

Council Assembly

Ordinary Meeting

Wednesday 29 November 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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Date: 17 November 2017



Council Assembly

Ordinary Meeting

Wednesday 29 November 2017
7.00 pm
Council Offices, 160 Tooley Street, London SE1 2QH

Order of Business

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	To receive any announcements from the Mayor, members of the cabinet or the chief executive.	
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	In special circumstances an item of business may be added to an agenda within seven working days of the meeting.	
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	Questions from the public will be distributed in a supplemental agenda.	
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	Submissions from the public will be distributed in a supplemental agenda.	
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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: 17 November 2017



Council Assembly Ordinary Meeting

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 12 July 2017 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT:

The Worshipful the Mayor for 2017-2018, Councillor Charlie Smith

Councillor Anood Al-Samerai
 Councillor Jasmine Ali
 Councillor Radha Burgess
 Councillor Sunil Chopra
 Councillor James Coldwell
 Councillor Fiona Colley
 Councillor Stephanie Cryan
 Councillor Catherine Dale
 Councillor Helen Dennis
 Councillor Dora Dixon-Fyle MBE
 Councillor Nick Dolezal
 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 Sarah King
 Councillor Sunny Lambe
 Councillor Octavia Lamb
 Councillor Lorraine Lauder MBE
 Councillor Maria Linforth-Hall
 Councillor Richard Livingstone

Councillor Rebecca Lury
 Councillor Jane Lyons
 Councillor Eliza Mann
 Councillor Hamish McCallum
 Councillor Darren Merrill
 Councillor Victoria Mills
 Councillor Michael Mitchell
 Councillor Jamille Mohammed
 Councillor Adele Morris
 Councillor David Noakes
 Councillor Damian O'Brien
 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 Kath Whittam
 Councillor Cleo Soanes
 Councillor Dan Whitehead
 Councillor Bill Williams
 Councillor Kieron Williams
 Councillor Mark Williams
 Councillor Ian Wingfield

1. PRELIMINARY BUSINESS

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

Councillor Charlie Smith, the Mayor of Southwark, offered his congratulations to Councillor Anood Al-Samerai on her marriage.

Councillor Peter John, leader of the council, gave the meeting's sympathies to those affected by the London Bridge terror attack and the Grenfell Tower block fire; and thanked all council staff for their responses to both these incidents. He also thanked Eleanor Kelly, the chief executive, for her work in supporting Kensington and Chelsea following the fire.

Councillor John also announced the appointment of four deputy cabinet members as follows:

Councillor Octavia Lamb - Deputy Cabinet Member for Air Quality
 Councillor Jon Hartley - Deputy Cabinet Member for Community Involvement (Digital)
 Councillor James Coldwell - Deputy Cabinet Member for Community Energy
 Councillor Catherine Rose - Deputy Cabinet Member for Childcare Costs

Councillor John thanked Councillors Evelyn Akoto, Helen Dennis, and Octavia Lamb, who served as deputy cabinet members last year.

Councillor Vicky Mills, the cabinet member for children and schools, announced the 'Good' Ofsted outcomes for children's services, and gave her thanks to all staff involved.

1.2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Evelyn Akoto and Maisie Anderson (both on maternity leave), James Barber, Karl Eastham, Ben Johnson, Eleanor Kerlake, Anne Kirby, and Vijay Luthra. Councillor Stephanie Cryan gave her apologies for leaving the meeting early due to a family commitment.

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

At this juncture the meeting agreed the programme motion.

1.4 DISCLOSURE OF INTERESTS AND DISPENSATIONS

The mayor announced that all councillors had been granted a dispensation by the monitoring officer to vote on Item 6.1: Member Allowances Scheme - payment arrangements during periods of absence.

There were no other declarations of interest.

1.5 MINUTES

The minutes of the council assembly meetings held on 22 March 2017 and 13 May 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 three questions from the public, the answers to which had been circulated on white paper at the meeting. The three public questioners asked supplemental questions of the cabinet member for environment and the public realm.

3. THEMED DEBATE - WHAT DOES BREXIT MEAN FOR SOUTHWARK?

3.1 COMMUNITY EVIDENCE

The meeting agreed to receive a submission from the following:

Better Bankside

The group's representatives spoke to the meeting for five minutes and thereafter asked a question of the leader of the council.

Four members asked questions of the group's representatives.

3.2 MOTION ON THE THEME

At this point, it was moved and seconded to suspend council assembly procedure rule 2.10(4), notice of amendments, to accept late Amendment E. This was voted on by the meeting and declared to be Carried.

Late Amendment E was put to the vote and declared to be Carried.

The leader of the council, Councillor Peter John, presented the motion on the themed debate.

Councillor Anood Al-Samerai, the majority opposition group spokesperson, responded to the cabinet member's motion and proposed Amendment A.

Following debate (Councillors Coldwell, Chopra, Whitehead, Livingstone, Lamb, O'Brien, Fleming, Hamvas, Shimell, Flynn, Ali, Mann, and Mills), the leader of the council, Councillor Peter John, responded to the debate.

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

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

DECISION:

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 73% of those who voted in the EU referendum in Southwark opted for the United Kingdom to remain a member of the European Union and welcomes the administration's public commitment at that time to "work hard to ensure that Southwark does not lose the many benefits that the EU brings".
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. Council assembly calls on cabinet to work with Southwark's three Labour MPs to lobby their leader, Jeremy Corbyn, and this Conservative government in order to

clarify the rights of EU nationals to remain, rule out withdrawal from the EU without a deal, guarantee a Parliamentary vote on any final outcome to negotiations, set out transitional arrangements to maintain jobs, trade and certainty for business, set out proposals to retain the benefits of the Customs Union and Single Market, set out clear measures to respect the competencies of the devolved administrations, include clear protections for EU nationals living in the UK now, including retaining their right to remain in the UK, and reciprocal rights for UK citizens, 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.

10. 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.

4. DEPUTATIONS

(See pages 4 - 5 of supplemental agenda 1)

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

Ledbury Estate Tenants and Residents Association

The group's representative spoke to the meeting for five minutes and thereafter asked a question of the deputy leader and cabinet member for housing.

Three members asked questions of the deputation.

Local residents and dog owners

The group's representative spoke to the meeting for five minutes and thereafter asked a question of the cabinet member of communities and safety.

Three members asked questions of the deputation.

5. ISSUES RAISED BY MEMBERS

5.1 MEMBERS' QUESTION TIME

(See pages 32 - 37 of the main agenda and the additional papers circulated at the meeting)

There was one late question to the leader from Councillor Anood Al-Samerai, the written response to which was circulated on yellow paper at the meeting. There were two supplemental questions.

There were 37 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 14 supplemental questions.

5.2 MEMBERS' MOTIONS

MOTION 1: PROMOTING THE SALE OF NEW HOUSING TO LOCAL PEOPLE (See pages 39 - 40 of the main agenda)

Amendment C 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 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; at least 25% of these new homes will be offered for social rent, affordable rent or shared-ownership sale following the intervention of the then newly elected Labour council. This is opposed to if the amount of affordable housing was determined through the planning system alone as advocated by Southwark Liberal Democrats which would have secured significantly less affordable housing.
 - Council assembly also notes that the last Labour government provided £120,000 subsidy for each new affordable home built, and that the Conservative/Liberal Democrat coalition slashed this to just £20,000 per affordable unit.
 - Council assembly further notes that the former MP for Bermondsey and Old Southwark was reprimanded by the Parliamentary Commissioner for Standards for not declaring a donation from a developer on the Old Kent Road, whose scheme only comprised 6% affordable housing. Council assembly also notes this application was refused by Southwark's planning committee, but was overturned by the Conservative Mayor Boris Johnson.

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”.

- That this council already requires developers 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.

MOTION 2: SOUTHWARK’S RESPONSE TO THE LONDON BRIDGE ATTACK (See page 40 of the main agenda)

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 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.

MOTION 3: THE TERROR ATTACK ON LONDON BRIDGE AND BOROUGH MARKET
(See pages 41 - 42 of the main agenda)

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.

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.

MOTION 4: Southeastern Trains (*See pages 42 - 43 of the main agenda*)

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 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.
6. Council assembly calls on cabinet to work with Network Rail and TfL to seek a concrete commitment and funding from Government to support the reopening of Camberwell station in order to provide a much needed additional transport link for the local area.
7. Council assembly recognises the increase in passenger numbers at Denmark Hill station which has resulted in dangerous overcrowding and therefore calls on cabinet to support plans to build an additional entrance and ticket machines on Windsor Walk by accelerating the anticipated planning application and other council required permissions.
8. Council assembly calls on cabinet to lobby the Department for Transport to reinstate the South London Line service, in order to provide a key link for many Southwark residents to Central London, once rebuilding works at London Bridge have been completed.

MOTION 5: FIRE SAFETY IN SOUTHWARK *(See page 43 of the main agenda)*

Amendment D 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 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.
 - The contribution of Eleanor Kelly, chief executive of the council, for her work with the government taskforce in providing support in Kensington and Chelsea.
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.
 - The independent review into fire safety in council blocks commissioned by the deputy leader and cabinet member for housing which will include but is not limited to ascertaining the need for and cost of fitting sprinkler systems and any other fire safety measures in these buildings.
 - The work the council has undertaken to keep residents updated through the council's website, letters from the deputy leader and cabinet member for housing and a special fire safety edition of Southwark Life.
4. Council assembly therefore calls upon the cabinet to:
- Make public the findings of the independent review.
 - Establish a fire safety advisory group to allow residents to be involved in shaping fire safety following the review.
 - Bring a report to cabinet outlining the measures that the council will take to implement the recommendations of the review.

LATE MOTION 6: SAFETY ON LEDBURY ESTATE (*See tabled papers circulated at the meeting*)

At this point, it was moved and seconded to suspend council assembly procedure rule 2.10(3), notice of members motions, to accept late Motion 6. This was voted on by the meeting 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 significant concerns of residents of the four Ledbury tower blocks – Bromyard House, Peterchurch House, Sarnesfield House and Skenfrith House – regarding fire safety.
2. Council assembly views the tragic events at Grenfell Tower as requiring every council to put significant focus on improving fire safety, and recognises that our residents have a right to feel safe in their own homes.
3. Council assembly acknowledges the steps taken by the council to date to address

the fire safety concerns at the four Ledbury Tower blocks over the last two weeks, but believes that the council needs to do more to ensure that its residents are safe, improve communication with them and address their concerns.

Council assembly therefore calls upon the cabinet to ensure that:

4. Any tenant of the four Ledbury Tower blocks that requests a transfer to a new home is treated as a band 1 priority.
5. The council urgently requests that Arnold Tarling shares his report on safety issues regarding the towers with the council so that all the issues that it raises can be fully addressed.
6. The council continue to carry out the type 4 fire risk assessments to the four Ledbury tower blocks and ensures all other necessary safety checks are carried out urgently. The council should share any reports arising from these reports with residents as quickly as is possible.
7. Any council officer or contractor involved in work on the towers treats every resident with the same respect and concern as if they were a valued member of their own family.
8. Whilst fire wardens are in place in the blocks, council officers ensure that they are fully trained and equipped to perform their role as fire marshals.
9. The council installs a comprehensive fire alarm system in all communal areas in the four blocks to ensure that there is full fire safety coverage in these areas once the fire wardens leave.
10. A compensation package for tenants and residents is developed that recognises the disruption and distress to their lives caused through the fire safety concerns to their homes.
11. The council does all that it can to share all that it knows with residents, recognising that different residents have different communication needs. Where information is not yet known, the council must be clear about what steps it is taking to find this out and give an indication of how long this will take.
12. The entryphone system is fully reinstated as soon as it is safe to do so, with new fobs being issued to every resident.
13. Leaseholders of the four blocks are not charged for any safety work arising from the safety issues there.

6. OTHER REPORTS

6.1 MEMBER ALLOWANCES SCHEME - PAYMENT ARRANGEMENTS DURING PERIODS OF ABSENCE

(See pages 45 - 70 of the main agenda.)

RESOLVED:

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

6.2 CONSTITUTIONAL CHANGES: LICENSING

(See pages 71 - 74 of the main agenda.)

RESOLVED:

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

6.3 ANNUAL MEETING 2018 - PROPOSED CHANGE OF DATE

(See pages 75 - 79 of the main agenda.)

RESOLVED:

1. That council assembly agreed 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 of the report).

6.4 APPOINTMENT OF HONORARY RECORDER OF SOUTHWARK

(See pages 80 - 82 of the main agenda.)

RESOLVED:

1. That council assembly agreed, 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.

6.5 NOMINATIONS TO COMMITTEES, COMMUNITY COUNCILS, PANELS AND RELATED MATTERS 2017-18

(See pages 83 - 94 of the main agenda.)

RESOLVED:

Appointment of chairs and vice chairs

1. That council assembly appointed the chairs and vice chairs for the following committees and community councils (as listed in the updated tabled Appendix 1 of the report):

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

Notes:

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. All outstanding appointments will be referred to the first meeting of the respective committee or community council in the 2017-18 municipal year.

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

2. That council assembly noted the membership of the council's committees, sub-committees and panels (see Appendix 1 of report).

6.6 TREASURY MANAGEMENT PERFORMANCE - 2016-17 ANNUAL REPORT AND PRUDENTIAL INDICATORS FOR CAPITAL FINANCE AND TREASURY MANAGEMENT

(See pages 95 - 103 of the main agenda.)

RESOLVED:

1. That council assembly noted 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%.

7. AMENDMENTS

Amendments are set out in supplemental agenda no. 2.

The meeting closed at 10.15 pm.

CHAIR:

DATED:

Item No. 2.1	Classification: Open	Date: 29 November 2017	Meeting Name: Council Assembly
Report title:		Petition – Save Umana Yana	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATION

1. That council assembly consider a petition from local residents regarding the telecommunication boxes situated outside 294 Croxted Road, Herne Hill.

BACKGROUND INFORMATION

2. A petition containing 1,500 signatures or more may be presented to the Mayor at council assembly. A petition can be submitted by a person of any age who lives, works or studies in Southwark. Petitions must relate to matters which the council has powers or duties or which affects Southwark.
3. At the meeting, the spokesperson for the petition will be invited to speak for up to five minutes on the subject matter. Council assembly will debate the petition for a period of up to 15 minutes and may decide how to respond to the petition at the meeting.
4. Council assembly should decide how to respond to the petition at this meeting. A decision could be made to:
 - Take the action the petition requests
 - Not to take the action requested for reasons put forward in the debate, or
 - To commission further investigation into the matter.
5. Any relevant resource or community impact issues will be contained in the comments of the strategic director.

KEY ISSUES FOR CONSIDERATION

6. A petition containing over 1,500 signatures has been received; the petition states:

‘We want Southwark Council to move the mass of mobile phone exchange boxes on 294 Croxted Road blocking Umana Yana from view and from customers. These boxes must be removed by the end of 2017 otherwise sadly, this amazing local takeaway will be forced to close.

Umana Yana is a highly-rated Guyanese and Caribbean takeaway in Herne Hill. It’s a family business owned by Deborah Monfries and she really needs your support.

The five large mobile phone exchange boxes (three of them shown on image above on right) totally obscure the view of the takeaway from the road. Debbie has many loyal local customers but also relies heavily on passing customers and these boxes completely hide the shop front.

The first large box was installed outside Umana Yana in September 2014. Then another appeared in May 2015, followed by three more boxes in 2016. Three of these boxes were installed without proper planning permission and the other two boxes were installed without appropriate consultation. Debbie's revenue has gone down massively. If these boxes don't go, Umana Yana will be forced to close by the end of 2017.

Southwark Council owns the land outside Debbie's shop and they rent it out to big mobile phone operators who install these phone exchange boxes. We want Southwark Council to understand the affect these boxes are having on Debbie's business and move them to underneath the nearby railway bridge or another suitable location.

Umana Yana is a great local restaurant and it shouldn't be hidden by these huge ugly boxes. The shop is important to the culture of the area and it is being damaged by thoughtless commercial initiatives that aren't in the interests of the community.

Please sign this petition and help us save Umana Yana.'

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Petition Request File	Constitutional Team 160 Tooley Street, London SE1 2TZ	Virginia Wynn-Jones 020 7525 7055
Council Assembly Procedure Rule 2.4, Southwark Constitution	Constitutional Team 160 Tooley Street, London SE1 2TZ	Virginia Wynn-Jones 020 7525 7055

AUDIT TRAIL

Lead Officer	Chidi Agada, Constitutional Manager	
Report Author	Virginia Wynn-Jones, Constitutional Officer	
Version	Final	
Dated	17 November 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Environment and Leisure	No	No
Strategic Director of Finance and Governance	No	No
Director of Law and Democracy	Yes	No
Date final report sent to Constitutional Team	17 November 2017	

Item No. 3.2	Classification: Open	Date: 29 November 2017	Meeting Name: Council Assembly
Report title:		Motion on the Theme: Culture and Wellbeing	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The theme for this meeting is Culture and Wellbeing.

