

Council Assembly

Ordinary Meeting

Wednesday 12 July 2017

7.00 pm

Council Offices, 160 Tooley Street, London SE1 2QH

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

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Contact

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Date: 30 June 2017



Council Assembly

Ordinary Meeting

Wednesday 12 July 2017
7.00 pm
Council Offices, 160 Tooley Street, London SE1 2QH

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.	APOLOGIES FOR ABSENCE	
	To receive any apologies for absence.	
1.3.	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.	
1.4.	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.	
1.5.	MINUTES	1 - 29
	To approve as a correct record the open minutes of the council assembly meetings held on 22 March 2017 and 13 May 2017.	

Item No.	Title	Page No.
2.	ISSUES RAISED BY THE PUBLIC	
2.1.	PETITIONS	
	No petitions have been received.	
2.2.	PUBLIC QUESTION TIME	
	The deadline for public questions is 11.59pm, Thursday 6 July 2017. Questions can be emailed to constitutional.team@southwark.gov.uk .	
	Questions from the public will be distributed in a supplemental agenda.	
3.	THEMED DEBATE - WHAT DOES BREXIT MEAN FOR SOUTHWARK?	
3.1.	COMMUNITY EVIDENCE	
	The deadline for community evidence on the theme is 11.59pm, Thursday 6 July 2017. Submissions can be emailed to constitutional.team@southwark.gov.uk .	
	Submissions from the public will be distributed in a supplemental agenda.	
3.2.	MOTION ON THE THEME	30 - 31
	The leader of the council to present the theme for the meeting.	
4.	DEPUTATIONS	
	The deadline for deputation requests is 11.59pm, Thursday 6 July 2017. Deputations can be emailed to constitutional.team@southwark.gov.uk .	
	Deputation requests will be distributed in a supplemental agenda.	
5.	ISSUES RAISED BY MEMBERS	
5.1.	MEMBERS' QUESTION TIME	32 - 37
	To receive any questions from members of the council.	

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5.2.	MEMBERS' MOTIONS	38 - 44
	To consider the following motions:	
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6.	OTHER REPORTS	
6.1.	MEMBER ALLOWANCES SCHEME - PAYMENT ARRANGEMENTS DURING PERIODS OF ABSENCE	45 - 70
	Council assembly is asked to consider the revised Member Allowances Scheme 2017-18.	
6.2.	CONSTITUTIONAL CHANGES: LICENSING	71 - 74
	Council assembly is asked to consider proposed changes to the council's constitution.	
6.3.	ANNUAL MEETING 2018 - PROPOSED CHANGE OF DATE	75 - 79
	Council assembly is asked to agree the proposed change of date of the annual meeting of council assembly in 2018.	
6.4.	APPOINTMENT OF HONORARY RECORDER OF SOUTHWARK	80 - 82
	Council assembly is asked to agree the appointment of the Honorary Recorder of Southwark.	
6.5.	NOMINATIONS TO COMMITTEES, COMMUNITY COUNCILS, PANELS AND RELATED MATTERS 2017-18	83 - 94
	Council assembly is asked to consider the appointments to council committees and panels.	
6.6.	TREASURY MANAGEMENT PERFORMANCE - 2016-17 ANNUAL REPORT AND PRUDENTIAL INDICATORS FOR CAPITAL FINANCE AND TREASURY MANAGEMENT	95 - 103
	Council assembly is asked to note the treasury management performance report.	

7. 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)**

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: 30 June 2017



Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 22 March 2017 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT:

The Worshipful the Mayor for 2016/17, Councillor Kath Whittam (Chair)

Councillor Evelyn Akoto	Councillor Lorraine Lauder MBE
Councillor Anood Al-Samerai	Councillor Maria Linforth-Hall
Councillor Jasmine Ali	Councillor Richard Livingstone
Councillor James Barber	Councillor Rebecca Lury
Councillor Radha Burgess	Councillor Jane Lyons
Councillor Sunil Chopra	Councillor Eliza Mann
Councillor Fiona Colley	Councillor Hamish McCallum
Councillor Stephanie Cryan	Councillor Darren Merrill
Councillor Catherine Dale	Councillor Victoria Mills
Councillor Helen Dennis	Councillor Michael Mitchell
Councillor Dora Dixon-Fyle MBE	Councillor Jamille Mohammed
Councillor Nick Dolezal	Councillor Adele Morris
Councillor Karl Eastham	Councillor David Noakes
Councillor Gavin Edwards	Councillor Damian O'Brien
Councillor Paul Fleming	Councillor James Okosun
Councillor Tom Flynn	Councillor Leo Pollak
Councillor Renata Hamvas	Councillor Sandra Rhule
Councillor Barrie Hargrove	Councillor Catherine Rose
Councillor Jon Hartley	Councillor Rosie Shimell
Councillor David Hubber	Councillor Johnson Situ
Councillor Peter John OBE	Councillor Michael Situ
Councillor Ben Johnson	Councillor Charlie Smith
Councillor Samantha Jury-Dada	Councillor Cleo Soanes
Councillor Eleanor Kerslake	Councillor Dan Whitehead
Councillor Sarah King	Councillor Bill Williams
Councillor Anne Kirby	Councillor Kieron Williams
Councillor Sunny Lambe	Councillor Mark Williams
Councillor Octavia Lamb	Councillor Ian Wingfield

1. PRELIMINARY BUSINESS

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

Councillor Kath Whittam, the Mayor of Southwark, offered Southwark's sympathy with the events in Westminster of the afternoon of 22 March 2017.

She also announced the elections of Southwark Youth Council, and congratulated the young people involved.

Councillor Peter John, leader of the council, announced the outcome of his meeting with the Education Minister and confirmed that Southwark Council will continue to oppose cuts to education.

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

At this juncture the meeting agreed the programme motion.

RESOLVED:

That the meeting be conducted as follows:

Time	Business
19:00 - 19:10	1. Preliminary business and announcements
19:10 - 19:25	2.2 Public question time <ul style="list-style-type: none"> • Mrs Debra Moyce • Mr Desmond Gray (or representative) • Late public question from Melanie Carvalho or Sarah Hind
19:25 - 19:35	4. Deputation requests <ul style="list-style-type: none"> • Users and families of Riverside Day Centre
19:35 - 19:55	5.2 Motions Motion 1 - Day centre services in Southwark
19:55 – 20:55 (20 minutes)	Themed debate 3.1 Community Evidence <ul style="list-style-type: none"> • COPSINS • Southwark Pensioners' Forum
(7 minutes)	3.2 Motion on the Theme 1. Councillor Richard Livingstone, cabinet member for adult care and financial inclusion
(5 minutes)	2. Councillor Maria Linforth-Hall, opposition spokesperson, to speak on the motion and move Amendment A
(25 minutes)	3. Themed debate open to all other councillors
(3 minutes)	4. Cabinet member's right of reply to the debate
20:55 - 21:05	4. Deputation requests

	• Bricklayer's Arms TRA
21:05 - 21:35	5.1 Members' Question Time
21:35 - 22:00	5.2 Motions
	Motion 2 - Don't shaft Faraday
	Motion 3 - Tackling congestion on Jamaica Road
	Motion 4 - Save Southwark Post Office services
	Motion 5 - The Dubs' Amendment
	Motion 6 - NHS sustainability and transformation plan
22:00*	6. Other Reports
	6.1 Pay policy statement
	6.2 Member allowances scheme 2017-18
	6.3 Council assembly dates and calendar of meetings 2017-18
	6.4 Proposed changes to part 4 contract standing orders
	6.5 Special urgency decisions - annual report

* subject to the guillotine rule; maximum 15 minutes debate per item.

Note: Any time left remaining on any item will be rolled into the next items.

That the meeting be conducted as follows:

Item 2.2 Public question time

To agree to accept a late public question from Melanie Carvalho.

Item 4

To vary the order of business to take item 4, deputation requests, and Motion 1, Day centre services in Southwark, first.

Meeting to agree to hear a deputation from:

- Users and families of Riverside Day Centre

Item 3 - Themed debate

Community Evidence Submissions

To receive submissions from the groups listed in the themed section of the agenda:

- COPSINS
- Southwark Pensioners' Forum

Five minute presentation from the group, followed by a question from the group to the relevant cabinet member; and up to five minutes for questions from members.

Themed debate

To run as listed in the timings above.

Item 4 - Deputations

To receive deputations from the groups listed in the report:

- Users and families of Riverside Day Centre
- Bricklayer's Arms tenants and residents association

Item 5.2 General motions

To accept an alteration of Amendment C to Motion 2.

Each motion to have a single debate, subject to the guillotine.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

The mayor announced that all councillors had been granted a dispensation by the monitoring officer to vote on Item 6.2: Member Allowances Scheme 2017-18.

The following members declared an interest:

Councillor	Item	Interest
Catherine Dale	Motion 6 - NHS Sustainability and Transformation Plan	Disclosable pecuniary interest as she works for Guy's and St Thomas' NHS Trust. She left the room whilst the motion was voted upon.
Tom Flynn		Disclosable pecuniary interest as he is a governor at South London and Maudsley NHS Trust. He left the room whilst the motion was voted upon.
Sunny Lambe		Disclosable pecuniary interest as his partner works for the NHS in Greenwich. He left the room whilst the motion was voted upon.
Bill Williams		Disclosable pecuniary interest as he is a governor at Guy's and St Thomas' NHS Trust and his partner works for Guy's and St Thomas' NHS Trust. He left the room whilst the motion was voted upon.

Kieron Williams		Disclosable pecuniary interest as he is a governor at Kings College Hospital. He left the room whilst the motion was voted upon.
Ian Wingfield	Motion 4 - Save Southwark Post Office Services	Non-pecuniary interest.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Maisie Anderson (absent on maternity leave), James Coldwell, Lucas Green, Vijay Luthra and Martin Seaton. Apologies for lateness were received on behalf of Councillors Jane Lyons, Eliza Mann and Andy Simmons.

1.5 MINUTES

RESOLVED:

The minutes of the budget setting meeting held on 22 February 2017 were agreed as a correct record.

2. ISSUES RAISED BY THE PUBLIC

2.1 PETITIONS

There were no petitions.

2.2 PUBLIC QUESTION TIME

(See page 1 of supplemental agenda 1 and additional papers circulated at the meeting)

There were two questions from the public and one late question, the answers to which had been circulated on white paper at the meeting. The late public questioner asked a supplemental question of the leader.

3. THEMED DEBATE - AGE FRIENDLY BOROUGH

3.1 COMMUNITY EVIDENCE

The meeting agreed to receive submissions from the following:

Consortium of Older People's Services in Southwark (COPSINS)

The group's representatives spoke to the meeting for five minutes and thereafter asked a question of the cabinet member for adult care and financial inclusion.

Two members (Councillors Michael Mitchell and Barrie Hargrove) asked questions of the group's representatives.

Southwark Pensioners' Forum

The group's representatives spoke to the meeting for five minutes.

Three members (Councillors David Hubber, Charlie Smith and Hamish McCallum) asked questions of the group's representatives.

3.2 MOTION ON THE THEME

The cabinet member for adult care and financial inclusion, Councillor Richard Livingstone, presented the motion on the themed debate.

Councillor Maria Linforth-Hall, the majority opposition group spokesperson, responded to the cabinet member's motion and proposed Amendment A.

Following debate (Councillors David NHubber, Catherine Dale, Rosie Shimell, Leo Pollak, Octavia Lamb, Dan Whitehead, Jasmine Ali and Kieron Williams), the cabinet member for adult care and financial inclusion, Councillor Richard Livingstone, responded to the debate.

Amendment A was put to the vote and declared to be Lost.

The motion was put to the vote and declared to be Carried.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

RESOLVED:

Age Friendly Borough

1. Council assembly recognises and celebrates the significant contribution that older people in Southwark make to the life of our borough, whether it is at work, as carers or in the voluntary sector. Based on estimates produced by the Royal Voluntary Service, the contribution that over-65s in Southwark make to the borough as carers and volunteers alone is worth over £9 million every year.
2. Council assembly notes the administration's commitment to supporting older people in the borough to live healthy, active, independent and fulfilling lives, in their own homes and communities, for as long as possible.
3. Council assembly welcomes Southwark's accreditation from the World Health Organisation as the first Age Friendly Borough in London and the work that has been done to deliver the Age Friendly vision, including:

- Implementing the Southwark Ethical Care Charter
 - Building new council homes specifically designed for older people
 - Introducing free swimming and gym use to help older people keep fit and well
 - Being recognised by the Alzheimer's Society as a Dementia Friendly Borough and forming the new Southwark Dementia Action Alliance
 - Supporting older people to be digitally included with free 'silver surfer' IT sessions in our libraries
 - Providing targeted employment support for anyone over 50 facing barriers to getting jobs
 - Developing plans for the new centre of excellence for older people that will open in late 2018.
4. Council assembly recognises the importance of caring for vulnerable older people in our community and welcomes the work that the council has done including:
- Implementing our Ethical Care Charter for all home care contracts, supporting older people to stay in their own homes by offering quality care at home
 - Providing good quality re-ablement support to help more vulnerable people stay in their homes and reduce hospital re-admissions. Despite the massive cuts faced by the council, Southwark has maintained significantly better hospital discharge performance than the London average
 - Building new extra care housing, such as Tayo Situ House, and working with others, such as the development at Southwark Park Road by the United St Saviour's Charity, to help older people to maintain their independence in supported accommodation.
5. Council assembly recognises that the commitment to being an Age Friendly Borough spans all council services and welcomes the participation of residents in community conversations on ageing well in Southwark, which have helped to develop priorities and areas for further improvement, including:
- Improving transport, open spaces and the public realm
 - Tackling isolation
 - Improving communication and information for older people
 - Working to break down generational barriers
 - Developing skills and employment and volunteering opportunities
 - Helping people to stay healthy and active
 - Addressing housing needs
 - Ensuring better customer service for older people.
6. Council assembly calls on the cabinet to continue working with residents and community and voluntary groups to further improve quality of life for people in Southwark, regardless of their age.

4. DEPUTATIONS

(See pages 4 - 5 of supplemental agenda 1)

As part of the programme motion the meeting agreed to hear deputations from:

The service users and families of Riverside Day Centre

The group's representative spoke to the meeting for five minutes and thereafter asked a question of the cabinet member for adult care and financial inclusion.

Councillor Anood Al-Samerai asked a question of the deputation.

The Bricklayer's Arms Tenants and Residents Association

The group's representative spoke to the meeting for five minutes.

Councillors Ben Johnson and Mark Williams asked questions of the deputation.

5. ISSUES RAISED BY MEMBERS

5.1 MEMBERS' QUESTION TIME

(See pages 11 - 16 of the main agenda and the additional papers circulated at the meeting)

There were 34 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 11 supplemental questions.

5.2 MEMBERS' MOTIONS

MOTION 1: DAY CENTRE SERVICES IN SOUTHWARK *(See pages 18 - 19 of the main agenda)*

This motion was considered prior to the guillotine having fallen.

Councillor Anood Al-Samerai, seconded by Councillor David Noakes, moved the motion.

Councillor Rebecca Lury, seconded by Councillor Charlie Smith, moved Amendment B.

Following debate (Councillors James Okosun, Richard Livingstone, Hamish McCallum, and Anood Al-Samerai), Amendment B was put to the vote and declared to be carried.

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

Note: This motion will be referred as a recommendation to the cabinet for consideration.

1. Council assembly notes:

- The excellent work which takes place at the Queens Road and Riverside Day Centres, run by the Camden Society, and the life changing importance of these centres for some of Southwark's most severely disabled residents.
- That, despite having had largest cuts in government funding to any London

council, Southwark Council currently spends more per person with a learning disability and their family carers than any other council in England. The council budget agreed last month ensures that the council will continue to spend more per service user than the average for our comparator boroughs.

- That there are currently considerable pressures on adult social care budgets and the system of personal budgets in Southwark.
- That the Care Act 2014, passed when Liberal Democrat MP Norman Lamb was Minister for Care and Support, removed discretion from councils to provide personal budgets to people with moderate care needs.
- That, these pressures notwithstanding, personal budgets cannot be spent on day centres which no longer exist. It is therefore important that the council works with service providers, service users and their families to ensure that Southwark has services for people with learning disabilities that are sustainable in the long term given these financial pressures.
- That council policy since the 1990s has been to let buildings at market rent levels, unless there are exceptional circumstances. The council will always assess the likelihood that a leasee is able to pay the required rent before agreeing a new lease.
- That the rent-free leases on the Queen's Road and Riverside Day Centres both ended on 31 January 2017, as originally set out in both leases. In both cases, these rent-free arrangements were always time-limited.

2. Council assembly welcomes:

- The borough's continuing commitment to protect the most vulnerable in the borough as much as is possible from the impacts of government cuts.
- The agreement by the property department of a tenancy at will arrangement at Queen's Road Centre to allow for the full assessment of every service user's needs. This arrangement will run until 30 June 2017, but the property department has indicated that some flexibility on this end-date may be possible to ensure that all the Queen's Road assessments are completed.
- A similar tenancy at will agreement will be put in place to allow for assessments of that centre's users that is currently planned to run until 30 November.
- The establishment of a working group involving the council, the Camden Society, Southwark Resource Centre and representatives of both service users and their carers to explore future options to provide day care and develop a hub model of service delivery, as has already been established for mental health service users in the borough.
- That this working group will also consider how to best meet the needs of service users and their carers who fall in the moderate needs category.

3. Council assembly calls on the cabinet to:

- Continue in its commitment to protect the most vulnerable in our community despite the severity of government cuts facing our borough.
- Monitor the work of the working group to ensure that Southwark develops a hub meeting the needs of people with learning disabilities in the borough that is sustainable given the 2014 Care Act and financial pressures.
- Work to ensure that a hub model ensures that people with learning disabilities who have moderate needs still have those needs met.
- Ensure that service users and their carers are kept informed of progress of the work of the working group.

MOTION 2: DON'T SHAFT FARADAY *(See pages 19 - 20 of the main agenda)*

The guillotine haven fallen, revised Amendment C was put to the vote and declared to be carried.

Amendment D was put to the vote and declared to be lost.

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

Note: This motion will be referred as a recommendation to the cabinet for consideration.

