensington & Chelsea	6
Westminster	6
Havering	7

Council calendar 2016/17

35. A calendar of council meetings for the 2016/17 municipal year ahead has been prepared and is shown at Appendix 1. The calendar includes the dates for school holidays, party conferences and other committed dates. Due to business demands, certain meetings will meet more frequently e.g. cabinet, overview and scrutiny committee and planning committee. Scrutiny sub-committees are included in the draft calendar, pending their establishment by the overview and scrutiny committee.
36. A number of changes to committees and frequency of meetings are recommended as part the review of the calendar for 2016/17.

Standards Committee

37. Since the new standards regime for councillors was introduced in 2012 the frequency and business for the standards committee has reduced. There is no statutory requirement to have a standards committee. A major part of its workload has transferred to the civic awards sub-committee established last year; this meeting is scheduled to meet twice a year to consider civic awards. The standards committee is currently scheduled to meet three times a year, however in 2015/16 the one meeting was cancelled due to lack of business and of the other two committees there were only four items of business: two of which were reports for noting on the Operational Use of the Regulation of Investigatory Powers Act 2000; one to establish a sub-committee to consider civic awards; and a member complaints monitor report. It is recommended that the standard committee is not re-established by the annual meeting in May 2016. Its roles and functions would be amalgamated into the audit and governance committee, which would be renamed audit, governance and standards committee to reflect the different roles. The audit and governance committee meets six times a year and it is envisaged the limited amount of standards business could be accommodated. A revised roles and functions of the proposed audit, governance and standards committee are attached as Appendix 2. This is recommended for approval. The existing standards sub-committees on civic awards and conduct (considering any complaints against members) would be retained. The chair of the standards committee does not receive a special responsibility allowance.

Cabinet

38. Currently the cabinet meets about 12 times a year and this frequency results in the lead-in times for meetings overlapping with one another. It is recommended that this should be rationalised by reducing the frequency of cabinet meetings to eight scheduled meetings a year. Cabinet would meet on a six weekly cycle. This will enable the agenda management processes to

operate more efficiently. This would require a small consequential constitutional change to the cabinet procedure rule 2.1 which states that the cabinet should meet at least ten times per year. It is recommended that this is amended to "eight". A consequence of the changes to cabinet is there may be some increase in the delegation to individual cabinet members; officers would look to offset this in part with greater efficiencies in the use of the modern.gov system. These decisions would continue to be subject to scrutiny call-in.

39. In respect of meetings other than council assembly, this calendar is subject to amendments, additions and cancellations. The calendar is regularly updated throughout the year and is published on the council's website.

PAYMENT TO CABINET MEMBERS FOR LOSS OF OFFICE

40. Southwark is one of the most complex, diverse and dynamic boroughs in the country. With 55,000 council homes under management, we are the largest local authority social landlord in London and we are embarking on the largest council home building programme in the country. Our regeneration programme is the most ambitious in London and includes the transformation of the Aylesbury Estate and Elephant and Castle. At the same time we are leading on economic development and policy innovations such as the introduction of free healthy school meals and free swim and gym.
41. Southwark is a young borough with a growing population. 52% of our population is aged 18-44 compared with 36% for England as a whole. At the same time we are an ethnically and culturally diverse borough with more than 300 languages spoken. The need for engaged and responsive leadership from the Council has never been greater.

The growing complexity of cabinet roles

42. Over the past two decades there has been a trend both in London and in Southwark where more cabinet members of all parties are serving in a full time capacity. At present 8 out of the 10 of Southwark's cabinet members serve the Council full time.
43. Councils are expecting more from their cabinet members. The combination of funding cuts and increased powers for local government have made the role more complex and important than ever before. In order to meet these challenges it is important to attract the best possible candidates to serve in Cabinet.
44. For many members, the decision to relinquish a full time role elsewhere to serve in Cabinet entails a significant reduction in financial security. For some potential cabinet members, the reduction in security may prevent them from being able to accept the role.

