

Council Assembly

Ordinary Meeting

Wednesday 28 November 2018

7.00 pm

Council Offices, 160 Tooley Street, London SE1 2Q

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

Eleanor Kelly
Chief Executive

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Contact

Virginia Wynn-Jones or Andrew Weir on 020 7525 7055 or 020 7525 7222 or email: virginia.wynn-jones@southwark.gov.uk; andrew.weir@southwark.gov.uk; constitutional.team@southwark.gov.uk

Date: 16 November 2018



Council Assembly

Ordinary Meeting

Wednesday 28 November 2018
7.00 pm
Council Offices, 160 Tooley Street, London SE1 2QH

Order of Business

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PART A - OPEN BUSINESS

1. PRELIMINARY BUSINESS

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

To receive any announcements from the Mayor, members of the cabinet or the chief executive.

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

In special circumstances an item of business may be added to an agenda within seven working days of the meeting.

1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.

1.4. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1.5. MINUTES

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To approve as a correct record the open minutes of the council assembly meeting held on 25 July 2018.

2. ISSUES RAISED BY THE PUBLIC

2.1. PETITIONS

No petitions have been received.

2.2. PUBLIC QUESTION TIME

The deadline for public questions is 11.59pm, Thursday 22 November 2018. Questions can be emailed to constitutional.team@southwark.gov.uk.

Questions from the public will be distributed in a supplemental agenda.

3. THEMED DEBATE

3.1. COMMUNITY EVIDENCE

The deadline for community evidence on the theme is 11.59pm, Thursday 22 November 2018. Submissions can be emailed to constitutional.team@southwark.gov.uk.

Submissions from the public will be distributed in a supplemental agenda.

3.2. MOTION ON THE THEME

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The cabinet member for children, schools and adult care to present the theme for the meeting.

4. DEPUTATIONS

The deadline for deputation requests is 11.59pm, Thursday 22 November 2018. Deputation requests can be emailed to constitutional.team@southwark.gov.uk.

Deputation requests will be distributed in a supplemental agenda.

5. ISSUES RAISED BY MEMBERS

5.1. MEMBERS' QUESTION TIME

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To receive any questions from members of the council.

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5.2. MEMBERS' MOTIONS		28 - 38
	To consider the following motions:	
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6. REPORT(S) FOR DECISION FROM THE CABINET		
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8. AMENDMENTS		
	Any member of the council may submit an amendment to a report or motion on the agenda. The amendments will be circulated to all members in a supplemental agenda.	
	ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING	

EXCLUSION MOTION

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****9. APPOINTMENT OF INDEPENDENT PERSON**

Date: 16 November 2018



Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 25 July 2018 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT:

The Worshipful the Mayor for 2018-19, Councillor Catherine Rose (Chair)

Councillor Evelyn Akoto	Councillor Rebecca Lury
Councillor Humaira Ali	Councillor Eliza Mann
Councillor Jasmine Ali	Councillor James McAsh
Councillor Peter Babudu	Councillor Hamish McCallum
Councillor Jack Buck	Councillor Darren Merrill
Councillor Radha Burgess	Councillor Adele Morris
Councillor Victor Chamberlain	Councillor Graham Neale
Councillor Sunil Chopra	Councillor Margy Newens
Councillor James Coldwell	Councillor David Noakes
Councillor Stephanie Cryan	Councillor Damian O'Brien
Councillor Helen Dennis	Councillor Jason Ochere
Councillor Dora Dixon-Fyle MBE	Councillor Victoria Olisa
Councillor Nick Dolezal	Councillor Leo Pollak
Councillor Gavin Edwards	Councillor Sandra Rhule
Councillor Paul Fleming	Councillor Jane Salmon
Councillor Tom Flynn	Councillor Andy Simmons
Councillor Barrie Hargrove	Councillor Johnson Situ
Councillor Jon Hartley	Councillor Michael Situ
Councillor William Hounbo	Councillor Charlie Smith
Councillor Sirajul Islam	Councillor Cleo Soanes
Councillor Peter John OBE	Councillor Leanne Werner
Councillor Nick Johnson	Councillor Dan Whitehead
Councillor Sarah King	Councillor Kath Whittam
Councillor Sunny Lambe	Councillor Bill Williams
Councillor Lorraine Lauder MBE	Councillor Kieron Williams
Councillor Maria Linforth-Hall	Councillor Ian Wingfield
Councillor Richard Livingstone	

1. PRELIMINARY BUSINESS

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

The Mayor offered her congratulations to Councillor Anood Al-Samerai, Councillor Eleanor Kerslake and Councillor Leo Pollak on the births of their children.

The Mayor announced that she had attended the memorial service for Alderman George Dunk, and that the memorial service for Alderman Toby Eckersley would be coming soon.

The Mayor congratulated newly elected members, and invited all members to the Mayor's Parlour after council assembly for a welcome reception.

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

At this juncture the meeting agreed the programme motion.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Graham Neale declared a non-pecuniary interest in item 3, the themed debate, as he is a trustee of a charity working with the survivors of domestic violence.

Councillor Maria Linforth-Hall declared a non-pecuniary interest in item 3, the themed debate, as she is the founder and trustee of Su Mano Amiga.

Councillor Rebecca Lury declared a non-pecuniary interest in item 3, the themed debate, as she is a trustee of Su Mano Amiga.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Anood Al-Samerai and Eleanor Kerslake, on maternity leave, and Councillors Maggie Browning, Nick Dolezal, Karl Eastham, Renata Hamvas, Richard Leeming, Alice Macdonald, Victoria Mills, Martin Seaton and Cleo Soanes.

1.5 MINUTES

The minutes of the meeting of council assembly held on 14 March 2018 and the annual meeting held on 21 May 2018 were agreed as a correct record.

2. ISSUES RAISED BY THE PUBLIC

2.1 PETITIONS

A petition was received from local residents on the subject of the provision of respite facilities for children with disabilities during school holidays. Members debated the petition.

Councillor Jasmine Ali, the cabinet member for children and schools, agreed to meet with the petitioner separately to discuss this.

DECISION:

That council assembly commission further investigation into this area.

2.2 PUBLIC QUESTION TIME

No public questions were received.

3. THEMED DEBATE**3.1 COMMUNITY EVIDENCE**

There was no community evidence presented.

3.2 MOTION ON THE THEME

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

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

RESOLVED:

1. Council assembly notes:
 - a. That Southwark's communities add great value to our borough, and make Southwark a place which we can all be proud of
 - b. That despite cuts from this Conservative government, Southwark Council continues to provide financial support to community groups, voluntary organisations and faith groups through the community capacity grants programme
 - c. The council's Voluntary and Community Sector Strategy which aims to deliver a thriving voluntary and community sector which meets the needs of our residents
 - d. The role played by faith groups in creating strong and resilient communities, and the development of a Faith Strategy which will be launched later this year
 - e. The zero-tolerance to hate crime approach taken by the council
 - f. That youth violence continues to be a problem in Southwark and across London
 - g. That the council is working with communities, the police, and other partners to tackle youth violence, violence against women and girls, and other issues which harm our communities
 - h. Southwark Labour's manifesto commitment to work with our communities to find local solutions that help young people stay away from knives and launch a Positive Futures Fund to support groups that provide inspiring opportunities for young people
2. Council assembly calls on cabinet to:
 - a. Build on the work done on the Women's Safety Charter and develop and deliver a Violence Against Women and Girls Strategy to tackle all forms of gender-based violence in our communities
 - b. Fulfil Labour's manifesto pledge and establish a Positive Futures Fund to empower communities to provide inspiring opportunities for young people which help them to stay away from knives and not become involved in youth violence

- c. Continue to work with groups and partners in the community to tackle extremism and support those who may be at risk of radicalisation, recognising that the best solutions to these problems can often be found in the community
- d. Continue to work with and for Southwark's communities to ensure that they are strong, safe and resilient.

4. DEPUTATIONS

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

Dodson and Amigo Hall Tenants and Residents Association: Taking action on AirBnB

The group's representative spoke to the meeting for five minutes and thereafter asked a question of Councillor Stephanie Cryan, the cabinet member for housing management and modernisation.

Two members asked questions of the deputation.

Bankside Residents' Forum: Community Infrastructure Levy

The group's representatives spoke to the meeting for five minutes and thereafter asked a question of Councillor Johnson Situ, the cabinet member for growth, development and planning.

One member asked questions of the deputation.

5. ISSUES RAISED BY MEMBERS

5.1 MEMBERS' QUESTION TIME

(See pages 14-18 of the main agenda and the additional papers circulated at the meeting)

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

There were 34 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 15 supplemental questions.

5.2 MEMBERS' MOTIONS

MOTION 1: CORPORATE PARENTING IN SOUTHWARK

(See pages 35-36 of the main agenda)

Motion – Carried

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

1. This motion seeks to build on the good work that Southwark is doing with children in

our care and young people leaving care. Last year we received a good rating from Ofsted, secured innovation funding to enable young people in care to reconfigure our care leaving services, and waived council tax fees for all care leavers.

2. This year, in our forward plan, we have guaranteed an education placement or apprenticeship for all children and young people preparing to leave care.

Background

3. At the same time we have witnessed a national scrutiny spotlight being put on children's social care. The Children and Social Work Act 2017 has released updated statutory guidance to improve corporate parenting. This was followed by the launch of the Education Committee's scrutiny of foster care which was in turn swiftly followed by the release of government commissioned Foster Care in England Inquiry authored by Martin Narey and Mark Owers.
4. The government's response to the scrutiny reports has yet to be released – but we can anticipate a shift to improve services along the lines of permanence as opposed to fragmented responses to families requiring care services into adoption, SGOs and foster care.
5. At the same time the Local Government Association (LGA) and the Association of Directors of Children's Services (ADCS) have launched its Brighter Future campaign which has exposed a £2 billion deficit in children's social care. In Southwark we hosted the launch of a suite of reports entitled Care Crisis.

Individual councillors as corporate parents

6. The role that this council plays in looking after children is one of the most important things that we do. Just like all other local authorities, we have a unique responsibility to the children that we look after. It is in this context that local authorities are referred to as the 'corporate parent' of these children and young people, and the critical question that we should ask in adopting such an approach is 'would this be good enough for my child?'
 - a. Council assembly recognises that children in care are more likely to succeed in education or employment if someone is interested in their progress.
 - b. Council assembly will build on its strong ethos of corporate parenting by inviting all councillors to participate in this role, not only those on the Corporate Parenting Committee
 - c. Council assembly calls on cabinet to develop a scheme to engage councillors with looked after children, including monitoring their progress and encouraging written contact in the form of cards to acknowledge birthdays, faith festival dates and dates of exams, results of exams and education or job interview results
 - d. Council assembly encourages councillors to volunteer to be a part of this initiative, recognising that this is a serious commitment to a potentially vulnerable child.

MOTION 2: RISING CRIME IN SURREY DOCKS

(See pages 36-37 of the main agenda)

Amendment B - Carried

Motion – Carried

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

1. Council assembly recognises:
 - a. The dramatic rise in violent crime across London.
 - b. The spread of violent crime – especially knife crime – across most wards in Southwark Council.
 - c. That under a Labour administration, action has been taken by Southwark Council to tackle anti-social behaviour, and the number of arrests using CCTV footage has increased thanks to the work of the council's award-winning CCTV team.
 - d. That under the previous Liberal Democrat administration, CCTV coverage was cut and anti-social behaviour powers were not used most effectively.
2. Council assembly further recognises:
 - a. The reduction in police officers and community support officers across London thanks to the cuts imposed by this Conservative government and the previous Liberal Democrat/Conservative Coalition.
 - b. The reduction in police officers across Southwark from 957 to 706.5 officers, including 546 police constables since 2010.
 - c. The reduction in Safer Neighbourhood Teams for each ward from 6 members to 3.
3. Council assembly is aware that:
 - a. Tower Hamlets Council have hired additional police officers.
 - b. The Tower Hamlets scheme is still in at an early stage and the success of these arrangements is still to be determined.
 - c. Whilst the Mayor of London will provide a free officer for every officer that the council pays for, the cost to Tower Hamlets Council will be £3m per year once they have all the officers they have agreed to purchase in place.
 - d. That thanks to cuts from this Conservative government and the previous Liberal Democrat/Conservative coalition, the council's budget has been halved since 2010, and is continuing to reduce year on year.
4. Council assembly recommends that Southwark Council:
 - a. Investigate, alongside other options, hiring extra police officers to patrol Southwark's neighbourhoods.
 - b. Continue to work with the police and the Borough Commander to prevent, detect and respond to crime and anti-social behaviour in Southwark.

- c. Consider installing extra streetlights and CCTV cameras in hotspot areas for violent crime.