1. Council assembly notes that following successful campaigns over a number of years by Southwark Labour MPs, councillors, residents and community groups, Transport for London (TfL) are currently consulting on the Bakerloo Line extension.
2. Council assembly welcomes this consultation on the Bakerloo Line extension, which will improve connectivity, increase the capacity and resilience of the transport network and reduce journey times between key destinations, as well as helping the area to grow by supporting new homes and jobs.
3. Council assembly notes that TfL's consultation includes the location of a ventilation shaft between Elephant and Castle and the proposed Old Kent Road 1 station with two possible locations identified for the proposed shaft; the Bricklayers Arms road junction area and Faraday Gardens on Portland Street.
4. Council assembly notes its concern that Faraday Gardens, a much loved and historic green space, is listed as a potential site. To build the proposed shaft there interrupts a well used park, and places it within yards of a primary school, and flats in the Liverpool Grove conservation area. Faraday Gardens is an iconic part of our community, lending its name to the council ward, and its history, from its establishment by Octavia Hill to its extension to replace bombed out buildings, is part of the pioneering story of our borough. Construction traffic would have to use the new Portland Street quietway, placing extra dangers for the cyclists TfL are

encouraging to use the route.

5. Of the options presented in the TfL consultation, council assembly calls on the cabinet to lobby TfL to support the Bricklayers Arms option, to avoid causing unnecessary damage to a local park, subject to strict conditions, with the health and safety of local residents and school pupils a priority.
6. Council assembly further calls on cabinet to formally request TfL consider an additional station at Bricklayers Roundabout.
7. Council assembly calls on the cabinet to lobby TfL that should Bricklayers be chosen as the site of a vent shaft, that further work and consultation is carried out with the council and local residents on the possible design and local impact of the shaft, and that rigorous monitoring and mitigation of air pollution at this location takes place.
8. Council assembly notes concerns from residents near the Bricklayers Arms about the impact of a shaft worksite area here and the implications for traffic management and local schools and nursing homes, with no benefit to residents to set against the issues caused by construction.
9. Council assembly notes that Bricklayers Arms is the point of intersection for residents of Walworth, Bermondsey and the western reaches of the Old Kent Road, who presently need to take a bus to the Elephant and Castle to join the tube network. An additional underground station here would be a sensible distance from the Elephant and Castle and would save residents time and money.
10. Council assembly therefore calls on the cabinet to work closely with TfL to secure an additional station, incorporating a ventilation shaft, at the Bricklayers Arms Roundabout, with a view to removing the need for a separate ventilation shaft on this stretch of the Bakerloo Line extension and creating a station which benefits residents of the Bricklayers Arms and surrounding areas.
11. Council assembly further calls on the cabinet to:
 - Continue to fight for a second branch of the Bakerloo Line extension to Camberwell, supporting the long running residents' campaign group there.
 - Make representations to TfL to ensure that residents at Elephant and Castle are protected in any plans for the worksite to enlarge Elephant and Castle underground station.

MOTION 3: TACKLING CONGESTION ON JAMAICA ROAD (See pages 20 - 21 of the main agenda)

The guillotine haven fallen, Amendment E was put to the vote and declared to be carried.

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

Note: This motion will be referred as a recommendation to the cabinet for consideration.

1. Council assembly notes that:
 - Jamaica Road is one of the most congested roads in the country, being used by more than 1,000 cyclists and 14,000 vehicles per day with an average rush hour speed of just 0.1 miles per hour (MPH) and an average mid-morning speed of just 1.2 MPH.
 - Air pollution in the local area is more than three times the legal limit and that nitrogen dioxide (NO₂) pollution levels along Jamaica Road are 1.23 tonnes per km per year.
2. Council assembly recognises that:
 - A major cause of the congestion is the layout of the Rotherhithe roundabout which creates a bottleneck for vehicles travelling into the tunnel or onto the peninsula.
 - The cycle hire ("Boris Bike") scheme does not include Bermondsey or Rotherhithe and that an extension of the scheme along Jamaica Road would encourage more people to cycle rather than travel by car.
3. Council assembly welcomes:
 - The Mayor of London's Air Quality Fund (MAQF) £20 million fund to support new projects by Boroughs to improve air quality for the next ten years.
 - The Mayor of London's planned introduction of the world's first [Ultra Low Emission Zone \(ULEZ\)](#) to remove diesel vehicles from our Borough.
 - The Mayor of London's announced plans to protect London's schools from pollution with 50 'air quality' audits at primary schools in areas exceeding legal limits of nitrogen dioxide (NO₂).
 - The Mayor of London's support for a walking and cycling bridge between Rotherhithe and Canary Wharf which will ease congestion on local roads and on public transport.
4. Council assembly therefore commends the cabinet for requesting from Transport for London:
 - The need to urgently redesign the Rotherhithe roundabout to ease the flow of vehicles queuing to enter the Rotherhithe tunnel.
 - To introduce a variable messaging system on approach roads to warn drivers when the tunnel is closed or if queues are particularly long, as the Cabinet did with drivers on Tower Bridge Road through the MAQF.
 - To bring forward their proposals for Cycle Superhighway 4 (CS4) and implement safer conditions for cyclists along Jamaica Road and begin a public consultation this year.

- To improve pedestrian crossings along Jamaica Road, especially at Bermondsey Tube Station and the entrance to Southwark Park as part of its CS4 design work.
- To develop with TfL a detailed programme for the extension of the cycle hire docking scheme to Walworth, Bermondsey and Rotherhithe, to form the basis of discussions with local landowners, TfL and the council to commit capital funding.

MOTION 4: SAVE SOUTHWARK POST OFFICE SERVICES (See pages 21 - 22 of the main agenda)

The guillotine haven fallen, the motion was put to the vote and declared to be carried.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

1. Council assembly notes that:

- The Post Office announced on 10 January this year that it would be closing and franchising 37 Crown Post Offices across the country, including the New Cross branch which serves residents in Peckham Rye, Livesey and Nunhead ward. This follows the closure of the Crown Post office on Rye Lane in August 2016.
- The Post Office also announced in late 2015 that it would be franchising Blackfriars and Walworth Road branches.
- Closures across the country will lead to the loss of over 400 jobs nationwide, and they follow the announcement of 62 planned closures in 2016.
- Post Offices across the borough are well used by, and valued by the local community. Local residents, councillors and the Walworth Society have been fighting for over a year to keep the Walworth Road branch crown and improve this important local Post Office.
- Post Offices also provide wider social value for older residents, according to a government survey 87% of over-65s use the Post Office for pension's services and other social benefits. 66% of 65+ use the Post Office for personal banking services, insurance products and foreign currency.
- Independent research shows that franchised Post Offices offer poorer disabled access, longer queuing times, worse customer service and fewer staff, often on minimum wage.

2. Council assembly believes:

- That the continued closures of Post Offices are bad for our community and will downgrade vital services to our local community.

- That the loss of post office services on the Walworth Road is bad for our local economy and would have a detrimental impact on businesses on the Walworth road and the local economy.
 - That the closure of New Cross Post Office is bad for postal workers and will lead to good quality, skilled jobs on decent pay being replaced by insecure and low-paid work.
3. Council assembly resolves:
- To affirm our opposition to the closure of New Cross Post Office as well as serving residents in New cross this provides vital post office services for residents in the south of our borough.
 - To affirm our opposition to the loss of Post Office services at Walworth Road, Blackfriars and Peckham Branches.
 - To call on councillors to offer their support to the CWU campaign against the closure of over 100 Post Offices across the country.

MOTION 5: THE DUBS' AMENDMENT *(See pages 22 - 23 of the main agenda)*

The guillotine haven fallen, the motion was put to the vote and declared to be carried.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

1. Council assembly welcomes Lord Dubs' amendment to the Immigration Act 2016 which offered unaccompanied refugee children safe refuge in Britain. It notes that this amendment committed the UK to providing a safe haven for vulnerable children fleeing war and persecution.
2. Council assembly is proud of Southwark's tradition of being a welcoming and compassionate borough, ready to play its part in supporting refugees.
3. Council assembly:
 - Condemns the government's decision to end the scheme prematurely which will put the lives of some of the world's most vulnerable children at risk.
 - Refutes the suggestion that local authorities are not willing to help.
 - Notes that the national transfer scheme set up within the act means that the demand on services is shared across the country but the Home Office has simply failed to take up the offers of help from councils.
 - Praises local authorities who, despite the government's underfunding of child refugees, are still meeting their commitments and ensuring the safety and wellbeing of child refugees.
4. Council assembly calls on the leader of the council to write to the Home Secretary

urging that she:

- Immediately reinstates the Dubs scheme.
- Opens up new consultation with local authorities and commits to provide adequate funding for local authorities taking children under the scheme.
- Publishes a strategy for the safeguarding of unaccompanied refugee children safeguarding of unaccompanied refugee children living in the UK.

MOTION 6: NHS SUSTAINABILITY AND TRANSFORMATION PLAN (See pages 23 - 24 of the main agenda)

The guillotine haven fallen, the motion was put to the vote and declared to be carried.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

1. The council welcomes the publication in full of work undertaken on the South East London Sustainability and Transformation Plan (STP) and the commitment local NHS bodies, including Southwark Clinical Commissioning Group, have made to working collaboratively with the Councils and Southwark residents to further develop these plans. The Council also welcomes the work the Our Healthier South East London Joint Health Overview and Scrutiny Committee is undertaking to scrutinise these proposals and to ensure they are developed in a way that is accountable to local people.
2. The council notes that:
 - There is an urgent need for the government to provide adequate and sustainable funding for health and social care. Whilst demand for these services is rising rapidly (due in a large part to our ageing population) the Government has cut funding to local authorities every year for the past seven years and now plans to cut in real terms NHS funding per head of population for the next two years.
 - The Organisation for Economic Co-operation and Development (OECD) figures show that the UK now spends less on health care both per a person and as a proportion of gross domestic product (GDP) than most similar countries including Germany, France, Ireland, Denmark, Austria, Sweden, Belgium and Netherlands.
 - Significant concerns have been raised nationally about the Government's approach to STPs. For example the respected think-tank The Kings Fund has pointed out that: "Tight deadlines have made it difficult to secure meaningful involvement in the plans from key stakeholders, including patients and the public, local authorities, clinicians and other frontline staff"; "Despite the focus on local ownership, key elements of the process have been 'top-down'"; and, "National requirements and deadlines for the plans have changed over time, and guidance for STP leaders has sometimes been inconsistent and often arrived late."

3. Therefore, the council resolves to:

- Call on HM Government to provide the resources to fund good quality health and social care services across South East London.
- Call on HM Government to ensure the national STP process supports the real and meaningful involvement of and accountability to local people and organisations in South East London, and enables closer partnership between local authorities and health services.
- Request the continued full publication of all South East London STP documents, appendices and impact assessments.
- Require full public consultation on all significant changes to services arising from the South East London STP.
- Require continued pre decision scrutiny of all significant changes to NHS and social care provision arising from the South East London STP.
- Call on HM Government to provide adequate funding support to allow councils to effectively scrutinise STPs.

6. REPORTS

6.1 PAY POLICY STATEMENT

(See pages 25 - 36 of the main agenda.)

RESOLVED:

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

6.2 MEMBER ALLOWANCES SCHEME 2017-2018

(See pages 37 - 39 of the main agenda.)

RESOLVED:

That council assembly agree the member allowances scheme for 2017-18 with effect from 1 April 2017 as set out in Appendix 2 of the report.

6.3 COUNCIL ASSEMBLY DATES AND CALENDAR OF MEETINGS 2017-18

(See pages 40 - 59 of the main agenda.)

RESOLVED:

1. That the following dates for meetings of council assembly be fixed in the council calendar for the 2017-18 municipal year:

Council Assembly	Type of Meeting
Saturday 13 May 2017 <i>(As agreed by 16 March 2016 council assembly)</i>	Annual Meeting <i>Note: To be held jointly with Civic Awards Ceremony</i>
Wednesday 12 July 2017	Ordinary meeting
Wednesday 29 November 2017	Ordinary meeting
Wednesday 21 February 2018	Budget and council tax setting
Wednesday 14 March 2018	Ordinary meeting
Saturday 12 May 2018 <i>Note: Alternative date is Saturday 19 May 2018 however Southwark Cathedral is not available on this date</i>	Annual meeting

2. That the calendar of council meetings for the 2017-18 municipal year as shown at Appendix 1 of the report be noted.

6.4 PROPOSED CHANGES TO PART 4 CONTRACT STANDING ORDERS

(See pages 60 - 87 of the main agenda.)

RESOLVED:

1. That the proposed changes to Part 4 Contract Standing Orders of the constitution be agreed.
2. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

6.5 SPECIAL URGENCY DECISIONS - ANNUAL REPORT

(See pages 88 - 89 of the main agenda.)

RESOLVED:

Council assembly noted that there have been no decisions taken under the provision of special urgency since 3 June 2016 (reported in the last annual report to council assembly in July 2016).

7. AMENDMENTS

Amendments are set out in supplemental agenda no. 2.

The meeting closed at 10.08 pm.

CHAIR:

DATED:



Council Assembly Annual Meeting

MINUTES of the Council Assembly (Annual Meeting) held on Saturday 13 May 2017
at 11.00 am at Southwark Cathedral, Montague Close, London Bridge SE1 9DA

PRESENT:

The Worshipful the Mayor for 2016-17, Councillor Kath Whittam (Chair)
The Worshipful the Mayor for 2017-18, Councillor Charlie Smith

Councillor Evelyn Akoto
Councillor Anood Al-Samerai
Councillor Jasmine Ali
Councillor Maisie Anderson
Councillor James Barber
Councillor Radha Burgess
Councillor Sunil Chopra
Councillor James Coldwell
Councillor Stephanie Cryan
Councillor Helen Dennis
Councillor Dora Dixon-Fyle MBE
Councillor Nick Dolezal
Councillor Karl Eastham
Councillor Gavin Edwards
Councillor Paul Fleming
Councillor Tom Flynn
Councillor Lucas Green
Councillor Renata Hamvas
Councillor Barrie Hargrove
Councillor Jon Hartley
Councillor David Hubber
Councillor Peter John OBE
Councillor Samantha Jury-Dada
Councillor Eleanor Kerlake
Councillor Sarah King
Councillor Anne Kirby
Councillor Sunny Lambe
Councillor Octavia Lamb

Councillor Lorraine Lauder MBE
Councillor Richard Livingstone
Councillor Vijay Luthra
Councillor Jane Lyons
Councillor Eliza Mann
Councillor Darren Merrill
Councillor Victoria Mills
Councillor Michael Mitchell
Councillor Jamille Mohammed
Councillor Adele Morris
Councillor David Noakes
Councillor James Okosun
Councillor Leo Pollak
Councillor Sandra Rhule
Councillor Catherine Rose
Councillor Martin Seaton
Councillor Rosie Shimell
Councillor Andy Simmons
Councillor Johnson Situ
Councillor Michael Situ
Councillor Charlie Smith
Councillor Cleo Soanes
Councillor Dan Whitehead
Councillor Bill Williams
Councillor Kieron Williams
Councillor Mark Williams
Councillor Ian Wingfield

1. ELECTION OF THE MAYOR

The outgoing Mayor, Councillor Kath Whittam, welcomed everyone to the meeting.

The outgoing Mayor announced that the leaders of each political group wished to make a statement.

Thereafter, Councillors Peter John, Anood Al-Samerai and Michael Mitchell paid tribute to the outgoing Mayor.

The outgoing Mayor asked for nominations for Mayor for the ensuing municipal year 2017/18.

Councillor Peter John, seconded by Councillor Stephanie Cryan, moved that Councillor Charlie Smith be elected Mayor of the London Borough of Southwark for the municipal year 2017/18.

The nomination was put to the vote and it was:

RESOLVED: That Councillor Charlie Smith be elected Mayor for the 2017/18 municipal year.

Councillor Charlie Smith accepted the office of Mayor. The outgoing Mayor declared that Councillor Charlie Smith was duly elected Mayor of Southwark for 2017/18.

The retiring Mayor, Councillor Kath Whittam, invested the new Mayor, Councillor Charlie Smith, with the badge of office. The new Mayor signed the declaration of acceptance of office and took the chair.

Thereafter, the outgoing Mayor was presented with a replica of the Mayoral badge of the London Borough of Southwark.

The new Mayor stated that his consort would be his wife, Sue Smith. The new Mayor's consort was presented with a badge.

The new Mayor appointed Councillor Jamille Mohammed as Deputy Mayor. The Deputy Mayor was invested with the badge of office.

The outgoing Mayor, Councillor Kath Whittam, gave her outgoing speech.

The new Mayor gave his incoming speech and announced that his chosen charities would be The Southwark Pensioners' Centre and The Change Foundation.

2. PRELIMINARY BUSINESS

2.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

There were no announcements.

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

There was no late business.

2.3 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Fiona Colley, Catherine Dale, Ben Johnson, Maria Linforth-Hall, Rebecca Lury, Hamish McCallum and Damian O'Brien.

2.4 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interest.

3. OTHER REPORTS

3.1 EXECUTIVE FUNCTIONS 2017-18

(see pages 1 - 4 of the main agenda)

RESOLVED:

1. That council assembly received a report from the leader on the following executive issues for the coming municipal year 2017-18 and:
 - Noted the appointment by the leader of cabinet members
 - Noted the establishment and appointment of cabinet committees
 - Noted the leader's report on the delegation of executive functions to the full cabinet, cabinet committees, individual cabinet members, chief officers and community councils.

Appointment of the cabinet

2. That the leader reported to council assembly on the appointment of members of the cabinet and determination of their executive functions.

Cabinet

Councillor Peter John – Leader of the Council

Councillor Stephanie Cryan – Deputy Leader and Cabinet Member for Housing

Councillor Maisie Anderson - Cabinet Member for Public Health and Social Regeneration

Councillor Fiona Colley - Cabinet Member for Finance, Modernisation and Performance

Councillor Barrie Hargrove - Cabinet Member for Communities and Safety

Councillor Richard Livingstone - Cabinet Member for Adult Care and Financial Inclusion

Councillor Victoria Mills - Cabinet Member for Children and Schools

Councillor Johnson Situ - Cabinet Member for Business, Culture and Social Regeneration

Councillor Mark Williams - Cabinet Member for Regeneration and New Homes

Councillor Ian Wingfield - Cabinet Member for Environment and the Public Realm

Appointment of deputy cabinet members

3. That the leader reported to council assembly on the appointment of deputy cabinet members and determination of their duties and responsibilities.

There were none.

Establishment and appointment of cabinet committees

4. That the leader reported on the establishment of the following cabinet committees:
 - Cabinet (Livesey Trust) Committee
 - Better Placed Joint Committee (Lambeth, Lewisham and Southwark)

Delegation of executive functions

5. That the leader reported on the delegation of executive functions between full cabinet, individual decision makers, chief officers and community councils.
6. That council assembly noted the leader's report on any changes to the delegation of executive functions to the full cabinet, cabinet committees, individual cabinet members, chief officers and community councils.
7. That council assembly noted that as a consequence of recommendation 6, the proper constitutional officer will update Part 3 of the constitution in accordance with the leader's report on the delegation of executive functions.