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 MAISIE ANDERSON, CABINET MEMBER FOR PUBLIC HEALTH AND SOCIAL REGENERATION

1. Council assembly notes:

- Air quality is a significant problem across London, including in Southwark
- In 2013, 45% of the population of Southwark was exposed to levels of NO2 above the annual average objective limit
- That in Southwark, diesel accounts for 91% of the total NOx emissions in the borough and 58% of the total PM10
- That poor air quality directly impacts on the health and wellbeing of Southwark residents, and affects children, older people, and those with conditions such as heart or lung disease, or asthma most severely
- That across the UK, around 40,000 deaths are attributable to air pollution each year, incurring £20bn in health costs
- That 30% of TfL's bus fleet are diesel-electric hybrids, which produce up to 40% less emissions than standard diesel buses.

2. Council assembly believes:

- That Southwark Council is already taking proactive steps to tackle the problem of poor air quality by encouraging and facilitating a culture of active travel
- That promoting forms of active travel is an essential part of improving the wellbeing of our residents, both because it reduces the number of people travelling in pollutant emitting vehicles, and because physical activity improves wellness in itself
- That facilitating a reduction in the number of diesel vehicles should be a priority for the government
- That reducing the number of diesel buses should be a priority for Transport for London (TfL)

- That small business, charities, schools and low income households might struggle to replace diesel vehicles due to financial constraints
- The proposed National Diesel Scrappage Fund would provide support for small business, charities, schools and low income households to replace their diesel vehicles with lower emission vehicles
- That poor air quality directly and negatively impacts on the wellbeing of residents in Southwark, and that this council should continue to work to tackle this problem.

3. Council assembly therefore resolves to call on cabinet:

- To lobby TfL to increase the number of diesel-electric hybrid buses on routes through Southwark
- To continue to press the government and the Secretary of State for Transport to reform the Vehicle Excise Duty and to create a National Diesel Scrappage Fund to encourage the removal of the most polluting vehicles on our roads
- To continue to promote active forms of travel, such as walking and cycling.

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	17 November 2017

Item No. 5.1	Classification: Open	Date: 29 November 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 JANE LYONS

When the new format community council 'forums' were introduced the rationale for this was given as budget saving. We have now had four meetings of this kind in the Dulwich area. Could the leader now please confirm how much budget across the council area, and from Dulwich Community Council in particular, has been saved?

2. QUESTION TO THE LEADER FROM COUNCILLOR BILL WILLIAMS

Could the leader provide an update on the progress that has been made on improving broadband for Rotherhithe residents?

3. QUESTION TO THE LEADER FROM COUNCILLOR DAMIAN O'BRIEN

The Leader will, I am sure, agree that the first tube stop on the Bakerloo Line Extension should be at Bricklayers' Arms – ensuring that the density of stations is on par with north London. MP Neil Coyle told Southwark News earlier this month that TfL's viability report, (commissioned by Southwark Labour), found that a Bricklayers' Arms station would require the demolition of no less than a thousand homes. Can the Leader confirm this figure? Can he also explain the evidence that underpins it?

4. QUESTION TO THE LEADER FROM COUNCILLOR MICHAEL MITCHELL

Traders in Dulwich Village have seen a significant fall in custom as a result of the roadworks which started in August and are scheduled to continue until February 2018. Will the Leader urgently authorise a cross departmental task force of officers to join the Traders and the Dulwich Estate in round table discussions which can bring forward proposals both to alleviate the immediate concerns and help secure the long term future of shopping in Dulwich Village?

5. QUESTION TO THE LEADER FROM COUNCILLOR JAMES COLDWELL

Gerri Scott, Southwark's strategic director of housing and modernisation, is leaving the council at the end of the year. Would the leader like to comment on the impact that she has had since she started in 2011?

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

Can the leader confirm whether or not an internal investigation has been or will be held into an alleged cover up of failures in internal decision-making in relation to the closure of Queens Road Day Centre?

7. QUESTION TO THE LEADER FROM COUNCILLOR CATHERINE ROSE

Would the leader provide a statement on the discussions that the council has had with Dulwich Hamlet Football Club (DHFC) Ltd and other key community stakeholders on the future viability of Dulwich Hamlet FC?

8. QUESTION TO THE LEADER FROM COUNCILLOR DAVID NOAKES

Can the leader of the council confirm what representations he has made in regards to the introduction of the fire safety zero tolerance approach/policy in communal areas and whether he thinks a policy of "one size fits all" is proportionate and has been adequately explained, communicated and implemented by the council?

9. QUESTION TO THE LEADER FROM COUNCILLOR KARL EASTHAM

Could the leader comment on the impact that the rollout of Universal Credit has had on Southwark residents?

10. QUESTION TO THE LEADER FROM COUNCILLOR BEN JOHNSON

Can the leader confirm that London Fire Brigade advice on sterile environments has not changed since the Grenfell Tower fire and that the council has full responsibility for the decision to enforce a zero tolerance policy on items in communal areas in council properties?

11. QUESTION TO THE LEADER FROM COUNCILLOR MICHAEL SITU

Could the leader update council assembly on access to heating and hot water for Ledbury Estate residents?

12. QUESTION TO THE LEADER FROM COUNCILLOR JASMINE ALI

In our last manifesto, Southwark Labour committed to supporting 5,000 more local people into jobs, and creating 2,000 new apprenticeships. Could the Leader provide an update on when we expect this commitment to be fulfilled?

13. QUESTION TO THE LEADER FROM COUNCILLOR SAMANTHA JURY-DADA

Could the leader outline the work taking place on Southwark's bid to be awarded the London Borough of Culture for 2020?

14. QUESTION TO THE LEADER FROM COUNCILLOR LEO POLLAK

Could the leader tell council assembly what the council is doing to help revive the Blue and secure investment for the benefit people of all backgrounds and incomes across this part of Bermondsey?

15. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR BILL WILLIAMS (BERMONDSEY AND ROTHERHITHE COMMUNITY COUNCIL)

What further support and resources can the council give to faith groups and other community groups to help tackle crime and anti-social behaviour, in particular in recognition of their unique position in the community to gather intelligence from people wary of talking to the police, council or other officials?

16. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR DAN WHITEHEAD

Moped-enabled crime is rising rapidly in Surrey Docks ward. There have been a number of robberies and assaults by moped riders in recent months, including attacks on elderly residents and parents with their children. What measures is the council considering to prevent moped-enabled crime across the borough? Will the council consider urgent measures to halt the swathe of moped attacks in Surrey Docks – including the funding of additional police surveillance and intelligence work?

17. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR ELIZA MANN

What action has the communities and safety department taken on mental health and well-being near the Thames Tideway site in Riverside, in light of the recent South London and Maudsley NHS Foundation Trust (SLAM) report?

18. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR RADHA BURGESS

Would the cabinet member for communities, safety and leisure like to update council assembly on the number of Green Flags that Southwark has been awarded?

19. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR ANDY SIMMONS

Can the cabinet member for communities, safety and leisure comment on the importance of front line policing to our communities?

20. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR CATHERINE DALE

Could the cabinet member share with council assembly progress made thus far in developing a Southwark Giving initiative?

21. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR JAMES BARBER

Is the cabinet member willing to support community led plans for a revenue-raising all-weather pitch at Dulwich Hamlet Football Club that could help stabilise the club's finances and provide much needed local facilities?

22. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR DARREN MERRILL

Has there been any feedback on the Summer Youth and Play Activities Programme?

23. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR HELEN DENNIS

What is our operator Everyone Active doing to ensure there are healthy food options at our leisure facilities?

24. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR RENATA HAMVAS

Could the cabinet member update council assembly on progress towards delivering a top quality park at Peckham Rye?

25. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR LORRAINE LAUDER

Could the cabinet member provide a progress update on the Burgess Park west revitalisation project?

26. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR KATH WHITTAM

Could the cabinet member set out the ongoing development plans for Southwark Park and how these will benefit local people?

27. QUESTION TO THE CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE FROM COUNCILLOR KIERON WILLIAMS

Can the cabinet member provide an update on the work the council is undertaking to ensure the provision of positive activities for children and young people in our borough?

28. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR ROSIE SHIMELL

How many empty homes are there in Southwark? How many of these are social housing and how many are private housing? What is the average re-let time (in days) for an empty council property in Southwark this year?

29. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR JAMES OKOSUN

Does the council have a breakdown showing the countries of origin for overseas buyers who have purchased housing units at the new Heygate development? Could the cabinet member please provide one?

30. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR MARTIN SEATON

What work is the council doing to implement the Homelessness Reduction Act?

31. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR DORA DIXON-FYLE

Could the cabinet member for housing update us on the delivery of Southwark Labour's manifesto commitment to set up an independent organisation for leaseholders?

32. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR TOM FLYNN

Could the Cabinet Member for Housing explain what the next steps are once the ARUP structural report on the Ledbury Estate has been received?

33. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING FROM COUNCILLOR ADELE MORRIS

The latest figures from the LGA show that 40% of battery-powered and 21% of mains-powered smoke alarms failed to activate in the last year. Can the cabinet member confirm that smoke alarms are being tested as part of fire risk assessments in council-tenanted properties? In addition, can the cabinet member confirm that all backup battery systems are in full working order?

34. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR MARIA LINFORTH-HALL

The redevelopment of the Elephant & Castle Shopping Centre threatens to disperse the cultural and economic community in the Elephant & Castle. If this is not to happen, policy initiatives to retain the community intact are required. The policies which have so far been proposed are not adequate to achieve this. We should recognise the role played by Latin American residents in Southwark. Furthermore, the demolition of the Elephant & Castle Shopping Centre and bingo hall would have a particular impact on BAME elderly ladies and break up the community. A lot of older people go to the hall and have friendships that they have made over the years. Loneliness and isolation are terrible burdens on older residents. Can the cabinet member propose some alternative initiatives, to enable the community to remain intact; and can the cabinet member guarantee that a new bingo hall will be built as part of the redevelopment?

35. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR REBECCA LURY

Could the cabinet member for regeneration and new homes provide a breakdown of where tenants from the Heygate Estate moved to?

36. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR PAUL FLEMING

For the active phases of the Aylesbury Estate (the first and second phases), where have the tenants moved to so far?

37. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR ELEANOR KERSLAKE

Where have new council homes been built, and where are new homes proposed to be built?

38. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR JAMILLE MOHAMMED

When the Peckham Library Square project is complete, what land will be owned by the council and also be publicly accessible?

39. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR NICK DOLEZAL

Can you update on the plans for Peckham Rye Station and the Peckham Palms project?

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

I wish to draw the cabinet member's attention to the constant disregard by many drivers of the mini roundabout at the junction of Redriff Road and Surrey Quays Road. Vehicles are frequently driven straight across the roundabout instead of around it, which is a hazard for other traffic and has been the cause of collisions. Would he please instruct officers to investigate ways of overcoming this problem in order to prevent further incidents and enhance safety?

41. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR HAMISH McCALLUM

Of the estimated 5,900 premature deaths linked to nitrogen dioxide pollution in London, what proportion are estimated to be in Southwark? Over a year ago, the Mayor of London promised electronic 'air quality alert' signs would be installed across London. When and where will these be installed in Southwark and will they provide a live feed of pollution information – or only a warning when pollution reaches emergency levels?

Item No. 5.2	Classification: Open	Date: 29 November 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 OCTAVIA LAMB (Seconded by Councillor Damian O'Brien)

Southwark's bid for London Borough of Culture

1. Council assembly notes:

- In July 2017, the Mayor of London launched the London Borough of Culture - a new competition for the 32 London boroughs to apply for funding to lead a game changing cultural programme. Two winning boroughs will be named London Borough of Culture, one in 2019 and one in 2020, and up to six other boroughs will receive support to deliver bespoke cultural projects.
- As well as being named the London Borough of Culture, the winning boroughs will be awarded £1.1 million each. The Heritage Lottery Fund and the Paul Hamlyn Foundation will also work with the winning boroughs to help them secure extra funding for bespoke cultural projects.
- The creative industry is one of Southwark's fastest growing industries, with internationally acclaimed institutions matched by grassroots vibrancy across the borough.
- A recent report produced by the Creative Industry Federation found that 'For every pound invested in arts and culture, an additional £1.06 is generated in the economy'.
- The great reputation Southwark has as the home of cultural expression dating back to the completion of the Globe in the 16th Century.
- The recently published 'Creative Southwark', Southwark's Cultural Strategy leading up to 2022.
- Communities right across the borough have fed into process of putting Southwark's bid together, with multiple workshops over a number of weeks.

2. Council assembly believes:

- The arts and culture plays a significant role in bringing communities together in the borough.
- Cultural organisations across the borough have played a key part in addressing wellbeing issues, such as isolation, obesity and improving residents' mental health.
- Southwark is a diverse and culturally rich borough and if successful, the borough's year of culture will amongst other things seek to promote this.

3. Council assembly therefore resolves:

- To endorse Southwark's bid to be the London Borough of Culture.

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

2. MOTION FROM COUNCILLOR ADELE MORRIS (Seconded by Councillor David Hubber)

Southwark response to moped crime

1. Council assembly notes:

- The dramatic rise in ‘moped-enabled’ crime across London in the last year – from around 7,500 to 17,500 offences.
- That, in Southwark, the number of robberies on mopeds rose from 581 in 2015/16 to 777 in 2016/17.
- The numerous reports from residents who have witnessed or experienced these crimes in Southwark – and want to know how the council is going to respond.

2. Council assembly calls on Southwark Council to:

- Introduce urgent preventative measures before moped crime culture becomes entrenched in the borough.
- Establish an early intervention scheme, focused on areas where young people are most exposed to moped gangs.
- Establish an outcomes-based re-offending scheme for prison leavers, tailored to those convicted of moped-enabled crime.
- Install ‘moped hangars’ across Southwark to reduce theft – especially in high-risk areas.
- Create incentives for moped dealerships in the borough (through a responsible retailers list and business rate reduction) to:
 - Bundle locking devices (disc locks, grip locks, chain locks), alarms, immobilisers and tracking technology with moped sales
 - Mark bike parts with the vehicle identification number (VIN) number
 - Check and record driving licences and CBT (Compulsory Basic Training) certificates
 - Require additional details from buyers (name, address, contacts)
 - Not to accept cash payments for mopeds, scooters or accessories
- Recognise the work of Southwark Police on both thefts of mopeds and moped-enabled robberies and assaults – and work with the police to identify high-risk areas in Southwark.
- Fill gaps in CCTV coverage at moped-enabled crime hotspots and fund wider use of RDCs (Rapid Deployment Cameras).
- Introduce a ‘whistleblower’ policy for moped crime, signposting the Crimestoppers hotline and guaranteeing anonymity for residents who report on moped gangs.

3. Council assembly calls on the Mayor of London to:

- Lobby for a change in the law to require mopeds and motorbikes to display both a front and rear number plate.
- Create London-wide incentives for moped dealerships to:
 - Bundle locking devices (disc locks, grip locks, chain locks), alarms, immobilisers and tracking technology with moped sales
 - Mark bike parts with the vehicle identification number (VIN) number
 - Check and record driving licences and CBT (Compulsory Basic Training) certificates
 - Require additional details from buyers (name, address, contacts)
 - Not to accept cash payments for mopeds, scooters or accessories
- Introduce warning signs for mopeds and motorbikes using cycle lanes.

- Launch an awareness campaign at tourist spots, bus stops, tube stations and other target locations to warn the public about moped crime techniques, flag high-risk areas and discourage texting-and-walking.
- Press the Home Office for a full review of police powers on moped-enabled crime.

4. Council assembly further calls on the Mayor of London to:

- Reverse the decision to close front counters at Peckham and Southwark police stations.

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

3. MOTION FROM COUNCILLOR HELEN DENNIS (Seconded by Councillor Gavin Edwards)

Local Government Pay Cap

1. Council assembly notes that:

- For workers in local government and schools, pay and other terms and conditions are determined by a negotiating body; the National Joint Council (NJC) for local government services
- Local government basic pay has fallen by 21% since 2010 in real terms
- Local government workers had a three-year pay freeze from 2010-2012
- Local government pay is the lowest in the public sector
- The increased National Living Wage and the London Living Wage have led to pay scales being squeezed and distorted
- Local government has been hit hard by government cuts, with Southwark Council facing some of the harshest cuts losing £130m of funding since 2010 - a 44% cut.