MOTION 3: MODERN SLAVERY

(See pages 37-38 of the main agenda)

Motion – Carried

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

1. Council assembly notes:
 - a. Though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour.
 - b. There were 3,805 victims of modern slavery identified in the UK in 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.
 - c. Modern slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.
2. Council assembly believes:
 - a. That action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK.
 - b. That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by the government.
 - c. That councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation.
3. Council assembly calls on cabinet:
 - a. To adopt the Co-operative Party's Charter against modern slavery to ensure our procurement practices do not support slavery.
 - b. To consider the wider impact of modern slavery on the borough, and work to ensure that all forms of modern slavery are eliminated in Southwark.

MOTION 4: SAVING THE RV1 BUS

(see page 38 - 39 of the main agenda and page 7 of supplemental agenda no. 2)

Amendment C - Carried

Motion – Carried

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

1. Council assembly notes:
 - a. The doubling of wait times for an RV1 bus.
 - b. The fact that there are now just three RV1 buses every hour.
 - c. The rushed decision to cut the service on 10 February 2018, publicised just 14 days before the changes went ahead.
 - d. The complete lack of consultation prior to the cut.
 - e. The complete reliance on data to make the decision.
 - f. The use of data added by a year-long diversion at London Bridge station.
 - g. The cross party support for returning to the former timetable of the RV1 bus, including the commitment in the 2018 Southwark Labour manifesto to campaign to reinstate the frequency of the RV1 bus service.
2. Council assembly recognises that:
 - a. The RV1 bus provides a vital service to elderly residents, who made almost 60,000 journeys with bus passes and 45,000 with Freedom Elderly passes last year – even with the route on diversion.
 - b. The bus is heavily used by students, disabled residents, and commuters from Covent Garden, Waterloo, Blackfriars, Borough, London Bridge, and North Bermondsey.
 - c. The suggestion from TfL that residents use the Jubilee Line instead of the RV1 completely ignores issues of accessibility, affordability and overcrowding.
 - d. The RV1 is one of the only zero-emission routes in London, operated by a fleet of hydrogen-powered buses.
 - e. 1,000 Southwark and London residents signed a petition condemning the RV1 cuts and the failure to consult.
 - f. To this date there has still been no consultation with residents – despite a significant public petition.
 - g. There is cross-party opposition to the cuts, including from the leader of the council.
3. Council assembly further notes:
 - a. That the Deputy Mayor for Transport has agreed to review the service after six months (by 10 August 2018) following Mayoral Questions from London Assembly Members Caroline Pigeon and Florence Eshalomi.
 - b. That Labour London Assembly Member Florence Eshalomi has written to both the Mayor and TfL about the changes to the RV1 bus, and also discussed this with Heidi Alexander, the newly appointed Deputy Mayor for Transport.
4. Council assembly calls on cabinet to:
 - a. Continue to campaign for the RV1 bus to return to six services an hour.
 - b. Write to TfL opposing the cuts, requesting a full consultation, and formally asking for the RV1 bus to be restored to full service.
 - c. Encourage the Mayor and TfL to explore the suggestion to market the RV1 bus as a route serving multiple tourist attractions since the route passes dozens of London Southwark landmarks along the river.
5. Council assembly calls on TfL and the Mayor of London to:

- a. Review the changes to the RV1 bus service after 6 months
- b. Hold a consultation with residents on the full restoration of the RV1 bus service.
- c. Introduce more zero-emission buses in Southwark to cut the high concentrations of air pollution in the borough.

MOTION 5: SECURING A BRICKLAYERS ARMS TUBE STATION

(see page 39 - 41 of the main agenda and page 8 of supplemental agenda no. 2)

Amendment D - Carried

Motion – Carried

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

1. Council assembly recognises that:
 - a. The Bricklayers Arms site is ideal for a tube station.
 - b. There is strong cross-party support for the station in Southwark.
 - c. Close to 3,000 people have signed the petition for a Bricklayers Arms tube station.
 - d. The station has the support of local businesses and community groups – including the Tower Bridge Alliance, Bermondsey Street Area Partnership and Bricklayers Arms Tenants and Residents Association.
 - e. Before the last election, Southwark Labour's manifesto made a commitment to Campaign for three new tube stations on the Old Kent Road, including one at the Bricklayers Arms.
 - f. The leader and the cabinet member for growth, development and planning have written to the new Deputy Mayor for Transport, Heidi Alexander, to press the case for a tube station at the Bricklayers Arms, and have invited her to visit the site to see for herself the potential of the location.
 - g. That, following pressure from Southwark Council, TfL are undertaking a detailed cost-benefit analysis and design study that looks at the different options for the tube station at Bricklayers Arms.
2. Council assembly further recognises that:
 - a. A station between Elephant & Castle and Old Kent Road would bring tube access to thousands of people in Chaucer, North Walworth and West Bermondsey.
 - b. A station at Bricklayers Arms would also provide much-needed relief for the overcrowded Jubilee Line.
 - c. A station would also be a vital future-proofing measure, given the rapid expansion in population due to take place in the area – especially under the Old Kent Road Area Action Plan.
 - d. There is an historic divide between north and south London in tube access. Zone 1 in the north has 55 tube stops. In the south, we have 7.
 - e. Transport for London (TfL) is planning wide gaps between stations on the Bakerloo Line Extension (1.2 miles, comparing poorly with the 0.59 mile average on the rest of the line).

- f. This would be an enormous missed opportunity to narrow the gap between north and south London.
 - g. A sparsity of stations on the extension will actually reinforce this gap – and the social and economic inequality that comes with it.
 - h. An additional station would be a landmark contribution to the reduction of inequality, bringing clear social, economic and environmental gains for the area.
3. Council assembly is clear that:
- a. To secure an additional tube station at Bricklayers Arms a strong case has to be made to TfL and the Mayor of London on costs.
 - b. A station at Bricklayers Arms would increase passenger numbers and revenue for TfL, offsetting the immediate costs to TfL over the long-term.
 - c. A station would also bring investment, business, and jobs to the area – that would in the long-term outweigh the upfront costs – but that little analysis has been conducted so far.
 - d. A station would reduce demand for cars, taxis and buses, reducing air pollution and cutting congestion. Nearby New Kent Road and Tower Bridge Road have some of the highest nitrogen dioxide levels in London. Last year, they averaged 71 and 91 $\mu\text{g.m}^{-3}$. The limit is 40.
 - e. Short-termist policy-making tends to lead to higher costs, lower quality, greater inconvenience and less coordination.
4. Council assembly calls on cabinet to:
- a. Maintain their commitment to make contributions through the Community Infrastructure Levy (CIL) toward the Bakerloo Line Extension.
 - b. Produce a detailed study working with the London Borough of Lewisham and TfL to look at funding options.
 - c. Investigate commissioning an independent analysis of TfL's findings and decision when announced in July.
 - d. Continue to lobby the Mayor of London, the Deputy Mayor for Transport, and TfL for a station at Bricklayers Arms, and launch a new 'Back the Bakerloo' campaign, working with the local community to demonstrate to TfL the widespread support for the Bricklayers Arms station.

MOTION 6: TAKING ACTION ON SHORT TERM LETTING

(see page 41 - 43 of the main agenda and page 9 - 10 of supplemental agenda no. 2)

Amendment E - Carried

Motion – Carried

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

1. Council assembly recognises:
 - a. That national legislation has not caught up with the sharing economy.
 - b. That plenty of short-term let hosts are responsible and make a real effort to encourage their guests to be quiet, tidy and courteous.

- c. That a sizeable minority of hosts do not make these efforts.
 - d. That some residents – both council and private tenants – are barred from hosting, yet do so anyway.
 - e. That Southwark Council has made it clear to council leaseholders that they are not allowed to host via home-sharing websites, but that some continue to do so.
 - f. that short term letting can lead to security risks, anti-social behaviour and noise nuisance, and other loss of amenity for our residents.
 - g. That some short-term lettings bear no relation to the idea of flat-sharing and are effectively hotels or hostels – sometimes run by owners who live away, sometimes overseas.
 - h. That the housing crisis in London is worsened by the proliferation of short term lets on council estates.
2. Council assembly finds it unacceptable that:
- a. Some Airbnb-type hosts are sharing estate entry codes with guests.
 - b. Reports of anti-social behaviour related to short term lets have been made by residents across the borough.
 - c. That despite the hard work of Southwark Council, including writing to all leaseholders as outlined in (1), short-term lets have continued in Southwark council properties.
3. Council assembly agrees that:
- a. Short term letting of council properties constitutes a breach of the lease covenants “not to use or suffer the flat to be used for any purpose other than as a private dwelling house” and “not to do or permit or suffer to be done any act or thing which may be or become a nuisance or annoyance to the Council or to the Lessees owners or occupiers of adjoining or neighbouring property.”
 - b. We applaud the leader of the council when he said: “We will take legal action where such cases come to our attention.”(2) and applaud the cabinet member for housing management and modernisation for her work on this issue, and recognise that Southwark was among the first local authorities to take this stance on short-term lets.
 - c. We look forward to that action, for the protection of our residents and visitors.
4. Council assembly calls on cabinet to:
- a. Take action beyond merely writing standard form letters to every leaseholder and tenant.
 - b. Publicise the ban on Airbnb in council estates – on notice boards, at TRA meetings, with leaflet drops, and via digital channels (both council outlets and community forums), and help to enable residents to feel empowered to combat the use of their communities as profit centres for pernicious landlords.
 - c. Continue to notify leaseholders when short term lets have been identified in their properties and discourage them from letting on a short term basis.
 - d. Continue to record and investigate all resident reports of unlicensed hosting.
 - e. Publish quarterly reports on unlicensed hosting that state: how many reports the council has received, from where, what action has been taken, and what the next steps are.

- f. Make clear to leaseholders that they are accountable for the behaviour of their tenants.
- g. Take pro-active enforcement action against offenders and intervene early to prevent enforcement from being necessary where possible.
- h. Alert short term letting platforms of users who breach local authority rules.
- i. Continue to work with TMOs and TRAs across the borough to identify potential short term lets on estates.

(1) Southwark cracks down on short term holiday lets with warnings to local leaseholders: <http://www.southwark.gov.uk/news/2017/mar/southwark-cracks-down-on-short-term-holiday-lets-with-warnings-to-local-leaseholders>

(2) Homes not hotels: council to take action on Airbnb-style lets: <http://www.london-se1.co.uk/news/view/9324>

MOTION 7: JAMAICA ROAD GRIDLOCK

(see page 43 - 44 of the main agenda and page 11 of supplemental agenda no. 2)

Amendment F - Carried

Motion – Carried

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

1. Council assembly notes:

- a. The continued failure of Transport for London (TfL) to make any serious attempt to reduce congestion on Jamaica Road.
- b. The fact that congestion on Jamaica Road is actually getting worse – with traffic up 19% this year.
- c. Tailbacks along Jamaica Road that now begin before 3pm.
- d. The likelihood that a tolled Silvertown Tunnel and Blackwall Tunnel will drive even more traffic to a toll-free Rotherhithe Tunnel – creating more backups along Jamaica Road.
- e. That TfL has not introduced Variable Message Signs on Jamaica Road. There are roughly 3,000 of these across England – but not on one of its most congested roads.
- f. That the cabinet member for environment, transport management and air quality has raised the issue of congestion on Jamaica Road with the new Deputy Mayor for Transport, Heidi Alexander.

2. Council assembly is aware that:

- a. Congestion on Jamaica Road has left the area with some of the worst air pollution in London.
- b. Nitrogen dioxide (NO₂) consistently sits above the legal limit (a maximum of 40µg/m³). Very often it reaches 60-70µg/m³. Around some stretches of the road it is 90-100µg/m³.
- c. At the Abbey St junction NO₂ was 50% above the limit last year. At Rotherhithe Tunnel it was almost 150% over.
- d. At St James' primary school near Jamaica Road last year, NO₂ was above the

legal limit in every month but one.

3. Council assembly requests that cabinet call on TfL to:
 - a. Make the decongestion of Jamaica Road an urgent priority.
 - b. Set a timetable and targets for traffic reduction on Jamaica Road.
 - c. Following the grant of a Development Consent Order in May 2018 to build Silvertown Tunnel, urgently consider a rush-hour toll on Rotherhithe Tunnel.
 - d. Invest the revenue from a Rotherhithe Tunnel toll in better infrastructure on Jamaica Road and Lower Road to reduce congestion and pollution.
 - e. Consider introducing Variable Message Signs on roads leading to Rotherhithe Tunnel, warning drivers about queue lengths – or indeed alerting them when the tunnel is closed.
 - f. Make key changes to its plans for Cycle Superhighway 4 (CS4), removing the cycle crossing at West Lane junction, adding plans for Lower Road, extending the proposed route into Greenwich, and consulting on an option for one-way segregated lanes on both sides of Jamaica Road – similar to CS2 on Whitechapel Road – rather than merely consult on a two-way superhighway on the north side. If CS4 is to cut congestion, TfL needs to be more ambitious.
 - g. Introduce zero emission buses on the 1, 47, 188, 199, 225, 381, C10, P12, N1, N199 and N381 routes along Jamaica Road to reduce air pollution.
4. Council assembly calls on the Mayor of London to:
 - a. Reconsider the decision not to increase the number of carriages on the Jubilee Line.
5. Council assembly calls on cabinet to:
 - a. Work with TfL to continue to explore proposals to fund the Bermondsey-Rotherhithe Santander bike hire expansion.
 - b. Consider installing a PM2.5/PM10 (Particulate Matter pollution) automatic monitoring station on Jamaica Road, as a part of Labour's manifesto commitment to tackling poor air quality and air pollution.
 - c. Promote existing apps and website where residents can check air quality and pollution levels in real time.