3.2 ESTABLISHMENT OF COMMITTEES, COMMUNITY COUNCILS, PANELS AND RELATED MATTERS 2017-18

(See pages 5 - 17 of the main agenda)

The nominations for chairs and vice chairs of committees and the nominations to the Local Government Association General Assembly were circulated. As there were no contested positions the Mayor moved to the vote on the nominations.

Substantive – Carried.

RESOLVED:

1. That the appointment of political group leaders, deputies and whips be noted as follows:

LABOUR GROUP

Leader	Councillor Peter John
Deputy Leader	Councillor Stephanie Cryan
Chief Whip	Councillor Sarah King

LIBERAL DEMOCRAT GROUP

Leader	Councillor Anood Al-Samerai
Deputy Leader	Councillor Damian O'Brien
Chief Whip	Councillor David Hubber

CONSERVATIVE GROUP

Leader/Chief Whip	Councillor Michael Mitchell
Deputy Leader	Councillor Jane Lyons

2. That the division of seats and percentage allocation of each political group on the council as set out in the report at Table 1, be noted.
3. That the following committees and community councils for the coming municipal year 2017-18 be established.

Ordinary Committees - Total number of seats 29

Committee	Total	Lab	Lib Dem	Con
Committee 1 Appointments Committee	7	6	1	0
Committee 2 Planning Committee	8	5	2	1
Committee 3 Audit, Governance and Standards Committee	7	5	2	0
Committee 4 Corporate Parenting Committee	7	6	1	0
Total	29	22	6	1

Other committees - Total number of seats 29

Committee	Total	Lab	Lib Dem	Con
Overview and Scrutiny	11	8	3	0

Committee				
Licensing Committee	15	11	3	1

Community councils

1.	Bermondsey and Rotherhithe
2.	Borough, Bankside and Walworth
3.	Camberwell
4.	Dulwich
5.	Peckham and Nunhead

Health and wellbeing board

4. That the health and wellbeing board be established as a committee of the council under the Health and Social Care Act 2012 with the membership set out in paragraph 38 of the report.
5. That it be noted that the local authority membership is nominated by the leader of the council. In accordance with committee procedure rules, the board is chaired by the leader.

Appointment of chairs and vice chairs

6. That the following be appointed as chairs and vice chairs for the following committees and community councils:

APPOINTMENTS COMMITTEE

Chair - Councillor Peter John
Vice chair – Vacant

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

Chair - Councillor Paul Fleming
Vice chair – Councillor James Barber

CORPORATE PARENTING COMMITTEE

Chair - Councillor Victoria Mills (Appointment of cabinet member with the responsibility for children and schools formally noted)
Vice chair – Vacant

LICENSING COMMITTEE

Chair - Councillor Renata Hamvas
Vice chair - Councillor Adele Morris

OVERVIEW & SCRUTINY COMMITTEE

Chair - Councillor Gavin Edwards

Vice chair - Councillor Ben Johnson

PLANNING COMMITTEE

Chari - Councillor Nick Dolezal

Vice Chair - Councillor Lorraine Lauder

COMMUNITY COUNCILS

Bermondsey and Rotherhithe

Chair - Councillor Bill Williams

Vice chair - Councillor Lucas Green

Borough, Bankside and Walworth

Chair - Councillor Eleanor Kerlake

Vice chair - Councillor Samantha Jury-Dada

Camberwell

Chair - Councillor Kieron Williams

Vice chair - Councillor Octavia Lamb

Dulwich

Chair - Councillor Jon Hartley

Vice chair - Councillor Anne Kirby

Peckham and Nunhead

Chair - Councillor Sunil Chopra

Vice chair - Councillor Sandra Rhule.

Note: Any outstanding appointments will be referred to the first meeting of the respective committee in the 2016/17 municipal year.

Establishment of the council's panels

7. That the following council panels be established:

Panels - Total number of seats 18

Panel	Total	Lab	Lib Dem	Con
Council assembly business panel	5	3	1	1
Constitutional steering panel	5	3	1	1
Pensions advisory panel	3	2	1	0
Voluntary bodies	5	4	1	0

appointment panel				
Total	18	12	4	2

Appointments of chair to constitutional steering panel and voluntary bodies appointment panel

8. That Councillor Sarah King be appointed chair of the Constitutional Steering Panel and Councillor Barrie Hargrove be appointed chair of the Voluntary Bodies Appointment Panel.

Urgency committee

9. That the role of the urgency committee between a municipal election and the annual meeting of council assembly, as agreed by council assembly on 26 March 2014, be noted as set out in paragraphs 55 - 57 of the report.

Appointments to Local Government Association (LGA) General Assembly

10. That the three representatives and allocation of the seven votes to representatives to attend the LGA General Assembly be as follows:

Representative	No. of votes	Group
Councillor Peter John	3	Labour
Councillor Stephanie Cryan	3	Labour
Councillor Adele Morris	1	Liberal Democrat

3.3 NOMINATIONS TO LONDON COUNCILS COMMITTEES, GREATER LONDON EMPLOYMENT FORUM, BOROUGH LEAD MEMBERS AND LONDON COUNCILS LIMITED

(See pages 18 - 23 in the main agenda)

RESOLVED:

1. LONDON COUNCILS LEADERS' COMMITTEE (S101 JOINT COMMITTEE)

Note: Council Assembly may only nominate cabinet members as representatives or deputies to this joint committee.

1 representative and up to 2 deputies

Labour nomination Councillor Peter John

Deputies

Labour nominations Councillors Stephanie Cryan and Fiona Colley

2. LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE (S101 ASSOCIATED JOINT COMMITTEE)

Note: Council Assembly may only nominate cabinet members as representatives or deputies to this joint committee.

1 representative and up to 4 deputies

Labour nomination Councillor Ian Wingfield

Deputies

Labour nominations Councillor Mark Williams

3. LONDON COUNCILS GRANTS COMMITTEE (ASSOCIATED JOINT COMMITTEE)

Note: Council Assembly may only nominate cabinet members as representatives or deputies to this joint committee

1 representative and up to 4 deputies

Labour nomination Councillor Barrie Hargrove

Deputies

Labour nominations Councillors Fiona Colley, Maisie Anderson, Ian Wingfield and Johnson Situ

4. LONDON COUNCILS PENSIONS COMMON INVESTMENT VEHICLE (CIV) SECTORAL JOINT COMMITTEE

1 representative and up to 2 deputies

Labour nomination Councillor Fiona Colley

Deputy

Labour nomination -

5. GREATER LONDON EMPLOYMENT FORUM

1 representative and 1 deputy

Labour nomination Councillor Fiona Colley

Deputy

Labour nomination Councillor Johnson Situ

6. LEE VALEY REGIONAL PARK AUTHORITY

1 nominee

Labour nomination Deferred

7. LONDON COUNCILS BOROUGH LEAD MEMBER – CHILDREN AND YOUNG PEOPLE

Labour nomination Councillor Victoria Mills

8. LONDON COUNCILS BOROUGH LEAD MEMBER – CRIME AND PUBLIC PROTECTION

Labour nomination Councillor Barrie Hargrove

9. LONDON COUNCILS BOROUGH LEAD MEMBER – CULTURE AND TOURISM

Labour nomination Councillor Johnson Situ

10. LONDON COUNCILS BOROUGH LEAD MEMBER – ECONOMIC DEVELOPMENT/REGENERATION

Labour nomination Councillor Mark Williams

11. LONDON COUNCILS BOROUGH LEAD MEMBER – EMPLOYMENT AND SKILLS

Labour nomination Councillor Johnson Situ

12. LONDON COUNCILS BOROUGH LEAD MEMBER – HEALTH AND ADULT SERVICES

Labour nomination Councillor Richard Livingstone

13. LONDON COUNCILS BOROUGH LEAD MEMBER – HOUSING

Labour nomination Councillor Stephanie Cryan

14. LONDON COUNCILS BOROUGH LEAD MEMBER – PLANNING/ INFRASTRUCTURE

Labour nomination Councillor Mark Williams

15. LONDON COUNCILS LIMITED

1 representative

Labour nomination Councillor Peter John

4. AMENDMENTS

There were none.

The meeting closed at 12.20 pm.

CHAIR:

DATED:

Item No. 3.2	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Motion on the Theme: What does Brexit mean for Southwark?	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The theme for this meeting is What does Brexit mean for Southwark?

The relevant cabinet member shall submit a motion on the theme. All other political groups on the council are allowed to submit one amendment to the motion. The cabinet member's motion and the amendments do not need to be seconded. The cabinet member will present the motion to the meeting, followed by the lead opposition spokesperson's response and moving of their amendment, if any. Following this, the subject matter of the theme will be open to debate. Amendment(s) from other opposition groups on the council can be moved during this part of the meeting.

MOTION FROM COUNCILLOR PETER JOHN, LEADER OF THE COUNCIL

What does Brexit mean for Southwark?

1. Council assembly notes that the administration remains committed to its core values of fairness and equality, and to delivering its manifesto commitments made to the residents of our borough in 2010 and 2014 - to creating a fairer future for all. This commitment will not change as the UK prepares to leave the EU.
2. Council assembly notes that the UK Statistics Authority estimates the number of EU nationals living in the borough is 31,000, and recognises the significant contribution that EU nationals living and working in Southwark make to our community.
3. Council assembly notes that since 2010 the employment rate in our borough has risen by over 10% to nearly 77%, with nearly 40,000 more people aged 16 – 64 now in work.
4. Council assembly welcomes the administration's commitment to attracting jobs and investment to Southwark, and notes with concern that some employers may delay investment decisions or consider transferring some employment away from London as a result of the Brexit decision.
5. Council assembly notes that this administration is dedicated to making our borough a greener and healthier place to live, and has invested in making walking and cycling easier, and reducing the council's own carbon emissions.
6. Council assembly notes that despite years of national government funding cuts, this administration has remained committed to protecting the most vulnerable in our communities, recognising that because of inflation and a weaker pound in the

period since June 2016, our residents are facing rising costs for food, energy and other essentials.

7. Council assembly recognises the importance of Southwark's cultural, ethnic and religious diversity, and believes that this diversity is one of the factors that makes Southwark such an exciting and vibrant area to live and work in. Our diversity is strengthened by our bonds with other EU countries, and we should therefore continue to work with, and strengthen our connections with, our twinned boroughs of Clichy and Langenhagen.
8. Council assembly calls on cabinet to work with Southwark's three Labour MPs to lobby this Conservative government to clarify the rights of EU nationals to remain, and to take every opportunity to ensure that local residents can continue to benefit from the jobs and apprenticeships in our borough which are connected to the EU.
9. Council assembly further calls on cabinet to maintain our high environmental standards and diversity, and to continue to protect our most vulnerable residents during the Brexit negotiations, and after the UK leaves the EU.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet members motion	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Chidilim Agada, Constitutional Manager
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
Version	Final
Dated	29 June 2017

Item No. 5.1	Classification: Open	Date: 12 July 2017	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 HAMISH MCCALLUM

How many new council homes will be completed by 2018?

2. QUESTION TO THE LEADER FROM COUNCILLOR ANDY SIMMONS

What does the leader consider the impact of the General Election result will be for Southwark and its residents?

3. QUESTION TO THE LEADER FROM COUNCILLOR DAVID NOAKES

The leader of Westminster Council has issued a strongly-worded warning to property developers that the authority will no longer tolerate developers only catering for well-heeled buyers, with a spokesperson from the council saying "We don't want cheques any more, we want to see housing – we are going to get tough"; will the leader of this council follow suit and ensure the council's policy of a minimum of 35% affordable housing is met and in-lieu payments are no longer accepted and affordable housing is built on site?

4. QUESTION TO THE LEADER FROM COUNCILLOR HELEN DENNIS

Could the leader comment on the response of Southwark Council to the London Bridge terrorist attack?

5. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

The Opposition Office submitted a Freedom of Information (FOI) request to the council on 1 March 2017 asking for more information about the decision making process leading to the proposals to earmark the Riverside and Queen's Road Day Centres for development. The council has confirmed that it does hold records which are relevant to this request, and yet the 20 working day deadline has passed, as has the extended deadline, with no information provided. Can the leader explain why Southwark Council is failing to meeting its obligations under the Freedom of Information Act? Can he also confirm that officers, members and contractors are aware of their obligations under the act and reassure council assembly that there has been no deliberate attempt to prevent decision making processes from receiving appropriate public scrutiny?

6. QUESTION TO THE LEADER FROM COUNCILLOR JAMES COLDWELL

Does the leader believe that the outcome of the General Election will provide more clarity on the likely impacts of Brexit for Southwark residents?

7. QUESTION TO THE LEADER FROM COUNCILLOR BEN JOHNSON

Could the leader confirm how much Southwark Council expects to pay Clarion Housing Group for the ownership of the 284 homes described as council owned? In addition, can the Leader please confirm the definition for 'low cost ownership'?

8. QUESTION TO THE LEADER FROM COUNCILLOR MICHAEL SITU

Could the leader provide an update on the London Mayor's commitment to have at least two neighbourhood police officers per ward?

9. QUESTION TO THE LEADER FROM COUNCILLOR DAN WHITEHEAD

Can the leader confirm whether the council will install more prominent warning signs along Greenland Dock, including details of the depth of the water and danger to life, in response to the tragic death of a young man there on 17 June 2017?

10. QUESTION TO THE LEADER FROM COUNCILLOR GAVIN EDWARDS

Could the leader confirm the appointment of deputy cabinet members for the coming year?

11. QUESTION TO THE LEADER FROM COUNCILLOR JAMES OKOSUN

Can the leader confirm when the site for the new Seven Islands Leisure Centre will be consulted on by the council and why the current site of the leisure centre was not included in a previous consultation?

12. QUESTION TO THE LEADER FROM COUNCILLOR REBECCA LURY

Could the leader provide an update on Southwark Council's policy on the use of council housing for short term holiday lettings?

13. QUESTION TO THE LEADER FROM COUNCILLOR SUNIL CHOPRA (PECKHAM AND NUNHEAD COMMUNITY COUNCIL)

What more can the council do invest in and promote jobs and training opportunities for local people and particularly local young people? In addition how can new and affordable business space be made more genuinely affordable and prioritised for local people?

14. QUESTION TO THE LEADER FROM COUNCILLOR BILL WILLIAMS (BERMONDSEY AND ROTHERHITHE COMMUNITY COUNCIL)

Can the cabinet member explain the consultation process that has taken place, or is to take place, for the specification of the leisure centre for Canada Water, in particular for the proposed reduction of the length of the swimming pool from 33m currently at Seven Islands to 25m when a 50m pool was proposed in 2006?

15. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR JASMINE ALI

Could the cabinet member update us on the outcome of the recent Ofsted inspection of children's services in Southwark?

16. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR KARL EASTHAM

Can the cabinet member explain what the likely impact will be of the government's current funding proposals for schools in Southwark?

17. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR BILL WILLIAMS

Could the cabinet member provide an update on the current number of children taking up their free early education places at a) age 2, and b) age 3-4?

18. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR ROSIE SHIMELL

In answer to a question by my colleague Councillor James Okosun at council assembly on 30 November 2016, the cabinet member stated that "Southwark is actively planning for the introduction of the national 30 hours free childcare for three and four year old children from September 2017". Please can she outline these plans and indicate when they will be made available for formal scrutiny?

19. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR CATHERINE ROSE

Will the cabinet member tell us how many schools in the schools expansion programme have completed works or are due to complete work on new buildings in the next three months?

20. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR RENATA HAMVAS

Could the cabinet member update us on the percentage of children who a) got their first preference primary school, b) got their first preference secondary school, c) got their first, second or third preference primary school, and d) got their first, second or third preference secondary school this year, and how do these percentages compare to 2010?

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

What proportion of Southwark's waste went into landfill last year, and a) how does that compare to the previous municipal year and b) what are the projections for the amount of waste going into landfill in 2017/18?

22. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR DAMIAN O'BRIEN

Can the cabinet member please confirm that it is still Southwark policy to allocate 25% of community infrastructure levy (CIL) contributions to improving the environment and public realm in the area local to development? Can he also explain who is responsible for ensuring that CIL monies are allocated according to the Community Infrastructure Project List and how this is monitored?

23. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR DAVID HUBBER

Could the cabinet member please give details of the number of road traffic collisions occurring in the borough during the two years preceding and the two years following the introduction of a Southwark-wide 20 miles per hour speed limit? Could he also confirm the number of penalty tickets for exceeding the 20 mph limit which have been issued since the policy commenced?

24. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR JON HARTLEY

What percentage of Southwark's waste is recycled, and how does this compare to other inner London boroughs?

25. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR LORRAINE LAUDER

Could the cabinet member inform us what the current public satisfaction levels are with Southwark's parks and open spaces?

26. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR PAUL FLEMING

Could the cabinet member comment on the performance of the grounds maintenance contractor since the new contract started in October 2016?

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

Can the cabinet member give details of the council's strategy for managing the noise impact on local residents from buskers on the Bankside river walk? Can he also explain what is being done to co-ordinate activities between different responsible authorities and outline what advice he would offer to residents who are disturbed by repetitive and amplified music into the early hours of the morning?

28. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR KATH WHITTAM

Could the cabinet member provide us with an update on the refurbishment of Seven Islands Leisure Centre and the Peckham Pulse Healthy Living Centre?

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

Could the cabinet member update us on how Team Southwark did in the recent London Youth Games?

30. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR MARTIN SEATON

Could the cabinet member update us on the progress of Southwark Council in resettling five families of Syrian refugees in Southwark?

31. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR TOM FLYNN

What actions have Southwark's Prevent team taken in response to the recent terror attacks in the UK, and in particular, the attack which took place on London Bridge and in Borough market?

32. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR DORA DIXON-FYLE

Could the cabinet member provide an update on the progress on the voluntary and community sector strategy as agreed by cabinet on 1 November 2016?

33. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR SAMANTHA JURY-DADA

What is Southwark Council doing to address the very worrying rise in knife crime incidents and knife carrying?

34. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES AND SAFETY FROM COUNCILLOR RADHA BURGESS

Across London there has been a marked increase in reported domestic offences (including domestic abuse offences, domestic violence with injury, rape offences and other sexual offences). There were 5,837 reported in Southwark last year. Can the cabinet member tell me what Southwark is doing to ensure this increased reporting has translated into action against perpetrators? Can he tell me the number of reported incidents that resulted in criminal convictions?

35. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR ELIZA MANN

At a recent meeting of the Dickens Estate Tenants and Residents Association, residents expressed a number of concerns about fire safety given the number of blocks in Riverside Ward which have been clad. Can the cabinet member please reassure residents by outlining the process by which the material used for cladding these blocks was chosen and agreed, and who, if anyone, was responsible for checking the combustibility of this material? Can she also confirm whether, in the case of a fire, the insurance arrangements will cover these blocks for damages and loss of life?