2. Council assembly believes that:

- Local government workers provide essential public services and should be fairly remunerated for the work that they do
- Local government pay cannot be allowed to fall further behind other parts of the public sector
- The Government should provide additional funding to fund a decent pay rise for council and other NJC employees.

3. Council assembly therefore:

- Welcomes the joint review of the NJC pay spine
- Supports the 5% NJC pay claim for 2018, submitted by the employee side on behalf of council and school workers
- Supports the immediate end of the public sector pay cap.

4. Council assembly calls on cabinet:

- To call immediately on the Local Government Association to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard

- To write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review
- Meet with local NJC union representatives to convey support for the pay claim and the pay spine review.

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

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

Tideway

1. Council assembly notes that:

- That the construction of the Thames Tideway Tunnel 'Super Sewer' is expected to last until 2023 and is the largest infrastructure project in London since Crossrail.
- The Tideway Site at Chambers Wharf is one of the most compacted across London with approximately residential 500 properties within 75m of the site boundary.
- That the planning inspectorate considered the impact on residents surrounding the Chambers Wharf site to be the most severe along the 25km route of the tunnel.
- Local residents at Chambers Wharf have repeatedly voiced their concerns about the ways that Tideway are carrying out works.
- Despite significant local opposition, earlier this year Southwark Council granted permission for Tideway to continue site operations until 10pm Monday-Friday.
- On occasion, construction works have continued well past this time, with floodlights, cement lorries and general work noise continuing until as late as 1:50am in the morning.
- In spite of their s106 requirement, Tideway have ceased to hold regular Chambers Wharf Community Liaison Working Group (CLWG) meetings. This has led to the near-total breakdown in community engagement.
- Residents remain concerned about the level of noise and dust. Enquiries and complaints about monitoring regularly go unanswered or unresolved.
- Late working is exacerbating the issue of light pollution from floodlights.
- Lorries delivering to site persistently breach the vehicle access agreements, either by parking on local streets or driving along prohibited roads.
- Tideway have failed to follow up or respond to the recent Mental Health and Wellbeing report, which highlights the severe impact on nearby residents.

2. Council assembly asserts that Tideway must now:

- Abide by the directives and limitations that have been agreed and set.
- Take seriously the issues of noise, dust and light pollution, including following up on the mental health and wellbeing impact report.
- Re-start the CLWG meetings and acknowledge its responsibilities to minimize disruption and inconvenience to local residents.

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

5. MOTION FROM COUNCILLOR CATHERINE ROSE (Seconded by Councillor Sarah King)

Support for Dulwich Hamlet Football Club (DHFC)

1. Council assembly notes:

- The leader of the council, Councillor Peter John's support for DHFC and his statement that "We are never going to let the club fail" is welcome support for the club.
- That Dulwich Hamlet has continuously occupied a site on the Green Dale site since 1902, first Freemans Field and finally settling on the adjacent plot its current location in 1931. This followed moving from sites in the Dulwich area; Woodward Road, College farm and Sunray Avenue. The 1931 Stadium was in use until 1991 until it fell into poor repair and foul of legislation that required football clubs to adopt modern safety standards.
- That the use of the site as a football stadium with its sporting facilities is a long established use and is one of the few remaining venues of those used in the 1948 London Olympics. The site, or an adjacent site, has been in continual use by the club since it moved to Green Dale and provides facilities for the local community, schools, charities and other professional football events.
- The significant contribution Dulwich Hamlet Football Club has made to the national, London and Southwark's sporting, cultural and social history to modern football. Rooted in working class communities organising themselves at the end of the 19th century, as a means of enriching the lives of those that played for and supported these clubs. The club shares its late Victorian origins with the Herne Hill Velodrome that was recently granted planning permission to improve its stadium and make better use of its site. The DHFC hosted the amateur football games of the 1948 Summer Olympics on Green Dale in the identical way as the Veldrome hosted cycling events during the same Olympics. Dulwich Hamlet Football Club is meshed into the fabric of our borough and the hearts of fans since 1893, when founded by Pa Wilson. A club established on the key principles of "not just how we play the game... but how we improve the game".
- That in the 20th century, club players lived up to the ideals of the amateur tradition; working gentlemen that contributed to their local communities and inspired others through loyalty, leadership, noble actions and sporting success. Men such as Charles Tyson, Hussein Hegazi, Edgar Kail, Reg Meritt, Tommy Jover and the current club President Jack Payne. This year, as we bid to become London Borough of Culture, these are true Southwark Pioneers.
- DHFC's popularity with residents in the borough, with over 2,800 supporters attending matches and recent league success.
- That Gavin Rose, DHFC's manager was recently awarded Isthmian League's Mitre Premier Division Manager of the month for October, and that award is recognition of not only recent league success, but of years of hard-work and effort that Gavin Rose, Junior Kadi, Kevin James and all the coaching and physio teams invest into both DHFC and Aspire Football Academy, week in week out. These men and women, together with the

current squad are the latest generation of dedicated of DHFC stars, who are forever pink and blue.

- That next year will be the Club's 125th anniversary.
- That the Club's contribution to the Isthmian League was recognised in both 2015 and 2017 through the award of the Barry East Trophy at the League's Annual Awards Ceremony for the Club's outstanding community work off the pitch.
- That the club received the accolade of "Football Foundation Community Club of the Year" at the National Game Awards last year.

2. Council assembly recognises:

- That since the relocation to the current stadium in 1991, the club has undertaken a number of attempts to improve its facilities, to build a more efficient building to manage, maintain and to use for sporting and community events.
- That the club has sought to improve the playing pitch to allow for greater use for playing and the community by replacing the grass pitch with a modern artificial, league compliant, playing surface.
- That the recent attempt to improve clubs facilities combined with a residential development undertaken by Meadow Residential LLP has stalled and as a consequence has put the financial future of the club at serious risk.
- That full disclosure of financial information to all those involved in the future of the club should happen as a matter of urgency to allow all stakeholders (Meadow, club owner, team management, club supporters, the council and any other interests that may be involved) to better understand the financial management and financial future of the club.
- That as a consequence of Meadow Residential LLP's stalled proposals, that DHFC is now crowd funding for the management costs and players' wages.

3. Council assembly resolves to:

- Thank the DHST and DHFC 12th Man, for their hard work, dedication and effort in supporting the DHFC Football Committee, including recent actions to meet management costs and players wages and to maintain the financial viability of the club.
- Commends and congratulates Gavin Rose, DHFC's manager, on his recent award and the ongoing commitment given to young people in this community and beyond through the Aspire Academy.
- To call on the leader of the council to use best endeavours for the council to work with DHFC; to provide practical support for the remainder of this season if needed; allowing the club to plan for the longer term.
- To call on the leader of the council to use best endeavours for the Council to work with DHFC to ensure that the fans can be at the heart of determining its future.
- To call on the leader of the council to write to Meadow Residential LLP to discuss how they may continue to support the club with the payment of management costs and players wages until such time as the future of any current proposals become clear; that for all involved demand that a clear timetable with key milestones for any future proposals for the renewal of the club facilities, the residential development and any continued financial support be drafted.

- To stand with The Rabble. Forward the Hamlet.

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

6. MOTION FROM COUNCILLOR MARIA LINFORTH-HALL (Seconded by Councillor James Coldwell)

The Latin American Community after BREXIT

1. Council assembly reiterates its belief in the importance of Southwark's cultural, ethnic and religious diversity, and that this diversity helps to make our borough such an exciting and vibrant area to live in.
2. In particular, council assembly recognises the role played by Latin American residents in Southwark. Their presence has greatly enhanced the unique cultural character of our borough for many decades.
3. Council assembly notes its concern at reports from Latin Elephant, Teléfono de la Esperanza UK (TEUK), Latin American Disabled People's Project, Su Mano Amiga (SMA) and others, of an increase in mental health problems among Southwark's Latin American community following last year's Brexit vote. The widespread uncertainty brought about by the referendum result has led to higher anxiety and stress levels among many residents who have lived in Southwark all their lives. In addition to the higher costs everyone has faced because of a weaker pound, many of Southwark's Latin American community have for over a year been unsure as to their future status as citizens in this country. Hate crime has soared by 41% after the Brexit vote. This is a further factor facing the Latin community.
4. The psychological effects of Brexit are especially noticeable in the Latin community. The levels of anxiety fear and uncertainty caused by the Referendum and the daily news of the negotiations and possibility of a hard Brexit has created a further insecurity.
5. There is recent growing research that highlights the consequences for patient's physical and mental health, of being unable to resolve difficulties with problems like housing, welfare benefits, relationship breakdown, and immigration employment.
6. TEUK have experienced a fourfold increase in crisis intervention since Brexit. SMA has seen a similar rise, with many cases related to Brexit anxiety.
7. Council assembly resolves to ensure that Latin American residents are fully informed about the full range of mental health services on offer in Southwark. It is more important than ever, during this time of uncertainty, that all our residents know how to access council services when they need them most.
8. People who receive welfare advice experience lower anxiety, better general health, better relations and housing stability. The right advice at the right time helps people to manage their own lives and promotes better physical and mental health.
9. Council assembly fully acknowledges, however, that mental health and general well-being are not purely matters of individuals having access to the Council's

mental health services. Being included as part of a flourishing, closely-knit and strongly rooted community that provides mutual support, friendship and enjoyment is even more important. Southwark's Latin American community has taken generations to organically develop, as have the distinctive local traders and businesses that have emerged to serve and sustain it. They must be cherished and protected.

10. As plans to develop areas like the Elephant & Castle proceed, Council Assembly acknowledges the importance of ensuring that any temporary disruptions do not result in permanent dispersion of local communities, including the Latin American community, and welcomes the steps that the Council has already taken to ensure existing traders benefit from the investment in the area.
11. Council assembly again reaffirms its deeply-held and cross-party belief that the Latin American community is a cherished, embedded, and intrinsic part of Southwark. Furthermore, it wishes to reassure EU citizens and other ethnic and cultural minorities that despite Brexit, London remains open, London remains progressive, and London remains their home.

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

7. MOTION FROM COUNCILLOR JAMILLE MOHAMMED (Seconded by Councillor Leo Pollak)

Adoption of the International Holocaust Remembrance Alliance working definition of antisemitism

1. Council assembly notes:
 - That the committee on Antisemitism and Holocaust Denial called on the International Holocaust Remembrance Alliance (IHRA) Plenary in Budapest in 2015 to adopt a working definition of antisemitism
 - That in December 2016, the UK Government formally adopted the IHRA working definition of antisemitism; and was the first EU country to do so
 - That antisemitism is a significant and growing problem in the UK
 - That the number of antisemitic incidents reported in the UK rose by more than a third in 2016 and reached the highest ever recorded levels
2. Council assembly believes:
 - That examples of antisemitism include, but are not limited to:
 - Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
 - Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
 - Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.

- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it behaviour not expected or demanded of any other democratic nation, taking criticism further than would be expected and using Nazi comparisons when criticising Israel.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- That Southwark Council takes all incidents of antisemitism very seriously
- That adopting this definition would demonstrate the seriousness with which we take antisemitism

3. Council assembly resolves:

- To therefore adopt the IHRA's non legally binding working definition of antisemitism:
 "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

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

8. **MOTION FROM COUNCILLOR DAVID NOAKES** (Seconded by Councillor Radha Burgess)

Upholding a woman's right to a legal abortion

Council assembly notes:

1. That 50 years ago the Abortion Act 1967, was introduced by Liberal MP David Steel as a Private Members Bill, and passed in a free vote, making abortion legal in Great Britain, although not Northern Ireland.
2. That this motion is not about the arguments for or against abortion but rather about a woman's legal right to go to a clinic without intimidation or harassment.
3. That members will have their own personal views about abortion and that these should be respected.

4. That anti-abortion protesters have been protesting outside Blackfriars Medical Centre in Colombo Street, SE1, which is an NHS GP practice, for at least 3 years where a British Pregnancy Advisory Service (BPAS) clinic is based.
5. That the anti-abortion protestors have emotional and distressing images and have body cameras, that they claim to have for their own protection, which can also capture those coming and going from the clinic.
6. The cross party campaign by a number of members of parliament, including Labour MPs Diane Abbott and Rupa Huq, to introduce “buffer zones” and notes a recent YouGov survey that showed that over half the MPs who responded supported a change in the law.
7. The motion passed by Ealing Council which “commits to fully explore every possible option” and “to take all necessary actions within its powers, utilising all necessary resources, to prevent anti-abortion protesters from intimidating and harassing women outside the Marie Stopes Clinic on Mattock Lane”.

Council assembly resolves:

8. That while the right to protest is an important right in a free society, the right to advice and a legal safe abortion without intimidation and harassment for women should not be compromised by these protests.
9. To engage with other interested parties including BPAS, Blackfriars Medical Centre, Southwark Police, Neil Coyle MP, Cathedrals ward councillors, Southwark CCG (Clinical Commissioning Group) and local residents to consider whether similar action should be pursued outside the Blackfriars Medical Centre/BPAS clinic in Colombo Street and if necessary any other clinics in Southwark.

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	16 November 2017

Item No. 6.1	Classification: Open	Date: 29 November 2017	Meeting Name: Council Assembly
Report title:		New Southwark Plan Proposed Submission Version: Publication Version	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Mark Williams, Cabinet Member for Regeneration and New Homes	

RECOMMENDATIONS

1. That council assembly:
 - a. Agree the New Southwark Plan Proposed Submission Version: Publication Version (Appendix A) for consultation; and
 - b. Note the Consultation Plan (Appendix B), Consultation Report (Appendix C), Integrated Impact Assessment (Appendix D) and Habitats Regulations Assessment (Appendix E); and
 - c. Delegate the approval of any minor non-substantive amendments resulting from consultation on the New Southwark Plan Proposed Submission Version to the director of planning in consultation with the cabinet member for regeneration and new homes to create the New Southwark Plan Submission Version prior to its submission to the Secretary of State; and
 - d. Agree the New Southwark Plan Submission Version, as per Recommendation 3, for submission to the Secretary of State, provided no substantive changes are necessary following consultation.

BACKGROUND INFORMATION

2. The New Southwark Plan (Appendix A) is the regeneration strategy and development plan (along with the London Plan) for Southwark. It is used to set out our aspirations for regeneration and to make decisions on planning applications. The preparation has been an open, informal consultation since October 2013 with many versions being subject to considerable meaningful discussion with residents, businesses, landowners and developers.
3. Prior to submission of the plan to the Secretary of State for Communities and Local Government for a public examination we are required to ask people to comment on the Proposed Submission Version through a formal consultation procedure. Further changes will only be made if there are legal reasons.
4. Informal consultation commenced on 25 October 2017 when the cabinet draft of the plan was published for comment. The informal consultation will continue to 24 December 2017 and then the formal consultation period will run from 2 January 2018 to Monday 12 February 2018, subject to council assembly approval.

5. Unlike previous consultations, the scope of the consultation is to ask whether its aims are achievable and whether the plan is based on a robust evidence base. These questions are commonly known as the 'Test of Soundness'. We are asking two questions:
 - Is the New Southwark Plan legal?
 - Is the New Southwark Plan sound?
6. Further details about the consultation are provided in the Consultation Plan (Appendix B) and Consultation Report (Appendix C).
7. Following the consultation the New Southwark Plan will be submitted to the Secretary of State for public examination by an appointed planning inspector. The planning inspector will consider all issues raised in the consultation and determine whether the council needs to make any changes to the Plan before it is adopted.

KEY ISSUES FOR CONSIDERATION

Conformity

8. The Greater London Authority (GLA) have raised a number of conformity issues:
9. They consider Canada Water to be a district town centre rather than a major town centre as they consider the activity at Canada water to be of district rather than major town centre level. Canada Water was designated as a major town centre in the 2007 Southwark Plan. This approach was found sound by a Planning Inspector. The town centre is expanding rather than contracting. Therefore there are no reasons for the council to downgrade the town centre.
10. They consider Old Kent Road to be two district centres rather than a single major town centre. Old Kent Road is one road with shops along the entire road. There is enough retail for the town centre to be considered as a major town centre. Therefore there are no reasons for the council to consider the shopping to be part of two district centres rather than a single major town centre.
11. They consider there to be a few specific industrial sites that should be protected as Strategic Protected Industrial Land, rather than changing to mixed use. We are proposing Admiral Hyson (SPIL3) as an additional site which the GLA had not considered. We are also setting out clear guidance on retention of the type of B use that is protected in Strategic Protected Industrial Land in the draft Old Kent Road Area Action Plan/Opportunity Area Framework. We are also setting out an approach to retain, improve and reprovide commercial workspace, including industrial workspaces outside Strategic Protected Industrial Land. Therefore these amendments should address the concerns. Therefore there are no reasons to extend the Strategic Protected Industrial Land to include the specific sites concerning the GLA.