6. OTHER REPORTS

6.1 CALCULATION OF POLITICAL BALANCE (PROPORTIONALITY) - THE LOCAL GOVERNMENT AND HOUSING ACT 1989

RESOLVED:

1. That the revised division of seats and percentage allocation of each political group on the council following the outcome of the election in London Bridge and West Bermondsey ward on 14 June 2018 set out below be noted.

Table 1: Division of seats

Group	Total	%
Labour	49	77.78
Liberal Democrat	14	22.22
Total	63	100.00

2. That it be noted that following the elections in London Bridge and West Bermondsey ward on 14 June 2018, there is no change to proportionality and the allocation of seats on committees, community councils and panels for the municipal year 2018/19, as agreed by council assembly on 21 May 2018, remains same, as set out below:

Table 2: Ordinary Committees - Total number of seats 29

Committee	Total	Lab	Lib Dem
Committee 1 Appointments Committee	7	6	1
Committee 2 Planning Committee	8	6	2
Committee 3 Audit, Governance and Standards Committee	7	5	2
Committee 4 Corporate Parenting Committee	7	6	1
Total	29	23	6

Table 3: Other committees - Total number of seats 26

Committee	Total	Lab	Lib Dem
Overview and Scrutiny Committee	11	8	3
Licensing Committee	15	12	3

Table 4: Community councils areas divided by geographical areas

Name of community council	Members from electoral wards serving on community councils
Bermondsey and Rotherhithe	London Bridge & West Bermondsey, North Bermondsey, South Bermondsey, Old Kent Road (North), Rotherhithe and Surrey Docks wards.
Borough, Bankside and Walworth	Borough & Bankside, St George's, Chaucer, Newington, North Walworth and Faraday wards.
Camberwell	Camberwell Green, St Giles and Champion Hill wards.
Dulwich	Goose Green, Dulwich Village, Dulwich Hill and Dulwich Wood wards.
Peckham and Nunhead	Old Kent Road (South), Peckham, Rye Lane, Nunhead & Queen's Road and

	Peckham Rye wards.
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6.2 CONSTITUTIONAL CHANGES 2018/19: CONTRACT STANDING ORDERS, APPOINTMENT OF A DATA PROTECTION OFFICER AND SCRUTINY ARRANGEMENTS

RESOLVED:

1. That the proposed changes to the constitution as outlined in Appendices 1 to 4 of the report be agreed.
2. That the addition to the proper officer list in the council's constitution to include a data protection officer be noted.

6.3 TREASURY MANAGEMENT PERFORMANCE - 2017-18 ANNUAL REPORT AND PRUDENTIAL INDICATORS FOR CAPITAL FINANCE AND TREASURY MANAGEMENT AND DRAFT CAPITAL STRATEGY

RESOLVED:

1. That the 2017-18 outturn for the council's treasury management be noted and that the following be noted:
 - all treasury management activity was undertaken in compliance with the approved treasury management strategy and with the council's prudential indicators, as Appendix A.
 - the balance remaining on all external loans at 31 March 2018 was £563m (£371m HRA and £192m general fund). Loans totaling £5m were repaid during the year. £110m of new temporary borrowing was undertaken during the period.
 - in the year to 31 March 2018 the average investment balance was £127m and the balance of investments at 31 March 2018 stood at £126m.
2. That the council's draft Capital Strategy, at Appendix B of the report, be noted.

7. AMENDMENTS

Amendments are set out in supplemental agenda no. 2.

The meeting closed at 10.20 pm.

CHAIR:

DATED:

Item No. 3.2	Classification: Open	Date: 28 November 2018	Meeting Name: Council Assembly
Report title:		Motion on the Theme: The Best Possible Start In Life	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The theme for this meeting is The Best Possible Start In Life.

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 JASMINE ALI, CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE

1. Council assembly notes:

- a. Under this Labour administration, Southwark is delivering the best possible start in life for our children. Ofsted has rated our children's services good and our adoption services are outstanding. Southwark's Special Educational Needs and Disability (SEND) Services are examples of excellence where other local authorities are turning to Southwark for guidance on their SEND services. Our Youth Offending Service (YOS) was praised by Ofsted as it carries out its essential work supporting young people who have or at risk of offending. This Labour administration has protected funding for YOS and will continue to do so.
- b. No child should be left behind, and so welcomes Southwark's continued efforts to improve education at every stage. From Early Years to Key Stage 5, Southwark exceeds national averages for results - including attainment of pupils with special educational needs.
- c. Nine out of 10 schools in Southwark are rated as Good or Outstanding by Ofsted, showing that our schools are great places for our young people to learn and develop. Council assembly further notes the huge progress our schools have made in the last eight years, when less than two thirds were Good or Outstanding.
- d. That this administration has made it easier for children to go to the local school of their choice and get the best possible start in life. Council assembly further notes the enormous progress from the previous administration's schools placement crisis where 500 children were not being offered a place at any of their preferred schools. Council assembly welcomes that there are now an additional 4,425 primary school places since 2009. This means almost 90% now get their first choice of primary school, and 64% get their first choice of secondary school.

- e. The council's commitment that children should lead happy, healthy and full lives. It welcomes measures such as the introduction of Free Swim and Gyms and Free Healthy School Meals to help tackle childhood obesity and improve standards. Council assembly further welcomes the council's programme of refurbishing and improving play areas across the borough, so that every child has access to a top quality place to play in their neighbourhood.
 - f. Southwark is a great place to grow up.
2. Council Assembly further notes:
- a. After eight years of cuts and austerity from Conservative and Liberal Democrat governments, not all families are thriving. Council assembly recognises that cuts to council budgets, attacks on welfare and benefits, a national crisis in care, a housing crisis and spiralling youth violence have all impacted on young people in the borough. Investigations where a child is believed to be at risk of significant harm have more than doubled.
 - b. The commitment from this administration to stand alongside our communities in the face of government attacks and to do what it can to support children and young people.
3. Council assembly welcomes the council's commitment to a fairer future for all and commitment that everyone has the best start in life with no one left behind.
4. Council assembly calls on cabinet:
- a. To launch a Keeping Families Strong strategy
 - i. To endorse, support and facilitate the work between the council and local communities, and to make sure parents are well supported as part of our Children and Families offer.
 - ii. To support the approach of the cabinet member for children, schools and adults to lead active engagement with parents across Southwark to make sure that the strategy targets the right support where it is needed.
 - b. To protect existing and develop new early years services
 - i. To protect the funding of its 16 children's centres and start to roll out free healthy meals in our nursery schools from January 2019.
 - ii. To help parents spread the cost of childcare over a longer period by setting up an affordable loan scheme.
 - c. To improve education for all
 - i. To welcome the increase in the number of Southwark schools rated either Good or Outstanding, which has risen to 91%, from 64% in 2010, and continue to raise standards in schools, ensuring that parents and pupils benefit from choice based on transparency with up to date and accessible information on schools.
 - ii. To open the Passmore Centre to provide training and apprenticeships for young people.
 - iii. To continue to support the work of the Construction Skills Centre to help our young people get the education and training they need to get the high skilled construction jobs being created in our borough.

- d. To guarantee an education place or an apprenticeship for all care leavers
 - i. To work across the council, with Catch22, other partners and local education and businesses to make sure that the 474 children in care and 440 care leavers the council is a corporate parent to, have every opportunity to fulfil their potential.
 - ii. To launch a local Care Covenant to make sure children leaving care get access to job opportunities in this borough and guarantee an education place or an apprenticeship for every care leaver.
- e. To improve adoption
 - i. To be the lead authority in the Regional Adoption Agency across South London, providing the best start for children in care in Southwark and to work towards positive permanence services for all children including adolescents.
- f. To continue to improve the health and wellbeing of our young people
 - i. To help our children and young people stay fit and active by making free swim and gym more flexible and making swimming lessons free for all residents, so our young people can get the most out of Southwark's fantastic leisure centres.
 - ii. To introduce a 'daily mile' in all our primary schools so children have the opportunity to walk or run a mile every day.
 - iii. To close roads around schools at drop off and collection time so that it is safer and healthier to walk or cycle to school.
- g. To revolutionise our mental health services for children and young people
 - i. To reject the National Health Service's disgracefully low target to meet just 35% of children and young people's mental health needs.
 - ii. To endorse a new approach and work towards meeting 100% of children and young people's mental health needs.
 - iii. To set up a children's mental health reference group made up of the key stakeholders from the NHS, the council, the third sector and user groups to raise aspiration by actively working to meet 100% of children and young people's mental health needs.
 - iv. To defend Child and Adolescent Mental Health Services (CAMHS) from cuts, seek match funding from partners, make applications for innovation funding, and seek new approaches to revolutionise our CAMHS and to be a beacon across London of how to support children and families.
- h. To provide exciting opportunities for young people
 - i. To ensure that 500 young people from low income backgrounds get paid internships with London's best employers.
 - ii. To work with our communities to find solutions that help young people stay away from knives and youth violence.
 - iii. To re-open the Blue Youth Club and Community Centre so as to provide young people with a welcoming, positive space they can use and visit.
 - iv. To continue the work of the last administration, which created nearly 2,000 apprenticeships, and create 2,500 more apprenticeships, many of which will benefit young people.

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, Head of Constitutional Services
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
Version	Final
Dated	15 November 2018

Item No. 5.1	Classification: Open	Date: 28 November 2018	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 OF THE COUNCIL FROM COUNCILLOR SARAH KING

Could the leader of the council tell us what part the council played in securing Dulwich Hamlet's return to their stadium at Champion Hill?

2. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ANOOD AL-SAMERAI

How much has the council spent on 'Golden Goodbye' loss of office payments to former cabinet members in the past year? Does the leader think this has been a good use of public money? Given that Southwark is the only council in the country to make these payoffs, what external legal advice has been sought to determine whether or not these payments are lawful?

3. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR LEANNE WERNER

Could the leader of the council update us on the outcome of Southwark's joint bid for funding from the London-wide Strategic Investment Pot?

4. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JANE SALMON

Could the leader specify what youth clubs are currently available in Southwark, what are their opening hours and how much does the council intend to increase spending on each youth club?

5. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR BILL WILLIAMS

What are the implications for Southwark of this year's Autumn Budget?

6. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DAVID NOAKES

Can the leader of the council say what additional measures and actions the Council are pursuing in relation to the ongoing serious levels of knife crime and deaths of young people in Southwark?

7. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MAGGIE BROWNING

Could the leader of the council tell us how much funding Southwark was awarded from the Greater London Authority (GLA) through their Building Council Homes programme?

8. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ELIZA MANN

What steps will the council take to protect residents at Fountain Green Square and Fountain House from the worksite at Chambers Wharf blocking their light for the next four years?

9. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR NICK DOLEZAL

Can the leader tell me what the council is doing to encourage cycling and particularly getting young people walking or cycling to school?

10. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ADELE MORRIS

Southwark Liberal Democrats welcome the appointment of Kevin Fenton as Strategic Director of Place and Wellbeing to oversee the social regeneration of the borough. Can the Leader say what immediate effects will be felt by residents of the borough, who have been expressing growing dissatisfaction with the way that their communities are being re-shaped through the regeneration process?

11. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR WILLIAM HOUNGBO

With the dramatic rise in homelessness in Southwark, many rough sleepers have sought to gain access to council blocks in order to sleep in the corridors, which can be very intimidating to vulnerable residents. Can the Leader outline what strategy the council has in place to stop this happening and to help rough sleepers access more suitable accommodation?

12. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR HAMISH MCCALLUM

How many new homes, broken down by tenure type, have been delivered in Southwark in each of the last five years and how many council homes have been lost through sale or demolition over the same period?

13. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DORA DIXON-FYLE (CAMBERWELL COMMUNITY COUNCIL)

In the light of the recent tragic events concerning knife crime, will the Leader please commit to providing knife bins in the centre of Camberwell or within the SE5 area?

14. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JAMES COLDWELL (BOROUGH, BANKSIDE & WALWORTH COMMUNITY COUNCIL)

In light of the serious challenges Southwark faces around youth violence, can the cabinet member confirm there will be no further cuts to council-funded youth provision in the borough?

15. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ANDY SIMMONS (DULWICH COMMUNITY COUNCIL)

Could the Cabinet Member please provide an update on the council's progress in reducing single use plastic within the council and more widely within the borough?

16. QUESTION TO THE CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE FROM COUNCILLOR DORA DIXON-FYLE

Can the cabinet member for children, schools and adult care tell us how we can improve services for children and families with mental health needs?

17. QUESTION TO THE CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE FROM COUNCILLOR VICTORIA OLISA

Will the cabinet member for children, schools and adult care tell us what we are doing for unaccompanied asylum seeking children in Southwark?

18. QUESTION TO THE CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE FROM COUNCILLOR CHARLIE SMITH

Will the cabinet member for children, schools and families tell how councillors can best fulfil our duties as corporate parent for children in our care?

19. QUESTION TO THE CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE FROM COUNCILLOR MARIA LINFORTH-HALL

The winter months typically see a spike in hospital admissions for older people and a corresponding increase in discharges from hospital once treatment is concluded. Can the cabinet member outline what plans are in place to ensure that there is no increase in delays in discharging people from hospital due to this increased demand? Looking further ahead, can she also detail what contingency plans are in place, in the event of a hard Brexit, to deal with any resulting gaps in the social care workforce?

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

Ofsted have recently looked at our special educational needs and disability (SEND) provision and given us positive feedback. What is the cabinet member for children, schools and adult care doing to help children with special educational needs and or disabilities find employment?

21. QUESTION TO THE CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE FROM COUNCILLOR ELEANOR KERSLAKE

Adult social care is changing in Southwark. Can the cabinet member for children, schools and adult care tell me how the changes will benefit people who need our services?

22. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR RICHARD LEEMING

What progress is the council making in providing charging points for electric vehicles?

23. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR VICTOR CHAMBERLAIN

Passenger numbers on the RV1 bus service have recently risen, yet TfL still intends to scrap the bus route altogether. Can the cabinet member detail what interventions he

has personally made to either the Mayor or to TfL in order to save the RV1 and to reinstate it to six services an hour?

24. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR DAMIAN O'BRIEN

What programme does Southwark have in place or plan to put in place to increase the number of electric vehicle charging points across the borough?

25. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR MARGY NEWENS

In May, the Labour Party promised to close roads around schools at drop off and collection time. Could the cabinet member update us on how this is progressing?

26. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR JAMES MCASH

Given TfL's proposed reductions in local bus services, what steps are being taken to work with other boroughs to protect our bus routes?

27. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR JON HARTLEY

What steps are being taken to create safer cycling routes in Southwark?

28. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR DAN WHITEHEAD

Earlier this year we were assured by the cabinet that discussions were being had with the Mayor of London regarding the raising of sufficient capital funding to extend the Transport for London (TfL) cycle hire scheme to Bermondsey and Rotherhithe. Could the cabinet member provide us with a progress update and confirm how much funding has so far been allocated to extend the scheme?

29. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY FROM COUNCILLOR GRAHAM NEALE

Can the cabinet member explain how the currently high levels of incineration in Southwark align with the ambition to substantially improve air quality, decreased CO2 emissions and increased recycling rates?

30. QUESTION TO THE CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION FROM COUNCILLOR SANDRA RHULE

Can the cabinet member give an update on the progress being made on the Queens Road 4 site?

31. QUESTION TO THE CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION FROM COUNCILLOR RADHA BURGESS

How is the shared ICT service with Brent and Lewisham progressing and what are the next steps in the process?

32. QUESTION TO THE CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION FROM COUNCILLOR PETER BABUDU

How successful has the Digital Futures Month been and what are the next steps for improving use of technology and smarter ways of working across the council?

33. QUESTION TO THE CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION FROM COUNCILLOR ALICE MACDONALD

Now that the Innovation Fund has been launched what positive differences will this mean for our residents?

34. QUESTION TO THE CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION FROM COUNCILLOR PAUL FLEMING

Can the cabinet member give an update on the new in-house repairs service?

35. QUESTION TO THE CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING FROM COUNCILLOR NICK JOHNSON

In response to a question to Councillor Whitehead, during council assembly held on 14 March 2018, the leader of the council stated that no request had been made by Transport for London (TfL) to the council for funding from community infrastructure levy (CIL) developer contributions in respect of the planned Rotherhithe Bridge. Given that TfL have now publicly stated that they expect to receive a contribution to the funding of the bridge from the respective local councils (Tower Hamlets and Southwark), will the cabinet member now publicly commit to a major contribution from the CIL that has been generated from the Canada Water Opportunity Area to help ensure that this much needed and long delayed bridge is built?

36. QUESTION TO THE CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING FROM COUNCILLOR MICHAEL SITU

Can the cabinet member update us on what the council is doing to ensure local people are able to contribute to the Old Kent Road Area Action Plan?

37. QUESTION TO THE CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING FROM COUNCILLOR BARRIE HARGROVE

I was very pleased that the Mountview Academy of Theatre Arts opened its new venue in my ward in September. Could the cabinet member update me on plans for Peckham Palms?

38. QUESTION TO THE CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING FROM COUNCILLOR HELEN DENNIS

Could the cabinet member update us on the adoption of the New Southwark Plan?

39. QUESTION TO THE CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING FROM COUNCILLOR JACK BUCK

Can the cabinet member let us know what progress has been made towards delivering more social and affordable housing as a part of the Aylesbury Estate regeneration?

40. QUESTION TO THE CABINET MEMBER FOR FINANCE, PERFORMANCE AND BREXIT FROM COUNCILLOR HUMAIRA ALI

A Freedom of Information request by the human rights organisation Project 17 showed that Southwark Council has employed Home Office immigration officials to sit in on interviews with destitute families who are requesting support. This practice has been widely condemned by human rights lawyers, charities and politicians on the grounds that it serves to intimidate and dissuade people and children who are in dire need from getting the support they are entitled to.

Can the cabinet member confirm how many such interviews these officials have attended in each of the last three years, what role they have played in decision making and whether there any plans to discontinue their participation in these interviews in future, as Haringey and Lewisham councils have done?

Item No. 5.2	Classification: Open	Date: 28 November 2018	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 DAVID NOAKES (Seconded by Councillor Maria Linforth-Hall)

A People's Vote on Brexit

1. Council assembly notes that:
 - a. Southwark's EU referendum result was one of the highest in the UK in favour of staying in the EU – 73% voted to Remain.
 - b. Recent opinion polls indicate that there has been a significant swing in favour of a 'People's Vote' on the final Brexit deal.
 - c. The Government's own impact assessments show that the UK is likely to be worse off in every scenario after Brexit.
 - d. A recent report by the Centre for Economic Performance at the London School of Economics noted that Inner London Boroughs like Southwark will be amongst those that will suffer the most from Brexit, of whatever variety.
 - e. There will be severe damage to our international relationships, reduced influence with other states, and the complete loss of say and control over the rules of the European Single Market and Customs Union, the largest market in the world.
 - f. There are a large number of non-UK EU nationals living in Southwark who are concerned about the impact of Brexit on their lives, and that their current rights are not being fully protected.
 - g. The Government has totally mismanaged the Brexit negotiations. The 'Chequers Statement', issued on 6th July 2018, (the closest indication yet of what a final deal might look like), has been rejected by EU negotiators and has also managed to alienate both supporters and opponents of Brexit.
 - h. The NHS is experiencing severe problems in recruiting and retaining nurses and doctors from other EU countries since the decision was made to leave the European Union, and this is having a real negative impact on the health of local residents.
 - i. The UK economy is now the slowest growing economy in Europe, reducing the prosperity of the UK and our local residents. New investment in the area is being jeopardised and new job opportunities are being lost.
 - j. Inflation caused by Brexit-related depreciation of the pound is driving up living costs for our poorest residents, further squeezing their living standards.
2. Council assembly therefore:
 - a. Believes that the people of Southwark should have scrutiny of what is being negotiated on their behalf and an opportunity to vote on the final deal, including the option to remain in the EU.
 - b. Formally adds its voice to those calling for a public 'People's Vote' on the final Brexit deal.
 - c. Asks the three Members of Parliament that represent Southwark to publicly support a 'People's Vote' before any version of Brexit is implemented.

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

2. MOTION FROM COUNCILLOR MAGGIE BROWNING (Seconded by Councillor Cleo Soanes)

School Cuts

1. Council assembly notes that as a result of the ongoing government cuts, Southwark's schools:
 - a. Will have lost £17,474,847 in overall funding between 2015-2020, equating to a loss of on average £457 per pupil.
 - b. Must bear the brunt of unfunded National Insurance increases.
 - c. Will suffer inadequate High Needs Block Funding, leaving our most vulnerable pupils without the support they need.
2. Council assembly further notes:
 - a. That despite the savage cuts being imposed by the Conservative government, our hardworking teachers, support staff, students and parents are doing their best to maintain our high standards.
 - b. The grassroots Fair Funding For Schools Campaign in Southwark, which is supported by Southwark's three Labour MPs, and Labour Councillors.
 - c. That 90% of Southwark's schools have been rated Good or Outstanding by Ofsted, and results continue to improve.
 - d. The Chancellor's Budget announcement for £400 million for schools to spend on 'little extras' is a drop in the ocean compared to the £2.5 billion that has been cut since 2015. Furthermore the £400 million is a one off payment so does not deal with the long term funding crisis in schools.
3. Council assembly resolves to call on cabinet:
 - a. To join other councils and Southwark's MPs in opposing the government's ongoing cuts to school budgets and call for more funding to be invested in education.
 - b. To call on the government to fully fund the pay increase for teachers that is independently recommended by the School Teachers' Review Body.
 - c. To support the coalition of trade unions campaigning against school cuts.

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

3. MOTION FROM COUNCILLOR VICTOR CHAMBERLAIN (Seconded by Councillor Humaira Ali)

Royal British Legion commemoration

1. Council assembly notes:
 - a. That November 2018 marks the centenary of the end of the First World War, the world's first truly global war.
 - b. The council's commitment under the Armed Forces covenant to recognise and remember the sacrifices made by the Armed Forces Community, particularly those who have made the ultimate sacrifice.
2. Council assembly therefore gratefully acknowledges:
 - a. The 1.1 million United Kingdom and Commonwealth servicemen and women who gave their lives in the First World War.
 - b. The contribution of all those who lived through this tragic and remarkable time and whose example and experience shaped the world we live in today.

3. Council assembly asserts its full support for the Royal British Legion's 'Thank You' movement, and the 'Every One Remembered' initiative to commemorate each individual who served, sacrificed and changed our world.

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

4. **MOTION FROM COUNCILLOR JACK BUCK** (Seconded by Councillor Stephanie Cryan)

End unfair evictions - abolish Section 21 of 1988 Housing Act

1. Council assembly notes:
 - a. Due to high house prices and the lack of sufficient social housing, the proportion of people renting privately has doubled since 2004; half of 18-35s, one in four families with children, and growing numbers of older people now live in privately rented homes.
 - b. Most of England's 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants with just two months' notice, without giving them a reason. These 'no fault evictions' were introduced under section 21 of the 1988 Housing Act; before this, renters had much greater security and it was difficult for landlords to evict tenants who paid the rent on time and looked after the property.
 - c. Evictions are the number one cause of homelessness across the UK. 80% of evictions are on no-fault grounds, and 63% of private renters who were forced to move in 2016 were evicted not due to any fault of their own but because the landlord wanted to sell or use the property.
 - d. In Southwark, the number of accepted homeless applications resulting from the termination of assured short hold tenancies have significantly increased from 4.3% in 2010/11 to 30% in 2016/17. These terminations of short hold tenancies are not just as a result of section 21 notices, but these undoubtedly play a part.
 - e. Insecurity harms quality of life for tenants, with private renters less likely than either owners or people in council housing to say they know lots of people in their local area, but more worried that they will have to move within the next year. The threat of being evicted also gives landlords huge power over tenants, who may decide not to complain about disrepair, big rent increases or other problems in case they are kicked out.
 - f. In Germany, the Netherlands and Sweden (among other countries), tenancies are indefinite, meaning blameless tenants cannot be evicted from their homes.
 - g. In 2017, the Scottish government made tenancies indefinite and banned no-fault evictions under the terms of the Private Housing (Tenancies) (Scotland) Act 2016.
 - h. The End Unfair Evictions campaign run by Generation Rent, Acorn, the New Economics Foundation and the London Renters Union, and launched in June 2018.
 - i. The nearly 50,000 people who had, by mid-July 2018, signed the 38 Degrees petition to abolish section 21, a growing number of groups and individuals supporting abolition, including Labour Party leader Jeremy Corbyn, the Times newspaper, the London Assembly, the Resolution Foundation and Age UK.