36. QUESTION TO THE CABINET MEMBER FOR BUSINESS, CULTURE AND SOCIAL REGENERATION FROM COUNCILLOR MARIA LINFORTH-HALL

In a question to the cabinet member for business, employment and culture in November 2016, it was confirmed that 'at Elephant and Castle we are ensuring that 10% of new retail floorspace in large developments is affordable and offered first to local small businesses'; can the cabinet member confirm that this is still to be the case at the Elephant and Castle Shopping Centre and define what affordable means? In addition, is it the intention to keep the Latin businesses within the new development, to retain the nature of the Elephant and Castle as the Latin quarter of South London?

37. QUESTION TO THE CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE FROM COUNCILLOR JAMES BARBER

Can the cabinet member describe what proactive work the council is doing with mobile operators and when will the whole borough be 5G ready?

Item No. 5.2	Classification: Open	Date: 12 July 2017	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 ROSIE SHIMELL (Seconded by Councillor Ben Johnson)

Promoting the sale of new housing to local people

1. Council assembly notes with concern that:
 - Recent research conducted for the Mayor of London indicates that over half of new build properties bought by foreign investors in London are sold at a price-point deemed suitable for first-time buyers (under £500,000).
 - The same research indicates that 25% of new build homes sold in the London Borough of Southwark are sold overseas, putting Southwark in the top four London boroughs for the proportion of new homes sold overseas.

2. Council assembly further notes that:
 - The redevelopment of the Heygate Estate will see more than 2,700 new homes built; however less than 25% of these new homes will be offered for social rent, affordable rent or shared-ownership sale.
 - All 51 newly built homes at South Gardens, part of the Heygate Estate redevelopment, were recently sold to investors from overseas.

3. Council assembly welcomes:
 - The announcement from Labour's shadow housing secretary, John Healey, indicating that a Labour government would give local people "first dibs" on new homes ahead of overseas buyers.
 - The call from the Mayor of London's advisory board, Homes for Londoners, for steps to be taken "to make more homes available to Londoners before anyone else, with any measures particularly focusing on homes sold for prices that Londoners, especially first-time buyers, are more likely to be able to afford".
 - The Liberal Democrats' call to give UK residents a fair chance by marketing new homes to them before they are advertised abroad.

4. Council assembly therefore calls on cabinet to take urgent action to promote the sale of new homes to local people by:
 - Ensuring that at least one in three homes in every new development is genuinely affordable.
 - Using its influence with existing developers to ensure that new-build homes in Southwark costing £500,000 or less are actively marketed to local people in the first instance rather than marketing them overseas.
 - Including the above two conditions in any future development agreements.

- Lobbying the Mayor of London to implement the recommendations of the Homes for Londoners Sub-Group Board Report on Overseas Investment.

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

2. MOTION FROM COUNCILLOR CATHERINE DALE (Seconded by Councillor Helen Dennis)

Southwark's response to the London Bridge attack

1. Council assembly notes that on 3 June 2017, a horrific terrorist attack took place on London Bridge and in Borough Market which killed eight people, and left a further forty-eight people injured.
2. Council assembly notes that within 20 minutes of the terrorist attack taking place, Southwark Council's emergency planning team were in contact with the chief executive of the council and setting up the Borough Emergency Control Centre (BECC).
3. Council assembly notes that in the immediate aftermath of the terrorist attack and beyond, Southwark Council staff voluntarily came into work on a Saturday night to support the work of the BECC, with many working throughout the night. In the days and weeks after the attack, staff continued to play an important role, which included, but was not limited to:
 - Supporting residents who were unable to immediately return to their homes and helping them find alternative accommodation.
 - Providing information and support to local businesses affected, and assisting them in re-opening.
 - Co-ordinating the lifting of the police cordon around Borough Market.
 - Cleaning and preparing roads and other areas before they were re-opened to the public.
 - Working with the NHS and local charities to set up a community assistance centre for local people affected by the terrorist attack to seek emotional support.
4. Council assembly notes that without the council staff who volunteered their assistance, the council would not have been able to provide as high quality support to residents, businesses, local organisations and the emergency services.
5. Council assembly would like to formally put on record its thanks to the emergency services, and all council staff, local residents, business owners and community groups who helped to respond to the terrorist attack. By standing together, we have shown that this dreadful attack will not defeat us, and that we will always stand together as a community. Southwark can, and should, be proud of our response.

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

3. **MOTION FROM COUNCILLOR DAVID NOAKES** (Seconded by Councillor Adele Morris)

The Terror Attack on London Bridge and Borough Market

Council assembly:

1. Offers its thoughts and condolences to the friends and family of the eight people who lost their lives, those who were injured, are still in hospital or were otherwise caught up in the horrendous terrorist attack on London Bridge and Borough Market on Saturday 3 June 2017.
2. Offers its sincere thanks to the Metropolitan Police Service, the Counter Terrorism Police, the London Ambulance Service, NHS staff, Southwark Council staff and other emergency workers for the professional and outstanding way they responded to the incident and the care and support they have provided to those affected.
3. Acknowledges the impact on Borough Market, Southwark Cathedral and other business and venues in the vicinity of the attack and pledges its support to their response and commitment to get “back to business”.
4. Acknowledges the impact on residents who live in the area which was cordoned-off and who were either unable to leave their homes or unable to return home.
5. Thanks the clergy and staff of Southwark Cathedral and religious leaders from churches, mosques and other places of worship across the borough for their prayers and spiritual guidance in the wake of the attack.
6. Thanks the Mayor of London and other politicians for their united response to the terror attack and acknowledges the wider support and love shown to those affected by the attack from people across London, the UK and the world.
7. Acknowledges the unique role that James Hatts and @SE1 played in providing up to date information to those caught up in the incident, including residents and businesses.
8. Recognises the strength and solidarity of the community in SE1 and across Southwark in their response to the attack and celebrates the community cohesion and diversity that exists in our borough.
9. Calls upon cabinet to take steps to look at what lessons can be learnt from the response to the attack, including exploring any additional measures that can be put in place to make our borough safer and seeking to improve our response to sharing information and building on existing networks and communities in the event of a major incident.
10. Resolves to promote the financial appeals and ongoing support structures that have been launched or put in place for those who lost their lives, were injured or were impacted psychologically or financially as a result of the attack.

11. Resolves to celebrate our way of life and our shared values of tolerance, openness and diversity and reconfirms that those who seek to attack us will never win and that love will always conquer hate.
12. Calls on the council, in conjunction with the families of those who died, those who were injured and other appropriate stakeholders, to consider an appropriate memorial for the victims of this attack.

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

4. MOTION FROM COUNCILLOR RENATA HAMVAS (Seconded by Councillor Octavia Lamb)

Southeastern Trains

1. Council assembly recognises the importance of public transport for residents in Southwark and that the Southeastern line to London Victoria is used by thousands of passengers from Nunhead, Peckham Rye and Denmark Hill stations. It links south East London and Kent to the DLR and Overground as well as the tube network at Victoria and provides public transport to Kings College and the Maudsley Hospitals.
2. Council assembly notes that after much lobbying (including the 2012 motion agreed by this assembly), this service was extended to a full Monday to Sunday service including evenings. Residents had already lost the Victoria to London Bridge service when the Overground service via Peckham Rye started and extension to this service was much needed. There has already, therefore been a net loss in service to Victoria on Monday to Saturday peak times of two trains per hour.
3. Council assembly is deeply concerned by the recent Department for Transport consultation seeking passengers' views on the principle of reducing the choice of London termini to provide a more regular timetable and reliable service. This has arisen to appease the Kent commuters who want a faster service into London. The proposal is to rationalise the services via Lewisham so they go to London Bridge or Cannon Street only and not to Victoria, thereby cancelling the service via Southwark to Victoria. As well as the loss of the service, this means, that when there are problems or engineering works on the Thameslink line, there won't be the option of rerouting services into Victoria as happens at present.
4. Council assembly accepts that the Lewisham train junction is a busy one. Therefore, if rationalisation of services though this junction is deemed necessary, alternative rerouting to the south of Lewisham would need good, frequent connections at Lewisham and extra train services, i.e. a return to four trains per hour through Southwark, as our residents also use the service southbound towards Dartford for work and school.
5. Council assembly find it unacceptable that the recent consultation has been skewed towards the longer distance commuters. This consultation was not even advertised at our stations. We believe the current system provides a poor outcome for our residents and that Transport for London (TFL) should take on the responsibility for the running of this and other south east London rail services to enable our residents to have a properly integrated transport system.

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

5. MOTION FROM COUNCILLOR ANOOD AL-SAMERAI (Seconded by Councillor Damian O'Brien)

Fire Safety in Southwark

1. Council assembly offers its sincere and heartfelt condolences on behalf of the people of Southwark to all those affected by the tragic fire at Grenfell Tower in Kensington and Chelsea.
2. Council assembly notes:
 - The courageous response of the men and women of the emergency services to the fire at Grenfell Tower.
 - The impressive scale of donations and offers of help from members of the public and voluntary organisations in response to the fire at Grenfell Tower.
 - The contribution of Southwark Council to the London Councils' led Grenfell Fire Response Team in providing support to those affected.
3. Council assembly further notes:
 - The investment into improving the fire safety of council properties in Southwark since the devastating fire at Lakanal House in 2009.
 - Decisions made by the cabinet in 2013 on where best to focus investment in response to the coroner's recommendations.
 - The understandable concerns that Southwark residents will have about the safety of council-owned blocks and about whether they will be safe in the event of a fire.
4. Council assembly therefore calls upon the leader of the council to:
 - Initiate a comprehensive and independent review of fire safety in council tenant blocks across the London Borough of Southwark, including, but not limited to:
 - A review of the decision not to install sprinkler systems in council tower blocks.
 - A review of the advice given to local residents of what to do in the event of a fire.
 - A review of fire escapes and emergency services' access to council tower blocks.
 - A review of all materials used in refurbishment including cladding.

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	Chidilim Agada, Constitutional Manager
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
Version	Final
Dated	29 June 2017

Item No. 6.1	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Member Allowances Scheme - payment arrangements during periods of absence	
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

1. That council assembly approves the revised Member Allowances Scheme for 2017-2018 (see Appendix 3), having regard to the advice of the London Councils Independent Remuneration Panel Report (see Appendix 1).

BACKGROUND INFORMATION

Legal background

2. Under Section 18 of the Local Government and Housing Act 1989, the Secretary of State may make regulations authorising or requiring councils to make a scheme providing for the payment of allowances to members. The relevant regulations are the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended. The council is to agree on an annual basis a schedule of allowances payable to members' for the following financial year. Under the regulations, when making or amending a scheme, the council is required to have regard to the recommendations of an Independent Remuneration Panel.
3. The council must publish its scheme of members' allowances, dealing with basic allowances and special responsibility allowances. Payments to members of the council may only be made in accordance with this.

Current scheme and process for review

4. Southwark's Member Allowances Scheme is comprehensive and includes a basic allowance, special responsibility allowances (for posts which carry specific responsibilities) and other allowances and expenses that may be claimed.
5. The current scheme of allowances for 2017-18 was adopted by council assembly on 22 March 2017.
6. The constitutional steering panel and council assembly are under a statutory duty to have regard to the advice of the London Councils Independent Remuneration Panel Report when considering the council's own scheme for member allowances.
7. In Southwark, the constitutional steering panel considers and recommends any changes to the member allowances scheme to council assembly for final adoption. The approval of the member allowances scheme and the setting of allowances are matters reserved for decision by council assembly.

KEY ISSUES FOR CONSIDERATION

London Councils Independent Remuneration Panel Report 2014

8. The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the panel') was established and reported in 2001, 2003, 2006, 2010 and June 2014. The regulations require a review of the scheme every four years as a minimum. The June 2014 report is the current review. A full copy of the report is set out in Appendix 1.

Basic and special responsibility allowances

9. The principle of pegging the basic allowance and special responsibility allowances in line with the annual local government pay settlement is already recognised in the council's Member Allowances Scheme following the council assembly decision of 21 January 2015. The licensing sub-committee meeting payments and co-opted member allowance will be increased on the same basis.
10. The outcome of the 2016-18 local government pay settlement reported in May 2016 is for a 1% increase payable from 1 April 2016 to 31 March 2017 and a further 1% increase payable from 1 April 2017 to 31 March 2018.

Absence arrangements

11. The Independent Remuneration Panel provides guidance to councils which they are required to take into account when reviewing their member allowances scheme. The panel's report recognises that arrangements for payment and leave should be made during periods of absence for members in receipt of special responsibility allowances. The panel stated:

"Sickness, maternity and paternity leave

This issue has again been raised with us. We adhere to our recommendations in the 2006 report, repeated in 2010, namely that councils should make arrangements in their members' allowances schemes to allow the continuance of special responsibility allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies)."

12. Southwark is a diverse borough with a young and growing population. 52% of our population is aged 18-44 compared with 36% for England as a whole. 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 or to take up a role with a special responsibility allowance give up the security of employment.
13. There has been a growing trend in Southwark where more cabinet members are serving in a full time capacity. At present, eight out of the ten of Southwark's cabinet members serve the council full time (i.e. less than 11 hours working elsewhere). Four out of the ten cabinet members are female.

14. The revisions being proposed to the scheme are in response to the changing and more diverse working practices of members and to encourage and support members to balance work and their family arrangements. The council are committed to family friendly policies which support both parents to participate in the upbringing of their families.
15. In recent years, in recognition of the loss of security for those giving up full time work to serve in cabinet and other positions that attract an SRA, a number of benefits have been extended including maternity leave, adoption leave, paternity leave and sick leave.
16. Currently, all members in receipt of an SRA are entitled to receive their SRA for three months maternity and adoption leave and ten days paid absence for paternity leave (see paragraphs 39 to 48 of the current Member Allowances Scheme).
17. Although this is not specifically stated in the scheme, all members shall continue to receive their basic allowance in full in the case of maternity, paternity and sickness leave.

Proposed changes to current scheme – payment arrangements during periods of absence

18. The proposed changes to the Member Allowances Scheme (see Appendix 3) will replace paragraphs 39 to 48 of current Southwark's Member Allowances Scheme (see Appendix 2).
19. It is proposed that absence arrangements are amended to become more comparable with the terms of the council's workforce. This can be seen as a natural progression of these conditions.
20. Parental leave is available to all employees, but the amount of maternity / adoption pay awarded is dependent upon the employee's length of service. A summary of the provision for council employees is provided at Appendix 4.
21. Southwark is a borough which celebrates its enormous diversity and strives to have a council which reflects that diversity. The council has put in place a range of policies which seek to remove barriers to enable people to stand for and hold office in the council. The council is diverse in age, gender, sexual orientation and ethnicity. The council has a mix of councillors including those working full time, part time, with caring responsibilities, and retired.
22. Southwark has a proportionally youthful population with 58% aged 35 or under. This also contributes to some areas having an increasingly transient population with young people often struggling to meet the cost of housing if they choose to start families.
23. Currently, 30% of councillors are from a black or minority ethnic background, 43% are women, 57% are men. Southwark has a relatively young council with 14% under 30 and 38% under 40. Approximately 13% are over 60. A little under a third (28%) have caring responsibilities for children and the council has a mix of people working full time, part time and retired with around 57% working full time.
24. It is important to Southwark that that diversity is maintained. The council wants to attract those who work full time or who have childcare or other caring responsibilities.

The proposals in this report aim to remove barriers which may deter people from seeking office, or those who are elected from standing for roles that attract an SRA. This is to enable the council not just to attract members which reflect the diversity of the community, but also to remove barriers from taking leadership roles and roles which carry a special responsibility within the council.

25. It is recommended that members entitled to an SRA receive their allowance in the case of maternity, paternity and sickness leave as follow:
- i) Maternity or adoption arrangements – increase from the current level of three months at the full rate to up to 20 weeks, with the first twelve weeks at full rate and a further eight weeks at half rate.
 - ii) Paternity arrangements – retain the current arrangement that allows up to 10 days paid absence. The provision is amended to clarify that this must be taken within 56 days from the date of birth of the child, or the date of placement where adopting.
 - iii) Sickness arrangements – retain the existing arrangements for sickness absence that allow the full SRA allowance to be applied for up to 6 months during any 12 month period.
 - iv) Unpaid parental support – members may take up to 18 weeks unpaid parental support absence to look after their child’s welfare. The SRA is not applied during such periods of absence. This is an amendment from the current scheme which allows for up to 13 weeks with no allowance.
 - v) The provisions of shared parental leave and shared parental pay do not extend to members. The council is however committed to achieving a shared parental leave arrangement with members, which reflects a commitment to enabling both parents to equally participate in child care arrangements.
26. It is also proposed that for clarity, a paragraph is included in the scheme noting that all members shall continue to receive their basic allowance in full in the case of maternity, paternity and sickness absence, subject to the six month councillor attendance at meetings requirement under sections 85 (1) and (2) of The Local Government Act 1972.
27. Research from other local authorities indicates that a number have special leave arrangements in place:

Table 1: Special leave arrangements in other local authorities

Local authority	Special leave arrangements available to members
Lambeth	Members have sick leave, but there are no provisions for maternity and paternity leave.
Islington	All members continue to receive their basic allowance in full in the case of maternity, paternity and sickness leave. Members entitled to an SRA receive their allowance in the case of maternity, paternity and sickness leave in the same way that the council’s employees enjoy such benefits.

Local authority	Special leave arrangements available to members
Camden	Members entitled to a Special Responsibility Allowance receive their allowance in full in the case of maternity, paternity, adoption and sickness leave. The Council (or Leader in case of Cabinet Members) may, depending on the circumstances, appoint a replacement to cover the period of absence who will be entitled to the SRA pro rata for the period of the temporary appointment
Croydon	Croydon's constitution is silent on this matter.
Bromley	None
Lewisham	None
Tower Hamlets	Do not have specific provisions within the Members' Allowance Scheme for special leave, however, the political groups have approved period of leave from council duties for maternity/paternity. In these cases, they ensure that the Members do still attend the requisite meeting (i.e. a meeting within six months), to ensure that their basic allowance and SRA (if applicable) is not affected.
Westminster	Special leave of absence will be considered only upon application in accordance with S85 of LGA 1972 (i.e. if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority).
Kensington and Chelsea	Do not have any special leave provision; a member would continue to receive their basic allowance on the basis they will invariably undertake some councillor functions.
Manchester City Council	None - all members are entitled to their basic allowance provided a member attends at least one meeting in a 6 month period they remain a councillor and so keep their basic allowance.