Duty to Co-operate

12. Neighbouring boroughs and statutory consultees have been consulted and there have been group discussions about issues. Details about these will be provided for the consultation in our paper on the 'Duty to Co-operate'.

General comments

13. Residents, businesses, community groups, councillors and others have raised detailed issues about the visions, policies and sites throughout the consultation. There have been many versions of the document as these have been taken into account. There are many detailed changes to the text and policies of the Proposed Submission Version to ensure they read more simply and clearly and so that they are meaningful as a regeneration strategy and planning document. There have been no substantive changes at this stage of the plan between the Preferred Option versions 2015 and 2016 and the Proposed Submission Version to the visions or policies.
14. A detailed summary of changes between the Preferred Options and Proposed Submission Version is set out in the Consultation Report (Appendix C). A detailed summary of the consultation responses and how they have been taken into account is also set out in the Consultation Report (Appendix C).

Site Allocations

15. There are a number of site allocations that were proposed at the Preferred Option stage have been removed from the Plan for the Submission Version:
16. **Telephone Exchange and 50-60 Blackfriars Road (Blackfriars Road)** The site owners confirmed there is no prospect of redevelopment within the NSP timeframe as the site houses telecomms equipment that cannot be relocated.
17. **St Georges Health Centre and Tadworth House (Blackfriars Road)** The site includes a residential element (Tadworth house) and the site's inclusion caused alarm and distress to residents. There are no plans to redevelop the site so this site allocation has been removed.
18. **Cinema and multi-storey car park, Moncrief Street (Peckham)** Following the previous consultation and due to the ongoing success of Bold Tendencies, Peckhamplex, and the soon to open Peckham Levels project the council has decided to extend the leases for these users. This site allocation has therefore been removed as this site will continue as a hub for employment and cultural uses for at least the duration of the New Southwark Plan.
19. **Croft Street Depot (Rotherhithe)** The site owners confirmed there is no prospect of redevelopment within the NSP timeframe as the site houses telecomms equipment that cannot be relocated.
20. **Dulwich Telephone Exchange, 512 Lordship Lane (Dulwich)** The site owners confirmed there is no prospect of redevelopment within the NSP timeframe as the site houses telecomms equipment that cannot be relocated.
21. **Wesson Mead (Camberwell)** The site owners, Southwark Council, have no plans to redevelop the site.
22. The following sites are proposed for allocation at the Proposed Submission stage that were not proposed for allocation at the Preferred Option stage:
 - **NSP14: Old Jamaica Road Business Estate (Bermondsey)**
 - **NSP43: Goose Green Trading Estate (East Dulwich)**
23. Both have been proposed because the commercial uses do not benefit from

planning protection in the event an application is received to redevelop the sites for entirely residential uses. The proposed site allocations allow for residential uses as part of mixed use development.

24. One site has a significantly amended site area. **NSP53: Land between Melior Street, St Thomas Street, Weston Street and Fenning Street** has been amended to remove the land between Snowfields and Bermondsey Street.

Further amendments between the Cabinet Draft and the Publication Version

25. Council Assembly should note The New Southwark Plan Proposed Submission Version: Publication Version (Appendix A) differs to the Cabinet Draft presented to cabinet on 31 October 2017 in the following key respects:
- The Area Vision maps have been inserted (the Cabinet Draft included draft Area Vision maps)
 - The Site Allocations site photos have been inserted (the Cabinet Draft did not include Site Allocation site photos)
 - The Site Allocations site plans have been inserted (the Cabinet Draft included draft Site Allocation site plans)
 - Annex 5 and Annexes 8 to 13 (which identified changes to the adopted Policies Map for specific policy designations) have been deleted as the Publication Version provides an updated Policies Map.
26. Additionally, the Publication Version includes factual updates that were identified during following cabinet on 31 October. These are limited to:
- The 'existing uses' for NSP42 (Aylesham Centre and Peckham Bus Garage) has been corrected to show 11,420 sqm of retail uses.
 - The 'existing uses' for NSP44 (63-65 Newington Causeway) has been corrected to remove the 'health clinic' as this is not within the site boundary.
 - The 'existing uses' for NSP47 (Elephant and Castle Shopping Centre) has been corrected to remove the reference to the Michael Faraday Memorial as this is not within the site boundary.
 - NSP20 (Land between Paris Gardens, Colombo Street, Blackfriars Road and Stamford Street) has recently received planning permission (16/AP/5239) at planning committee. Reference to this has been included in the site allocation. Reference to the now-superseded permission which was approved for part of the site (07/AP/0301) has been removed.
 - NSP42 (Newington Triangle) has been updated to include the correct land use use classes.
 - NSP53's existing uses have been revised to show 'Light industrial with ancillary office and storage (B1) – 751 sqm.
 - The site areas of the following sites have been corrected: NSP01, NSP06, NSP12, NSP17, NSP22, NSP24, NSP40, NSP43, NSP46, NSP48, NSP50, NSP51, NSP53 and NSP76.
 - Including an explanation of the 'Policies map' to the summary of contents: 'Some planning policies only apply in defined areas, for example, conservation areas. The Planning Policies Map shows planning designations where specific planning policies must be applied.'
 - The wording for policy P26 'Office and business development' referring to exceptional circumstances has been clarified.
 - The wording for policy P32 'Protected shopping frontages' relating to marketing of A1 units has been clarified.

27. The Consultation Plan (Appendix B) has been amended to reflect the revised consultation completion date of Monday 12 February 2018.

Community impact statement

28. The purpose of the New Southwark Plan is to facilitate regeneration and deliver the vision of the Fairer Future promises, ensuring that community impacts are taken into account. An Integrated Impact Assessment that includes an equalities analysis to make sure that the New Southwark Plan is having a positive impact on different groups and is delivering the most sustainable option is attached as Appendix D. Consideration of Habitats and the impact of the Plan on these are considered as attached in Appendix E.

Resource implications

29. There are no immediate resource implications arising from this report as any additional work required to complete the work will be carried out by the relevant policy team staff and budgets without a call on additional funding.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

30. Report authors are expected to cover key issues; however, where there are significant legal or financial implications, it is the report author's responsibility to obtain relevant advice from the director of law and democracy and/or strategic director of finance and governance and include it in the final report in the section titled 'Supplemental advice from other officers' (see below) and clearly attributed.
31. Whether or not advice has been sought from the director of law and democracy and/or strategic director of finance and governance should be clearly indicated in the audit trail.

Consultation

32. Where consultation has taken place, details of it should be given. Any trade union consultation should be included at this point. The report should also include any representations from members of the public received in response to the notice of a key decision in the forward plan. Details of any future consultation should be set out here.
33. If no consultation has taken place and will not take place in the future, this should be stated in the report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Public health implications: Director of Public Health

34. The National Planning Policy Framework states that local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local plans and in planning decision making.
35. The Director of Health and Wellbeing welcomes how the New Southwark Plan (NSP) addresses a range of issues relevant to health and healthcare infrastructure through the plan-making and decision-making processes. The implementation policies, strategic policies and policies in the NSP have set out how:

- Development proposals can support strong, vibrant and healthy communities and help create healthy living environments and support the reduction of health inequalities;
 - Opportunities for healthy lifestyles can be created (eg planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food and food growing opportunities, high quality open spaces, and opportunities for play, sport and recreation);
 - The healthcare infrastructure implications of any relevant proposed local development must be considered;
 - Potential pollution and other environmental hazards, which might lead to an adverse impact on human health, must be accounted for in the consideration of new development proposals;
 - Access to the whole community by all sections of the community, whether able-bodied or disabled, must be taken into account.
36. The Director of Health and Wellbeing especially welcomes that the NSP highlights health inequalities and childhood obesity as local concerns. The Director of Health and Wellbeing will support the planning authority to strongly reinforce the importance of planning applicants and planning decisions to have particular regard to:
- Make physical activity easy to do;
 - Create places and spaces to meet to support community engagement and social capital;
 - The impact of developments that are in proximity to locations where children and young people congregate such as schools, community centres and playgrounds;
 - The evidence indicating high levels of obesity, deprivation and general poor health in specific locations;
 - The over-concentration and clustering of certain use classes within a specified area that impact on health and wellbeing.

Legal implications: Director of Law and Democracy

37. The National Planning Policy Framework (“NPPF”) came into force in March 2012 and since then due weight when making planning decisions should be given to relevant development plan policies according to their degree of consistency with the NPPF.
38. The report identifies that the Core Strategy was adopted in 2011 whilst the relevant Southwark Plan policies were saved in 2010. There is therefore growing pressure to reconsider policies and the council is required by section 17, Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England Regulations 2012 to keep the development plan documents under review.
39. As identified in paragraph 1 of the report, the next stage in the process is for a public consultation on the Proposed Submission Local Plan pursuant to Regulation 19 of the 2012 Regulations mentioned above. At that stage, following the incorporation of technical or other minor amendments approved by the Director of Planning in consultation with the cabinet member, it is proposed that the Submission Local Plan together with supporting documents and evidence is submitted to the Secretary of State for an Examination in public. This is explained in paragraph 10 of the report. At that Examination, whether or not the Plan is

compliant with the requirements of the 2004 Act (as amended) will be considered. The Plan together with any updates arising through the Examination in public can then be considered for adoption which must fall to be determined by the Council Assembly.

40. The New Southwark Plan is emerging as the result of extensive consultation and this is reported at Appendix C. The question on the community impacts which are arising in view of the revised policies contained within the Plan are considered at Appendix D to the report and the cabinet is referred to this analysis so members can satisfy themselves that those persons having a protected characteristic are being properly considered. By identifying these impacts, it is intended that the council will be able to maintain the appropriate balance between making strategic policies for its communities against possible interference with individual rights. The issue of human rights will be specifically considered at the time the New Southwark Plan comes forward for adoption.
41. Once it is adopted, the New Southwark Plan will form part of the statutory development plan in accordance with which applications for planning permission must be determined by the council unless material considerations indicate otherwise.

Financial implications: Strategic Director of Finance and Governance (FC17/070)

42. This report requests cabinet to agree the New Southwark Plan: Proposed Versions (Appendix A) for consultation. The report is also requesting cabinet to note the consultation plan (Appendix B) and consultation report (Appendix C), along with the Integrated Impact Assessment (Appendix D) and Habitats Regulations Assessment (Appendix E). Full details are contained within the main body of the report.
43. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report.
44. It is noted that staffing and any other costs connected with this recommendations will be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
London Plan 2016	http://www.london.gov.uk/priorities/planning/londonplan	planningpolicy@southwark.gov.uk
Southwark Statement of Community Involvement 2008	http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci	planningpolicy@southwark.gov.uk
Saved Southwark Plan 2010	http://www.southwark.gov.uk/info/856/planning_policy/1241/the_southwark_plan	planningpolicy@southwark.gov.uk
The Core Strategy 2011	http://www.southwark.gov.uk/info/200210/core_strategy	planningpolicy@southwark.gov.uk
National Planning Policy Framework	http://www.gov.uk/government/publications/national-planning-policy-framework-2	planningpolicy@southwark.gov.uk
New Southwark Plan Issues and Options Version	http://www.southwark.gov.uk/newsouthwarkplan	planningpolicy@southwark.gov.uk
New Southwark Plan: Strategic Policies and Development Management Policies Preferred Option Version	http://www.southwark.gov.uk/newsouthwarkplan	planningpolicy@southwark.gov.uk
New Southwark Plan: Area Visions and Site Allocations Preferred Option Version	http://www.southwark.gov.uk/newsouthwarkplan	planningpolicy@southwark.gov.uk
New Southwark Plan: New and Amended Policies	http://www.southwark.gov.uk/newsouthwarkplan	planningpolicy@southwark.gov.uk

APPENDICES

No.	Title
Appendix A	New Southwark Plan Proposed Submission Version: Publication Version 2017
Appendix A(iii)	New Southwark Plan Proposed submission Version Policies Map Available online at: http://www.southwark.gov.uk/newsouthwarkplan
Appendix B	New Southwark Plan Proposed Submission Version: Consultation Plan Available online at: http://www.southwark.gov.uk/newsouthwarkplan
Appendix C	New Southwark Plan Proposed Submission Version: Consultation Report Available online at: http://www.southwark.gov.uk/newsouthwarkplan
Appendix D	New Southwark Plan Proposed Submission Version: Integrated Impact Assessment Available online at: http://www.southwark.gov.uk/newsouthwarkplan
Appendix E	New Southwark Plan Proposed Submission Version: Habitat Regulations Assessment Available online at: http://www.southwark.gov.uk/newsouthwarkplan

AUDIT TRAIL

Cabinet Member	Cllr Mark Williams, Cabinet Member for Regeneration and New Homes	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Juliet Seymour, Planning Policy Manager	
Version	Final	
Dated	16 November 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Director of Public Health	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		16 November 2017

Item No. 6.2	Classification: Open	Date: 29 November 2017	Meeting: Council Assembly
Report title:		Community Infrastructure Levy	
Ward(s) or groups affected:		All	
From:		Cabinet	

RECOMMENDATIONS

That council assembly:

1. Considers the Examiner's Report on the revisions to the Southwark Community Infrastructure Levy (CIL) (Appendix A).
2. Approves the Revised Southwark CIL Charging Schedule (Appendix B) and brings it into effect on 1 December 2017.
3. Approves the revisions to Southwark's "Regulation 123 List" (Appendix C).
4. Notes the Revised Southwark CIL Infrastructure Plan (Appendix D), the Equalities Analysis (Appendix E) and Consultation Report (Appendix F).
5. Notes that the January 2017 Addendum to the Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document (2015) (Appendix G) will be rescinded on 1 December 2017, subject to approval of the Revised Southwark CIL.

BACKGROUND INFORMATION

CIL

6. The CIL is a levy that local authorities can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want. Infrastructure is defined in the CIL Regulations to include: roads and other transport facilities, flood defences, schools and other educational facilities, digital connectivity and fibre, medical facilities, sporting and recreational facilities and open spaces. The benefits are increased certainty for the funding and delivery of infrastructure, increased certainty for developers and increased transparency for local people.
7. If intending to apply the levy, councils (which are designated as "charging authorities") must produce a document called a charging schedule which sets out the rate for their levy. These rates must be supported by an evidence base including:
 - An up-to-date development plan
 - The area's infrastructure needs
 - An overall assessment of the economic viability of new development

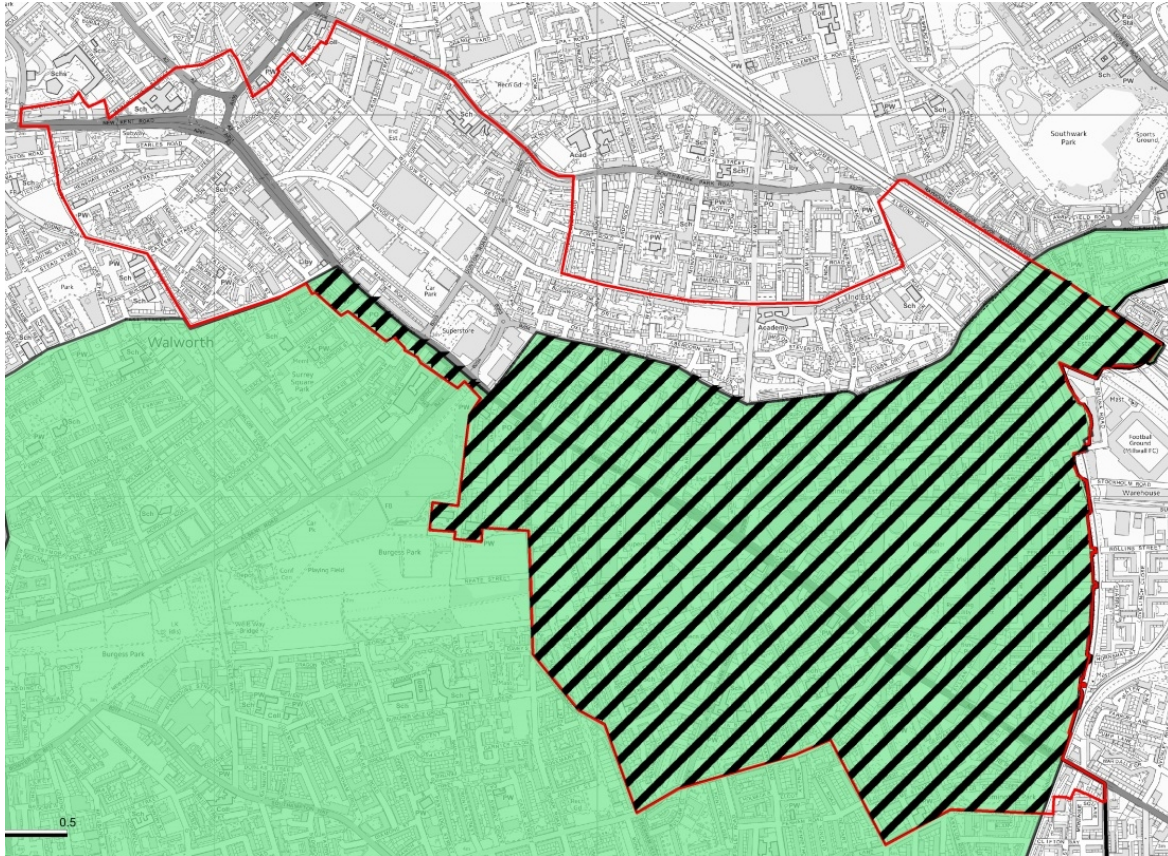
8. The levy is a compulsory charge levied on most new developments that involve an increase of 100sqm or more of additional floorspace, or that involve the creation of a new residential unit. The charging authority can set one standard rate or it can set specific rates for different areas and types of development.
9. Some developments are exempt from paying the levy. These are developments of affordable housing and developments by charities of buildings used for charitable purposes.
10. It should be noted that in London's case, the Mayor is also a charging authority. The Mayor has introduced a CIL to fund Crossrail. The Mayor's levy is £35 per square metre, with a limited number of exceptions. Southwark collects this levy on behalf of the Mayor.