- j. That Labour Shadow Housing Minister, John Healey, has announced that the next Labour Government will tackle no fault evictions and legislate for new renters rights to control costs, improve conditions and increase security.
 - k. The commitment of Southwark Labour Group to improving conditions for renters in Southwark, including the manifesto pledge to introduce a Southwark Renters Union and deliver a Southwark Gold Standard for Rental Properties, which will be adopted in the Council Plan.
 - l. The work that Southwark Council are already doing to prevent homelessness, including using additional requirements brought into effect by the Housing Act 2004 and the Deregulation Act 2015 to challenge section 21 notices wherever possible.
2. Council assembly believes:
- a. Abolishing section 21 would help to make renting more secure, improve standards, increase tenant confidence and ultimately contribute towards making renting a viable long-term alternative to home ownership or social rent for the millions who currently cannot access either.
 - b. Since insecure tenancies make it difficult for renters to complain and organise for their rights, removing section 21 would make it easier for new renter unions like the London Renters Union and ACORN to organise to defend their members.
3. Council assembly calls on cabinet to:
- a. Work with the Unfair Evictions Campaign led by Generation Rent, the New Economics Foundation, ACORN and the London Renters Union, including by publicising campaign events and activities as appropriate.
 - b. Continue working to improve conditions for renters in Southwark by delivering a Southwark Renters Union and Southwark Gold Standard for rental properties.
 - c. Work with Harriet Harman MP, Neil Coyle MP, and Helen Hayes MP to call for the abolition of section 21 in Parliament.

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

5. MOTION FROM COUNCILLOR GRAHAM NEALE (Seconded by Councillor Damian O'Brien)

Third runway at Heathrow

1. Council assembly notes:
- a. The recent Intergovernmental Panel on Climate Change (IPCC) report detailing the urgency of alleviating the extent and rapidity of man-made climate change.
 - b. That aviation is a major worldwide contributor to man-made climate change².
 - c. That the expansion of Heathrow airport by building a third runway is targeted at securing Heathrow's status as a hub for international connecting flights, rather than in response to demand from London residents.

² https://en.wikipedia.org/wiki/Environmental_impact_of_aviation#Total_climate_effects

- d. That the planned third runway will mean more than 250,000 additional flights into Heathrow a year.³
- 2. Council assembly is concerned that:
 - a. More flights into Heathrow will mean an increase in noise which will have a negative impact on Southwark residents living under the Heathrow flight path.
 - b. An increase in flights and service vehicles at Heathrow will also contribute to deteriorating air quality across London, which will also have a negative impact on Southwark residents.
- 3. Council assembly therefore resolves:
 - a. To formally note its support for the work of the boroughs of Hillingdon, Wandsworth, Richmond, Hammersmith and Fulham, and the Royal Borough of Windsor and Maidenhead in joining forces with the Mayor of London and environmental groups such as Greenpeace and Friends of the Earth to challenge the expansion of Heathrow Airport and the building of a third runway.

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

6. MOTION FROM COUNCILLOR MICHAEL SITU (Seconded by Councillor Andy Simmons)

Opposing bus cuts

- 1. Council assembly notes:
 - a. The Transport for London (TfL) consultation launched on 28 September 2018 which proposed reductions in a number of bus routes across Southwark, following a fall in passenger numbers in central London.
 - b. That council assembly in July unanimously passed a motion opposing the reduction of the RV1 bus timetable from six services an hour to just three, and called on TfL to rethink these proposals.
 - c. That the new TfL consultation now proposes scrapping the RV1 bus route altogether, and shortening the route of the 45, 48, 53, 171, 172 and 388 buses so that they no longer serve central London.
 - d. That many Southwark residents use these buses as their primary form of transport, and that reducing or removing these services will have a significant and detrimental impact on them, making it harder to commute and travel for leisure.
 - e. That the proposals would terminate a number of bus routes that currently end in central London at the Elephant and Castle, and in other cases make the Elephant the last significant modal interchange. This can only make the bus stops at the Elephant more congested and slow traffic there.
 - f. That changes to bus routes would sever convenient direct links from the south of the borough; for example the 40 from Dulwich currently runs to Guy's Hospital, London Bridge underground and train station and across the river to Fenchurch Street station.
 - g. The Old Kent Road Area Action Plan, which will deliver 20,000 new homes, and 10,000 new jobs along the Old Kent Road. That this increase in the number of people travelling to, from and along the Old Kent Road

³ <https://www.heathrowexpansion.com/the-expansion-plan/facts-and-figures/>

area will result in a greater demand on public transport, especially buses, in the area.

- h. Despite these proposals, TfL continue to negotiate s106 payments from Old Kent Road developments to increase bus routes in the area.
- i. Southwark Council's response to the consultation, which clearly outlines the negative consequences of these bus cuts.

2. Council assembly believes:

- a. That there are detrimental impacts on equality arising from TfL's proposals. Buses are a particularly important mode of travel for people on low incomes and are a more accessible form of public transport for people with disabilities. Asking people with disabilities to change bus routes more often, as TfL proposes, will have a disproportionately negative impact on their travelling experience.
- b. That the data that TfL is using to justify these changes is out of date in some cases, and therefore ignores recent increases in bus usage. For example, it is clear that the RV1 has seen an increase in usage since the road works along Tooley Street have been removed and its route has therefore become more reliable.
- c. That it is short-sighted for TfL to reduce the frequency and shorten the route of some of the main and busiest bus routes along the Old Kent Road, such as the 53, just a few years before a planned increase in population in the Old Kent Road area.

3. Council assembly resolves to call on cabinet:

- a. To work with Florence Eshalomi, AM for Southwark and Lambeth and vice-chair of the London Assembly's Transport Committee, to oppose these bus cuts.
- b. To meet with representatives from TfL following the consultation to ensure they understand that the impact of the cuts proposed in the service would be significant to our residents.
- c. To campaign publicly against these and any further bus cuts that will disadvantage Southwark's residents.
- d. To work with other boroughs impacted by these cuts as part of this campaign.

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

7. MOTION FROM COUNCILLOR JAMES McASH (Seconded by Councillor Kath Whittam)

Overground ticket office closures

1. Council assembly notes:

- a. The Arriva Rail London (ARL) and Transport for London (TfL) consultation on the proposed closure of ticket offices at 51 London Overground stations, which ran from 20 September 2018 to 11 October 2018.
- b. That two of the stations which would be affected by these closures are in Southwark: Rotherhithe and Surrey Quays.
- c. That these proposals have been opposed by the Rail, Maritime and Transport union (RMT) and Transport Salaried Staffs' Association (TSSA).
- d. That there was an overwhelming response to the consultation on the closures, with 3,400 responses to an online questionnaire, 959 emails, 2,063 postcards, 31 written submissions, and a number of petitions.

- e. That a decision on the closure of the London Overground stations has been delayed as a result of the number of response to the consultation.
 - f. That in 2015, ticket offices across the London Underground network were closed by the former Conservative Mayor of London, Boris Johnson, despite widespread opposition from both rail unions and service users.
 - g. That in 2016, the Labour Mayor of London, Sadiq Khan, ordered a review of the London Underground ticket office closures.
 - h. That the review, carried out by the independent watchdog London TravelWatch, found that these closures had caused 'significant issues' and that not enough steps were taken to mitigate the impact of the closures, and as a result the service did suffer.
2. Council assembly believes:
- a. That the closure of London Overground ticket offices would, like the closure of London Underground ticket offices, have a significant and negative impact on station users and passengers.
 - b. That elderly, disabled, and vulnerable residents who may need assistance with purchasing tickets will be disproportionately affected by the proposed closures.
 - c. That all residents in Southwark using Rotherhithe and Surrey Quays stations deserve the best possible service.
3. Council assembly calls on cabinet to:
- a. Write to Heidi Alexander, the Deputy Mayor for Transport, expressing concerns about the impact of the proposed ticket office closures.
 - b. Ask Florence Eshalomi, AM for Southwark and Lambeth, and Deputy Chair of the London Assembly Transport Committee, to raise these proposed ticket office closures at a future meeting of the Transport Committee.

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

8. **MOTION FROM COUNCILLOR VICTORIA OLISA** (Seconded by Councillor Peter John)

Solidarity with the Windrush generation

1. Council assembly celebrates Southwark's diverse population. As of 2015, 48% of Southwark's population identified as Black, Asian or from another ethnic minority. Around 6% of Southwark's population is of Afro-Caribbean descent, and while there are no official records, it is believed that Southwark is home to hundreds, if not thousands of people who moved to the UK from Commonwealth countries that had not yet become independent from the UK, known as the Windrush generation.
2. Council assembly welcomes:
 - a. The contributions of the Windrush generation to our society and community in Southwark, such as that of Sam King, who served in the RAF before travelling on the Empire Windrush to the UK. He worked in the Royal Mail for 34 years, and in 1982 became a Labour councillor for Bellenden ward in Peckham. He later became the first black mayor of Southwark and was awarded an MBE in 1998.
 - b. Southwark Labour's manifesto commitment to continuing to make Southwark a borough where everyone feels welcome, with families who have lived here for generations living alongside people who have come

from every corner of the globe to make our borough home.

3. Council assembly condemns:
 - a. The “Hostile Environment” policies initiated by Theresa May as Home Secretary of the coalition government, which have continued during her time as Prime Minister, which have deliberately made it harder for those who cannot prove their right to remain in the UK to access basic services, work, or take part in civic life. The “Hostile Environment” policies include a “deport first, appeal later” approach, which has led to people being wrongly deported.
4. Council assembly notes:
 - a. That as a result of the “Hostile Environment” policies, many of the Windrush generation were targeted by the Home Office and assumed to have entered the country illegally.
 - b. That as a result of this, people from the Windrush generation, their families and descendants lost their jobs, homes, ability to access NHS treatment for free, were refused re-entry into the UK, threatened with deportation, and at least 63 people were wrongly deported.
 - c. The work of organisations including the Joint Council for the Welfare of Immigrants, BME (black and minority ethnic) Lawyers 4 Justice, the Runnymede Trust, Southwark’s three Labour MPs, and the All Parliamentary Group on Race who have raised the profile of this issue, directly assisted those who have been affected by it, and lobbied the Government for an immediate end to the “Hostile Environment” policies.
 - d. The work of local groups such as Black Cultural Archives based in Brixton and Southwark Law Centre who have supported our residents to get their status confirmed and fought for financial compensation for jobs, homes and livelihoods lost.
5. Council assembly believes:
 - a. Southwark’s diverse society is a cause for celebration, not concern.
 - b. The treatment of the Windrush generation and their descendants by this Conservative government and the previous Liberal Democrat/Conservative coalition government has been appalling, racist, and inexcusable, and must be condemned.
6. Council assembly resolves to call on cabinet:
 - a. To continue to work with Southwark’s three Labour MPs to assist those who have been targeted, criminalised, or refused access to services they should be entitled to.
 - b. To continue to actively condemn and call for an immediate halt to all the government’s “Hostile Environment” policies.
 - c. To call on the government to take actions to redress and compensate those who have been affected by the “Hostile Environment” and ensure that such a scandal does not take place again.
 - d. To ensure through council policies that Southwark remains a welcoming place to live and work for people from all over the world.

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

9. **MOTION FROM COUNCILLOR JAMES COLDWELL** (Seconded by Councillor Ian Wingfield)

Sustainable public health funding

1. Council assembly notes:
 - a. That the public health grant funds vital services and functions that prevent ill health and contribute to the future sustainability of the NHS.
 - b. That local authorities like Southwark are responsible for delivering most of these services, but their ability to do so is compromised by public health grant reductions and the broader funding climate.
 - c. That in 2018/19 and 2019/20 every local authority will have less to spend on public health than the year before, and by 2020/21 the Government is looking to phase out the Public Health Grant entirely, meaning that public health will only be funded through business rate retention.
 - d. That areas with high levels of deprivation often suffer the worst health outcomes, and so need higher levels of funding in order to tackle the greater public health challenges in the area.
 - e. That around four in ten cancers are preventable, largely through avoidable risk factors, such as stopping smoking, keeping a healthy weight and cutting back on alcohol. Smoking accounts for 80,000 early deaths every year and remains the largest preventable cause of cancer in the world. Smoking-related ill health costs local authorities £760 million every year in social care costs. Additionally, obesity and alcohol account for 30,000 and 7,000 early deaths each year respectively. All three increase the risk of: cancer, diabetes, lung and heart conditions, poor mental health and create a subsequent burden on health and social care.
 - f. Supporting people to stop smoking, drinking excessively, and eating unhealthily falls within the remit of public health, but if there is insufficient funding, it becomes harder for public health services to support people to live healthier lives.
2. Council assembly believes:
 - a. That the impact of cuts to public health on our communities cannot and should not be ignored.
 - b. That unless we restore public health funding, our health and care system will remain locked in a 'treatment' approach, which is neither economically viable nor protects the health of Southwark residents.
 - c. That it is vital that Southwark and other local authorities delivering public health services have enough funding to provide the services that our residents need.
3. Council assembly resolves to call on cabinet to:
 - a. Support Cancer Research UK's call for increased and sustainable public health funding.
 - b. Continue to lobby the Government to deliver increased investment in public health and support a sustainable health and social care system by taking a 'prevention first' approach.
 - c. Continue to support and fund public health initiatives to the best of the council's abilities which will deliver the best outcomes for our residents, and prevent ill-health, reduce inequalities, and support a health and care social system that is fit for the future.