Community impact statement

28. 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. The changes proposed in this report are likely to encourage more members who have young families or other caring responsibilities to take up these roles and thereby help to advance equality of opportunity for these members. It will help to address different needs of these members, address disadvantages experienced and enable increased participation in the governance arrangements of the Council of under represented groups.
29. Out of the protected characteristics of the general equality duty, two areas stand out as areas where enhanced payment arrangements during periods of absence will have a

positive impact: pregnancy and maternity and sex. It will also have a positive impact for all groups involved in adoption of children.

30. Enhanced payment is likely to expand the range of individuals from groups with less financial resources able to accept an SRA post. 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.
31. Any changes to the member allowances scheme would be published on the council's website.

Resource implications

32. The member expenditure budget makes provision for the basic allowance and special responsibility allowances, any proposed increase in allowances would be found from within this budget.
33. The cost payment for maternity pay would vary depending on the SRA band. For example, the total cost per SRA band 1b member would be £2010 (equivalent to 12 weeks SRA at full pay) and £670 (equivalent to 8 weeks SRA at half pay) and the total cost per SRA band 3 member would be £8088 (equivalent to 12 weeks SRA at full pay) and £2696 (equivalent to 8 weeks SRA at half pay). Maternity pay is currently three months SRA.

Legal implications

34. The council is under a duty to adopt a scheme of members' allowances by virtue of section 18 of the Local Government and Housing Act 1989 and relevant regulations. It may only pay allowances in accordance with such a scheme. Members are reminded of the need to have regard to the guidance issued in relation to members' allowance, which is referred to in the report of the London Councils Remuneration Panel attached as Appendix 1.
35. There is a general rule that members may not usually vote on matters in which they have a disclosable pecuniary interest. However decisions relating to the member allowances scheme are an exception to this general principle, and members may vote on this issue. A dispensation has been granted by the monitoring officer.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Allowances Scheme, Southwark Constitution http://moderngov.southwark.gov.uk/documents/s65704/Member%20Allowances%20Scheme%20March%202016.pdf	Constitutional Team 160 Tooley Street, London SE1 2QH	Constitutional Team constitutional.team@southwark.gov.uk 020 7525 7055

APPENDICES

Appendix	Title
Appendix 1	London Council Remuneration Panel Report 2014 (available on website)
Appendix 2	Southwark's Member Allowances Scheme – current provisions of paragraphs 39 to 48
Appendix 3	Proposed revisions to replace paragraphs 39 to 48 of current Southwark's Member Allowances Scheme
Appendix 4	Summary of the Council's parental leave agreement for employees

AUDIT TRAIL

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The Remuneration of Councillors in London 2014

Report of the Independent Panel



Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006 and 2010. It has been re-constituted and now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We also invited comments from the Leaders' Committee of London Councils. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we included in our 2010 report. In that report, we quoted the Government-appointed Councillors' Commission. The Commission took the view (which we continue to share) that: 'Allowances should be set at a level that enables people to undertake the role of councillor while not acting as an incentive to do so. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive.'

It is clearly desirable that service as a councillor is not confined to those with independent means. We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it. Each London Borough is responsible for services crucial to its residents. Each is responsible for a revenue budget of between £1.3bn and £3.3bn.

The responsibilities placed on local authorities continue to increase. The Localism Act 2011 devolved services to the boroughs, though, it was complained, without the resources to discharge them. From April 2013 London boroughs assumed the major new responsibility for health and wellbeing. Financial austerity brings substantial and further challenges to councillors: local authorities are required to make substantial cuts in their spending. Changes to the welfare system (particularly acute in London) give residual discretionary powers to local authorities. Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is exponential growth in the number of old people and a corresponding increase in demand for social care. The strain on and competition for resources increase the demands made on elected members.

Pensions

In the Panel's first report we recommended that councillors should be eligible for pensions. Councillors are often retired and currently have an average age of 60. It is increasingly desirable to attract a younger cohort of people to serve on councils. Access to a pension scheme is one way of achieving this. Councillors – especially those with lead responsibilities – must surrender earning potential elsewhere, earning potential which would normally be pensionable. It seems perfectly reasonable that allowances attracted by service as a councillor should be pensionable.

The Government agreed with this view and the Regulations introduced the potential for councillors' allowances to be pensionable upon the recommendation of the relevant Independent Panel. Accordingly the Panel recommended that all London borough councillors under the age of 75 be eligible to join the local government pension scheme. Twenty two of the 32 London boroughs have accepted that recommendation.

In March 2014 the Government laid before Parliament Regulations which would end the right of councillors to enter the local government pension scheme. These Regulations would extend not only to councillors but also to elected mayors (including the Mayor of London) and members of the Greater London Assembly, though Police and Crime Commissioners would retain their right of access to the pension scheme.

Councillor Sir Merrick Cockell, Chairman of the Local Government Association and Chair of London Councils from 2006 until 2010, responded: 'The government's decision isn't about saving money, it is fundamentally about undermining the role of a councillor and undermining the role of local democracy'. He added: 'Fair remuneration is important so that people from all walks of life can afford to stand for office. Otherwise we risk local government becoming the exclusive preserve of a privileged few who have the luxury of time and money to spare.' His remarks were endorsed by Cllr Gary Porter, Leader of the Local Government Association's Conservative Group, who pointed out that 'councillors are spending more time supporting their constituents and working with external organisations such as GPs, schools, police, local businesses and voluntary organisations. Secondly, recruitment and retention is becoming increasingly difficult... the commitment involved can be a deterrent when set against a possible loss of earnings and a potentially negative effect on their careers.'

We believe that access to a pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly important for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. We would very much like the Government to reconsider this decision.

The current financial and political climate

Our 2010 report made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel had led to substantial convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs. However, most London boroughs have not adopted our recommendations in their entirety.

Our recommended allowances are tied to the annual local government pay settlement. Because of the current financial climate, the local government pay settlement has been frozen in three of the last four years. In 2013/14 there was a 1% pay award. Acutely sensitive to the current financial austerity, only two boroughs increased members' allowances by that percentage. Indeed nine boroughs have reduced members' allowances since the date of our last report.

We are acutely aware that now is not the time to increase allowances made to councillors, though we continue to recommend that members' allowances be pegged to the annual local government pay settlement. Such pegging will ensure that councillors can receive annual increases which are in line with those received by staff. We fully accept that, in the current financial climate, it would be entirely inappropriate to increase members' allowances (beyond the annual updating). Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the different political management arrangements of different London boroughs. Our view is confirmed by the general response from the London boroughs.

Consultation with the boroughs

Level of allowances

In our consultation with the London boroughs we asked a number of questions. We enquired whether it was believed that the salary of an MP remains a sound comparator to fix the remuneration of a borough leader. [Our recommendations for other special responsibility allowances are related to that recommended for Leaders.] Members of Parliament currently receive a salary of £66,396, now rather more than our updated recommendation for the allowance for Leaders.

Though there was dissent from one Borough, another asserted that the Leader's allowance should reflect the total remuneration package paid to Members of Parliament. A different borough pointed out that whereas a Member of Parliament represented an electorate of 70,000 people, a leader was responsible for the delivery of a wide range of services to a population of 300,000 – an electorate of 220,000 across an area three times as large as a parliamentary constituency. Indeed, 'it is arguable that the responsibilities of some cabinet portfolio holders are greater than the local responsibilities of an MP' but 'on balance the salary of an MP is about as sound a comparator as is likely to be found'.

In considering the responses, we also took into account the remuneration payable to chairs and members of other public bodies. We continue to believe that the allowances we have recommended are suitable. In particular, we think it appropriate that Leaders should receive an allowance approximating to the salary of a Member of Parliament.

External paid appointments

There has been some controversy over councillors accepting paid appointments in other public bodies, given their cumulative remuneration. We asked the boroughs whether allowances should be adjusted to take into account external payments from other public bodies. One authority thought it reasonable to 'consider the balance of benefit to the local area before determining whether 'home' remuneration should be reduced accordingly'. Other boroughs disagreed.

We believe that if members take on extra work and responsibilities through undertaking external appointments, then they should be entitled to retain the remuneration attracted by those responsibilities. Of course the borough might reflect on the extent to which the external duties are compatible with the time required to discharge duties within the borough and adjust responsibilities accordingly.

Chair of the Health and Wellbeing Board

These new bodies govern commissioning decisions across health, public health and social care. They must develop with commissioning groups a shared understanding of the health and wellbeing needs of the community. They must undertake a Joint Strategic Needs Assessment and develop a joint strategy for how these needs can be best addressed. This will include recommendations for joint commissioning and integrating services across health and social care. The Boards must drive local commissioning of health care, social care and public health and create a more effective and responsive local health and care system. They must also address other services that impact on health and wellbeing such as housing and education.

It was recommended to us that the Chair of the Health and Wellbeing Board should receive a special responsibility allowance in Band Three, that designed for Cabinet members. We entirely agree: this is a statutory post conferring personal statutory responsibility. The role is of major importance to local government and should be remunerated accordingly where they are councillors. In practice we imagine that Chairs of Health and Wellbeing Boards will be members of the Cabinet and have been remunerated within Band Three since their creation.

Lead Member for Children's and Adult Services

It was suggested to us that the Lead Member for Children's Services should receive a special responsibility allowance higher than other Cabinet Members: 'The enhanced duty of safeguarding for the role of lead member for Children's Services and the time required to fulfil it makes the post a special case for an enhanced banding between the current bands three and four.'

We well understand the heavy responsibility on the lead member for Children's services and the consequences of any failure in the system. We are entirely sympathetic to the view that the responsibility might warrant a higher special responsibility allowance than other Cabinet members. In our 2010 report we specifically contemplated the different weight of responsibilities of different portfolios and suggested that they might justify different allowances. Our recommended Band Three for Cabinet Members has a range of over £6,000 and we believe that this is sufficient to enable boroughs to differentiate between the different weights of portfolios should they so decide.

It has also been suggested to us that the lead member responsible for adult safeguarding has a degree of responsibility equal to that of the lead member for children's services. We are not convinced of the comparison.

Given the different allocation of responsibilities in different boroughs, we do not make specific recommendations on differentiating special responsibility allowances for Cabinet members within Band Three.

Dependants' Carers' Allowance

The Regulations authorise the payment to councillors of an allowance ('the Dependants' Carers' Allowance') in respect of the expenses of arranging for the care of children or dependants when the councillor attends meetings or is engaged in other official duties. We received representations that the Allowance should be not less than the living wage.

We strongly believe that the boroughs should make a dependants' carers' allowance available to their members. Access to a dependants' carers' allowances can make it possible for a wider range of people to serve on their councils. Specifically by payment of dependants' carers' allowance, boroughs can attract some who would not normally expect to become councillors. 26 of the 32 boroughs provide in their allowances scheme for payment of dependants' carers' allowances. In those boroughs which do make a payment, allowances vary from £5.27 to £9.26 per hour (in one case £15 per hour for specialised care).

We recognise the need for payments to pay regard to local circumstances and the nature of specialist care. We believe that ordinary care should be remunerated at not less than the London living wage of £8.60 per hour; and (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.

Sickness, maternity and paternity leave

This issue has again been raised with us. We adhere to our recommendations in the 2006 report, repeated in 2010, namely that councils should make arrangements in their members' allowances schemes to allow the continuance of special responsibility allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Members of social care and health scrutiny panels and corporate parenting panel

One borough suggested that service on the Social Care and Health Scrutiny Panels and the Corporate Parenting Panel should be placed within Band One because of the risk profile of those roles.

We continue to recommend that the responsibility allowance payable under Band One should include membership of committees, sub-committees and adoption panels where membership requires attendance with exceptional frequency or for exceptionally long periods. If a Council believes that such memberships are substantially more onerous than service on other committees, then we agree that they would be appropriately remunerated on Band One.

Travel and subsistence allowances

We have been asked to give advice on travel and subsistence allowances. We continue to believe that the Basic Allowance should cover all reasonable out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses, though councils may consider that there are circumstances where it may be appropriate for a scheme to provide payment for the cost of transport, e.g. journeys home after late meetings, and for people with disabilities. We also continue to believe that, where travel and subsistence allowances are payable, they should be in accordance with the current scheme for travel and subsistence applicable to the Borough's staff; and that travel allowances should extend to travel by bicycle.

Update for inflation

We continue to recommend that the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London
1 June 2014

Appendix A

Basic allowance £10,703

Special responsibilities – beyond the basic allowance

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £10,703

Band one allowance: £2,392 to £8,941

Total: £13,095 to £19,644

BAND TWO

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

Remuneration

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £10,703

Band two allowances: £15,486 to £28,581

Total: £26,189 to £39,284

BAND THREE

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £10,703

Band three allowance: £35,128 to £41,675

Total: £45,831 to £52,378

BAND FOUR

Leader of cabinet, including a strong leader.

This is a full-time job, involving a high level of responsibility and now includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £64,824.

This is made up as follows:

Basic allowance: £10,703

Band four allowance: £54,769

Total: £65,472

BAND FIVE

Directly elected mayor

A directly elected mayor is a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

We propose that a band five directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£81,839**.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (forexample, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Sir Rodney Brooke has a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service and is currently chairman of the Quality Assurance Agency for Higher Education.

Steve Bundred was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

Anne Watts CBE has an extensive career in equality and diversity that spans the private, voluntary and public sectors with organisations including the Open University, the Commission for Equality and Human Rights and Business in the Community. She chaired the NHS Appointments Commission.



MEMBER ALLOWANCES SCHEME

Special leave arrangements

39. The special leave arrangement for members applies to all recipients of special responsibility allowances. Where SRAs are paid at a reduced level that level will apply during any special leave absence. Where members have elected not to receive their allowance no special leave payment will be made.
40. Where a period of special leave includes the annual meeting of council assembly and the member is not reappointed to a post attracting an SRA the special leave allowance will cease on the day following council assembly.

Maternity leave

41. The maternity leave arrangement will be for up to three months on full allowance. No additional allowance will be paid for absence beyond three months. Antenatal care is part of the normal arrangements for short term absence and is not affected by special leave arrangements.
42. Members are not eligible for Statutory Maternity Pay (SMP) if they are not employed elsewhere. The council cannot pay SMP.

Adoption leave

43. The adoption leave arrangement will be for up to three months on full allowance. No additional allowance will be paid for absence beyond three months.

Paternity leave

44. The paternity leave arrangement will be for ten days paid absence and parental support absence of up to 13 weeks with no allowance.

Sick leave

45. The sick leave arrangement will be for up to six months full allowance in any 12 months.

Other special leave

46. Normal leave arrangements and emergency situations do not affect SRAs. Extended absence e.g. service abroad in the Territorial Army or jury service to be in line with officer guidelines.

Other arrangements

47. During any period for which special leave arrangements are in place any member who is appointed to deputise for the absent member who is not a member of the cabinet will be eligible for the full SRA payments due in the same period.
48. During any period for which special leave arrangements are in place any member who is appointed to deputise for an absent cabinet member will be eligible for a proportion of the SRA payments due in the same period, not exceeding nine tenths of the full SRA payment.

APPENDIX 3**Proposed revisions to replace paragraphs 39 to 48 of the current Southwark's Member Allowances Scheme****Payment arrangements during periods of absence (applicable to special responsibility allowances only)**

39. All members shall continue to receive their basic allowance in full in the case of maternity, paternity, adoption and sickness leave (subject to the six month councillor attendance at meetings requirement under section 85 of The Local Government Act 1972).
40. In specific circumstances the payment of special responsibility allowances (SRA) may continue during a period of absence. Where the SRA is paid at a reduced level the payment will be applied proportionately during the period of absence. Where members have elected not to receive their allowance, no payment will be made. The basic allowance paid to members is not affected by these special payment arrangements.
41. Where a period of absence includes the annual meeting of council assembly and the member is not re-appointed to a role attracting a SRA, the special payment will cease on the day following council assembly.

Parental leave and payment arrangements

42. Maternity and adoption leave arrangements allow payment of the SRA for up to 20 weeks, with the first twelve weeks at full rate and a further eight weeks at half pay. These arrangements would also apply to surrogate mothers.
43. Adoption leave may commence from either the date of the child's placement or up to 14 days before the date that the child is expected to start living with the member. Adoption appointments are considered under the normal arrangements for short term absence and are not affected these payment arrangements.
44. Members are not eligible for Statutory Maternity Pay or Statutory Adoption Pay through their role with the council. Members may be eligible through their employer if they are working elsewhere.
45. Paternity and nominated carers leave is available to members who are either a father to be or will share the responsibility with a partner for bringing up a child; this includes those who are adopting a child. The arrangement allows up to 10 days paid absence, which must be taken within 56 days from the date of birth of the child, or the date of placement where adopting.
46. Members may take up to 18 weeks unpaid parental support absence to look after their child's welfare. The SRA is not applied during such periods of absence.
47. The provisions of shared parental leave and shared parental pay do not extend to members. The council is however committed to achieving a shared parental leave arrangement with members, which reflects a commitment to enabling both parents to equally participate in child care arrangements.

Sickness absence

48. The arrangements for sickness absence allow the full SRA allowance to be applied for up to 6 months during any 12 month period.

Special and emergency leave

49. Normal leave arrangements and emergency situations do not affect SRA payments. Periods of extended absence such as jury service or Territorial Army duties will be considered in line with officer guidelines.

Other arrangements

50. During any period for which special payment arrangements are in place, any member who is appointed to deputise for the absent member who is not a member of the cabinet, will be eligible for the full SRA payments due in the same period.
51. During any period for which special payments are in place any member who is appointed to deputise for an absent cabinet member will be eligible for a proportion of the SRA payments due in the same period, not exceeding nine tenths of the full SRA payment.

Maternity & Adoption Leave and Pay

Maternity and adoption leave is available to all pregnant employees regardless of the hours worked. The amount of maternity or adoption pay awarded is dependent upon the employee's length of service.

Maternity leave - Initial Obligations on the Employee & the Council

The employee must notify the Council of her intention to take maternity leave by the end of the 15th week before her expected week of childbirth, unless this is not reasonably practicable. She must confirm:

- that she is pregnant
- the expected week of childbirth
- the date that she wants to start maternity leave; this date can not be any earlier than 11 weeks before the expected week of childbirth

and provide a certificate from a registered medical practitioner or a certified midwife, confirming the expected week of childbirth.

Once notification has been received, the Council must write to the employee, within 28 days of the notice, confirming the expected date of return if she takes her full entitlement. The 28-day timescale is counted from receipt of the notification described above.

An employee will be able to change her mind about when she wants to start her leave providing that she tells her employer at least 28 days in advance (unless this is not reasonably practical).

Maternity Leave

Maternity leave cannot start earlier than the 11th week before the expected week of childbirth.

All employees are entitled to 52 weeks maternity leave, regardless of their length of service. This is made up of:

26 weeks ordinary maternity leave and a further 26 weeks additional maternity leave.

Commencement of Maternity Leave

Employees may not commence maternity leave earlier than 11 weeks before the expected week of childbirth. If the baby is born prematurely maternity leave begins the day after the birth.