Special Responsibility Allowances (SRAs)

45. Southwark is proud of its diversity and wants the Council and Cabinet to reflect the borough. The Council's Special Responsibility Allowance (SRA) scheme should encourage diversity and remove disincentives to Members taking on responsibilities within the Council. Members giving up full time employment to be a full time Cabinet Member give up the security of employment. This disproportionately impacts those without alternative

financial means.

46. In recognition of the loss of security for those giving up full time work to serve in Cabinet, a number of benefits have been extended to full time cabinet members in recent years including maternity leave, adoption leave, paternity leave and sick leave.
47. The extension of compensation for loss of office can be seen as a natural progression of these other arrangements with the intent of widening the pool of people able to accept a position in Cabinet.
48. If implemented, this would be the first scheme of its type for councillors in England; however schemes do exist for other elected members elsewhere. For example, Scotland pays councillors who step down in a way that reflects their years of service, and Members of Parliament receive a resettlement payment if they lose their seats in an election.
49. At present there is no provision for either a notice period or redundancy pay when a Leader or other cabinet member leaves office. This means that a cabinet member's SRA ends from the date they leave the position for which they received the SRA.
50. SRAs are paid to compensate members for their special responsibilities in addition to their role as ward councillors (for which a separate basic allowance is payable). SRAs are not deemed as salary, as members are not employees of the Council. However most members in receipt of a full time band 3 or band 4 SRA have given up other paid work in order to devote full time attention to their role in the Cabinet.
51. Council officers receive between 4 and 13 weeks notice period depending on their level of seniority. Statutory redundancy pay for employees is 1 week for each year of continuous service for those aged 22 to 40 and 1.5 weeks for each year of continuous service for those aged 41 and over. Statutory Redundancy pay does not apply to elected members.
52. Offering payment for loss of office will reduce the disparity in security offered to employees of the Council compared with cabinet members. It is believed this will expand the range of Members able to accept a full time Cabinet role as it will ensure a modest degree of financial security should they leave that role.
53. The changes to the Member Allowances scheme above apply only to members who serve the Council in a full time capacity.
54. Officers have considered a range of scenarios regarding how payment for loss of office would be applied fairly and ensure that full time cabinet members have a basic level of security. The main provisions of the proposed scheme are set out below.
55. Members must have served at least one year in cabinet to be eligible for payment for loss of office. No member would be able to claim a payment for loss of office more than once in any 4 year council term.
56. Payment for loss of office applies only to those cabinet members eligible for a full time allowance. Cabinet members who job share or work elsewhere more

than 10 hours per week are not eligible.

57. Payment for loss of office will be applied equally whether members resign from office, are not reappointed by the Leader, or fail to secure re-election.
58. Payment for loss of office applies only to SRA band 3 or 4, and not the basic member allowance.
59. A member who leaves Cabinet and takes another position in the Council with an SRA will be eligible for payment for loss of office.
60. When determining entitlement to a payment for loss of office, the period of continuous full time service is unaffected by any periods of absence in accordance with the special leave arrangements (see paragraphs 39 to 48 of the member allowances scheme), including maternity and paternity leave.
61. The Standards Committee (or the relevant sub-committee) will have the power to adjudicate on any dispute as to entitlement and any allegation of abuse. Any allegations should be referred in the first instance to the council's monitoring officer who will determine in consultation with an independent person(s) whether or not there is a case to be answered. If not, the monitoring officer shall close the matter. If there is a case to answer, the monitoring officer shall arrange for a report (and recommendation) to be presented to a specially convened standards (conduct) sub-committee to consider the facts, hear representations from the subject member and reach a final decision. The monitoring officer will arrange for the sub-committee's decision to be communicated to the complainant and the subject member.