Revision of CIL

11. Working with the GLA and wider stakeholders the council is preparing the Old Kent Road Area Action Plan (AAP). The draft AAP is planning for significant growth of 20,000 new homes and at least 5,000 additional jobs in the Old Kent Road opportunity area.
12. Key growth drivers include delivery of the Bakerloo Line extension and wider transport improvements. Developments will be expected to contribute to funding this infrastructure through the Community Infrastructure Levy (CIL).
13. The ambition and vision in the emerging Old Kent Road AAP is changing land values in the opportunity area. The council is therefore revising its CIL charging schedule so that CIL rates reflect current land values and to maximise the funding which can be generated for new infrastructure, while also ensuring that other policies objectives, such as provision of affordable housing, can continue to be met.
14. Southwark's current CIL charging schedule was adopted in 2015. This sets rates for residential, hotel, office, retail and other developments. Rates are varied by area, with three separate CIL zones defined. The 2015 CIL charging schedule sets CIL rates of £200 per sqm and £50 per sqm for residential developments in CIL charging zones 2 and 3 respectively. The CIL Regulations establish a mechanism for inflating CIL using the All-in-Tender Price Index. In 2016 when the Revised Southwark CIL charging schedule was prepared, the 2017 residential rates were forecast to be £218 per sqm in CIL zone 2 and £54 per sqm in CIL zone 3.
15. The Old Kent Road Opportunity Area falls across CIL zones 2 and 3. The council proposes to revise the CIL charging schedule to increase the rate paid by residential developments currently falling within CIL zone 3 in the southern part of the opportunity area. By amending the boundary between CIL zones 2 and 3 the whole of the opportunity area will be brought within CIL zone 2 (see Figure 1 overleaf). This is important to help fund the transport infrastructure required to support growth in the opportunity area, including delivery of the Bakerloo Line extension. On the basis that 20,000 new homes will be built in the opportunity area, CIL will generate around £200m.
16. No other changes to the CIL charging schedule are proposed beyond aligning the existing CIL rates with the All-in-Tender Price Index, as provided for in the CIL

Regulations

Figure 1: Map showing current CIL charging zone 3 (green), OKR OA boundary (red) and area that currently falls within CIL zone 3 which will be brought within CIL zone 2 (hatched)



Process for preparing a CIL

17. The process for preparing a CIL involves a number of stages which are identified below:
 - i. Consultation on a preliminary draft charging schedule.
 - ii. Consultation on a draft charging schedule.
 - iii. Submission of the draft charging schedule to an independent examiner, consultation on any post-submission modifications and examination-in-public.
 - iv. Receipt of the examiner's report and adoption of CIL (the current stage).

18. The council completed the first stage of revising the CIL charging schedule by consulting on the 'preliminary draft charging schedule' between June and November 2016. This set out the initial revised proposals for the CIL rates. The second stage of consultation took place between January and March 2017. The Revised Southark CIL was submitted for examination in May 2017 and an informal hearing was held on 26 July. On 23 August the examiner submitted his report.

Section 106 Planning Obligations

19. Since the introduction of CIL, section 106 planning obligations continue to be used, including to fund affordable housing, but they have a more restricted role. Local authorities are now not able to pool more than 5 separate planning obligations to pay for one item of infrastructure. The intention of the CIL Regulations is that section 106 planning obligations should mainly be used to secure site specific infrastructure which is needed to directly mitigate the impact of development.
20. The Section 106 Planning Obligations and CIL SPD (2015) provides detailed guidance on the use of planning obligations alongside CIL. In 2016/17 the council developed an addendum to this SPD setting out interim guidance on the approach to using section 106 planning obligations to contribute towards funding the three new Bakerloo Line extension stations planned to serve the opportunity area. This addendum was adopted in January 2017 and has applied during the period in which the revision of the CIL charging schedule has taken place. However, it will now be superseded by the Revised Southwark CIL and will therefore be rescinded.

Regulation 123 List

21. A key principle of CIL is that after CIL is adopted authorities should not be spending both CIL and section 106 planning obligations on the same item of infrastructure. Government guidance requires authorities to be clear about those items which will not be funded by section 106 planning obligations and set these out in a list. This is called a Regulation 123 list (which refers to Regulation 123 of the CIL Regulations 2010).
22. The council amended the Regulation 123 List (Appendix I) to align with the addendum to the s106 and CIL SPD. It now requires a further amendment, principally to confirm that the Bakerloo Line extension, including stations can be funded by the Revised Southwark CIL.

Consultation

23. The CIL Regulations 2010 (as amended) set out consultation requirements for planning documents. In accordance with Southwark's statement of community involvement (SCI), the preliminary draft charging schedule was made available for comment over a period from June 17 2016 until 4 November 2016. Consultation on the draft charging schedule and Regulation 123 List took place between January and March 2017. The documents were made available on the council's website and in local libraries and the council notified around 1,000 consultees in the Planning Policy mailing list and My Southwark. In response to the consultation 12 representations were made. These break down as 2 representations from local residents, 3 representations from statutory bodies and 7 representations from developers. The main areas of concern raised in representations are summarised below and are described in full in the Consultation Report (Appendix F).

Residents

- There should be a zero rated CIL sub-area of zone 3 in the Camberwell area to mitigate for the loss of the Bakerloo Line Extension, and sufficient CIL ringfenced to fund the re-opening of Camberwell station.
- Concern that these proposals will dampen housebuilding at a time of great need for increase.

Developers

- Viability of development. A fixed charging schedule for CIL will require flexibility in the application of other policies, such as the affordable housing requirement, to prevent stalled delivery, such as a 70/30 split for affordable housing towards intermediate as in Peckham and Elephant and Castle.
- Improvements to Canada Water station, Surrey Quays station, junctions on Lower Rd with Surrey Quays station and Rotherhithe tunnel and roundabout, bus, cycle, public realm, pedestrian access and road layout should be included in the Regulation 123 list.
- Charging schedule should have a discounted rate for undercroft or basement car parking associated with a chargeable use.
- The CIL rate for Old Kent Rd should be below zone 2 rate, with different rates for different parts of Old Kent Rd, and a different rate for Build to Rent schemes.
- Changes to the charging schedule should be made in association with changes to the AAP.
- Validity of data used in the viability assessment and the resulting assumptions on growth in sales values, build costs and benchmark land values are questioned in relation to other data sources and market research forecasts.

University/Charity

- Weekly rental for student accommodation is too low and needs to be between £190-200 to reflect the cost of land, fees, construction, finance and profit.
- Infrastructure provision as part of any future development of London Bridge campus will not be adversely affected by CIL policy and that due regard be given to charitable status.

GLA/TfL

- Support for draft CIL charging schedule
- TfL have some queries over the relationship between CIL and s106 planning obligations.

Sport England

- Whether there is a robust evidence base for playing pitches and indoor sports facilities for Southwark.

Key issues for consideration

24. The council is planning for significant growth of 20,000 new homes and at least 5,000 additional jobs in the Old Kent Road opportunity area through the emerging Old Kent Road AAP. The delivery of new and improved transport infrastructure, particularly the Bakerloo Line extension, is critical to unlocking the growth opportunities.

CIL

25. To ensure that CIL can make a meaningful contribution to the Bakerloo Line extension and to reflect changing values in the Old Kent Road opportunity area, the revision to Southwark's CIL charging schedule changes the boundary of current CIL zone 2 so that it covers the entire Old Kent Road opportunity area. All charges in the Revised Southwark CIL charging schedule have also been increased in line with inflation. Residential developments in the Old Kent Road opportunity area will pay the same CIL charge (£218 per square metre) that is paid elsewhere in CIL zone 2, which includes the Elephant and Castle opportunity area and Canada Water opportunity area.

26. The CIL regulations and the National Planning Practice Guidance (NPPG) specify that in setting their levies charging authorities should strike a balance between the desirability of securing funding for infrastructure and the potential impacts of charging a CIL on the economic viability of development across their areas. Levies must also take into account the requirement to pay the Mayoral CIL and should also consider impacts on planning policies, including the requirement to provide affordable housing.
27. The National Planning Policy Framework (NPPF) requires planning authorities to properly consider development viability when considering infrastructure delivery. If development is not viable, it will not proceed and this would impact on the provision of new homes, including affordable homes, and new jobs to support the economy. To inform the revision of the Revised Southwark CIL, the council commissioned a viability study. This study showed that CIL is not one of the main factors in determining the viability of development. Other factors, such as affordable housing, build costs and existing use value will have a far greater impact on viability and a decision about whether to progress a development. Of the notional sites tested, the increased CIL would either have no impact on the level of affordable housing that can be achieved, or in some cases, would result in a small reduction. In all cases tested, the reduction is no more than 5% eg. it would reduce the level of affordable housing from 40% to 35% or from 35% to 30%.
28. The council has made an assessment of the infrastructure required to support growth in the Old Kent Road opportunity area, and across the borough more generally, over the next 20 years (appendix D). Sources of committed funding to support infrastructure have also been identified. Inevitably, there is more certainty over funding sources for projects to be delivered in the short term and much less certainty over mid and longer term projects. The infrastructure plan is a living document and can be updated regularly. CIL will play an important role in contributing to the infrastructure requirements to support growth in the Old Kent Road Opportunity Area. However it will not be sufficient to cover the cost entirely and the council will continue to explore other sources of funding to deliver the infrastructure set out in the infrastructure plan.
29. Charging authorities should also make available a draft list of infrastructure items that in the future will not be funded by section 106 planning obligations (the Regulation 123 List, Appendix C). These are items which could be funded or part funded by CIL. Projects not referred to on the list could be funded either by CIL or by planning obligations. The NPPG advises that authorities should ensure they are clear about what infrastructure is needed and what will be paid for via CIL and via section 106 planning obligations. There should be no actual or perceived 'double dipping' with developers paying twice for the same item of infrastructure through CIL and section 106 planning obligations. The revised Regulation 123 list confirms that the Bakerloo Line extension, including three new stations, is a potential recipient of CIL funding.
30. Overall it is considered that the change of the CIL zone 2 boundary to ensure that all residential development in the Old Kent Road Opportunity Area pays the higher CIL rate of £218 per sqm represents an appropriate balance between generating funding to secure provision of infrastructure and ensuring that CIL does not put development and regeneration in the borough at risk.
31. Following the examination-in-public on the Revised Southwark CIL, the examiner submitted his report to the council on 23 August. The report concludes that the

Revised Southwark CIL, subject to a minor modification in the presentation of mapping, provides an appropriate basis for the collection of the levy in the borough.

SPD addendum

32. In January 2017 the council adopted an addendum to the section 106 planning obligations and CIL SPD setting out the approach to negotiating section 106 planning obligations in the opportunity area. This document applies to the interim period in which the council was revising the Southwark CIL to ensure that any developments which come forward early make an appropriate contribution to the Bakerloo Line extension. This document will be superseded by the Revised Southwark CIL and will therefore be rescinded.

Community impact statement

Equalities Analysis

33. An equalities analysis (Appendix E) was undertaken as part of the preparation of the council's existing CIL charging schedule. This has been updated to reflect the changes proposed in the Revised Southwark CIL. In accordance with the Equality Act 2010, the analysis considers the potential impacts of the charging schedule on those groups identified within the Act as having protected characteristics. The main issues are summarised below.
34. The change to the CIL charge proposed for residential developments in CIL zone 3 in the Old Kent Road Opportunity Area is considered to give rise to limited impacts on the individual groups that are identified in the Equality Act. The equalities analysis for the original CIL identified that the imposition of an increased CIL charge could have potential impacts on small businesses in some parts of the borough, which could impact on a range of groups including BME communities. However, the council is proposing no changes to the CIL charging schedule, other than a revised rate for residential development in CIL zone 3.
35. There is a small risk that the proposed increase in the CIL rate will drive up values which will make it harder to access housing which is affordable. However, the proposed charging schedule has been informed by viability appraisals and the level of CIL reflects existing values and is not reliant on any increase in values.
36. Ultimately, CIL is a mechanism intended to raise money to fund infrastructure that will contribute to sustainable development in the borough. In this sense, the adoption of CIL should have an overall positive impact on the various equalities groups. More specific impacts may arise depending on the types of infrastructure that are ultimately funded through CIL, but such issues are not broached as part of the charging schedule and will be considered in due course in the context of decisions concerning expenditure.

Sustainability Appraisal

37. The Core Strategy 2011 and emerging Old Kent Road Area Action Plan and New Southwark Plan were subject to sustainability appraisal incorporating strategic environmental assessment to ensure that the principles of sustainable development were thoroughly considered. The Southwark CIL is an extension of the spatial vision

and policies set out in the Core Strategy, New Southwark Plan and Old Kent Road Area Action Plan and should not raise additional implications for sustainable development objectives which have not been previously considered. The NPPG notes that a CIL does not require a sustainability appraisal.

Financial implications

38. Significant new infrastructure, including the Bakerloo Line extension costing ~£1.25 billion (for works relating to the Southwark stretch), is required to unlock growth opportunities in the Old Kent Road Opportunity Area. CIL will make a key contribution towards the cost of delivering this infrastructure. The council proposes to increase the CIL rate paid by residential developments falling within CIL zone 3 in the Old Kent Road Opportunity Area so that residential development across the opportunity area pays the higher rate of £218 per sqm. CIL funding in the opportunity area would generate around £200m over the plan period. These measures will help to reduce the infrastructure funding gap, but alternative sources of funding will still need to be identified.
39. This report proposes that the January 2017 addendum to the s106 and CIL SPD which sought contributions of £164 per sqm of residential development, is rescinded. Increasing the residential CIL charge to £218 per sqm, from £54 per sqm, will offset the loss of s106 income.
40. Costs associated with both managing, monitoring and establishing Southwark CIL can be recouped from up to 5% of any CIL income.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy (KC: 16/11/2017)

41. The Planning Act 2008 (the PA 2008) introduced a discretionary planning charge known as the Community Infrastructure Levy (CIL). The statutory framework for it is set out in sections 205-225 of the PA 2008 and further detail is provided under a number of regulations, in particular, the CIL Regulations 2010 (as amended). As detailed in paragraph 14, the council adopted its CIL charging Schedule in April 2015.
42. Section 211 of the PA 2008 provides that the council in setting its rates in the charging schedule, must have regard to:
 - The actual and expected costs of expenditure;
 - The economic viability of development (which may include, in particular, actual or potential economic effects of planning permission or of the imposition of CIL); and
 - Other actual and expected sources of funding for infrastructure.
43. However, there is no legislative provision on how long a charging schedule should apply once it is adopted; nor is there any duty in the PA 2008 or the CIL Regulations 2010 for the charging schedule to be reviewed. However, guidance strongly encourages charging authorities to keep their charging schedules and Regulation 123 List under review. In reviewing the charging schedule, the same process of consultation, examination and approval must be followed.