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, Head of Constitutional Services
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
Version	Final
Dated	15 November 2018

Item No. 6.1	Classification: Open	Date: 28 November 2018	Meeting Name: Council Assembly
Report title:		Council Plan 2018/19 – 2021/22	
Ward(s) or groups affected:		All	
From:		Cabinet	

RECOMMENDATION

1. That council assembly agrees to the proposed Council Plan 2018/19 – 2021/22 (as set out in Appendix 1).

BACKGROUND INFORMATION

2. The Council Plan is Southwark Council's (the council's) overarching business plan setting out the programme of work that the council will achieve over the period 2018-19 to 2021-22. It is a clear statement to the residents, businesses, local voluntary/community sector organisations and other stakeholders of that programme and how the council will continue to deliver a fairer future for all in Southwark.
3. This Council Plan covering the period from 2018/19 – 2021/22 builds on the achievements of the organisation's previous Council Plan, which included key commitments such as delivering free swim and gym, delivering new affordable homes, making council homes warm, dry and safe and supporting over 5,000 residents into employment.
4. Our continued vision is for a fairer future for all in Southwark. This is expressed through a set of seven "vision statements" that are at the heart of what we want to achieve for Southwark over the next four years.
5. This Council Plan has been developed in the context of further substantial reductions in funding from central government. This funding, along with council tax and other income, makes up the resources to fund the services that we deliver to residents and businesses of Southwark. Despite these funding reductions from central government the council will continue to prioritise how it spends its money, keep council tax low and ensure we provide value for money, quality services.
6. Since May 2010, in light of unprecedented reductions in resources from government, the council has had to make very tough decisions about the allocation of our spending, whilst still being committed to delivery of the fairer future programme of business. The council will continue to listen to the community to protect valued frontline services and to innovate and modernise the way the council works, retaining the focus on being more efficient and a more effective partner with other organisations to ensure a fairer future for all.
7. On 30 October 2018 the cabinet considered a report on the Council Plan 2018/19 - 2021/22. The cabinet moved and agreed the following

recommendations:

- 1) To note the issues raised in the public consultation on the Council Plan.
- 2) Agree the final format of the proposed Council Plan 2018/19 – 2021/22.
- 3) Recommend the proposed Council Plan 2018/19 – 2021/22 for agreement by council assembly on 28 November 2018.

KEY ISSUES FOR CONSIDERATION

The Council Plan

8. The Council Plan 2018/19 – 2021/22 includes:
 - A vision for a fairer future for all in Southwark, including the seven key principles that underpin that vision;
 - A set of fairer future themes and commitments around which future delivery will be based;
 - An outline of the financial context in which the plan will be delivered.
9. The Council Plan is structured around eight priority themes. These reflect the things that the people of Southwark said were most important to them. These priority themes are:
 - A place to call home
 - A place to belong
 - A greener borough
 - A full employment borough
 - A healthier life
 - A great start in life
 - A safer community
 - A vibrant Southwark.
10. These themes will guide our future budget planning and how we organise the way we monitor and report on the progress of the plan. Each theme includes a set of commitments underpinned by a series of “measures” and “milestones” that show in a clear and transparent way, how our performance will be judged. These measures and milestones are being developed in conjunction with the budget setting process.

Consultation

11. The Council Plan 2018/19 – 2021/22 closely reflects the contents of the Southwark Labour manifesto which had wide public engagement during the local elections in May 2018. In accordance with the council’s constitution and budget and policy framework, the Council Plan 2018/19 – 2021/22 and proposals within it have been subject to consultation.
12. The Council Plan was published on the council’s online consultation hub on 28 June 2018 and the consultation ran for nine weeks, closing on 31 August 2018. A small number of responses were received from the public through the consultation hub. A summary of the issues raised in feedback to the Council Plan consultation was presented to Cabinet in October 2018.
13. The Forum for Equalities and Human Rights in Southwark (FEHRS) were also

consulted on how to further embed equality into the Council Plan. In their feedback the FEHRS recommended a number of additions to the Council Plan, including highlighting the importance of the voluntary and community sector, the council's commitment to equalities including the Public Sector Equality Duty, and ongoing opportunities for feedback for local people. These changes are reflected in the final version of the Council Plan agreed by cabinet.

14. Following the adoption of the Council Plan 2018/19 – 2021/22 by council assembly, the council will continue to engage with local people to implement the commitments set out in the Plan. We will consult on all aspects of the plan over the next four years.

Monitoring, reporting and communicating on progress

15. The Council Plan contains a range of promises and commitments which the council will work towards over the coming four years. Underpinning these is a set of detailed performance schedules, with responsibility for each commitment apportioned across the cabinet portfolios.
16. Starting with cabinet and working through to individual members of staff, we will ensure that the whole organisation is working towards delivering our Council Plan. A lead cabinet member and chief officer are identified for each commitment set out in the plan for transparency and accountability purposes.
17. To ensure that this plan has real impact, the measures and milestones that will underpin it will be monitored every three months to assess progress. The cabinet will receive quarterly reports on progress against the measures and milestones that will be set out in the performance schedules. The leader will present an annual performance report on progress to council assembly in July each year. The council's website will be the primary channel of communication, with updates also provided through our Southwark Life magazine.

Community impact statement

18. The council has a vision to create a fairer future for all by promoting social and economic equality in an economically vibrant borough. The Council Plan describes how we'll deliver our fairer future vision through the commitments made to the people of Southwark. The council's commitment to equality and fairness runs throughout this plan, in line with our equality and diversity policies.
19. The proposed commitments may have an impact on different sections of the community and particularly on residents who possess one or more of the protected characteristics. In line with the council's approach to equality, as the performance schedules are developed over 2018-19, more detailed equality analysis will be undertaken.
20. The Forum for Equalities and Human Rights in Southwark (FEHRS) has been consulted and the Council Plan has been updated to reflect their feedback. The FEHRS will continue to be consulted on the development of the equality analysis that will support the Council Plan 2018/19 – 2021/22.
21. We will give due consideration to the Public Sector Equality Duty (PSED) as a positive duty to consider the promotion of equality throughout the work of the Council Plan and implementation process. We will also publish information on our website to show how we implement the PSED in our work and performance.

22. A high level equalities analysis has been undertaken (Appendix 2) and as the Council Plan is implemented, equalities and health analyses will be carried out for each of the commitments set out in the Plan.

Policy implications

23. The Council Plan is Southwark Council's (the council's) overarching business plan setting the overall policy direction for the period 2018/19 – 2021/22. The plan will guide the development and delivery of, and align with, other key council strategies and plans, over that period.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

24. It was previously a requirement for local authorities to publish a best value performance plan. The Local Government and Public Involvement in Health Act 2007 removed the powers of the Secretary of State to specify performance indicators and standards for local authorities, the duty on authorities to meet such standards and to publish best value performance plans.
25. However, a local authority is still required by the Local Government Act 1999 to achieve "best value", in other words, to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The Council Plan is one of the ways the council can demonstrate that it is achieving this requirement.
26. The report acknowledges the possibility that there will be an impact on residents who possess one or more of the protected characteristics as defined by the Equality Act 2010, and notes the equalities analysis undertaken in paragraph 22. Council Assembly are reminded that the council, in the exercise of all its functions, must have due regard (section 149 Equality Act 2010) to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. Further equalities analysis concerning each of the commitments will need to be considered in consideration of this duty.

Strategic Director of Finance and Governance

27. This report is requesting Council Assembly to agree proposed Council Plan 2018/19 – 2021/22 (as set out in Appendix 1).
28. The strategic director of finance and governance notes that there are no new immediate financial implications arising from this report.
29. The strategic director of finance and governance expects that financial appraisals will be carried out as any new plans are developed and will be subject to future reports, including identifying the revenue or capital resources for any new commitments.
30. Staffing and any other costs connected with this report are to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Plan 2018/19 – 2021/22	160 Tooley Street PO Box 64529 London SE1P 5LX	Matthew.little@southwark.gov.uk Aine.gallagher@southwark.gov.uk
http://moderngov.southwark.gov.uk/documents/s78193/Appendix%201%20Council%20Plan%202018-19%202021-22.pdf		
Cabinet 30/10/18 Agenda item 8 – Council Plan 2018/19 – 2021/22	160 Tooley Street PO Box 64529 London SE1P 5LX	Matthew.little@southwark.gov.uk Aine.gallagher@southwark.gov.uk
http://moderngov.southwark.gov.uk/ielistDocuments.aspx?CId=302&MId=6085&Ver=4		
Cabinet 26/06/18 Agenda item 8 – Council Plan 2018/19 – 2021/22	160 Tooley Street PO Box 64529 London SE1P 5LX	Matthew.little@southwark.gov.uk Aine.gallagher@southwark.gov.uk
http://moderngov.southwark.gov.uk/ielistDocuments.aspx?CId=302&MId=6124&Ver=4		
Council Plan Interim Performance Report 2014/15 – 2017/18	160 Tooley Street PO Box 64529 London SE1P 5LX	Matthew.little@southwark.gov.uk
https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan		

APPENDICES

No.	Title
Appendix 1	Council Plan 2018/19 – 2021/22
Appendix 2	Equalities Analysis

AUDIT TRAIL

Lead Officer	Eleanor Kelly, Chief Executive		
Report Author	Matthew Little, Principal Strategy Officer		
Version	Final		
Dated	15 November 2018		
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		Yes	Yes
Cabinet Member		Yes	Yes
Date final report sent to Constitutional Team			15 November 2018

APPENDIX 1

Council Plan

2018/19 – 2021/22

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○ A healthier life	
○ A great start in life	
○ A safer community	
○ A vibrant Southwark	

Leader's Foreword

Eight years ago we set out our vision to create a fairer future for all in Southwark.

Since 2010 we have delivered on our commitments to residents to make Southwark clean, green and safe, and given young people in the borough the best start in life. Now over 95% of our homes are decent, school standards are rising and we are building more quality affordable homes. Southwark has the largest council house building programme in the country and we are making it easier to lead healthy and active lives.

Southwark is leading the way not just in London, but across the country. Over the last four years the council has helped residents to be healthy by introducing free swim and gyms; with nearly half a million visits to our leisure centres since 2016. We have supported over 5,000 local people into jobs and created 2,000 apprenticeships, changing lives for the better. We are ensuring that more residents benefit from the opportunities that regeneration creates, building more homes of every kind and investing in libraries, leisure centres and parks. We have driven up the quality of homecare and supported carers through our Ethical Care Charter and we have encouraged more businesses in Southwark to pay the London Living Wage. Our schools are now amongst the best in the country, with over 90% rated 'good' or 'outstanding', and we've made Southwark an age friendly borough, so whatever your age you can get the best from life.

We are proud of our record and all that we have achieved, particularly as we have delivered these commitments at a time of huge financial pressure. We know that the challenges of 2010 and 2014 are not the same as the challenges of 2018 and so the solutions we offer now have to reflect these changing times. This Council Plan builds on our record of delivery over the last eight years, but offers a fresh approach, fit for the future, to move Southwark forward and make our borough fairer.

We will never stop being ambitious for the future. Southwark is an amazing place and this plan sets out how we will ensure everyone can benefit from all that the borough has to offer. I'm proud that I will be supported by an excellent new Cabinet who reflect the diversity and talent of the borough and a team of council officers who represent the best that local government has to offer. Together we will deliver on our commitments set out in this plan. The council can only deliver on our ambitions for Southwark with the work, help and support of the many people and organisations across the borough who contribute so much to making Southwark what it is. I would like to thank all of our partners, faith groups, volunteers, community leaders, sports clubs, businesses and all organisations who give time, energy and talents to making Southwark the great borough that it is. We look forward to working with you to achieve our ambitions as we continue to deliver a fairer future for all in Southwark.

Cllr Peter John OBE
Leader of Southwark Council

The Cabinet

The Leader of the Council is elected by councillors to lead the council for a four year term. Cllr Peter John OBE has been Leader since 2010. The Leader has appointed a cabinet to lead the council's work for the coming year.