COMMUNITY IMPACT STATEMENT

Payment to cabinet members for loss of office

62. Payment for loss of office is likely to increase the pool of people able to take up cabinet positions, particularly from those who work full time and do not have financial resources to cushion a period out of the salaried labour market.
63. Out of the protected characteristics of the general equality duty, four areas stand out as areas where payment for loss of office will have a positive impact: age, disability, race and sex.
64. Payment for loss of office is likely increase the age range of those able to accept Cabinet posts, and in particular to expand option for more people of working age.
65. At present, those of working age often face a reduction in job security and progress in careers elsewhere to take up a Cabinet post. The risk of unexpected loss of office weighs against some people of working age feeling able to accept the position.
66. By offering a financial payment in cases of loss of office, a greater number of members of working age could be available to enter the Cabinet.
67. Southwark has a significantly higher percentage of residents of working age, and fewer people of retirement age compared with London and England as a whole.

68. The risk of loss of office may weigh disproportionately against those with disabilities more than others. Offering payment for loss of office may help those who face greater barriers re-entering the labour market to be able to accept a Cabinet post.
69. Payment for loss of office is likely to expand the range of individuals from groups with less financial resources able to take the risk of accepting a Cabinet post, and this may have a positive impact on ethnic minority groups. Evidence from the ONS and census reveal that:
- i) minority non-white ethnic groups are significantly more likely to earn less than the median income, and
 - ii) Southwark has a higher proportion of non-white residents than either London or England.
70. Payment for loss of office is likely to expand the range of individuals from groups with less financial resources able to take the risk of accepting a Cabinet post, and this may have a positive impact on women, who on a full time basis earn 14% less on average than men. Women are also more likely to work part time, further reducing their access to financial resources.

Other changes

71. The other changes considered in this report will have no direct impact on local people from adoption of these changes to the council's constitution. The constitution enables people, including the local community where relevant, to understand the role that they can play in the decision making of the council and how the council will safeguard high standards of conduct amongst members and officers.

RESOURCE IMPLICATIONS

73. The proposed changes to report back on motions and supplemental questions will enable more efficient ways of working to be introduced in these areas. Neither area has been reviewed for some years; in each case a more cost effective approach exists. The proposed change in the delegation of the council tax base will provide an efficiency saving of £15,000 which can be offset against current targets. A full breakdown of the costs of a council assembly meeting is set out below:

Table: Breakdown of council assembly costs

Item	£
Stage, Lighting and Event Management	6,525
Furniture Hire and Installation	1,330
Sound System and Induction loop	2,605
Refreshments	580
Transport	110
Printing	725
Staffing costs	715
Facilities charges (including door supervisors and engineer) [See note]	2,790

Item	£
Total	15,380

Note: Facilities charges such as extra staffing costs for the building and health and safety are funded from corporate budgets.

74. The constitution is published on the council's website and is available for viewing online. Limited numbers of the constitution are produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. It is anticipated that the cost can be contained within existing budgets.
75. With regard to the proposal to introduce a payment for loss of office for cabinet members, the capping of any individual's payment to a maximum of 13 weeks' SRA will contain the cost of the scheme.
76. The cost payment for loss of office would vary depending on length of service, and the SRA band. The total cost per SRA band 3 member would be £2,641 (equivalent to 4 weeks SRA) plus £660 for each year of service as a full time cabinet member.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

77. The report includes proposals to amend the Member Allowances Scheme as detailed in the Constitution to introduce a payment to Cabinet Members for loss of office.
78. Paragraphs 54 to 60 of the report provide further details of the operation of the Member Allowances Scheme and when a payment for loss of office will be made. Paragraph 61 provides a mechanism for the Standards Sub-Committee (Conduct) to adjudicate on any dispute on entitlement or abuse of the scheme.
79. The statutory scheme for the payment of allowance to members can be found in Section 175 of the Local Government Act 1972, and Section 18 of the Local Government and Housing Act 1989, these acts confer powers on the Secretary of State to 'authorise or require' specified local authorities to make a scheme providing for the payment of (a) a basic allowance, (b) an attendance allowance, and (c) a special responsibility allowance;. The Local Authorities (Members' Allowance) (England) Regulations 2003/1021 requires local authorities to have such a scheme in place. The legislation and the 2003 regulations do not prohibit a payment to Cabinet Members for loss of office.
80. Further Section 1 of the Localism Act 2011 confers on the Council a power to make these payments.
81. The Member Allowances Scheme forms part of the Council's constitution. All constitutional changes are considered by constitutional steering panel which then recommends changes to Council Assembly.
82. Under Part 3A of the constitution, council assembly is responsible for determining the Member Allowances Scheme and amount of member allowances.