Maternity leave will normally commence on the date confirmed by the employee in their notification. However, if she has not already started her leave this will be triggered by the birth of her child or a pregnancy related absence from the beginning of the 4th week before the expected week of childbirth. Maternity leave and maternity pay will start on the following day.

The employee must not return to work sooner than two weeks after the birth.

Maternity Pay

Three different levels of payment apply dependent on an employee's service. To qualify for Statutory Maternity Pay (SMP) an employee must have been employed without a break for

at least 26 weeks by the 15th week before the expected week of childbirth and have average weekly earnings at least equal to the lower earnings limit for National Insurance contributions.

1. An employee with less than 26 weeks continuous service at the end of the 15th week before the expected week of childbirth will receive:
 - two weeks Parental Leave plus up to two weeks special paid leave.

If the employee does not qualify for SMP they may be able to claim Maternity Allowance (MA), using the claim form MA1. Further information on this option is available on the gov.uk website.

2. An employee with more than 26 weeks continuous service at the end of the 15th week before the expected week of childbirth, but less than 1 year's service as at 11 weeks before the expected week of childbirth will receive:
 - Week 1-6; 9/10ths of normal pay, offset against any SMP received or MA received.
 - Week 7-39; Standard rate of SMP or 9/10th of normal pay, whichever of these is the lower.
 - Week 40-52; Unpaid.

3. An employee with 1 year's continuous service as at 11 weeks before the expected week of childbirth will receive:
 - Week 1-6; 9/10ths of normal pay, offset against any SMP received or MA received.
 - Week 7-18; either:

a) Where the employee confirms their intention to return to work for at least three months after maternity leave, she will receive Half pay without deduction (note that the sum of half pay plus any SMP (or MA) cannot exceed the employee's full pay).

Should the employee subsequently not return to local authority employment for at least three months, this payment will be recovered.

b) Any employee not proposing to return to work for at least three months will receive:

Standard rate SMP (or MA) or 9/10th of normal pay if this is less.

- Week 19-39; Standard rate SMP (or MA) or 9/10th of normal pay if this is less.
- Week 40-52; Unpaid.

Adoption Leave and Adoption Pay

Initial Obligations on the Employee and the Council

Adopters must inform the Council of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child for adoption, unless this is not reasonably practicable. They will need to tell their manager:

- When the child is expected to be placed with them
- When they want their adoption leave to start
- And provide documentary evidence of their entitlement to adoption leave and pay¹. This must include:
 - the employee's name and address and that of the agency
 - the match date – e.g. the matching certificate
 - the date of placement – e.g. a letter from the agency.

The Council must respond to the employee within 28 days confirming the expected date of return if the full entitlement to adoption leave is taken.

Adopters will be able to change their mind about the date on which they want their leave and (if applicable) adoption pay to start, providing they tell their manager at least 28 days in advance, unless this is not reasonably practicable.

Adoption Leave

Adoption leave can commence from either:

- The date of the child's placement (whether this is earlier or later than expected), or;
- Up to 14 days before the date that the child is expected to start living with the employee.

Employees are entitled to 52 weeks' adoption leave consisting of 26 weeks' ordinary adoption leave and a further 26 weeks additional adoption leave.

Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

If the child's placement ends during the adoption leave period, the adopter will be able to continue adoption leave for up to eight weeks after the end of the placement.

Adoption Pay

Three different levels of payment apply dependent on the employee's service. To qualify for Statutory Adoption Pay an employee must have been employed without a break for at least 26 weeks ending with the week in which they are notified of having been matched with the child and have average weekly earnings at least equal to the lower earnings limit for National Insurance contributions. They must have also confirmed in writing their intention to return to work for a period of three months to receive occupational pay.

1. An employee with less than 26 weeks continuous service at the end of the week in which they are notified of having been matched with the child will receive two weeks Parental Leave plus up to two weeks special paid leave.
2. An employee who has more than 26 weeks but less than 1 years continuous service ending with the week in which they are notified of being matched with a child, will receive:
 - Week 1-6; 9/10ths of normal pay, offset against any Statutory Adoption Pay received.
 - Week 7-39; Standard rate of Statutory Adoption Pay or 9/10th of normal pay, whichever of these is the lower.
 - Week 40-52; Unpaid.
3. An employee with one years' continuous service ending with the week in which they are notified of being matched with a child will receive:
 - Week 1-6; 9/10th of normal pay, offset against any Statutory Adoption Pay received
 - Week 7-18, either:
 - a) Where the employee confirms their intention to return to work for at least three months after adoption leave, they will receive half pay without deduction (note that the sum of half pay plus any Statutory Adoption Pay cannot exceed the employee's full pay).

Should the employee subsequently not return to local authority employment for at least three months, this payment will be recovered.

b) Any employee not proposing to return to work for at least three months will receive:

Standard rate Statutory Adoption Pay or 9/10th of normal pay if this is less.

- Week 19 – 39; Statutory Adoption Pay (SAP) or 9/10th of normal pay if this is less.
- Week 40 – 52; Unpaid leave.

Payments made to an employee should also take account of the following:

'Normal pay' is used to describe the amount payable under the employee's existing contract of employment. Where there are no normal contractual hours worked, the average pay is calculated over the last eight weeks proceeding the final complete week - excluding any week in which no earnings occurred.

Pay awards received by Council employees.

Employees on maternity leave are to be treated as though they were at work in respect of all other contractual benefits, e.g. car allowances.

For the purpose of the maternity scheme, previous continuous service will include service with any public authority to which the Redundancy Modifications Order 1999 (as amended) applies.

Employees are entitled to the same non-cash contractual benefits during additional maternity leave as they would have received during ordinary maternity leave.

Item No. 6.2	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Constitutional Changes: Licensing	
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

1. That council assembly agrees the proposed changes to the constitution as outlined in Appendix 1 of the report.

Part 3G: Licensing Committee and Sub-Committees, the Head of Service and Officer Panel Exercising Licensing Functions

2. That council assembly agrees that the revocation of temporary street trading licenses be delegated to the head of service.

BACKGROUND INFORMATION

3. This report outlines the constitutional changes that are required to the constitution.
4. Revocation of all street trading licenses and markets are currently delegated to the licensing sub-committee. The current procedure rules are not in accord with the policy and temporary licence conditions.

KEY ISSUES FOR CONSIDERATION

5. The context for this report is the on-going review of efficient democracy and the current financial climate requiring savings to be identified.

Community impact statement

6. The proposals in this report provide additional benefits to the public and the local community and enhance the council's commitment to diversity and fairness.

Resource implications

7. The financial implications within this report seek to have a positive impact on improving the outcomes and delivery of value for money.
8. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Constitution	160 Tooley Street London SE1 5LX	Constitutional Team 020 7525 7228

APPENDICES

No.	Title
Appendix 1	Schedule of constitutional changes

AUDIT TRAIL

Lead Officer	Chidilim Agada, Constitutional Manager	
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer	
Version	Final	
Dated	28 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes (Included in the body of the report)
Strategic Director of Finance and Governance	No	Not applicable
Date final report sent to Constitutional Team		28 June 2017

Proposed Constitutional Amendments

Changes to the constitution are shown as follows:

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

No.	Section	Issue / Reason for change	Current Wording	Proposed Amendment	Proposed by
1.	Part 3G: Licensing Committee and Sub-Committees, the Head of Service and Officer Panel Exercising Licensing Functions	The current procedure rules are not in accord with the policy and temporary licence conditions.	<p>Paragraph 33:</p> <p>Revocation of street trading licences and markets”</p> <p>Paragraph 41:</p> <p>Matters delegated to the head of service</p> <p>41. Any minor variation to a premises licence or club premises certificate where such variations will not impact adversely on the licensing objectives, falling into the following categories:</p> <ul style="list-style-type: none"> • Minor change to the structure or layout of a premises • Small adjustments to licensing hours • The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions • The addition of certain licensable activities such as the addition of 	<p>Paragraph 33 to read:</p> <p>Revocation of <u>permanent</u> street trading licences and markets”</p> <p>Under paragraph 41, add a new bullet point at the end to read:</p> <ul style="list-style-type: none"> • <u>The revocation of temporary street trading licences under the Food Act 1984 and the London Local Authorities Act 1990 (as amended).</u> 	Licensing Team / Legal

No.	Section	Issue / Reason for change	Current Wording	Proposed Amendment	Proposed by
			live music unless there is likely to be an adverse impact on the licensing objectives.		

Item No. 6.3	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Annual Meeting 2018 - proposed change of date	
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

1. That council assembly agree the revised date of 6.00pm on Monday 21 May 2018 for the 2018 Annual Council Assembly, Mayor Making and Civic Awards ceremony (as noted in paragraphs 11-12).

BACKGROUND INFORMATION

2. Council assembly procedure rules require that meetings shall take place on such dates as agreed by council assembly.
3. On 22 March 2017, council assembly agreed the dates for council assembly meetings for 2017-18. It was agreed that the 2018 annual council assembly and mayor making be held on 12 May 2018 or 19 May 2018 subject to venue availability.
4. The borough-wide local elections will be held on Thursday 3 May 2018. The validation process and election count for the local elections will be held on the Thursday evening through Friday 4 May 2018.
5. The annual meeting/mayor making is usually held jointly with the civic awards ceremony. In the last few years, the event has been held at Southwark Cathedral. In accordance with council assembly procedure rule 1.1.2 (set out below), the summons for the annual meeting must be sent five clear working days in advance of the meeting. This would be Friday 4 May 2018 for a meeting on Saturday 12 May 2018 or Friday 11 May 2018 for a meeting on Saturday 19 May 2018.

Annual meeting

The chief executive will give notice to the public of the time and place of the annual meeting of council assembly in accordance with the access to information rules. At least five clear working days before the meeting, the chief executive will send a summons signed by him or her by electronic communication (where the member has presently consented to it being transmitted by this method), or by post to all members of the council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

KEY ISSUES FOR CONSIDERATION

6. Southwark Cathedral has advised that the Cathedral will not be available on Saturday 19 May 2018. If the meeting is to be held on Saturday 12 May 2018, it would not be possible to complete all the administrative arrangements prior to the normal despatch date of the agenda, which falls on Friday 4 May 2018.
7. Following the announcement of the local election results, officers need to prepare agenda documentation, update systems and the membership lists of the council used by the post room to establish the members' drop. These processes would not be complete until at least Monday 7 May 2018, which would be after the deadline for despatch for a meeting on 12 May.
8. Council assembly procedure rule 4.1.2 provides that "in a year of ordinary elections of councillors to the council, the annual meeting shall be held on the eighth day after the day of retirement of councillors or such other day as the council may fix within the twenty one days immediately following the day of retirement". This is also a statutory provision - Schedule 12 of the Local Government Act 1972.
9. The term of office of councilors ends on the fourth day after the ordinary day of election of councilors (7 May 2018), with a new term of office commencing on the same day as the old term ends. The annual meeting should therefore be held by 29 May 2018.
10. An option of holding the civic awards and Mayor making on a separate day from the constitutional meeting has not been proposed as this is not considered to be cost effective.

Monday 21 May 2018 at Southwark Cathedral at 6.00pm

11. For the past three years, Southwark cathedral has been the venue for joint civic awards ceremony, mayor making and annual meetings. The Cathedral has indicated that the Dean of Southwark Cathedral is keen for the event to be held at the cathedral. The events have been held on a Saturday morning however the meetings have been held on a weekday in the past (see Appendix 1).
12. The venue is well suited for hosting a ceremony of this nature and it is also cost effective to host all three events (civic awards, mayor making and annual council meeting) in one. Southwark Cathedral has confirmed that the Cathedral is available on these dates, subject to approval by the Dean of the Cathedral.

Other options considered

13. St George's Cathedral is available on Saturday 19 May 2018. The cathedral has not been used previously for a Mayor Making, Annual Meeting and the cathedral has advised that they have not held anything similar there recently. The venue is accessible by public transport and but not as accessible as Southwark Cathedral. The Cathedral is a short walk from Lambeth North Underground Station (Bakerloo Line), and London Waterloo, Southwark and Elephant & Castle stations are also nearby and within 10-15 minutes walk. Numerous buses serve the area. Officers in constitutional team and community engagement have been on a site visit and the venue can be adapted for the event.

14. Southwark Council offices are available on Saturday 19 April 2018. Due to the number of guests, which will include all councillors, civic guests, honorands and their guests, past Mayors and Aldermen, it may not be possible to hold a joint event at Tooley Street.

Community impact statement

15. There will be no direct impact on local people from making this change. Any changes to the date or venue of the meetings would be published on the council's website.

Resource implications

16. The budget for 2017-18 was set on 22 February 2017 and makes provision for meetings of the council including the annual meeting, mayor making and civic awards event. If the three events are not held jointly, the total increase in cost in scheduling separate meetings would be approximately £15,000 and would have to be found from within this budget.

Legal implications

17. Section 99 and Schedule 12 of the Local Government Act 1972 says "The annual meeting of a principal council shall be held (a) in a year of ordinary elections of councillors to the council, on the eighth day after the day of retirement of councillors or such other day within the twenty-one days immediately following the day of retirement as the council may fix."
18. Section 26 of the LGA 1972 says: "On the fourth day after any such ordinary election – (a) the persons who were councillors immediately before the election shall retire; and (b) the newly elected councillors shall assume office."
19. This means that existing councillors will continue to serve until the fourth day after the election, when their term of office, basic allowance and any associated special responsibility allowances (SRAs) to committee chairs, cabinet members and other positions would cease until appointments are made either by the leader where he/she has the power or at the annual meeting. In the case of the leader and the Mayor, their SRAs continue until the annual meeting in line with the council's constitution. In the case of current cabinet members (if re-elected), the leader may use his strong leader authority to delegate executive functions to re-appoint them on the fifth day after the election as cabinet members.
20. Other legal implications are incorporated into the body of this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Constitution http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution	160 Tooley Street, London SE1 2QH	Constitutional Team constitutional.team@southwark.gov.uk 020 7525 7055

APPENDICES

Appendix	Title
Appendix 1	Venues for annual meetings 2007 to 2017

AUDIT TRAIL

Lead Officer	Chidilim Agada, Constitutional Manager (Acting)	
Report Author	Chidilim Agada, Constitutional Manager (Acting)	
Version	Final	
Dated	26 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Incorporated in the report
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	28 June 2017	

Venues for annual meetings 2007 to 2017

Date	Weekday / Weekend	Start time	Venue	Type of meeting (constitutional, mayor making, civic awards etc.)
16 May 2007	Weekday	6.30pm	St Giles Church, Camberwell Church Street	Mayor Making and Honorary Alderman ceremonies
23 May 2007	Weekday	7.00pm	Southwark Town Hall, SE5 8UB	Constitutional
21 May 2008	Weekday	7.00pm	Southwark Town Hall, SE5 8UB	Mayor making and Constitutional
20 May 2009	Weekday	7.00pm	Southwark Town Hall, SE5 8UB	Mayor making and Constitutional
19 May 2010	Weekday	7.00pm	Southwark Town Hall, SE5 8UB	Mayor making and Constitutional
24 May 2011	Weekday	7.00pm	Southwark Town Hall, SE5 8UB	Mayor making and Constitutional
23 May 2012	Weekday	7.00pm	Atrium, 160 Tooley Street	Mayor making and Constitutional
22 May 2013	Weekday	7.00pm	Atrium, 160 Tooley Street	Mayor making and Constitutional
7 June 2014	Weekend	12.45pm	Southwark Cathedral	Mayor making and civic awards
11 June 2014	Weekday	7.00pm	Atrium, 160 Tooley Street	Constitutional
16 May 2015	Weekend	12.45pm	Southwark Cathedral	Mayor making, civic awards and Constitutional
14 May 2016	Weekend	10.45am	Southwark Cathedral	Mayor making, civic awards and Constitutional
13 May 2017	Weekend	11.00am	Southwark Cathedral	Mayor making, civic awards and Constitutional

Note: from 2014, the civic awards have been added. These take place prior to the listed start time. The main meeting follows at the listed time or at the rise of / completion of civic awards.

Item No. 6.4	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Appointment of Honorary Recorder of Southwark	
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.

RECOMMENDATION

1. That Council Assembly agree, pursuant to section 54 of the Courts Act 1971, that Her Honour Judge Usha Karu be appointed to the office of Honorary Recorder of Southwark during her tenure as Resident Judge at Inner London Crown Court.
2. That the appointment be formally recognised at an appropriate civic ceremony.

BACKGROUND INFORMATION

3. Since the implementation of the Courts Act 1971 and the establishment of the Crown Court for England and Wales, the Councils of boroughs have had the power to appoint a Circuit Judge or a Recorder of the Crown Court as Honorary Recorder of the borough concerned.
4. In November 2011, Council Assembly appointed His Honour Judge (HHJ) Roger Chapple to the office of Honorary Recorder of Southwark during his tenure as Resident Judge at Inner London Crown Court. HHJ Chapple has retired as a judge.

KEY ISSUES FOR CONSIDERATION

5. According to the Lord Chief Justice's Guidelines for the Appointment of Honorary Recorders, it has been the practice of most large City Councils to appoint the Resident Judge to be Honorary Recorder of the city during his tenure of office, thereby continuing the link between the city and its criminal Court, which has existed throughout the history of the Courts of Quarter Sessions, which were abolished by the Courts Act 1971.
6. The Guidelines also state that the involvement of the boroughs Senior Resident Judge in civic affairs and events have been found to be valuable and are generally enjoyed and appreciated on both sides.
7. As head of the Judiciary, following the Constitutional Reform Act 2005, the Lord Chief Justice is keen to encourage those city and borough councils which have not made such appointments to consider doing so.
8. At each Crown Court centre a particular judge appointed "Resident Judge" leads the team of judges who sit there and provides the essential link between the judiciary and the administration.

9. In the larger city court centres, the Resident Judge is usually a Senior Circuit Judge who is recruited and appointed specifically to that post. Such a judge holds office as a Resident Judge, (if appointed), as Honorary Recorder until his retirement from the post.
10. It is customary for an Honorary Judge, when sitting in the Crown Court in the City where he/she holds office, to be described as such in the published court lists.
11. Those Honorary Recorders who are also Senior Circuit Judges are authorised by the Lord Chancellor to wear red robes when sitting in court.
12. Her Honour Judge Usha Karu is a Circuit Judge. She was called to the Bar in 1984. She was appointed as an Assistant Recorder in 1998, as a Recorder in 2000 and as a Circuit Judge in 2005.

Resource implications

13. It is expected that this would be included in a ceremonial event already planned and it is expected that these will be contained within existing budgets.