44. The council has complied with the required statutory process and its Statement of Community Involvement (SCI) as detailed in paragraph 17-18 and paragraph 23 of this report. The council has also had regard to the general duty, introduced by Section 110 of the Localism Act 2011, to cooperate with other prescribed bodies in respect of strategic planning matters which may impact upon sustainable development. Although it may be argued that this duty does not strictly apply to the process of revising charging schedules, the council has taken a purposive approach and cooperated with a range of organisations.
45. The Examiner by a Final Report dated August 2017 has recommended, with minor modifications, that the draft revised charging schedule can be approved.

Regulation 123 List

46. The language of the CIL regulations 2010 implies that the production of a Regulation 123 List is entirely within the discretion of the charging authority. Therefore, the revision of the Regulation 123 to principally confirm that the Bakerloo Line extension, including stations can be funded by the revised Southwark CIL is entirely within the council's discretion.

Decision making

Council Assembly recommendations (recommendation 1-5)

47. CIL is part of the council's Local Development Framework and can be considered analogous to other LDF documents such as Development Plan Documents. Under Part 3(C) of the council's Constitution, the cabinet collectively has responsibility for the council's policy framework (function 3), its finances (function 7) and approval of preferred options (effectively advanced drafts of) development plan documents (function 20); and in any event, cabinet has power under Article 6 of the Constitution to carry out the all of the local authority's functions which are not the responsibility of any other part of the Council.
48. By Part 3A, paragraph 10 of the Constitution, decisions relating to development plan documents (which form part of the development plan framework are reserved for Council Assembly. .
49. The legislation on CIL does not prescribe decision making in respect of a charging schedule. The only relevant requirement is that the charging schedule, once approved by the Examiner, should be approved by a resolution of the full council of the charging authority (Section 213(2) of the Planning Act 2008). Cabinet has now recommended approval and therefore the matter requires final approval of Council Assembly.
50. Therefore, for the above reasons Council Assembly may take the decisions as recommended at paragraph 2-3 of this report and note and consider, as appropriate, the matters as set out in paragraph 1, and 4 of this report.
51. In regard to the recommendation as set out in paragraph 5, Part 3B of the constitution sets out that one of the executive functions of the cabinet is have responsibility for supplementary planning documents. Therefore, cabinet have the power to resolve to rescind the Addendum to the January 2017 Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document (Appendix G) on 1

December 2017, subject to final approval of the Revised Southwark CIL by council assembly.

Equality impact assessment

52. The Equality Act 2010 introduced a single public sector equality duty. This duty requires the council to have due regard to its decision making process to the need to:
- a) eliminate discrimination, harassment, victimization or prohibited conduct.
 - b) advance equality of opportunity between persons who share a relevant characteristic and those who do not; and
 - c) foster good relations between those who share a relevant protected characteristic and those that do not share it.
53. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
54. The council has consulted a broad range of groups and has made every effort to be inclusive. The council has undertaken an updated, detailed Equalities Assessment (Appendix E) in relation to the proposed revised charging schedule.

Human rights considerations

55. Revising the charging schedule, the Regulation 123 and the Infrastructure Plan potentially engages certain human rights under the Human Rights Act 1998 (“the HRA”). The HRA prohibits unlawful interference by public bodies with convention rights. The term “engage” simply means that human rights may be affected or relevant. For our present purposes, a number of rights are potentially engaged:
- a) the right to a fair trial (Article 6) - giving rise to the need to ensure proper consultation and effective engagement of the public process.
 - b) The right to respect for private and family life (Article 8) – the increase in the rate paid by residential development currently falling in CIL zone 3 could impact on viability of housing provision or re-provision. Other considerations may include impacts on amenities or the quality of life of individuals based on the revised charge being too prohibitive.
 - c) protection of property (Article 1 of Protocol 1) – this right prohibits interference with individuals’ rights to peaceful enjoyment of existing and future property/homes. It could be engaged, for instance, if CIL makes future development unviable.
56. It is important to note that few rights are absolute in the sense that they cannot be interfered with under any circumstances. ‘Qualified’ rights, including Article 6, Article 8 and Article 1 of Protocol 1, can be interfered with or limited in certain circumstances. The extent of legitimate interference is subject to the principles of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in the policy making process against the potential interference with individual human rights.

57. Before making their decision members are advised to have regard to human rights considerations and strive to strike fair balance between the legitimate aims of revising the charging schedule, the Regulation 123 List and the Infrastructure Plan for the benefit of the community against the potential interference with the individual rights.

Strategic Director of Finance and Governance (FC17/065)

58. This report is requesting Council Assembly to approve a number of recommendations relating to the revisions of the Southwark Community Infrastructure Levy. Full details of the recommendations are reflected in paragraphs 1-5.
59. The strategic director of finance and governance notes that the proposals are expected to increase the value of income available from CIL which will contribute towards the high value infrastructure projects planned for the area.
60. The availability of income under the revised proposals in funding the council's infrastructure projects will need to be closely monitored on a regular basis.
61. It is also noted that the costs associated with managing, monitoring and establishing Southwark CIL can be recovered from the 5% of any CIL income permitted under CIL regulations.
62. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Statement of Community Involvement 2008 http://www.southwark.gov.uk/info/856/planning-policy/1238/statement_of_community_involvement_sci	Southwark Council 160 Tooley Street SE1 2QH	0207 525 5411
Draft Old Kent Road area action plan, 2016 and amendments, 2017 http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/area-action-plan	Southwark Council 160 Tooley Street SE1 2QH	0207 525 5411
S106 and CIL SPD, 2015 http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/supplementary-planning-documents-spd/spd-by-planning-topic?chapter=6	Southwark Council 160 Tooley Street SE1 2QH	0207 525 5411
The Core Strategy 2011 http://www.southwark.gov.uk/info/200210/core_strategy	Southwark Council 160 Tooley Street SE1 2QH	0207 525 5411

APPENDICES

No.	Title
Appendix A	Examiner's Report on the Revised Southwark CIL (http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule)
Appendix B	Revised Southwark CIL Charging Schedule
Appendix C	Regulation 123 List
Appendix D	Infrastructure Plan (http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule)
Appendix E	Equalities Analysis (http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule)
Appendix F	Consultation Report (http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule)
Appendix G	Addendum to the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) Supplementary Planning Document (SPD), January 2017 (http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/addendum-to-the-section-106-planning-obligations-and-cil-spd)

AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration, Planning and Transport	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Tim Cutts, Senior Regeneration Manager	
Version	Final	
Dated	16 November 2017	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	16 November 2017	

**Planning Act 2008
Community Infrastructure Levy Regulations 2010 (as
amended)**

London Borough of Southwark
Draft Community Infrastructure Levy
Charging Schedule (December 2017)

**Planning Act 2008
Community Infrastructure Levy Regulations 2010 (as amended)**

**London Borough of Southwark
Draft Community Infrastructure Levy
Charging Schedule (December 2017)**

The London Borough of Southwark is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy in respect of development in the London Borough of Southwark.

The rate at which CIL will be charged shall be:

Development type	Zone *	CIL Rate £ per sq.m.
Office	Zone 1	£76
	Zones 2-3	£0
Hotel	Zone 1	£272
	Zones 2-3	£136
Residential	Zones 1	£435
	Zone 2	£218
	Zone 3	£54
Student housing – Direct let **	Zones 1-3	£109
Student housing – Nomination ***	Zones 1-3	£0
All retail (A1 – A5 & Sui Generis uses akin to retail) ****	Zones 1-3	£136
Town centre car parking *****	Zones 1-3	£0
Industrial and warehousing	Zones 1-3	£0
Public libraries	Zones 1-3	£0
Health	Zones 1-3	£0
Education	Zones 1-3	£0
All other uses	Zones 1-3	£0

*These zones are shown in the CIL Zones Map 2016 below.

** Direct let student housing schemes – market rent levels

*** Nomination student housing schemes – rental levels set below an average of £168 per week and secured through a section 106 planning obligation

**** Sui generis akin to retail includes petrol filling stations; shops selling and/or displaying motor vehicles; retail warehouse clubs

***** Town centre car parking which is made available to all visitors to the town centre

As per Regulation 14 of the Community Infrastructure Levy Regulations 2010 (as amended), the Council is designated the collecting authority for the Mayor of London in Southwark. This requires a current charge of £35 per square metre to be levied in addition to the amounts specified above.

The amount to be charged for each development will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended). For the purposes of the formulae in paragraph 5 of Regulation 40 the relevant rate (R) is the rate for each charging zone shown in the charging schedule above.

CIL will be applied on the chargeable floor space of all new development apart from that exempt under Part 2 and Part 6 of the Community Infrastructure Levy Regulations 2010 (as amended). The exemptions from the CIL rates are:

- The gross internal area of a new buildings or extensions to buildings will be less than 100 square metres (other than where the development will comprise one or more dwelling);
- A building into which people do not normally go;
- A building into which people go only intermittently for the purpose of maintaining or inspecting machinery; or
- A building for which planning permission was granted for a limited period;
- Development by charities of their own land to be used wholly or mainly for their charitable purposes;
- Social Housing.
- Self-build homes.

Statement of Statutory Compliance

The Charging Schedule has been approved and published in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Part 11 of the Planning Act 2008 as amended.

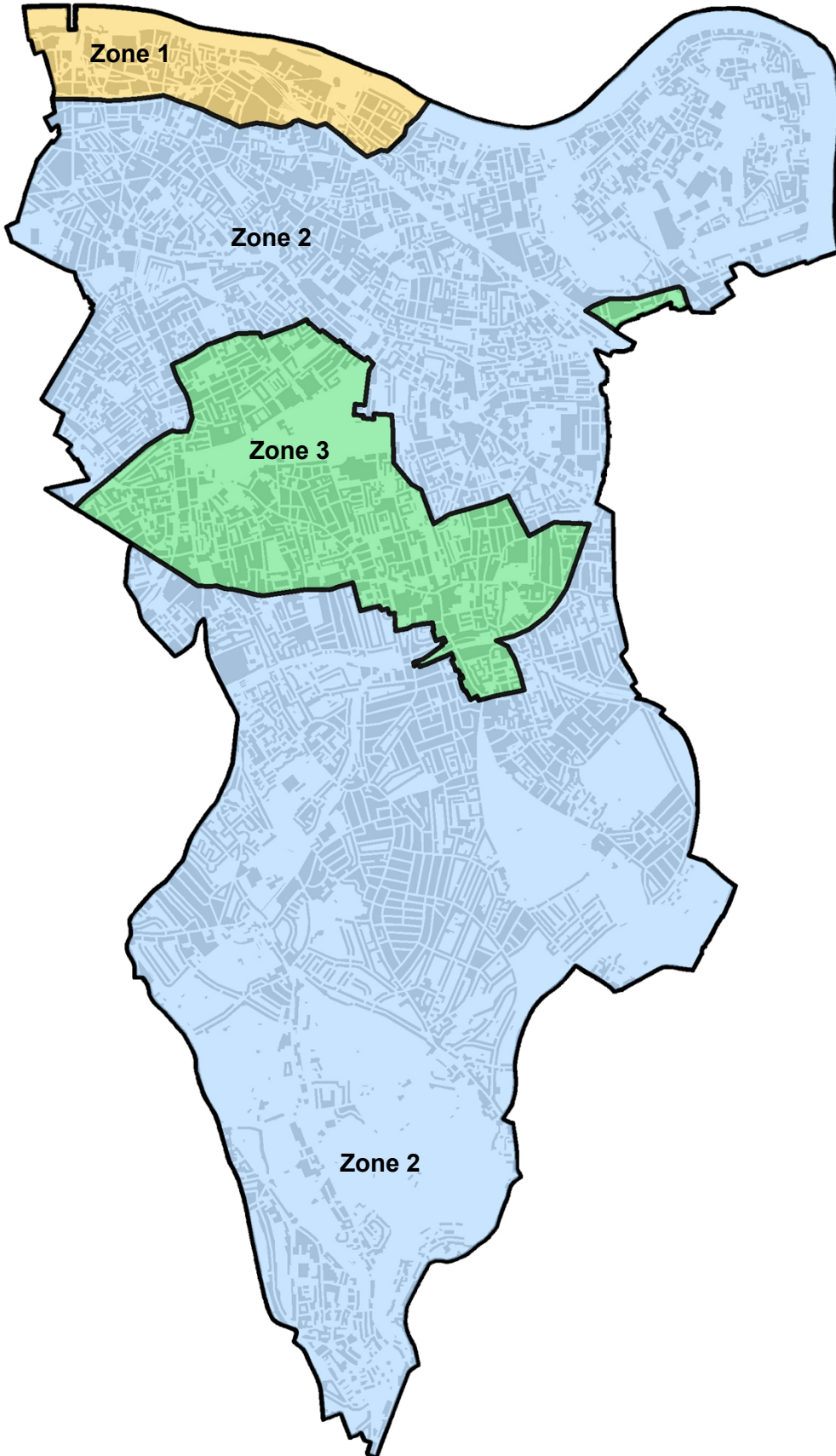
In setting the levy rates, the Council has struck an appropriate balance between;

- a) the desirability of funding from CIL in whole or in part the estimated cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and
- b) the potential effects, taken as a whole, of the imposition of CIL on the economic viability of development across its area.

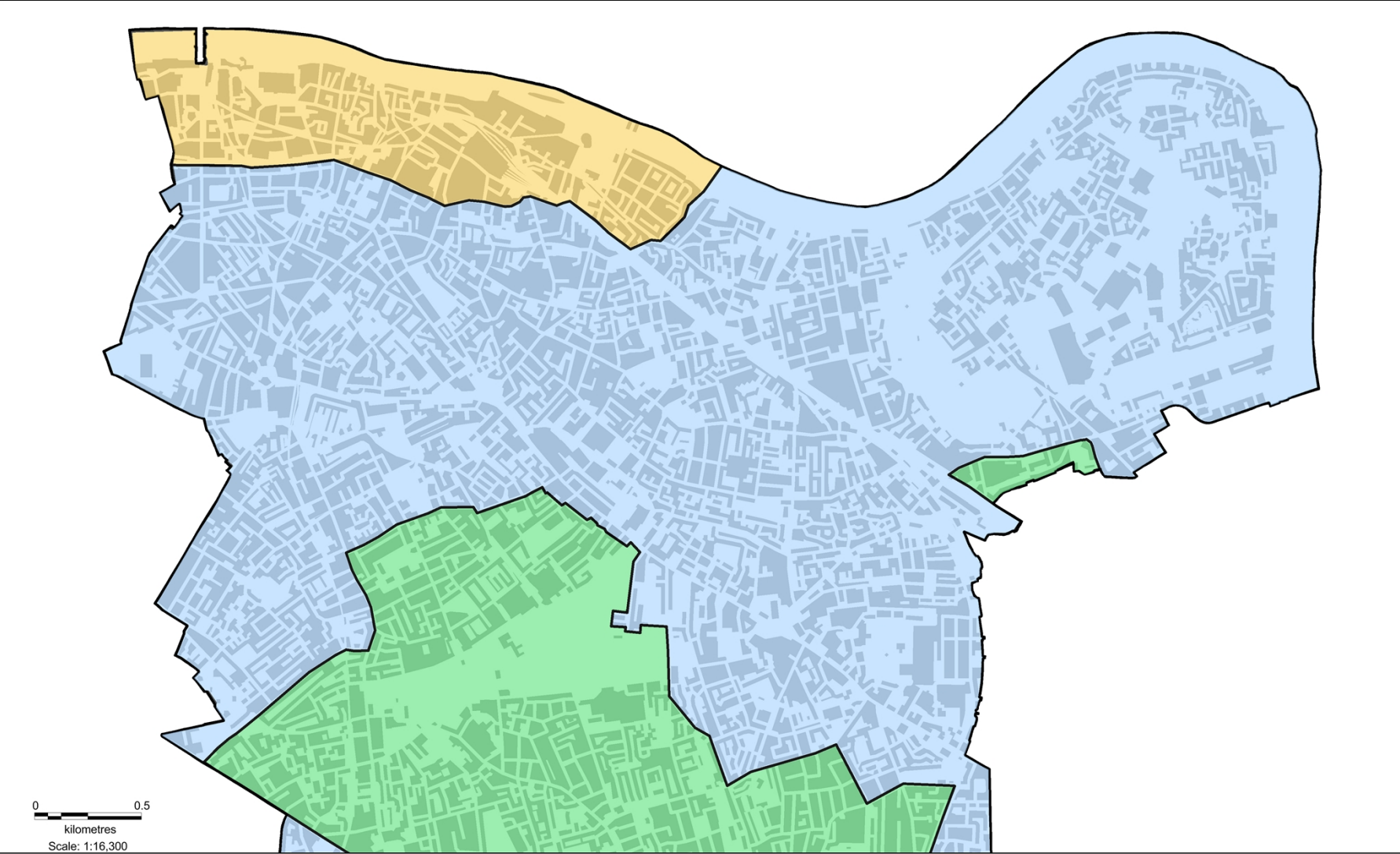
This Charging Schedule was approved by the Council on 29 November 2017.