Strategic Director of Finance and Governance

83. The costs of the payment to cabinet members for loss of office will be maintained within existing budgets for members' allowances and appropriate reserve provisions if necessary.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Equality Analysis	Cabinet Office, 160 Tooley Street, London SE1 2QH	Matthew Robinson 020 7525 0341
Southwark Constitution – Member Allowances Scheme) Link: http://modern.gov.southwark.gov.uk/documents/s57730/17%20Member%20allowances%20scheme%20January%202015.pdf	Constitutional Team 160 Tooley Street, London SE1 2QH	Ian Millichap 020 7525 7225
Southwark Constitution http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution	Council Offices, 160 Tooley Street, London SE1 2QH	Constitutional Team Email: constitutional.team@southwark.gov.uk Tel: 020 7525 7228

APPENDICES

Appendix	Title
Appendix 1	Council Calendar 2016/17
Appendix 2	Draft Revised Roles and Functions for Audit, Governance and Standards Committee (to be circulated separately)

AUDIT TRAIL

Lead Officer	Ian Millichap, Proper Constitutional Officer	
Report Author	Ian Millichap, Constitutional Manager Chidilim Agada, Principal Constitutional Officer Matthew Robinson, Senior Strategy Officer Virginia Wynn-Jones, Constitutional Officer	
Version	Final	
Dated	3 March 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	3 March 2016	

APPENDIX 1

DRAFT COUNCIL CALENDAR 2016/2017

May-16	Sun	1			
	Mon	2	Bank Holiday		
	Tue	3			
	Wed	4			
	Thur	5	GLA MAYORAL ELECTIONS		
	Fri	6			
	Sat	7			
	Sun	8			
	Mon	9	Group meetings		
	Tue	10	Planning Sub-Committee A	Tenants' Council	1830
	Wed	11			
	Thur	12			
	Fri	13			
	Sat	14	Council Assembly (Annual Meeting held jointly with Civic Awards)		1100
	Sun	15			
	Mon	16			1900
	Tue	17			1730
	Wed	18			
			Overview & Scrutiny Committee	* - Note: To establish any sub-committees and appoint chairs and vice-chairs	1900
	Thur	19			
	Fri	20			
	Sat	21			
	Sun	22			
	Mon	23			
	Tue	24	Cabinet		1600
	Wed	25	Planning Committee	Ordinary meeting and to establish any sub-committees and appoint chairs and vice-chairs	1730
	Thur	26			
	Fri	27			
	Sat	28			

DRAFT COUNCIL CALENDAR 2016/2017

	Sun	29				
	Mon	30	Bank Holiday	HALF TERM		
	Tue	31				
Jun-16	Wed	1				
	Thur	2				
	Fri	3				
	Sat	4				
	Sun	5				
	Mon	6	Group Meetings		1900	
	Tues	7	Planning Sub-committee A		1830	
	Wed	8	Community Council Chairs and Vice-Chairs		1900	
	Thur	9				
	Fri	10				
	Sat	11				
	Sun	12				
	Mon	13	Constitutional Steering Panel		1800	
	Tue	14				
	Wed	15	Overview and Scrutiny Committee		1900	
	Thur	16				
	Fri	17				
	Sat	18				
	Sun	19				
	Mon	20				
	Tue	21	Planning Committee		1730	
	Wed	22	Dulwich Community Council Bermondsey and Rotherhithe Community Council		1900 1900	
	Thur	23				
	Fri	24				
	Sat	25				
	Sun	26				
	Mon	27	Scrutiny Sub-Committee Licensing Committee		1900 1900	
	Tue	28	Planning Sub-Committee B		1900	
	Wed	29	Peckham and Nunhead Community Council Borough, Bankside and Walworth Community Council		1900 1900	
	Thur	30				