Legal implications

14. The appointment of an Honorary Recorder is made by the borough council concerned and does not require the approval of the Lord Chancellor or the Lord Chief Justice, but the Lord Chief Justice encourages boroughs to first consult the Senior Presiding Judge for England and Wales.
15. The Senior Presiding Judge for England and Wales, Lord Justice Fulford has been duly consulted and he has confirmed in a letter that he agrees to the appointment.
16. In addition, the whip of each party was consulted.

Community impact statement

17. The involvement of the borough's Senior Resident Judge in civic affairs and events have been found to be valuable and appreciated on both sides and of value to the borough.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Lord Chief Justice's Guidelines for the Appointment of Honorary Recorders	Council Offices 160 Tooley Street London SE1 2QH	Norman Coombe 0207 525 7678

APPENDICES

No.	Item
	None

AUDIT TRAIL

Lead Officer	Doreen Forrester-Brown, Director of Law and Democracy	
Report Authors	Norman Coombe, Head of Corporate Team, Legal Services	
Version	Final	
Dated	30 May 2017	
Key Decision?	No	
Consultation with other officers / directorates / cabinet member		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Incorporated
Strategic Director of Finance and Governance	Yes	Incorporated
Cabinet Member	No	No
Date final report sent to Constitutional Team		20 June 2017

Item No. 6.5	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Nominations to Committees, Community Councils, Related Matters 2017-18	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

Appointment of chairs and vice chairs

1. That council assembly considers whether it wishes to appoint chairs and vice chairs for the following committees and community councils:

Committees

- Appointments committee
- Planning committee
- Audit, governance and standards committee
- Corporate parenting committee [see note 1 below]
- Overview and scrutiny committee
- Licensing committee

Community councils

- Bermondsey and Rotherhithe
- Borough, Bankside and Walworth
- Camberwell
- Dulwich
- Peckham and Nunhead

Note:

1. In 2016-17, the cabinet member responsible for children's services chaired the corporate parenting committee. Council assembly is asked to formally approve this appointment in 2017-18.
2. There are no contested nominations for the positions of chairs and vice-chairs.

Nominations to membership of the council's committees, sub-committees and panels

2. That council assembly notes the membership of the council committees, sub-committees and panels (see Appendix 1).

BACKGROUND INFORMATION

3. The constitution is updated as and when changes are required. The recommendations in this report are based on the current constitution and previous decisions of the council.

KEY ISSUES FOR CONSIDERATION

Appointments to seats

4. Section 16(1) of the Local Government and Housing Act 1989 provides that it is the duty of an authority or committee to exercise its power to make appointments in such a way as to give effect “to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group”.

Ordinary committees

5. The regulatory and other committees are the “ordinary committees” of the council. In 2016-17 the annual meeting established the following:
 - Appointments committee
 - Planning committee
 - Audit, governance and standards committee
 - Corporate parenting committee
6. The proportionality is based on the total number of seats compared to the overall allocation of seats each political group has on the council. As the Labour Group has an overall majority on the council, it has been allocated a majority on each committee.

Appointment of chairs and vice chairs

7. Chairs and vice chairs may be appointed directly by council assembly or the appointments may be delegated to the first meeting of the relevant committee.
8. In the case of the corporate parenting committee, it is proposed that the cabinet member with responsibility for children’s services be appointed chair. This is in line with the decision of the annual meeting last year.
9. The health and wellbeing board is chaired by the leader of the council, in accordance with committee procedure rule 8.13.

Reserve members

10. The council assembly, committee and overview and scrutiny procedure rules make provision for the appointment of reserve members to council committees and to scrutiny committees. There is no provision for reserves on the licensing committee, the health and wellbeing board or community councils.
11. Each political group can appoint reserve members. The number of reserve members a group can appoint is, with the exception of the overview and scrutiny committee and audit, governance and standards committee, one less than the number of places the group holds on the committee or sub-committee. If a political group holds only one place on a committee or sub-committee, that group may appoint one reserve member.

12. On the overview and scrutiny committee and the audit, governance and standards committee, the number of reserve members that each political group can nominate is equal to the number of places each group holds on the committee.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Appointment of Leader and Executive Functions 2016-17 Report - Council Assembly 14 May 2016	Southwark Council Constitutional team 160 Tooley Street, London, SE1 2QH	Chidilim Agada 020 7525 3310
Establishment of committees and other constitutional issues 2016-17- Report - Council Assembly 14 May 2016		

APPENDICES

Appendix	Title
Appendix 1	Committee, sub-committee and panel memberships

AUDIT TRAIL

Lead Officer	Chidilim Agada, Constitutional Manager (Acting)	
Report Author	Chidilim Agada, Constitutional Manager (Acting)	
Version	Final	
Dated	23 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes (included in body of report)
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		30 June 2017

MEETING MEMBERSHIPS 2017-18

COUNCIL COMMITTEES, SUB-COMMITTEES

AND

COMMUNITY COUNCILS

As at 12 July 2017

COMMITTEES AND SUB-COMMITTEES

1. APPOINTMENTS COMMITTEE – 7 places

	Labour (6)	Liberal Democrat (1)	Conservatives (0)
1.	Peter John (Chair)	Anood Al-Samerai	
2.	Stephanie Cryan		
3.	Maisie Anderson		
4.	Fiona Colley		
5.	Vicky Mills		
6.	Johnson Situ		
Reserves			
	Labour (5)	Liberal Democrat (1)	Conservatives (0)
1.		Damian O'Brien	
2.			
3.			
4.			
5.			
Contact Officer – Everton Roberts 020 7525 7221			

2. AUDIT, GOVERNANCE AND STANDARDS COMMITTEE – 7 places

Note: Vice chair can be appointed at first meeting of the committee, if not appointed at annual meeting

	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Paul Fleming (Chair)	James Barber (Vice chair)	
2.	Catherine Dale	David Hubber	
3.	Andy Simmons		
4.	Dora Dixon-Fyle		
5.	Renata Hamvas		
Reserves			
	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Sarah King	Hamish McCallum	
2.	Karl Eastham	Rosie Shimell	
3.	Evelyn Akoto		
4.	Nick Dolezal		
5.	Cleo Soanes		
Contact Officer – Victoria Foreman 020 7525 5485			

3. CORPORATE PARENTING COMMITTEE – 7 places

	Labour (6)	Liberal Democrat (1)	Conservatives (0)
1.	Vicky Mills (Chair)	Eliza Mann	
2.	Jasmine Ali		
3.	Renata Hamvas		
4.	Kath Whittam		
5.	Kieron Williams		
6.	Catherine Rose		
Reserves			
	Labour (5)	Liberal Democrat (1)	Conservatives (0)
1.		James Okosun	
2.			
3.			
4.			
5.			
Contact Officer – Paula Thornton 020 7525 4395			

4. HEALTH AND WELLBEING BOARD – 5 places

	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Peter John	Opposition spokesperson for Health (David Noakes)	
2.	Richard Livingstone		
3.	Maisie Anderson		
4.	Vicky Mills		
<p>The current membership of the board is set out below:</p> <ul style="list-style-type: none"> • Leader of the Council • Cabinet Member for Adult Care and Financial Inclusion • Cabinet Member for Public Health and Social Regeneration • Cabinet Member for Children and Schools • Opposition Spokesperson for Health (Southwark Councillor) • NHS Southwark Clinical Commissioning Group x 3 • Chief Executive, Southwark Council • Strategic Director of Children’s and Adults’ Services • Director of Health and Wellbeing (Director of Public Health) • Chief Executive, Community Southwark (Voluntary Sector) • Executive Director, Southwark Law Centre (voluntary sector) • Chief Executive, King’s College Hospital NHS Foundation Trust (King’s Health Partners) • Chief Executive, South London and Maudsley (SLAM) NHS Foundation Trust (King’s Health Partners) • Healthwatch Southwark representative • Southwark Headteachers representative 			
Contact Officer – Everton Roberts 020 7525 7221			

5. LICENSING COMMITTEE – 15 places

	Labour (11)	Liberal Democrat (3)	Conservatives (1)
1.	Renata Hamvas (Chair)	David Hubber	Jane Lyons
2.	Bill Williams	Maria Linforth-Hall	
3.	Sandra Rhule	Adele Morris (Vice chair)	
4.	Radha Burgess		
5.	Jon Hartley		
6.	Lorraine Lauder		
7.	Sunil Chopra		
8.	Sunny Lambe		
9.	Dora Dixon-Fyle		
10.	Stephanie Cryan		
11.	Anne Kirby		

LICENSING SUB-COMMITTEE

Licensing Sub-Committees can be constituted from any three members of the main committee

Contact Officer – Andrew Weir 020 7525 7222

6. OVERVIEW AND SCRUTINY COMMITTEE – 11 places

	Labour (8)	Liberal Democrat (3)	Conservatives (0)
1.	Gavin Edwards (Chair)	Maria Linforth-Hall	
2.	Jasmine Ali	Ben Johnson (Vice chair)	
3.	Tom Flynn	Rosie Shimell	
4.	Rebecca Lury		
5.	Paul Fleming		
6.	Eleanor Kerslake		
7.	Kieron Williams		
8.	Jon Hartley		
9 - 12	The committee includes 4 voting co-opted members		

Reserves

	Labour (8)	Liberal Democrat (3)	Conservatives (0)
1.	Leo Pollak	James Barber	
2.	Catherine Dale	Hamish McCallum	
3.	Bill Williams	David Noakes	
4.	Michael Situ		
5.	Cleo Soanes		
6.	Martin Seaton		
7.	Karl Eastham		

Contact Officer Shelley Burke – 020 7525 7344

7. HEALTHY COMMUNITIES SCRUTINY SUB-COMMITTEE

	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Rebecca Lury (Chair)	David Noakes (Vice chair)	
2.	Bill Williams	Maria Linforth-Hall	
3.	Helen Dennis		
4.	Sunny Lambe		
5.	Leo Pollak		

Reserves			
	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Gavin Edwards	Eliza Mann	
2.	Octavia Lamb		
3.	Sandra Rhule		
4.	Martin Seaton		
Contact Officer: Julie Timbrell 020 7525 0515			

8. HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE

	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Tom Flynn (Chair)	Ben Johnson (Vice chair)	
2.	Radha Burgess	Rosie Shimell	
3.	James Coldwell		
4.	Vijay Luthra		
5.	Martin Seaton		
6.			
Reserves			
	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Evelyn Akoto	David Hubber	
2.	Michael Situ		
3.	Anne Kirby		
4.	Rebecca Lury		
Contact Officer Fitzroy Williams 020 7525 7102			

9. EDUCATION AND CHILDREN'S SERVICES SCRUTINY SUB-COMMITTEE

	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Jasmine Ali (Chair)	James Okosun (Vice chair)	
2.	Samantha Jury-Dada	Rosie Shimell	
3.	Kath Whittam		
4.	Karl Eastham		
5.	Catherine Rose		
Reserves			
	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Jon Hartley	Vacancy	
2.	Dora Dixon-Fyle		
3.	Sunny Lambe		
4.	Vijay Luthra		
Diocese representatives: Martin Brecknell and Lynette Murphy-O'Dwyer			
Contact Officer : Julie Timbrell 020 7525 0515			

10. PLANNING COMMITTEE – 8 places

	Labour (5)	Liberal Democrat (2)	Conservatives (1)
1.	Nick Dolezal (Chair)	Hamish McCallum	Michael Mitchell
2.	Cleo Soanes (Vice chair)	Adele Morris	
3.	Darren Merrill		
4.	Lucas Green		
5.	Lorrain Lauder		
Reserves			
	Labour (4)	Liberal Democrat (1)	Conservatives (1)
1.	Jamille Mohammed	James Barber	Jane Lyons
2.	Sarah King		
3.	Catherine Dale		
4.	Kieron Williams		
Contact Officer – Victoria Foreman 020 7525 5485			

11. PLANNING SUB-COMMITTEE A – 7 places

	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Leo Pollak (Chair)	Ben Johnson (Vice chair)	
2.	Nick Dolezal	David Noakes	
3.	Octavia Lamb		
4.	Kath Whittam		
5.	Tom Flynn		
Reserves			
	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Samantha Jury-Dada	David Hubber	
2.	Sarah King		
3.	Eleanor Kerslake		
4.	Cleo Soanes		
Contact Officer – Gerald Gohler 020 7525 7420			

12. PLANNING SUB-COMMITTEE B – 7 places

	Labour (5)	Liberal Democrat (2)	Conservatives (0)
1.	Lorraine Lauder (Chair)	Maria Linforth-Hall (Vice chair)	
2.	Nick Dolezal	Damian O'Brien	
3.	Sandra Rhule		
4.	Michael Situ		
5.	Darren Merrill		
Reserves			
	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Catherine Rose	Eliza Mann	
2.	Evelyn Akoto		
3.	James Coldwell		
4.	Helen Dennis		
Contact Officer – Beverley Olamijulo 020 7525 7234			

PANELS

13. COUNCIL ASSEMBLY BUSINESS PANEL – 5 places

	Labour (3)	Liberal Democrat (1)	Conservatives (1)
1.	Charlie Smith (Mayor chairs)	David Hubber	Michael Mitchell
2.	Sarah King		
3.	Bill Williams		
Contact Officer – Virginia Wynn-Jones 020 7525 7055			

14. CONSTITUTIONAL STEERING PANEL – 5 places

	Labour (3)	Liberal Democrat (1)	Conservatives (1)
1.	Sarah King (Chair)	David Hubber	Michael Mitchell
2.	Karl Eastham		
3.	Bill Williams		
Contact Officer – Virginia Wynn-Jones 020 7525 7055			

15. PENSIONS ADVISORY PANEL – 3 places

	Labour (2)	Liberal Democrat (1)	Conservatives (0)
1.	Fiona Colley	Eliza Mann	
2.	Jon Hartley		
Contact Officer – Caroline Watson 020 7525 4379			

16. VOLUNTARY BODIES APPOINTMENT PANEL – 5 places

	Labour (4)	Liberal Democrat (1)	Conservatives (0)
1.	Stephanie Cryan	David Hubber	
2.	Richard Livingstone		
3.	Vicky Mills		
4.	Barrie Hargrove		
Contact Officer – Everton Roberts 020 7525 7221			

COMMUNITY COUNCILS

17. BERMONDSEY AND ROTHERHITHE COMMUNITY COUNCIL

	Councillor	Ward
1.	Lucas Green	Grange
2.	Ben Johnson	Grange
3.	Damian O'Brien	Grange
4.	Evelyn Akoto	Livesey (north of Old Kent Road)
5.	Richard Livingstone	Livesey (north of Old Kent Road)
6.	Michael Situ	Livesey (north of Old Kent Road)
7.	Anood Al-Samerai	Riverside

8.	Eliza Mann	Riverside
9.	Hamish McCallum	Riverside
10.	Stephanie Cryan	Rotherhithe
11.	Kath Whittam (Vice chair)	Rotherhithe
12.	Bill Williams (Chair)	Rotherhithe
13.	Catherine Dales	South Bermondsey
14.	Sunny Lambe	South Bermondsey
15.	Leo Pollak	South Bermondsey
16.	David Hubber	Surrey Docks
17.	James Okosun	Surrey Docks
18.	Dan Whitehead	Surrey Docks
Contact Officer – Tim Murtagh 020 7525 7187		

18. BOROUGH, BANKSIDE AND WALWORTH COMMUNITY COUNCIL

	Member	Wards
1.	Maria Linforth-Hall	Cathedrals
2.	Adele Morris	Cathedrals
3.	David Noakes	Cathedrals
4.	Helen Dennis	Chaucer
5.	Karl Eastham	Chaucer
6.	Vijay Luthra	Chaucer
7.	Michael Seaton	East Walworth
8.	Rebecca Lury	East Walworth
9.	Darren Merrill	East Walworth
10.	Paul Fleming	Faraday
11.	Samantha Jury-Dada (Vice chair)	Faraday
12.	Lorraine Lauder	Faraday
13.	Eleanor Kerslake (Chair)	Newington
14.	Maisie Anderson	Newington
15.	James Coldwell	Newington
Contact Officer – Gerald Gohler 020 7525 7420		

19. CAMBERWELL COMMUNITY COUNCIL

	Member	Wards
1.	Radha Burgess (Vice chair)	Brunswick Park
2.	Mark Williams	Brunswick Park
3.	Ian Wingfield	Brunswick Park
4.	Kieron Williams (Chair)	Camberwell Green
5.	Dora Dixon-Fyle	Camberwell Green
6.	Tom Flynn	Camberwell Green
7.	Octavia Lamb	South Camberwell
8.	Peter John	South Camberwell
9.	Sarah King	South Camberwell
Contact Officer Tim Murtagh – 020 7525 7187		

20. DULWICH COMMUNITY COUNCIL

	Member	Wards
1.	Andy Simmons (Chair)	College
2.	Jon Hartley	College
3.	Catherine Rose (Vice chair)	College
4.	Rosie Shimell	East Dulwich
5.	James Barber	East Dulwich
6.	Charlie Smith	East Dulwich
7.	Anne Kirby	Village
8.	Jane Lyons	Village
9.	Michael Mitchell	Village
Contact Officer – Gerald Gohler 020 7525 7420		

21. PECKHAM AND NUNHEAD COMMUNITY COUNCIL

	Member	Wards
1.	Evelyn Akoto	Livesey (south of Old Kent Road)
2.	Richard Livingstone	Livesey (south of Old Kent Road)
3.	Michael Situ	Livesey (south of Old Kent Road)
4.	Fiona Colley	Nunhead
5.	Sunil Chopra	Nunhead
6.	Sandra Rhule (Vice chair)	Nunhead
7.	Johnson Situ	Peckham
8.	Cleo Soanes (Chair)	Peckham
9.	Barrie Hargrove	Peckham
10.	Gavin Edwards	Peckham Rye
11.	Renata Hamvas	Peckham Rye
12.	Victoria Mills	Peckham Rye
13.	Jasmine Ali	The Lane
14.	Nick Dolezal	The Lane
15.	Jamille Mohammed	The Lane
Contact Officer – Beverley Olamijulo 020 7525 7234		

22. CABINET (LIVESEY TRUST) COMMITTEE

	Member	
1.	Fiona Colley	
2.	Barrie Hargrove	
3.	Richard Livingstone	
4.	Vicky Mills (Vice chair)	
5.	Johnson Situ (Chair)	
Contact Officer – Tim Murtagh 020 7525 7187		

23. BETTER PLACED JOINT COMMITTEE (LAMBETH, LEWISHAM AND SOUTHWARK)

	Member	
1.	Peter John	
Reserve		
1.	Johnson Situ	
Contact Officer – Everton Roberts 020 7525 7221		

Item No: 6.6	Classification: Open	Date: 12 July 2017	Meeting Name: Council Assembly
Report title:		Treasury Management Performance – 2016-17 Annual Report and Prudential Indicators for Capital Finance and Treasury Management	
Wards or Groups affected:		All	
From:		Strategic Director of Finance and Governance	

RECOMMENDATION

1. That Council Assembly notes the 2016-17 outturn for the council's treasury management and that:
 - all treasury management activity was undertaken in compliance with the approved treasury management strategy and with the council's prudential indicators.
 - the balance remaining on all external loans at 31 March 2017 was £458m (£371m HRA and £87m general fund). Loans totaling £5m were repaid during the year. No new borrowing or debt rescheduling was undertaken during the period.
 - in the year to March 2017 the average investment balance was £188m and the balance of investments at 31 March 2017 stood at £159m. The return on investments was 0.71%.