This Charging Schedule will come into effect on 1 December 2017.

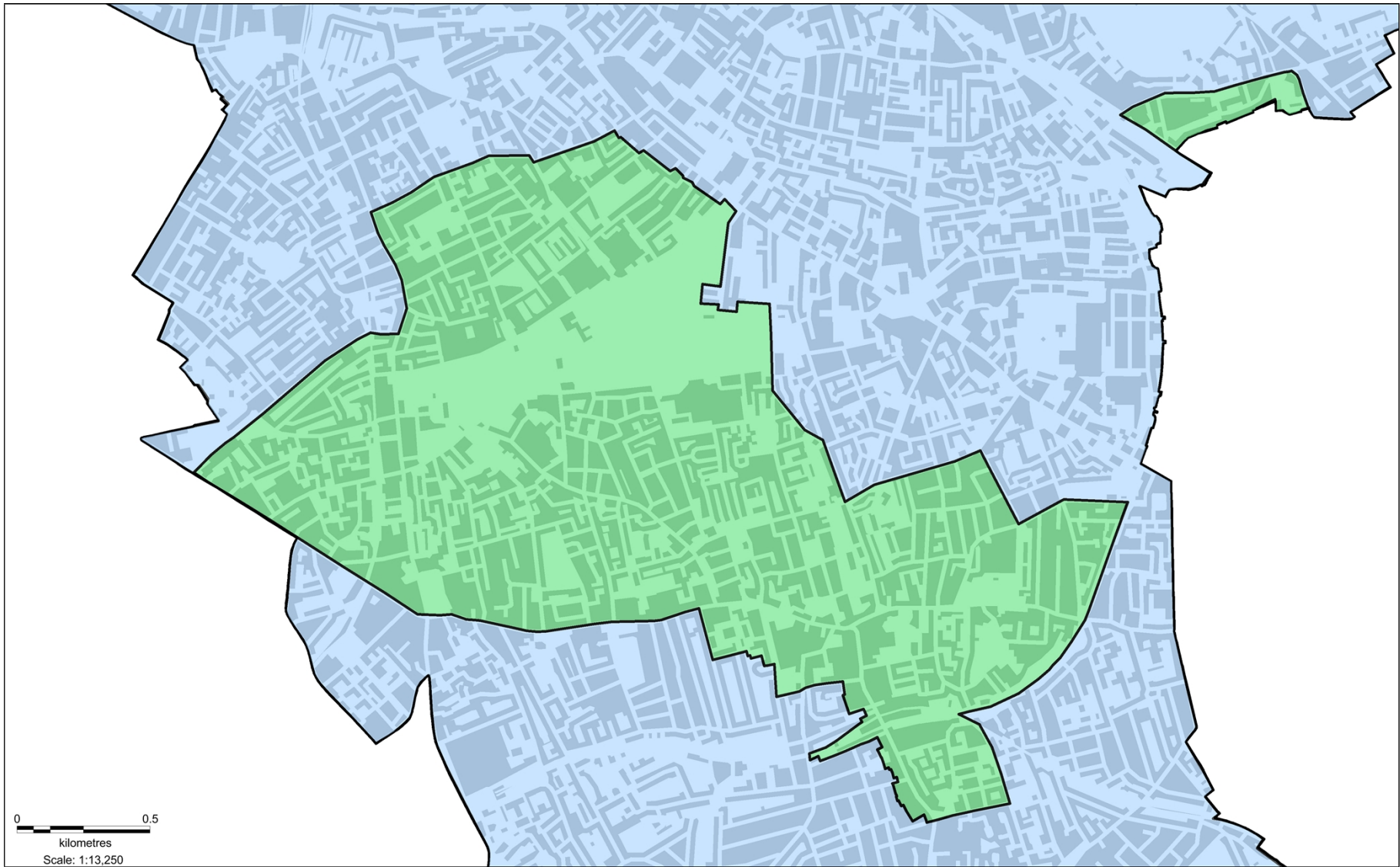
CIL Charging Zones



CIL Zones Map (inset showing Zones 1 and 2)



CIL Zones Map (inset showing Zone 3)



CIL Regulation 123¹ list

Infrastructure type and projects
Education
Primary school provision /expansion (not land), except for Alfred Salter, Redriff and Rotherhithe primary schools
Secondary school provision /expansion (not land), except for Bacon's College secondary school
Health
All with the exception of sites where there is a planning requirement to provide a health use, including a new facility to serve the Canada Water core area <u>and Old Kent Road opportunity area</u>
Libraries
All with the exception of sites where there is a planning requirement to provide a library
Open Space
Improvements to District Parks (Burgess Park, Dulwich Park, Peckham Rye and Southwark Park) <u>(excludes improvements to play space)</u> .
Other
Cemeteries (not including land)
Modernised adult care facilities
Storm water storage areas: Camberwell, Dulwich, Peckham Rye and North Peckham
Sports
New leisure centre in Canada Water town centre (not including land)
Transport
Bakerloo line extension <u>(not including land and infrastructure costs for delivering the two stations on Old Kent Road)</u>
Camberwell Station (not including land)
Camberwell town centre improvements to pedestrian crossings, signals and pavements
Cycle routes and parking (not including cycle infrastructure in the Old Kent Road opportunity area; on-site cycle infrastructure; and development specific signage)
Elephant and Castle northern roundabout pedestrian and cycle improvements
Elephant & Castle underground stations (not including land)
New cycle and pedestrian Thames crossing at Rotherhithe
Peckham Rye station

¹ Refers to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended)

Item No. 7.1	Classification: Open	Date: 29 November 2017	Meeting Name: Council Assembly
Report title:		Constitutional Changes: Overview and Scrutiny Procedure Rules	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

RECOMMENDATION

1. That council assembly agree the proposed change to the constitution as outlined in Appendix 1 of the report.

BACKGROUND INFORMATION

2. This report outlines one constitutional change. Council assembly is requested to consider the suggested change to the constitution.

Reasons for proposing a change to the process

3. Following investigation, the deputy monitoring officer and the head of scrutiny have suggested the additional paragraph in the overview and scrutiny procedure rules of the constitution as outlined in Appendix 1 to clarify the process of disputing a call-in request which has been rejected by the monitoring officer.

KEY ISSUES FOR CONSIDERATION

4. 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

5. The proposal in this report provides additional benefits to the public and the local community and enhance the council’s commitment to diversity and fairness.

Resource implications

6. 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	17 November 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		17 November 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 4: Overview and Scrutiny Procedure Rules	Clarify the deadline for members to request a review, where the scrutiny officer has deemed the request invalid. This will be in line with the deadline for the scrutiny officer notifying members that he/she is of the opinion that a request for a call-in may not be valid.	<p>19. Procedure following call-in</p> <p>Invalid call-in request – next steps</p> <p>19.1 If the scrutiny officer is of the opinion that a request for a call-in may not be valid, because of a breach of procedure or other reason under this constitution, they shall inform the relevant members (this must always include the chair and vice chair) within one clear working day of receipt of the request. In the event of dispute, the decision of the monitoring officer shall be final.</p>	<p>19. Procedure following call-in</p> <p>Invalid call-in request – next steps</p> <p>19.1</p> <p>a) If the scrutiny officer is of the opinion that a request for a call-in may not be valid, because of a breach of procedure or other reason under this constitution, they shall inform the relevant members (this must always include the chair and vice chair) within one clear working day of receipt of the request. In the event of dispute, the decision of the monitoring officer shall be final <u>by 4pm on the second working day after the day that the request is received. In the event of dispute, the decision of the monitoring officer shall be final.</u></p> <p>b) <u>Where a call-in has been ruled invalid by the scrutiny officer, a request by the relevant members for the monitoring officer to review shall be made by 4pm on the second working day after the day of the notification of the decision by the scrutiny officer.</u></p>	Proper Constitutional Officer / Deputy Monitoring Officer / Head of Scrutiny

Item No. 7.2	Classification: Open	Date: 29 November 2017	Meeting Name: Council Assembly
Report title:		Proposed amendment to the terms of reference for the Local Pension Board and Pensions Advisory Panel	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

RECOMMENDATION

1. That council assembly agree the amendment to the Terms of Reference, as Appendix 1, for the Southwark Local Pension Board, as part of the council constitution, to extend the Board membership from four members plus an independent chair to six members plus an independent chair.
2. That council assembly agree the amendment to the terms of reference, as Appendix 2, for the Southwark Pensions Advisory Panel, as part of the council constitution, for the removal of voting rights for the Strategic Director of Finance and Governance.

BACKGROUND INFORMATION

Southwark Local Pension Board

3. The London Borough of Southwark Pension Fund is part of the national Local Government Pension Scheme (LGPS) and is administered by Southwark Council. Southwark Council is the administering authority and scheme manager for Southwark LGPS.
4. The administration of the Pension Fund is delegated to the strategic director of finance and corporate services (SDFCS), who takes into account the advice of the pensions advisory panel (PAP) when performing this function.
5. The Public Services Pensions Act 2013 (PSPA 2013) sections 5(1) and (2) requires that the local government pension scheme regulations must provide for the establishment of a Local Pension Board to assist the scheme manager in relation to
 - i. securing compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme and any statutory pension scheme that is connected with it.
 - ii. securing compliance with requirements imposed in relation to the scheme and any connected scheme by the pensions regulator.
 - iii. such other matters that the scheme regulations may specify
6. The Regulations provide for each administering authority to determine the membership of the local pension board, with the stipulation that the Board must include an equal number of employer representatives and scheme member representatives of no less than four members all together

7. The Southwark Local Pension Board (LPB) was established in Southwark from April 2015 with the inaugural meeting held on 24 July 2015 and has met quarterly thereafter.

Southwark Pensions Advisory Panel

8. The London Borough of Southwark Pension Fund is part of the national Local Government Pension Scheme (LGPS) and is administered by Southwark Council. Southwark Council is the administering authority and scheme manager for Southwark LGPS.
9. The administration of the Pension Fund is delegated to the Strategic Director of Finance and Governance (SDFG), who takes into account the advice of the Pensions Advisory Panel (PAP) when performing this function.

KEY ISSUES FOR CONSIDERATION

Southwark Local Pension Board

10. The current terms of reference as determined for the Local Pension Board is for a total of two scheme member representatives appointed by the recognised trade unions for Southwark and two employer representatives appointed by the administering authority.
11. Scheme members are typically classified as one of three categories;
 - i. active members (employees currently contributing to the scheme)
 - ii. pensioner member (previous employee currently in receipt of pension)
 - iii. deferred members (previous active members, not currently contributing to the scheme, and not in receipt of pension).
12. The current scheme member representatives are both active members.
13. The Southwark Pension Fund includes almost 50 separate employing bodies; Southwark Council, academy schools and other admitted bodies. The employer representatives are both representatives of the council.
14. At the LPB meeting of 10 April 2017, it was agreed that the current appointees did not fully reflect the variety of scheme members and employers within the Fund. There was no suggestion that existing LPB members have not carried out their role effectively, but it was felt that the LPB would be enhanced by extending the membership.
15. The proposed changes to the LPB terms of reference, as attached as Appendix 1, would require a new scheme member representative as a pensioner member, and a new employer representative.
16. The proposed LPB terms of reference as Appendix A were agreed by the LPB at the meeting of 28 September 2017.

Southwark Pensions Advisory Panel

17. The PAP is constituted of the following voting and non voting members:

- i. three members, one of those members will chair the panel.
 - ii. three officers, including the SDFG.
 - iii. two independent advisers (non-voting).
 - iv. a representative appointed by the constituent trade unions representing beneficiaries (non-voting).
18. The role of the PAP is an advisory body, any advice from which the SDFG must consider in the taking of decisions for the Pension Fund. Any decision from PAP will be treated as advice to the SDFG. Decision making is typically through consensus within PAP and between the SDFG and PAP, such that formal voting is not commonplace.
19. The Pension Fund commissioned an independent review of Fund governance arrangements in 2016-17, the results of which were published in November 2016. One of the recommendations from this review was that, given the role of PAP as advising the SDFG, the SDFG should not be a voting member of PAP.
20. This recommendation was agreed by the SDFG and PAP at the December 2016 meeting and the SDFG elected to abstain from any subsequent vote until the change was formally recognised in the terms of reference for PAP.

Policy implications

21. None.

Community impact statement

22. None.

Resource implications

23. None.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

24. No advice sought.

APPENDICES

No.	Title
Appendix 1	Local Pension Board – Terms of Reference
Appendix 2	Pensions Advisory Panel – Terms of Reference

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Governance	
Report Author	Alex Moylan, Senior Finance Manager	
Version	Final	
Dated	30 October 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	2 November 2017	

SOUTHWARK COUNCIL LOCAL PENSION BOARD

ROLE AND FUNCTIONS

Regulatory

1. The responsibility of the local pension board, as defined by sections 5(1) and (2) of the Public Services Pensions Act 2013, is to assist the administering authority (Southwark Council), the scheme manager, in ensuring the effective and efficient governance and administration of the Local Government Pension Scheme (LGPS) including:
 - (i) securing compliance with the LGPS regulations and other legislation relating to the governance and administration of the LGPS and any statutory pension scheme that is connected with it
 - (i) securing compliance with requirements imposed in relation to the LGPS and any connected scheme by the Pensions Regulator
 - (ii) such other matters as the LGPS regulations may specify.
2. The administering authority retains ultimate responsibility for the administration and governance of the Southwark Council LGPS. The role of the board is to assist the administering authority to fulfill that responsibility

Reporting

3. To provide an annual report to be incorporated in the statutory annual pension report which is published on the council's website.

Constitution of the board

4. The board shall consist of ~~five-seven~~ members and be constituted as follows:
 - (i) ~~two-three~~ employer representatives (voting)
 - (ii) ~~two-three~~ scheme member representatives (voting)
 - (iii) one independent chair (non voting).
5. Each member of the local pension board must have a nominated substitute.
6. All members of the local pension board and substitute members must be conversant with the regulations governing the local government pension scheme and any document recording policy about the administration of the fund, and the law relating to pensions. Members of the pension board should aim to reach decisions by consensus. Where an agreement cannot be reached, then the local pensions board will agree how this will be resolved. Decisions/recommendations of the board will be submitted to the relevant officer or body within the council.
8. Any breach brought to the attention of the pension board, whether potential or actual, shall be referred to the council's monitoring officer in the first instance and where required to the national LGPS Advisory Board or the Pensions Regulator.

APPENDIX 2

PENSIONS ADVISORY PANEL

ROLE AND FUNCTIONS

The ~~chief finance officer~~strategic director of finance and governance will take into account the pension advisory panel's advice when performing the following functions.

1. Establishing and reviewing the strategic investments objectives.
2. Reviewing the definition of the investment return target most likely to satisfy this investment objective.
3. Considering what constraints, if any, should apply to the invested assets and monitor compliance.
4. Establishing and reviewing the strategic asset allocation (benchmark) that is likely to meet the investment return target.
5. Considering and reviewing the appropriateness of the fund structure i.e. the delegation of powers to managers, setting boundaries for the manager's discretion and considering which manager return targets are likely to achieve the investment return target.
6. Monitoring the performance of the investment managers at least once every three months, and from time to time consider the desirability of continuing or terminating the appointment of investment managers. In monitoring performance of investment managers, the panel should consider:
 - the investments made by the managers
 - their input to the process and the value of their advice
 - investment returns and risk against established targets
 - manager compliance with the fund's requirements
 - discussion of results with managers.
7. Considering policy matters in relation to the pension scheme and the council's early retirement policy.
8. Considering applications, from other bodies, for membership of the council's pension scheme.
9. Monitoring early retirements.
10. Monitoring costs incurred in administering the pension scheme, including:
 - management and other direct costs
 - transaction (dealing) costs.