DRAFT COUNCIL CALENDAR 2016/2017							
Jul-16	Fri	1					
	Sat	2					
	Sun	3					
	Mon	4	Group meetings			1900	
	Tue	5	Scrutiny Sub-Committee	LGA ANNUAL CONFERENCE/EXHIBITION		1900	
			Planning Committee			1730	
	Wed	6		LGA ANNUAL CONFERENCE/EXHIBITION			
	Thur	7		LGA ANNUAL CONFERENCE/EXHIBITION			
	Fri	8					
	Sat	9					
	Sun	10					
	Mon	11	Corporate Parenting Committee			1400	
			Camberwell Community Council			1900	
	Tue	12	Planning Committee			1730	
			Scrutiny Sub-Committee			1900	
	Wed	13	Council Assembly	<i>Ordinary meeting</i>		1900	
	Thur	14	Audit, Governance and Standards committee			1900	
	Fri	15					
	Sat	16					
	Sun	17					
	Mon	18					
	Tue	19	Cabinet			1600	
			Planning Sub-Committee A			1830	
	Wed	20					
Thur	21		SCHOOL HOLIDAYS				
Fri	22						
Sat	23						
Sun	24						

DRAFT COUNCIL CALENDAR 2016/2017

	Mon	25		Tenants' Council			
	Tue	26					
	Wed	27					
	Thur	28					
	Fri	29					
	Sat	30					
	Sun	31					
Aug 16	Mon	1					
	Tue	2					
	Wed	3					
	Thur	4					
	Fri	5					
	Sat	6					
	Sun	7					
	Mon	8					
	Tue	9					
	Wed	10					
	Thur	11					
	Fri	12					
	Sat	13					
	Sun	14					
	Mon	15					
	Tue	16					
	Wed	17					
	Thur	18					
	Fri	19					
	Sat	20					
	Sun	21					
	Mon	22					
	Tue	23					
	Wed	24					

DRAFT COUNCIL CALENDAR 2016/2017							
	Tue	25					
	Wed	26					
	Thur	27					
	Fri	28					
	Sat	29					
	Sun	30					
	Mon	31	Community Councils Chairs and Vice-Chairs			1900	
Nov-16	Tue	1	Cabinet			1600	
			Planning Sub-Committee B			1830	
	Wed	2					
	Thur	3					
	Fri	4					
	Sat	5					
	Sun	6					
	Mon	7	Corporate Parenting Committee			1400	
				<i>Tenants' Council</i>			
	Tue	8	Planning Committee			1730	
	Wed	9	Constitutional Steering Panel			1800	
	Thur	10					
	Fri	11					
	Sat	12					
	Sun	13					
	Mon	14	Overview and Scrutiny Committee			1900	
	Tue	15	Peckham and Nunhead Community Council			1900	
	Wed	16	Audit, Governance and Standards committee			1900	
	Thur	17					
	Fri	18					
	Sat	19					
	Sun	20					
	Mon	21	Group Meetings			1900	
	Tue	22					
	Wed	23	Planning Sub-Committee A			1830	
			<i>Borough, Bankside and Walworth Community Council (tbc)</i>	<i>ALTERNATIVE DATE for Sat 26 Nov 2016</i>		1900	
			<i>Camberwell Community Council (tbc)</i>	<i>ALTERNATIVE DATE for Sat 26 Nov 2016</i>		1900	
	Thur	24					
	Fri	25					
	Sat	26	Borough, Bankside and Walworth Community Council			1300	
			Camberwell Community Council			1300	
	Sun	27					