BACKGROUND INFORMATION

2. In compliance with the Local Government Act 2003, the council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice (the Code). The Code requires local authorities to determine an annual treasury management strategy and, as a minimum, formally report on their treasury activities and arrangements to Council Assembly mid-year and after the year-end.
3. The Code provides the following objective with regard to treasury management:

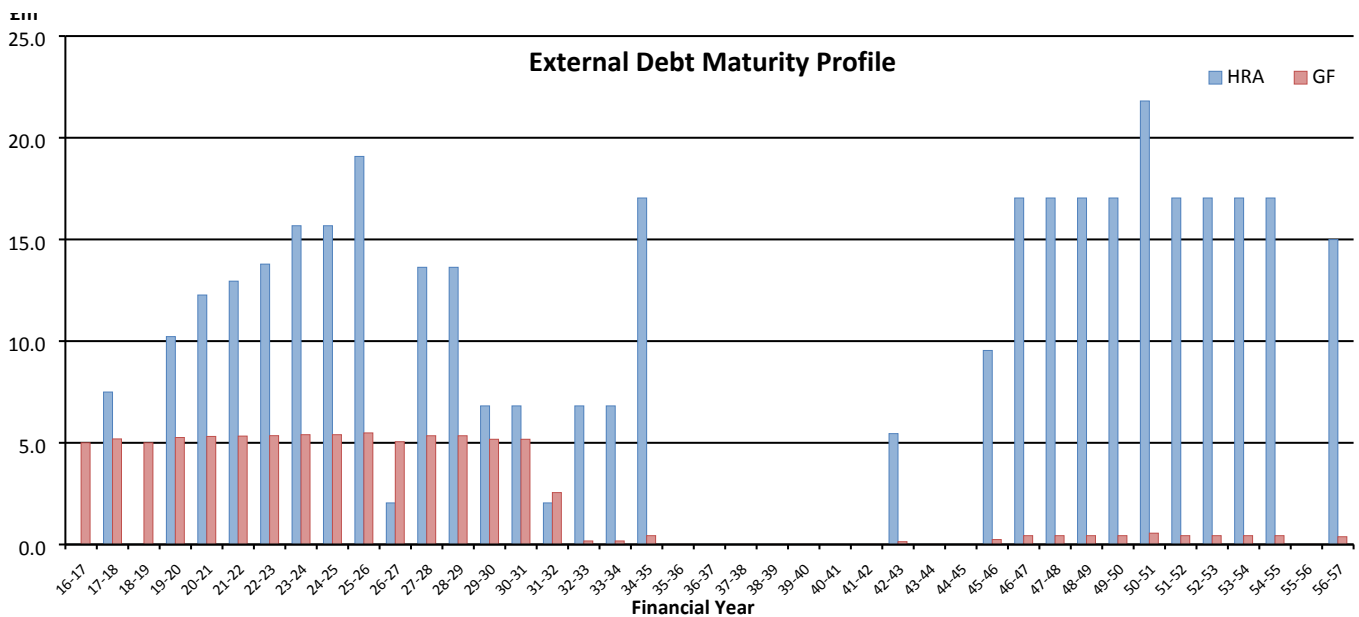
“It is important that treasury management policies adequately reflect risk and in particular security, liquidity and yield risk, in that order of importance. No treasury management transaction is without risk and management of risks is the key purpose of the treasury management strategy.”
4. The 2016-17 treasury management strategy was approved by Council Assembly in February 2016. Under financial delegation, all executive, managerial and operational decisions are the responsibility of the strategic director of finance and governance.

5. The council is exposed to financial risks from short term investments, existing external debt, as well as future borrowing requirements arising from the council's capital programme. The risks include potential losses from investments and increased borrowing costs from changing interest rates.
6. The key issues covered in this report are:
 - The council's borrowing strategy and debt management position
 - Investment performance and activity
 - Prudential indicators for 2016-17.

KEY ISSUES FOR CONSIDERATION

Borrowing strategy and debt management activity and position

7. The council's outstanding debt portfolio, used to fund historical capital expenditure for HRA and general fund, stood at £458m as at 31 March 2017 with £371m attributable to the HRA and £87m to the general fund.
8. All outstanding debt was borrowed from the Public Works Loans Board (PWLB), part of HM Treasury, at fixed rates of interest. During 2016-17, £5m of debt principal matured and was repaid to PWLB.
9. The weighted average rate of interest for the council's debt portfolio is 5.5% as at 31 March 2017. This reflects the largely historical nature of the debt, the majority of which was drawn prior to 2008. The PWLB charges a premium to repay existing debt in advance of maturity, the scale of this premium means that early repayment of debt is not currently beneficial to the council.
10. The maturity profile of outstanding borrowings as at 31 March 2017 is shown in the below chart.



11. The council has an increasing requirement for capital expenditure, as set out in the Capital Programme Refresh 2016-17 to 2025-26. Capital expenditure that is not funded by capital receipts, grants or developer contributions will need to be

funded by borrowing.

12. The debt management strategy for the council as part of the treasury management strategy 2017-18 is to pursue a policy of internal borrowing, which is the use of existing reserves and balances to fund capital expenditure rather than the use of external borrowing.
13. The use of internal borrowing allows the council to minimise unnecessary external borrowing costs by only borrowing when needed for liquidity, or to benefit from advantageous borrowing rates. Borrowing in advance of need creates a 'cost of carry' which is the difference between the short term investment income earned through holding cash balances compared against longer term external debt financing costs.
14. Efficient use of existing council resources to fund capital expenditure through internal borrowing also significantly reduces the council's counterparty risk inherent in the investment of cash balances.
15. Short term interest rates have remained, and are likely to remain, significantly lower than the cost of external borrowing, therefore it is more cost effective to utilise existing council resources to fund capital expenditure.
16. The level of internal borrowing for the council as at 31 March 2017 is £224m. At some point, the council will need to borrow externally as resources used for internal borrowing, but budgeted for other purposes, are spent. The extent of external borrowing required will depend upon the level of existing balances and cashflow forecasts for the council. The council's investment balances as at the 31 March 2017 were £159m leaving headroom for a continuation of the internal borrowing strategy.
17. Officers regularly monitor current and forecast interest rates to determine the appropriateness of the internal borrowing strategy, so that the reduction in current borrowing costs from use of internal balances, is not offset by higher borrowing costs in the future.

Borrowing Sources

18. All historical debt for the council has been drawn from the PWLB, however future borrowing could come from a variety of different sources. The council could borrow through other financial institutions and banks, the Municipal Bond Agency, or directly from other local authorities. Borrowing from other local authorities can often be much cheaper than other sources for short term agreements.

Provisions for repayment of debt

19. Each year, the general fund sets aside sums, known as the minimum revenue provision (MRP), to reduce its borrowing liabilities. In February 2016 council assembly approved an updated MRP strategy. The revised approach continues to make a prudent provision for the repayment of debt but now takes account of other factors, most notably affordability. In 2016-17 £7m (£7m during 2015-16) was set aside to reduce the capital financing requirement.

20. The HRA can also set aside sums to reduce borrowing liabilities. During 2016-17 no additional balances were set aside for repayment of debt, maintaining the headroom for future capital finance at £184m. The overall level of internal borrowing at 31 March 2017, after accounting for additional provisions, increased by £26m to £224m (£207m general fund, £17m HRA). The increase in internal borrowing reflects general fund capital spend that is not funded by existing resources, such as capital receipts or grants, after adjusting for debt repayment provisions. The council's capital spending programme is set out in more detail in the capital monitoring outturn report due to Cabinet on 18 July 2017.
21. The PWLB continues to operate a spread of approximately 1% between "premature repayment rates" and "new loan" rates so the premium charge for early repayment of PWLB debt remained expensive for the council's portfolio and therefore unattractive for debt rescheduling activity.

Investment strategy and investment activity and position

22. The council has significant invested funds, representing income received in advance of expenditure plus balances and reserves held. Council cash that is not immediately required for current expenditure is invested in money market instruments in accordance with the DCLG Guidance on Local Authority Investments and the approved investment strategy. The guidance gives priority to security and liquidity and the council's aim is to achieve a yield commensurate with these principles.
23. In the year to 31 March 2017 the average daily investment balance was £188m (£238m for 2015-16) and the value at 31 March 2017 stood at £159m (£144m 2016).
24. Council investments are managed both in-house and delegated to two fund managers: Alliance Bernstein and Aberdeen Asset Management. The focus for in-house investment is to meet variable near term cash liquidity requirements, principally using money market funds and, to a lesser extent, call accounts and term deposits diversified across major banks and building societies.
25. The external fund managers invest over a longer term in UK government gilts, supranational bank bonds, and certificates of deposits issued by major banks/building societies. The use of fund managers has the advantage of diversification of investment risk, coupled with the services of professional fund managers, which over the longer-term, provides enhanced returns within the council's risk appetite. Although investments can be redeemed from the fund managers at short notice, the intention is to hold them for the medium term. Their performance and suitability in meeting the council's investment objectives are regularly monitored.
26. The average return on investments in 2016-17 was 0.71% (0.77% 2015-16), reflecting the prudent strategy in place. The weighted average duration of investments as at the 31 March 2017 was six months, for comparative purposes the six month LIBID averaged 0.6% throughout 2016-17.

27. The distribution of investments by maturity and credit rating as at 31 March 2017 is set out in the table below:

Maturity Profile and Credit Rating				
	A	AA	AAA	Grand Total
Less than 1 year	18%	11%	51%	80%
1-2		2%	11%	13%
2-5			7%	7%
Grand Total	18%	13%	69%	100%

AAA represents the highest credit quality, AA represents very high credit quality and A high credit quality.

Prudential Indicators - Actuals

28. Local authority borrowing, investment and capital finance activity is supported by the Prudential Code for Capital Finance, the Treasury Management in the Public Services Code of Practice and related guidance published by CIPFA. The codes require councils to set a series of indicators and limits each year. The 2016-17 indicators were agreed in February 2016, before the start of the year and enabled the strategic director of finance and governance to carry out his responsibilities in this area. The 2016-17 Prudential Indicator outturn details are included at Appendix A.
29. The council has complied with its Prudential Indicators throughout 2016-17.

SUPPLEMENTAL ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

30. The constitution determines that agreeing the treasury management strategy is a function of the council assembly and that review and scrutiny of strategies and policies is the responsibility of the audit, governance and standards committee.
31. Financial standing orders require the strategic director of finance and governance to set out the treasury management strategy for consideration and decision by council assembly, and report on activity on a regular basis to cabinet and at mid and year-end to council assembly. Furthermore all executive and operational decisions are delegated to the strategic director of finance and governance.
32. The Local Government Act 2003 ("the 2003 Act") and supporting regulations require local authorities to determine annual borrowing limits and have regard to the Prudential Code for Capital Finance, and the Treasury Management in the Public Services Code of Practice and Guidance, published by the Chartered Institute of Public Finance and Accountancy, when considering borrowing and investment strategies, determining or changing borrowing limits or prudential indicators.
33. Section 15(1) of the 2003 Act requires a local authority "to have regard (a) to such guidance as the Secretary of State may issue". This guidance is found in the Department of Communities and Local Government Guidance on Local Authority Investments updated March 2010 and there is statutory guidance on the Minimum Revenue Provision (MRP) made under section 21(1A) of the 2003 Act.
34. Section 12 of the 2003 Act grants local authorities the powers to invest for any

purpose relevant to its functions or for the purposes of the prudent management of its financial affairs.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
None		

APPENDICES

No.	Title
Appendix A	Prudential Indicators – 2016-17 Actuals

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Governance	
Report Author	Jennifer Seeley, Director of Finance	
Version	22 June 2017	
Version Date	Final	
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	Not applicable	Not applicable
Cabinet Member	Yes	Yes
Final Report Sent to Constitutional Team		26 June 2017

APPENDIX A

PRUDENTIAL INDICATORS: 2016-17 ACTUALS

BACKGROUND

- Capital finance, borrowing and investment arrangements are supported by a series of prudential indicators, drawn from the Prudential Code on Capital Finance for Local Authorities and the Treasury Management in the Public Services Code of Practice plus Guidance, published by CIPFA. The Local Government Act 2003 requires that councils have regard to these codes and this appendix sets out the 2016-17 outturn indicators drawn from the council's draft accounts for that year.
- The indicators are grouped into three broad areas: affordability and prudence, capital finance and treasury management. The indicators are of a technical nature and existing budgets take account of capital finance and treasury activities. The indicators themselves have no effect on those budgets.

INDICATORS ON AFFORDABILITY AND PRUDENCE

- The indicators below are for affordability and prudence.

2015-16	2016-17	
		Ratio of Financing Cost to Net Revenue Stream A measure of the cost of borrowing and long term liabilities (e.g. PFI) net of interest income and set-asides, as a percentage of revenue.
10%	9%	HRA
6%	4%	General fund
		Incremental Impact of Capital Spend A measure of the effect of capital plans on council tax and rents. All spend in 2015-16, and all HRA spend during 2016-17 was contained within existing resources.
N/A	N/A	Weekly rents
N/A	£8	Annual Council tax – band D
		Capital Financing Requirements (CFR) and Gross Debt The CFR is the balance remaining on past capital expenditure financed through debt and long term liabilities (e.g. PFI). The level of gross debt should not exceed the CFR unless prudent over the short term. Actual gross debt remained below the CFR throughout 2016-17 on account of cash balances, internal borrowing and PFI transactions.
£776m	£806m	CFR
£469m	£463m	Maximum Gross Debt in the Year

INDICATORS ON CAPITAL FINANCE

4. The indicators below are for capital finance.

2015-16	2016-17	
		Capital Expenditure Capital expenditure includes PFI funded spend.
£244m	£153m	HRA
£73m	£99m	General fund
£317m	£252m	Total
		Capital Financing Requirement (CFR) The CFR is the balance on past capital expenditure financed through borrowing and long term liabilities (e.g. PFI).
£393m	£393m	HRA
£383m	£413m	General fund
£776m	£806m	Total
		HRA Indebtedness Limit A limit determined by the government below which the HRA CFR must remain. The HRA CFR has remained within the indebtedness limit.
£577m	£577m	HRA indebtedness limit determined by the government
£393m	£393m	Actual HRA CFR

INDICATORS ON TREASURY MANAGEMENT

5. The indicators below are for treasury management.

2015-16	2016-17 Limit	2016-17 Outturn	
			Operational Boundary on Debt and Authorised Limits for External Debt These are limits the council determines to accommodate borrowing and long term liabilities. The lower limit is the operational boundary and takes account of existing positions and ordinary activity and the higher limit is the authorised limit, enabling additional borrowing to be taken for very short periods, in the interest of prudence, within a risk controlled framework. No new loans were drawn and as the council was able to access internal cash in place of borrowing, it remained below the limits throughout 2016-17.
			Operational Boundary
£469m	£783m	£463m	Borrowing (maximum outstanding in year)
£114m	£110m	£105m	Other Long Term Liabilities
£583m	£893m	£568m	Total
			Authorised Limit
£469m	£1,088m	£463m	Borrowing (maximum outstanding in year)
£114m	£126m	£105m	Other Long Term Liabilities
£583m	£1,214m	£568m	Total

2015-16	2016-17 Limit	2016-17 Outturn	
69%	100%	64%	Gross and Net Debt An upper limit on net debt as a percentage of gross debt. The net debt has remained below gross on account of investments held to meet spend.
			Fixed and Variable Rate Upper Limits Limits recognising existing positions with flexibility to vary exposure within a risk controlled framework should it be prudent.
£469m	£1,088m	£463m	Fixed rate debt (maximum outstanding in year)
£0m	£272m	£0m	Variable rate debt
			Maturity Structure of Borrowing Limits accommodating existing positions with flexibility to vary exposure within a risk controlled framework.
1%	20%	1%	Under 1 year
1%	20%	3%	1 year and within 2 years
7%	30%	8%	2 years and within 5 years
21%	40%	23%	5 years and within 10 years
28%	50%	23%	10 years and within 20 years
1%	50%	3%	20 years and within 30 years
37%	50%	35%	30 years and within 40 years
3%	50%	3%	40 years and within 50 years
			Limits on Investments Greater than One Year Caps on the maximum exposure to longer investments, while recognising benefits from prudent exposure within a risk controlled framework. Actual exposure has remained cautious in view of market volatility.
19%	50%	20%	Percentage longer than one year
8 months	2 years	7 months	Overall maximum average maturity

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**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)
MUNICIPAL YEAR 2017/18**

NOTE: Original held by Constitutional Team; all amendments/queries to
Virginia Wynn-Jones Tel: 020 7525 7055

ONE COPY TO ALL UNLESS OTHERWISE STATED	Copies	To	Copies
Councillors (1 each)	40	Officers	
		Eleanor Kelly	1
Electronic Versions (No hard copy)		Duncan Whitfield	1
Councillor Evelyn Akoto		Doreen Forrester-Brown	1
Councillor Anood Al-Samerai		Chidilim Agada	1
Councillor Maisie Anderson			
Councillor James Coldwell		Constitutional Team	21
Councillor Fiona Colley		(Copies to Virginia Wynn-Jones, 2 nd	
Councillor Stephanie Cryan		Floor, Hub 2, Tooley Street)	
Councillor Catherine Dale		Others	
Councillor Karl Eastham			1
Councillor Gavin Edwards		Elizabeth Olive, Audit Commission,	
Councillor Lucas Green		Ground Floor, Tooley Street	
Councillor Jon Hartley			
Councillor David Hubber			
Councillor Peter John			
Councillor Samantha Jury-Dada			
Councillor Sarah King			
Councillor Rebecca Lury			
Councillor Jamille Mohammed			
Councillor Johnson Situ			
Councillor Michael Situ			
Councillor Bill Williams			
Councillor Kieron Williams			
Councillor Mark Williams			
Councillor Ian Wingfield			
Group Offices			
Eleanor Law, Labour Group Office	1		
Jack Chesterman, Liberal Democrat Group Office	1		
Press			
Southwark News	1		
South London Press	1		
		Total:	70
		Last updated: 30 June 2017	