- **Leader of the Council**
Cllr Peter John OBE
- **Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities**
Cllr Rebecca Lury
- **Cabinet Member for Community Safety and Public Health**
Cllr Evelyn Akoto
- **Cabinet Member for Children, Schools and Adult Care**
Cllr Jasmine Ali
- **Cabinet Member for Housing Management and Modernisation**
Cllr Stephanie Cryan
- **Cabinet Member for Environment, Transport Management and Air Quality**
Cllr Richard Livingstone
- **Cabinet Member for Finance, Performance and Brexit**
Cllr Victoria Mills
- **Cabinet Member for Social Regeneration, Great Estates and New Council Homes**
Cllr Leo Pollak
- **Cabinet Member for Growth, Development and Planning**
Cllr Johnson Situ
- **Cabinet Member for Jobs, Skills and Innovation**
Cllr Kieron Williams

Alongside cabinet, the Leader appoints up to four deputy cabinet members, focused on specific projects to help deliver the Council's priorities as set out in this plan.

For further information see <http://www.southwark.gov.uk/council-and-democracy/councillors-and-mps/leader-of-the-council-and-cabinet-members>

About the Council Plan

Southwark's Council Plan describes our vision for the borough. It sets out our priorities for the next four years, and the commitments that we have made to the people of Southwark. This 2018-22 plan builds on our proud record to deliver a fairer future for all.

The Council Plan is more than just a set of promises, it explains the type of borough we want to be and the values that will guide us to get there. It is the action plan for the council and will shape what every team and member of staff does and how we can work together as one council to achieve our shared ambition of a fairer future for all.

We have been talking to you and listening to you, most recently through the Southwark Conversation – our largest ever public consultation. We have listened to local people and the feedback we had from residents in the Southwark Conversation influenced and helped shape this plan. Key issues raised throughout the Southwark Conversation, for example the importance of community, affordable housing and social regeneration, transport, green spaces and air quality, and the importance of mental health and emotional support for young people and carers, are reflected in the commitments set out in this plan.

Southwark is a diverse and dynamic borough in the heart of London and this offers incredible opportunities, but we also face particular challenges as an inner London borough. In everything we do as a council, we will seek to promote equality. Our commitment to equality and fairness runs throughout this plan, both in the commitments we make to the people of Southwark, and the way we deliver services every day. As a council we are committed to taking all necessary steps to meet our commitments to equalities under the Public Sector Equality Duty, including regularly reporting back to the public so they can hold us to account.

We have made this plan as clear and straightforward as we can, so that we are absolutely transparent and accountable for what we are doing. The cabinet and the council's senior management teams will be regularly monitoring our targets and reporting back on their progress. The cabinet will also receive an annual performance report each year covering the previous year's performance. All of this will be published so that you can see how we are doing and hold us to account.

Through the next four years we will engage with you – listening to your ideas and your concerns, working with you to find solutions to improve our borough. This plan tells you what we want to do, but we know we can only achieve it by working with you, together, to deliver a fairer future for all.

Our vision

What does a fairer future for all mean? We have identified the five areas where we believe we can make a real difference to improve the lives of our residents, and transform our borough to be the very best it can be.

In Southwark a fairer future for all is:

- The best start in life: clean air, great schools and opportunities to thrive;
- The quality homes that you and your family need;
- A great place to live with clean, green and safe communities;
- A healthy borough where your background doesn't determine your life chances;
- Full employment, where everyone has the skills to play a full part in our economy.

We have moved a long way towards achieving this in the last eight years, and this Council Plan sets out the next steps and the direction we will take in the future. But we know that to achieve this we must be a council that works alongside you, listening to you and fighting for you. So, to do this our vision is also to be council that is:

- Fighting for you, on your side in tough and challenging times;
- A modern and efficient council: working with the community, listening to residents and open to you.

Our values

Everything that we do as a council is to achieve our vision of a fairer future for all in Southwark. Our values inform how we will do this, the principles that will guide our decisions and determine how we deliver on the commitments that we have made.

In 2010 we embarked on our fairer future for all programme. Eight years on, some of the challenges have changed and some of the solutions have too, but our values remain the same. Our residents are still at the heart of everything we do and they have helped us form the values that underpin the work of the council. Our values will continue to inform all the work we do across the council and what you can expect from us.

We will:

- Treat residents as if they were a valued member of our own family;
- Be open, honest and accountable;
- Spend money as if it were from our own pocket;
- Work for everyone to realise their own potential;
- Make Southwark a place to be proud of.

Southwark's Context

Southwark is an exciting and vibrant borough in the heart of London. We have a hugely diverse and talented population living, working and enjoying the borough from Rotherhithe and Bermondsey in the north, through Walworth, Camberwell and Peckham to Dulwich in the south. The council is proudly ambitious, wanting the borough to be the best it can be and for the opportunities we enjoy to be available for all. The world around us helps shape how we can deliver this ambition. The Government, the economy and policies like Brexit all impact on what we do and how we do it. We also recognise that we are in a world where people are increasingly distrustful of government and politics and we have to respond to that making sure we are open, honest and transparent with everyone we work with.

Financial challenge

Southwark faces a huge financial challenge. The Government has been cutting spending and local government has been particularly hard hit, making it more and more difficult for councils to deliver services. There have been reductions in spending across the country, but Southwark has faced some of the severest cuts. Since 2010 we have been forced to find savings of £227million – meaning we have lost nearly half the budget we had only eight years ago.

That is why we have been careful with our budgets and have been treating every penny wisely, as if it is coming from our own pockets. We have listened to what our residents say is important to them and done all we can to protect frontline services, while keeping council tax low. Our priority has been to protect our most vulnerable residents, which is why we have maintained spending on frontline services like children's care while doing everything we can to make efficiency savings in other areas. Ongoing budget pressures mean we know we will have to make difficult decisions. We will continue to manage budgets carefully and keep council tax low, only raising it to protect the most vulnerable.

National challenges

Southwark faces new challenges. National government decisions have a huge impact on our ability to deliver for residents locally. Legislation such as the Housing and Planning Act and the introduction of Universal Credit impact on residents and have put more pressure on the council. The council will stand up for residents and challenge issues that have a negative impact on our ability to deliver for local people.

We also face challenges from the uncertainty of Brexit. Residents in Southwark voted overwhelmingly in favour of remaining in the European Union, but across the country the referendum result means that the UK will be leaving the EU. We do not yet know what this will mean for EU residents in the borough, for businesses that trade with or rely on the EU or the impact that the Government's decisions will have on our economy or on London as a dynamic modern international city. Even with uncertainty from the Government, we will always stand up for EU residents in our borough, and will work hard to prepare for Brexit and the long term effects of this on our borough and our city.

The ongoing financial pressures, challenges from national government and the UK's imminent departure from the European Union mean there has never been a more uncertain or challenging time for local government. It is more important than ever that the council is standing up for residents and prepared to take the difficult decisions to deliver a fairer future.

Partnership working

The changing face of the public sector means we will have to look at new ways of delivering services, including continuing to modernise the way we work and looking for opportunities to work in partnership with other organisations across the borough.

We know we can only achieve our ambitions by working closely with our residents and partners, including local businesses and employers, charities and community organisations, local NHS trusts and others. We will work with our partners to support the good work they are doing and to look for opportunities where partner organisations can help us to deliver services in new and different ways. Our communities will be instrumental in implementing the commitments set out in this plan and the Voluntary and Community sector will be a key partner in our work engaging with wider communities and equalities groups. Many of the issues we deal with as a council stretch beyond our borough boundaries, so we will continue to work with neighbouring boroughs, London Councils and the Mayor of London to achieve our aims and to deliver for residents.

This plans sets out the council's continued commitment to making Southwark a great place to live, work, learn and visit. We want Southwark to be a healthy, clean, green and safe borough, where everyone has a great place to live, with outstanding schools, parks and community facilities; where everyone has the opportunity to play a full part in the economy, to thrive and meet their potential; and where a person's background does not determine their life chances.

A Modern Council

To deliver our plan, the council must be fit for the future; with a modern workforce, backed by good governance and sound resource planning.

Our residents are at the heart of everything we do, so we will ensure that everyone who lives in Southwark experiences a modern and efficient council where our residents and their needs drive our policies and our delivery. We want everyone who lives or works in Southwark, and those who visit or study, to experience the very best that Southwark has to offer. As a council we will be on the side of our residents, fighting for them in challenging times.

In order to deliver on our ambitions, we need to have responsive, digitally enabled services that adapt well to change. Digital improvements have the potential to transform individuals and communities. We want to ensure that everyone can access and make the most of these new opportunities, and that no one is left behind in a fast changing world.

We will continue to adapt our services to ensure they are cost-effective, reliable and responsive, and can be accessed at a time convenient to residents and businesses. We will also continue to develop new ways of working and to modernise our operations and staff accommodation.

We want all residents and businesses in the borough to have the digital tools and skills they need. We will continue to work with partners to improve Southwark's digital infrastructure, and we will support residents and community groups to improve their skills so they are able to access everything the digital world has to offer.

We cannot escape the impact on council services of significant budget cuts. This means we will have to continue to look at new ways of doing more with less, including charging for some services, working with new and different partners outside the council, and delivering value for money.

Commitments

Guided by our values, and shaped by our context this Council Plan presents a set of commitments which will help us achieve our vision of a fairer future for all. The Council Plan sets out these commitments across eight themes:

- A place to call home
- A place to belong
- A greener borough
- A full employment borough
- A healthier life
- A great start in life
- A safer community
- A vibrant Southwark

Alongside this ambition, we will make sure that we get the basics right, so that you can be confident that the day to day services that the council provides are excellent and deliver what you and your family need. A number of fundamental strategies and policies underlie the work of the council, such as the Voluntary and Community Sector Strategy and Homelessness Strategy, which we will continue to deliver and to regularly review. We will continue to build on our progress by delivering on the long-term strategies that we have set out over the last eight years,

In housing, we will make sure repairs are done well and on time. We will maintain your estates, keep investing in improvements and treat you and your family fairly and with respect. We will make sure that our full range of services from housing allocation to rent management is efficient, transparent and delivering for our tenants.

We are investing in regeneration to make Southwark an even better place for you to live. We will make sure that we are actively listening to and engaging with those affected by changes in the borough, that there is good, clear information and that we are reaching all parts of our community – not just those that speak the loudest. We have started this with the Southwark Conversation, and we want to hear and talk more in the years ahead.

Our businesses drive our local economy, and so we need to make sure the services we offer are fit for purpose. From clean streets and commercial waste management, to effective collection of business rates and licensing we want the services that support businesses to be the best they can be.

Across education, we will make sure schools allocation is fair and efficient and will work in partnership with education providers to make sure all our children are getting the best start with the skills they need to get on in life. We will continue to prioritise vulnerable children and those in the care system making sure that referrals are dealt with quickly and efficiently and that they are treated as individuals throughout the system.

Protecting our local environment is essential. We will keep the streets clean and tidy, manage waste effectively, and crack down on things that blight our neighbourhoods like fly-tipping and dog fouling. We will carry on maintaining our public spaces, roads and pavements so we can enjoy them, feel safe and get the most out of our borough.

In the community too, we should all feel safe. We will tackle noise and anti social behaviour, and carry out repairs like street lighting to help keep our streets safe. We will work with the police to tackle crime and keep our borough safe.

We will only achieve a fairer future for all with better health and wellbeing – tackling the health inequalities which too often exist in our borough. We will work with health partners across a range of preventative services and improve education and advice on how to live well and improve wellbeing.

Southwark is a vibrant borough. We will keep investing in our parks, our leisure centres and libraries. We will work to make sure that they are clean and accessible and that the whole community can use and enjoy them.

Across all of this work, we will focus on improving satisfaction from residents and raising standards.

A fairer future – A place to call home

Everyone should have a place that they are proud to call home. Southwark Council is the biggest social landlord in London and we are committed to delivering good quality affordable homes for all our residents, which is why we are improving council homes, building new ones and building more affordable homes across the borough. We have invested over £300m of improvements in council homes and we'll continue making sure all our housing estates are clean, safe and cared for. We know that improvements on estates like security doors can be blocked by absent landlords, so we will make changes to ensure that people who actually live on estates get the biggest say in improvements to their homes.

More people in Southwark than ever before are living in private rented homes, so we will also drive up standards in the private rented sector and crack down on rogue private landlords. We believe everyone should have a good quality home no matter who their landlord is, so we will give private renters more powers to hold landlords to account and introduce a Gold Standard for rented homes. The housing crisis is made worse when Right to Buy properties end up with private companies charging high rents, so we will explore options for ensuring that homes bought through Right to Buy are let at affordable rents.

We want people in the borough to take pride in their homes and their local area, so we will empower residents to make improvements on their own estates. We will continue to improve our own housing service, making it easier to access services online and bringing empty homes back into use more quickly to allow new families to move in. Our award winning homelessness work is helping more people to get the secure home they need and we will continue to support vulnerable residents, including domestic abuse survivors, to meet their housing needs.

We will...