DRAFT COUNCIL CALENDAR 2016/2017							
	Mon	28	Scrutiny Sub-Committee			1900	
	Tue	29	Scrutiny Sub-Committee			1900	
	Wed	30	Council Assembly	ORDINARY MEETING		1900	
Dec-16	Thur	1					
	Fri	2					
	Sat	3					
	Sun	4					
	Mon	5	Scrutiny Sub Committee			1900	
	Tue	6	Planning Committee			1730	
	Wed	7	Bermondsey and Rotherhithe Community Council (tbc) Dulwich Community Council	ALTERNATIVE DATE for Sat 10 Dec 2016		1900	
	Thur	8					
	Fri	9					
	Sat	10	Bermondsey and Rotherhithe Community Council			1300	
	Sun	11					
	Mon	12	Overview and Scrutiny Committee			1900	
	Tue	13	Cabinet			1600	
	Wed	14	Planning Sub-Committee B			1830	
	Thur	15					
	Fri	16					
	Sat	17					
	Sun	18					
	Mon	19	Planning Committee	PROVISIONAL DATE		1730	
	Tue	20					
	Wed	21					
	Thur	22		SCHOOL HOLIDAYS			
	Fri	23					
	Sat	24		CHRISTMAS EVE			
	Sun	25		CHRISTMAS DAY (BANK HOLIDAY)			
	Mon	26		BOXING DAY			
	Tue	27		BANK HOLIDAY			
	Wed	28					
	Thur	29					
	Fri	30					
	Sat	31					
Jan-17	Sun	1		NEW YEAR'S DAY			
	Mon	2		BANK HOLIDAY			
	Tue	3					
	Wed	4					
	Thur	5					
	Fri	6					
	Sat	7					

DRAFT COUNCIL CALENDAR 2016/2017							
	Sun	12				1900	
	Mon	13	Group meetings (alternative date 6 Feb 2017)				
	Tue	14					
	Wed	15					
	Thur	16					
	Fri	17					
	Sat	18					
	Sun	19					
	Mon	20	<i>Borough, Bankside and Walworth Community Council</i>	<i>ALTERNATIVE DATE for Sat 4 February 2017</i>		1900	
			<i>Bermondsey and Rotherhithe Community Council</i>	<i>ALTERNATIVE DATE for Sat 4 February 2017</i>		1900	
	Tue	21	Scrutiny Sub-committee			1900	
	Wed	22	Council Assembly (Budget and council tax setting)	<i>Note: Statutory meeting</i>		1900	
	Thur	23					
	Fri	24					
	Sat	25					
	Sun	26					
	Mon	27	Scrutiny Sub-Committee			1900	
			Audit, Governance and Standards committee			1900	
	Tue	28	Planning Sub-Committee B			1830	
Mar-17	Wed	1	Corporate Parenting Committee			1400	
	Thur	2					
	Fri	3					
	Sat	4					
	Sun	5					
	Mon	6					
	Tue	7	Planning Committee			1730	
	Wed	8	Constitutional Steering Panel			1800	
	Thur	9					
	Fri	10					
	Sat	11					
	Sun	12					
	Mon	13	Group meetings			1900	
	Tue	14	Overview and Scrutiny Committee			1900	

DRAFT COUNCIL CALENDAR 2016/2017

			Council Assembly (Ordinary Meeting)	<i>Notes: (1) This meeting is scheduled earlier than usual to avoid last week before school holidays; (2) Alternative date is Wednesday 22 March 2017, subject to venue availability</i>	1900		
	Wed	15					
	Thur	16					
	Fri	17					
	Sat	18					
	Sun	19					
	Mon	20	Group Meetings		1900		
	Tue	21	Cabinet		1600		
			Planning Sub-Committee A		1830		
	Wed	22	Council Assembly (Ordinary Meeting)	<i>Notes: (1) This meeting is scheduled earlier than usual to avoid last week before school holidays; (2) Alternative date is Wednesday 15 March 2017, subject to venue availability</i>	1900		
	Thur	23					
	Fri	24					
	Sat	25					
	Sun	26					
	Mon	27	Scrutiny Sub-Committee		1900		
	Tue	28	Planning Committee		1730		
	Wed	29					
	Thur	30					
	Fri	31					
Apr-17	Sat	1		SCHOOL HOLIDAYS			
	Sun	2					
	Mon	3					
	Tue	4					
	Wed	5					
	Thur	6					
	Fri	7					
	Sat	8					
	Sun	9					
	Mon	10					
	Tue	11					
	Wed	12					
	Thur	13					