Constitution of the pensions advisory panel

11. The pensions advisory panel will be constituted as follows:

- three members (two members from the majority group and one member of the majority opposition) who have received the appropriate training; one of those members will chair the panel [\(voting\)](#)
- three officers (~~strategic director of finance and governance~~ ~~the chief finance officer~~ [\(non-voting\)](#)), an officer with specialist knowledge on the pensions scheme [\(voting\)](#) and the head of human resource or their equivalents [\(voting\)](#)
- two independent advisers (non-voting)
- a representative appointed by the constituent trade unions representing beneficiaries (non-voting).

12. Decisions should aim to be reached by consensus. Where agreement cannot be reached, then a majority vote will apply. Voting rights are restricted to members and officers [\(excluding the strategic director of finance and governance\)](#), with the chair having the casting vote if required.

13. Decisions of the panel will be treated as advice to the ~~strategic director of finance and governance~~ ~~chief finance officer~~.

14. To be quorate at least three voting members of the panel must be present, plus at least one independent adviser. At least one of the voting members must be an officer.

Item No: 7.3	Classification: Open	Date: 29 November 2017	Meeting Name: Council Assembly
Report title:		Treasury Management – Mid-year Update 2017/18	
Wards or Groups affected:		All	
From:		Strategic Director of Finance and Governance	

RECOMMENDATIONS

1. That council assembly note this 2017-18 mid-year treasury management update report and that:
 - i. all treasury management activity in the period was undertaken in compliance with the approved treasury management strategy and with the council’s prudential indicators as shown in appendix one.
 - ii. in the six months to 30 September 2017 the sum invested averaged £137m and the balance of investments at 30 September 2017 stood at £116m.
 - iii. the balance on all loans at 30 September 2017 was £455m. Loans totalling £2.5m matured and were repaid as scheduled during the year, with a further £2.5m due to mature in the second half of 2017-18. No new borrowing or debt rescheduling was undertaken during the period.
 - iv. as indicated as part of the capital monitoring report taken to cabinet on 19 September 2017, it is likely that external borrowing will be required in 2017-18 to finance the capital programme. Options to identify the most appropriate source of financing will be appraised by the strategic director of finance and governance in conjunction with the cabinet member for finance, modernisation and performance.
 - v. The Treasury Strategy 2018-19 will be presented to council assembly in February 2018.

BACKGROUND INFORMATION

1. 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 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. In accordance with the fairer future council plan, within the prudential framework, the treasury strategy seeks to reflect the principle of “*spending money as if it were from our own pocket*”.
2. The CIPFA Code provides the following objective with regard to treasury management:

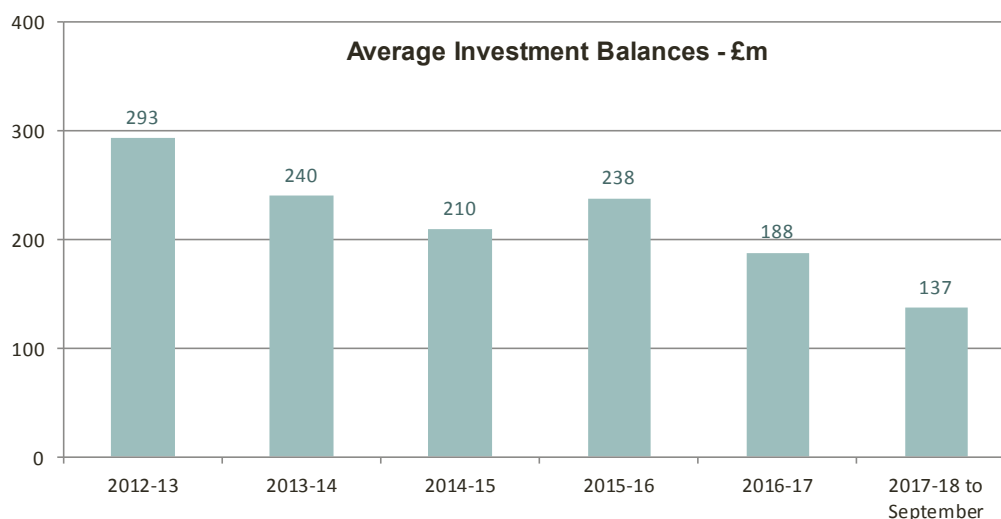
“It is important that treasury management policies adequately reflect risk and in particular security, liquidity and yield risk, in that order of importance. No treasury management transaction is without risk and management of risks is the key purpose of the treasury management strategy.”

3. The 2017-18 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.
4. 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:
5. The key issues covered in this report are:
 - i. Investment position and activity for the period.
 - ii. External debt position and activity for the period.
 - iii. Internal borrowing and future borrowing requirements.
 - iv. Prudential indicators for 2017-18.

KEY ISSUES FOR CONSIDERATION

Investment position and activity for the period

6. The council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. Investments held at 30 September 2017 were £116m (£206m at 30 September 2016).
7. Council resources that are not immediately required for current expenditure are invested in money market instruments in accordance with the DCLG Guidance on Local Authority Investments and the approved investment strategy. The DCLG guidance gives priority to security and liquidity and the council’s aim is to achieve a yield commensurate with these principles.
8. The overall level of investments held by the council has reduced over the previous five years as shown in the following graph. This is a consequence of the reduction in overall council reserves, continuation of internal borrowing policy, and the scheduled repayment of historical debt.

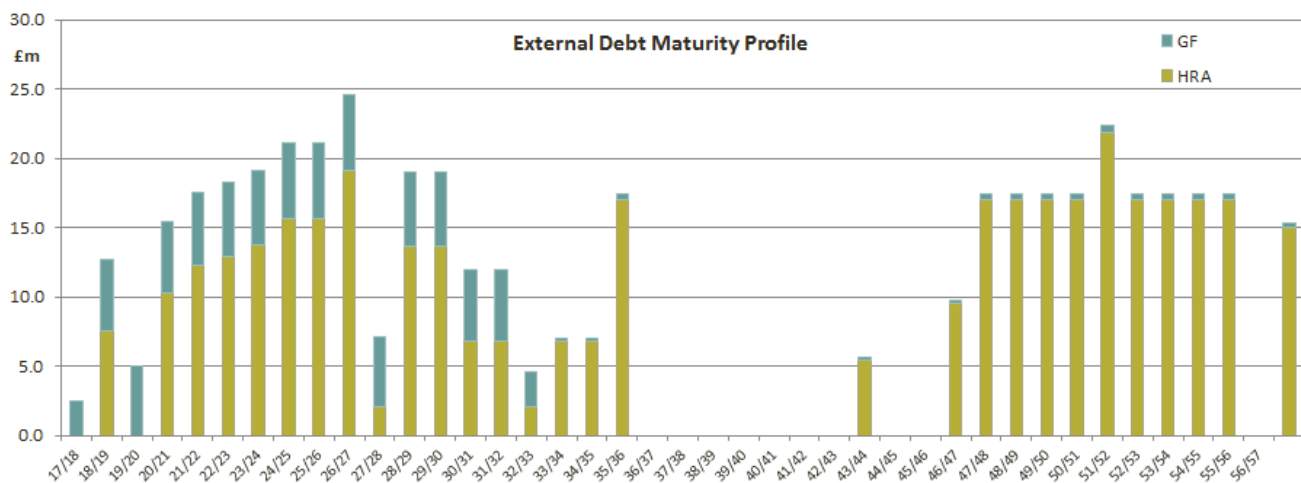


9. The half year return for council treasury management assets was 0.16%. The yield on short dated gilts, depressed as a result of additional monetary stimulus following the referendum on EU membership, remained persistently low for the first quarter of 2017-18 acting as a drag on investment returns.
10. UK Gilts sold off during the second quarter of 2017-18 as increasingly hawkish tones from the MPC led to greater speculation that a base rate rise would follow in the latter quarter of the calendar year. The negative impact on asset price valuations from an increase in yields further dampened investment performance for the year.
11. By way of a comparison, a composite benchmark of three month LIBID and one to three year gilt index returned -0.07% for the period leading to an outperformance of 0.23%; a solid relative, if not absolute, return.
12. The 2017-18 treasury strategy stipulates that no investment may be for a duration longer than five years and holdings beyond one year in duration are restricted to; government bonds, supranational bonds, quasi-sovereign bonds or covered bonds issued by major banks.
13. 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
14. 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.
15. The distribution of investments across counterparties, maturities and instruments at 30 September 2017 is set out in the table below:

Investment Maturity	A		AA		AAA		Total
	£m	%	£m	%	£m	%	£m
Up to 1 Year	24.5	21%	11.7	10%	51.9	45%	88.1
1 - 2 Years		0%	0.5	0%	9.8	9%	10.3
2 - 5 Years		0%	2.4	3%	15.0	13%	17.4
Total	24.5	21%	14.6	13%	76.7	66%	115.8

External debt management position and activity

16. Capital expenditure for the council is financed through a variety of sources, typically receipts from the sale of capital assets, capital grants, external contributions, such as S106 or Community Infrastructure Levy (CIL), from reserves or from revenue budget contributions. Any capital expenditure that is not financed by the above will need to be financed by borrowing. Existing council debt is therefore the consequence of historical capital expenditure.
17. Current debt for the council is from the Public Works Loans Board (PWLB) an executive agency of HM Treasury. The debt balance outstanding as at 30 September was £455m (£460m as at September 2016) with £371m attributable to the HRA and £84m as attributable to the general fund.
18. The majority of existing debt is structured on a maturity basis such that the principal is repaid in full at the end of a fixed loan period. The exception is £100m debt drawn in 2012 on an equal instalment of principal basis. A fixed amount of principal (£5m) is repaid per year over the lifetime of these loans and forms the majority of the debt attributable to the General Fund, of which £75m remains as at 30 September 2017.
19. Each year, the General Fund sets aside sums known as the minimum revenue provision (MRP) to reduce its borrowing liabilities. In February 2017 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. The HRA may also set aside sums to reduce its own borrowing liabilities.
20. The maturity profile for all council debt is set out in the below chart split between the HRA and the GF.



21. The council is able to repay existing loans due to the PWLB in advance of scheduled maturity, but that this is accompanied by an additional premium on repayment. The additional cost for this repayment when assessed alongside the interest cost for drawing replacement debt has traditionally meant that this option is not financially beneficial to the council. Officers regularly monitor the prospective costs and benefits of early repayment and this opportunity will be further reviewed as part of the 2018-19 treasury strategy.

Internal borrowing and future borrowing decisions

22. The council began to pursue a policy of utilising existing cash and investment resources to meet capital and debt repayment obligations, rather than through external borrowing, during 2012 using existing resources to part fund the purchase of 160 Tooley St, alongside a significant debt refinancing.
23. The rationale for deferring the drawing of additional debt is that the use of short term cash resources to meet capital demands in lieu of borrowing allowed the authority to minimise external interest payments over the period from 2012-13.
24. Council investment balances are surplus resources that are earmarked for another purpose, typically reserves, provisions, S106 receipts, borrowing in advance of need or revenue expenditure. The use of balances, earmarked for other purposes, to fund capital expenditure is called 'internal borrowing'. This is because the organisation has funded current capital expenditure, which would otherwise have required external debt financing by using resources set aside for other future commitments.
25. The savings for the council from deferring external borrowing for the purchase of Tooley St equate to £20m for the five year period from 2012-13 to 2017-18 or £4m per annum.
26. The opportunity cost of a reduction in overall investment income, arising from lower cash balances, was more than offset by reduced external interest expenses. Throughout this period there has been a significant variance between income earned from short term investments and the expense incurred from longer duration debt.
27. Efficient use of existing council resources to fund capital expenditure through internal borrowing has also reduced the council's counterparty risk, the risk that a bank or other organisation is unable to repay funds the council has deposited.
28. The level of internal borrowing as at 31 March 2017 was £224m, split between £17m for the HRA and £207m for the GF. This increased by £26m from the previous financial year.

Future borrowing

29. As reported to cabinet on 19 September 2017 as part of the monitoring of capital programme budget, the indications are that the council would need to borrow in 2017-18 to finance the capital programme (Policy and Resources Strategy: Capital Monitoring report, including Capital Programme Update 2017-18 Month 4). The extent and timing of any external borrowing will depend upon short and medium cashflow forecasts for the council, in conjunction with consideration as to interest rate forecasts. Further, the strategic director of finance and governance will review the sustainability of the internal borrowing approach.
30. Officers regularly monitor current and forecast interest rates to determine the appropriateness of the current borrowing strategy, such that the reduction in current borrowing costs from use of internal balances, is not offset by higher borrowing costs in the future. Decisions with regard to

external borrowing will be made with the advice of the council's external treasury advisor, Arling Close.

Prudential indicators

31. The CIPFA codes set out a series of prudential indicators to support local authority capital financing, borrowing and investment activities. The indicators were last approved by council assembly in February 2017. The 2016-17 outturn indicators were reported to council assembly in July 2017 and an update to 2017-18 indicators is set out at appendix A.
32. The indicators include a self imposed authorised limit on debt, determined under the Local Government Act 2003. As well as loans, the limit accommodates long term liabilities (e.g. from the three PFI funded schools and the integrated waste reprocessing facility), capacity to replace internal borrowing with loans and borrow for very short periods if needed for re-finance within a risk controlled framework. The 2017-18 authorised limit is £1,205m and the council has remained within it. Over the six months to 30 September 2017 the actual debt and PFI liabilities totalled £558m.

SUPPLEMENTAL ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

Treasury Management

34. 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.
35. 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.
36. 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.
37. 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.
38. 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 2017-18 Mid Year Update

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Governance	
Report Author	Fay Hammond, Department Finance Manager Corporate Finance	
Version	Final	
Version Date	16 November 2017	
Key Decision	Yes	
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	N/A	N/A
Cabinet Member	Yes	Yes
Final Report Sent to Constitutional team		16 November 2017

TREASURY MANAGEMENT MID-YEAR UPDATE 2017-18

PRUDENTIAL INDICATORS: 2017-18 MID-YEAR UPDATE

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. The indicators were approved by council assembly in February 2017, and the outturn position was reported in July 2017. This appendix updates 2017-18 indicators
- The indicators are grouped into three broad areas: affordability and prudence, capital finance and treasury management. The indicators are of a technical nature and have no effect on existing budgets.

INDICATORS ON AFFORDABILITY AND PRUDENCE

- The indicators below are for affordability and prudence.

2016-17	2017-18	
		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.
9%	9%	HRA
4%	4%	General fund

		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.
£798m	£999m	CFR
£463m	£458m	Maximum Gross Debt in the Year

INDICATORS ON CAPITAL FINANCE

4. The indicators below are for capital finance.

2016-17	2017-18	
		Capital Expenditure
£153m	£149m	HRA
£99m	£287m	General fund
£252m	£436m	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	£406m	HRA
£405m	£593m	General fund
£798m	£999m	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	£406m	HRA CFR

INDICATORS ON TREASURY MANAGEMENT

5. The Operational Boundary on Debt and Authorised Limits for External Debt limits the council determine to accommodate borrowing and long term liabilities. The lower limit is the operational boundary. It takes account of existing positions and accommodates activity which includes replacing internal borrowing with loans. The higher limit is the authorized limit, enabling additional borrowing to be taken for very short periods, in the interest of prudence, within a risk controlled framework.

2016-17 Actual	2017-18 Limit	2017-18 Estimate	
			Operational Boundary on Debt and Authorised Limits for External Debt No new loans were taken on in the first half of 2017-18. The council was able to access internal cash and remain below both limits over the six months to September 2017.
			Operational Boundary
£463m	£1,019m	£458m	Borrowing (maximum loans outstanding over 1 st half of 2017-18)
£105m	£110m	£100m	Other Long Term Liabilities
£568m	£1,129m	£558m	Total
			Authorised Limit
£463m	£1,085m	£458m	Borrowing (maximum loans outstanding over 1 st half of 2017-18)
£105m	£120m	£100m	Other Long Term Liabilities
£568m	£1,205m	£558m	Total

2015-16 Actual	2017-18 Limit	2017-18 Estimate	
64%	100%	85%	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.
£463m	£1,085m	£640m	Fixed rate debt (maximum outstanding in year)
£0m	£271m	£0	Variable rate debt

			Maturity Structure of Borrowing Limits accommodating existing positions with flexibility to vary exposure within a risk controlled framework.
1%	20%	16%	Under 1 year
3%	20%	18%	1 year and within 2 years
8%	30%	6%	2 years and within 5 years
23%	40%	16%	5 years and within 10 years
23%	50%	16%	10 years and within 20 years
3%	50%	2%	20 years and within 30 years
35%	50%	24%	30 years and within 40 years
3%	50%	2%	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.
20%	50%	24%	Percentage longer than one year

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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

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		Last updated:	17 November 2017