DRAFT COUNCIL CALENDAR 2016/2017							
	Fri	14		BANK HOLIDAY			
	Sat	15					
	Sun	16		EASTER SUNDAY			
	Mon	17		EASTER MONDAY (Bank Holiday)			
	Tue	18		POSSIBLE INSET DAY			
	Wed	19	Overview and Scrutiny Committee			1900	
	Thur	20					
	Fri	21					
	Sat	22					
	Sun	23					
	Mon	24	Peckham and Nunhead Community Council Camberwell Community Council			1900 1900	
	Tue	25	Scrutiny Sub-Committee Planning Sub-Committee B			1900 1830	
	Wed	26	Borough, Bankside and Walworth Community Council			1900	
	Thur	27					
	Fri	28					
	Sat	29					
	Sun	30					
May-17	Mon	1		BANK HOLIDAY			
	Tue	2	Planning Committee Scrutiny Sub-Committee			1730 1900	
	Wed	3	Dulwich Community Council Bermondsey and Rotherhithe Community Council			1900 1900	
	Thur	4					
	Fri	5					
	Sat	6					
	Sun	7					
	Mon	8	Overview and Scrutiny Committee			1900	
	Tue	9	Cabinet Planning Sub-Committee A Audit, Governance and Standards committee			1600 1830 1900	
	Wed	10					
	Thur	11					
	Fri	12					

DRAFT COUNCIL CALENDAR 2016/2017							
	Sat	13	Council Assembly (Annual Meeting held jointly with Civic Awards)	<i>Notes: (1) Statutory meeting; (2) Alternative date is Saturday 20 May 2017, subject to venue availability</i>			
	Sun	14					
	Mon	15					
	Tue	16					
	Wed	17	Overview & Scrutiny Committee	* - Note: To establish any sub-committees and appoint chairs and vice-chairs	1900		
			Planning Committee	* - Note: To establish any sub-committees and appoint chairs and vice-chairs	1730		
	Thur	18					
	Fri	19					
	Sat	20	Council Assembly (Annual Meeting held jointly with Civic Awards)	<i>Notes: (1) Statutory meeting; (2) Alternative date is Saturday 13 May 2017, subject to venue availability</i>			
	Sun	21					
	Mon	22	Group meeting		1900		
	Tue	23					
	Wed	24					
	Thur	25					
	Fri	26					
	Sat	27					
	Sun	28					
	Mon	29					
	Tue	30					
	Wed	31					
Jun-17	Thur	1					
	Fri	2					
	Sat	3					
	Sun	4					
	Mon	5					
	Tue	6	Planning Committee		1730		

Item No. 4.	Classification: Open	Date: 16 March 2016	Meeting Name: Council Assembly
Report title:		Motions	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes¹.

A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then debate the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

Note: In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

¹ Council assembly procedure rule 1.14 (9)

1. **MOTION FROM COUNCILLOR ADELE MORRIS** (Seconded by Councillor Ben Johnson)

Building more affordable homes in Southwark

Council assembly:

1. Notes the escalating housing crisis in London and Southwark and the desperate need for more genuinely affordable housing for residents.
2. Further notes the negative impact that policies in the Conservative government's Housing and Planning Bill will have on the construction of new affordable homes and access to existing affordable housing. These policies include:
 - Extending the right to buy to housing association tenants.
 - Requiring councils to sell vacant high-value properties to fund the extended right to buy policy.
 - Introducing a 'Pay to Stay' scheme, where households with an income over £40,000 pay a higher rent to stay in their council or housing association home.
 - Forcing local authorities to reduce tenants' rents by £1 a week and thereby reducing the council's housing budget by £62.5m.
 - Extending the definition of 'affordable housing' to Starter Homes and requiring councils to promote them.
 - A reduction in the annual benefit cap for families to £23,000 in London making private rented housing even more unaffordable.
3. Acknowledges the start the administration has made with its 11,000 new council home over thirty years, however remains concerned at the rate of progress so far and whether this target will be met.
4. Believes that the scale of the housing crisis requires additional help from the Mayor of London to build new social rent housing in Southwark and other boroughs.
5. Calls on the cabinet to support plans for the future Mayor of London to continue collection of the Olympic precept element of council tax to build additional affordable housing in Southwark

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

2. MOTION FROM COUNCILLOR RENATA HAMVAS (Seconded by Councillor Tom Flynn)

Transport improvements

1. Council assembly realises how essential good public transport is for residents in Southwark to carry out their day to day lives.
2. Council assembly recognises that transport fares are one of the biggest costs many households in the borough face.
3. Council assembly also is aware of the significant transport problems on trains across south east London, including overcrowding at London Bridge, Peckham Rye and Canada Water Stations, proposed ticket office closures, and unacceptable delays, cancellations and lack of capacity on the Govia Thameslink's Catford loop affecting passengers at Nunhead, Peckham Rye, Denmark Hill, and Elephant and Castle and reiterates its call for Transport for London (TfL) to run all rail services in south east London in order to have a properly integrated transport system.
4. Council assembly acknowledges this administration's commitment to prioritising sustainable journeys, including walking and cycling, to help minimise the environmental impact of transport and make this borough a safer, cleaner and healthier place to live and work.
5. Council assembly believes that our city needs a Mayor who will stand up for Londoners and deliver affordable, reliable public transport, and therefore welcomes London Mayoral candidate Sadiq Khan's commitments to:
 - Freeze all TfL Underground, Docklands Light Railway and Overground and travelcard fares for four years, freeze bus fares following a first-year cut in fares, and introduce a one-hour bus ticket;
 - Push TfL to take on more London commuter rail services so that responsibility for all transport within London lies with the Mayor;
 - Ensure that London councils are given a central role in planning London's transport infrastructure;
 - Champion new measures to encourage cycling and walking and prioritise 'Quiet Ways' to broaden London's safe cycle network, completing the roll out of the existing town centre cycling improvement plans; and make it easier and safer for our residents to cycle around the borough.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

3. **MOTION FROM COUNCILLOR HAMISH McCALLUM** (Seconded by Councillor Eliza Mann)

Low water pressure in Bermondsey

Council assembly:

1. Notes with concern ongoing reports from residents and businesses about low water pressure in Bermondsey, affecting the area north of Jamaica Road, between Tower Bridge Road and Cherry Garden Street.
2. Further notes that Thames Water has acknowledged that the low pressure is a deliberate strategy to reduce burst water mains in the area.
3. Believes that it is unacceptable that thousands of Bermondsey residents and businesses, especially those on higher floors, should have to suffer a reduction in water pressure while still being required to pay for a full service.
4. Calls on the cabinet to work urgently with Thames Water and the council's housing department (as the freeholder of many blocks) to resolve the low water pressure issue.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

4. **MOTION FROM COUNCILLOR LORRAINE LAUDER** (Seconded by Councillor Samantha Jury-Dada)

East Street Market

1. Council assembly celebrates the rich diversity, cultural heritage and many opportunities within the East Street Market, which is one of London's oldest, largest and busiest markets and has been used by local people for decades.
2. Council assembly recognises that improvements are needed to revive the market, to encourage new traders into empty shop units and to create an easier and more sociable shopping experience for the public.
3. Council assembly welcomes the £207,000 awarded to East Street Market from Southwark Council and the Greater London Assembly (GLA) to regenerate and develop the market.
4. Council assembly calls on the cabinet to work closely with market traders and local businesses to encourage a stronger working partnership and to bring forward improvements to the market which build on the character of the market, encourage growth, and help attract a wider range of customers.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Andrew Weir, Constitutional Officer
Version	Final
Dated	4 March 2016

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