- Introduce a Southwark Renters Union;
- Secure the future of the Ledbury Estate with no reduction in the number of council homes;
- Launch a Great Estates Guarantee so that every estate is clean, safe and cared for;
- Give residents the tools to garden and improve their estate;
- Make it easier to request repairs online and see maintenance schedules;
- Seek to introduce provisions so that absent leaseholders must let at affordable rents;
- Turn around council voids within 28 days;
- Prioritise domestic abuse survivors over their abuser so they can stay in their own home;
- Change the rules on estate improvements like security doors so that those who live on estates get the biggest say;
- Work with tenants, residents and homeowner groups to find new ways to engage so that more people can have their say;
- Deliver a Southwark Gold Standard for private rental properties;
- Bring repairs service in-house so more jobs are done right first time;
- Only increase council tax to protect services for the most vulnerable.

A fairer future – A place to belong

Southwark is a vibrant and exciting place to live, with some of the most ambitious regeneration programmes in the country being delivered across the borough. We want Southwark residents to be able to make the most of the opportunities being created right on their doorstep, so we will ensure that regeneration continues to deliver employment and better health opportunities as well as schools, parks, libraries, leisure centres to serve local communities.

We want regeneration to work for everyone, to reduce health inequality, create jobs and opportunities and build council homes that are as good as, or better than, private homes. The housing crisis means that Southwark needs more homes that local people can afford, so we will continue to build more homes of every kind including new council homes and secure homes at London Living Rent. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043. We will keep fighting to get the best deal from developers, but we will also press for changes in the system, so councils can be less reliant on private developers. We will establish a Construction Company and continue making the case nationally for the powers and resources to allow us to build the homes our residents need.

Southwark is a borough that is continuing to grow and change for the future and we will continue to work with our local communities to make sure that no one is left behind and that all those who live, work and visit our borough benefit from change.

We will...

- Establish a Southwark Construction Company to build the homes and develop the skills our borough needs;
- Continue to ensure that every new development has enough GPs, school places and parks to support residents;
- Guarantee developments on council housing land have at least 50% council rented homes and ensure a right to return for council tenants and resident leaseholders so local people can stay in the borough they call home;
- If estates need to be redeveloped, increase the number of council homes and build to the highest standards;
- Introduce ballots on any new estate regeneration and a Consultation Charter to ensure local residents can hold private sector developers to account;
- Guarantee that all building contractors advertise jobs to local people first;
- Build at least 1,000 more council homes and secure 1,000 new homes at London Living Rent by 2022;
- Build a new library and GP Health Centre on the Aylesbury Estate and secure funding to support residents through the regeneration;
- Campaign for three new tube stations on the Old Kent Road including one at Bricklayers Arms.

A fairer future – A greener borough

Southwark is greener than ever – spending over £26million on parks and green spaces since 2010, we now have more green flag parks than ever before and the highest in central London. We have invested in play areas so children can enjoy being active and outside and we are helping people to cycle more, cutting air pollution and improving health.

But in everything we do we must make sure we are being greener and tackling problems like air quality and climate change. We have already cut council carbon emissions by 25% and we will halve them in the next four years. Dangerous nitrous oxide and particulate matter levels have been coming down but we will do more, like supporting electric vehicles, campaigning to save much used local bus services and supporting new infrastructure like the walking and cycling bridge.

We already have the best recycling rate in inner London with less than 1% of waste ending up in landfill, but we will do more to tackle fly-tipping and we will clean up our highstreets by banning commercial waste bins and introducing timed collections.

Our commitment to a greener Southwark starts on our doorstep, but it is about improving our communities, our city and our planet. In everything we do, we will make sure we limit the environmental impact so that future generations can live in a cleaner, greener Southwark.

We will...

- Make Southwark carbon neutral by 2050;
- Continue the work we began in 2010 to halve council emissions by 2022;
- Divest council investments away from fossil fuels and into sustainable alternatives;
- Vary parking charges in areas with poor air standards to encourage cleaner vehicles;
- Adapt lamp posts to charge electric cars so everyone is in walking distance of a charging point;
- Have zero tolerance on fly tipping and double the number of people we catch and enforce against who illegally dump in the borough;
- Support the creation of community led sustainable energy projects on estates to help residents reduce their energy bills;
- Improve our high streets with timed waste collection;
- Reduce the use of commercial bins and stop rubbish sitting out for longer than it needs to be;
- Protect Southwark's biodiversity and make nature accessible for all;
- End single use plastic in the council and halve single use plastic in the borough;
- Introduce water fountains throughout Southwark to reduce plastic bottles;
- Campaign to reinstate the frequency of the RV1 bus service;
- Work with the Mayor of London to build a new pedestrian and cycling bridge from Canada Water to Canary Wharf;
- Restore the historic Nunhead Cemetery East Lodge and boundary wall.

A fairer future – A full employment borough

Southwark thrives when people have quality well paid jobs and can play their part in our economy. Having a strong local economy benefits everyone who lives, works and visits the borough. We will continue to grow the economy by supporting local businesses, investing in those setting up new businesses and tackling low pay and inequalities. We want to make sure that all Southwark residents have the opportunity to achieve their potential and that low income or lack of qualifications does not hold people back from securing good work. We will continue to invest in skills and employability, to ensure residents are equipped with the tools they need to find employment and to progress to better paid work.

Southwark Council has achieved remarkable success in growing the local economy, with more people now in work in the borough than ever before. Over the last four years the council has changed 5,000 local people's lives by supporting them into jobs, created 2,000 new apprenticeships and halved the number of young people not in education, employment or training. We are making sure that regeneration taking place across the borough benefits local people, such as the 2,600 residents who have benefitted from skills training through the Construction Skills Centre.

Now the council is committed to going even further with a full employment borough, where we tackle the barriers that hold people back from work or volunteering, so that everyone has the opportunity to play a full part in our economy.

We will...

- Make Southwark a full employment borough;
- Help 5,000 more people into work and create 2,500 new apprenticeships;
- Double the number of employers who pay the London Living Wage and make Old Kent Road and Canada Water London Living Wage Zones;
- Make Southwark the first Equal Pay Borough so all our contractors must publish their gender pay gap and plans to reduce it;
- Introduce a Southwark Good Work Standard and only work with companies that will recognise trade unions, pay the London Living Wage and do not use harmful zero hours contracts;
- Establish an Innovation Fund to invest in the Southwark's entrepreneurs of the future;
- Make sure everyone has a basic qualification in English and maths and that residents have the digital skills to get the jobs of the future;
- Provide one to one support for low paid workers to help them get better paid jobs and improve access to financial support to those who need additional funding for courses;
- Deliver at least 500 new affordable business spaces;
- Make sure that 500 young people from low income backgrounds get paid internships with London's best employers;
- Establish a Creative Enterprise Zone in Camberwell and Peckham to support artists, producers and other creative small businesses.

A fairer future – A healthier life

The council wants to reduce health inequality so that whatever your background you can live a healthy life. That's why we have already introduced free healthy school meals and fruit for all our primary school children, and made swimming and gyms free for all our residents. With new leisure facilities we are making it easier than ever to keep fit, but the gap between the least healthy and the healthiest is still too big. We want to make cycling and walking easier, so more people choose these ways to get around and people who would never currently think about getting on a bike, feel that they too can enjoy cycling in and around our borough.

We are London's first age friendly borough so people can get the most from Southwark whatever their age. We have improved home care and will now do the same for residential care so that older people have the dignity and care they need and deserve. Good mental health is as important as good physical health and in Southwark we will give it the attention that it deserves.

We want to break down barriers that prevent people from thriving in Southwark. That's why we will keep investing in mental health services and look for a new approach to tackle loneliness for people of all ages. Similarly barriers of stigma and fear can prevent people getting tested for HIV or seeking other health treatments. The council wants to make these things easier so that people of all ages and of all backgrounds can get the most out of their life.

We will...

- Make walking fun, safe and accessible by developing a green walking network;
- Protect adult mental health services;
- Deliver a loneliness strategy;
- Train mental health first aiders;
- Create a network of accessible toilets and baby changing facilities;
- Open two nursing homes;
- Build extra care housing;
- Raise standards with a Residential Care Charter;
- Tackle HIV stigma and increase testing;
- Set up an innovation fund for projects that tackle sexually transmitted infections
- Stop new gambling, loan shops and fast food premises opening in council owned buildings;
- Boost access to cycle hire;
- Increase cycle hangers where people want them;
- Make cycling accessible for all;
- Double the proportion of journeys in Southwark done by bike;
- Make free swim and gym more flexible with more choice about when you go;
- Make swimming lessons free for all residents;
- Open a new, modern leisure centre at Canada Water.

A fairer future – A great start in life

Every child deserves the best start in life. We want all children and young people in the borough to grow up in a safe, healthy and happy environment where they have the opportunity to reach their potential.

Southwark schools have improved significantly in recently years and we have been meeting high demand for school places by refurbishing and expanding popular schools and working with local parents to support new schools. We believe every child has the right to a good education, which is why we have campaigned alongside local parents for fair funding and worked with schools to drive up standards. 9 out of 10 schools in Southwark are rated by Ofsted as “Good” or “Outstanding”; we will make sure all schools reach this level and drive up standards so every school in the borough is exceeding London averages.

We want all children in the borough to lead healthy and active lives, so we will extend Free Healthy School Meals to nurseries and make it easier for more children to walk and cycle to school to improve health and tackle poor air quality. We will continue to support vulnerable and looked-after children, improving mental health services and investing in early intervention.

We will deliver for young people and do this with young people. We will put young people’s voices at the heart of our policies, shaping what we do and how we do it.

We will:

- Close roads around schools at drop off and collection time and get more children walking and cycling to school;
- Extend Free Healthy School Meals to school nurseries;
- Make sure all schools in Southwark are Good or Outstanding;
- Drive up standards so that every school exceeds London averages at every stage;
- Protect funding for mental health services for children and young people and find ways to change and improve services so that more children get the support they need when they need it;
- Continue to invest in early intervention and keep children and families' centres open;
- Guarantee education, employment or training for every care leaver;
- Open a new secondary school at Borough by 2019;
- Increase activity by introducing a 'daily mile' in all primary schools;
- Help parents spread the costs of childcare over a longer period by setting up an affordable loan scheme.

A fairer future – A safer community

Everyone has the right to feel safe and be safe. Southwark is a welcoming and inclusive borough and we are proud that so many people want to make it their home. That is why we have zero tolerance of hate crime, so that whoever you are, of any race, religion, gender, sex, sexuality, age or ability – you can feel safe. We will join up the work we are doing to tackle gender based violence and will also tackle extremism wherever it exists, working alongside our communities to help them counter extremism and radicalisation.

We want to empower people, particularly young people, with the opportunities that they need to make positive choices and to stay away from crime and violence. We will invest in our young people and want to find new and innovative ways to support their futures, providing opportunities and investing in the groups that give young people inspiration and a better future.

In Southwark, you should be safe in your home as well as out in the community. We have already made huge progress in improving fire safety in council owned homes, but will go further to make sure that housing associations and private landlords are publishing their fire risk assessments.

We will...

- Campaign for TfL to make all roads in the borough 20mph and support Vision Zero to end road deaths in Southwark;
- Work with communities to find local solutions that help young people stay away from knives;
- Have zero-tolerance of hate crime;
- Work with housing associations and private landlords to get them to publish fire risk assessments online;
- Tackle extremism, support people at risk and work with our communities to prevent radicalisation;
- Develop a Violence Against Women and Girls strategy to tackle all forms of gender based violence;
- Tackle problems like moped crime by working with the police and increasing moped anchors to secure bike safety;
- Re-open the Blue Youth Club and Community Centre in Bermondsey;
- Deliver new safe pedestrian crossings including at the junction of Lordship Lane and Dulwich Common;
- Launch a positive Futures Fund to support groups which provide inspiring opportunities for young people.

A fairer future – A vibrant Southwark

Southwark is an exciting and diverse borough. It is London's most historic borough, rich in history and heritage, proud of its past but looking to the future. It is a borough where families who have lived here for generations are neighbours with people from every corner of the world all choosing to make this their home. It is a borough which is vibrant and full of energy, rich in culture and showing off its artistic talents to the millions who visit every year.

But just like our visitors, we want to make sure that our residents experience all that Southwark has to offer. We want to make sure that it is accessible for all and open to all.

As the borough grows and changes we want to make sure that we enhance what makes Southwark special. That's why we want to celebrate the different communities in the borough, their cultures, their foods and so much more too. We want Southwark to be a home in the heart of London looking out to the world. A borough where the talents, creativity and ambition of all our residents is celebrated and helps make Southwark our home of which we can all be proud.

We will...

- Campaign to re-open Camberwell train station;
- Support plans to create the Coal Line Greenlink in Peckham;
- Do all we can to secure the future of Dulwich Hamlet FC on its current Champion Hill site;
- Build a new library on the Walworth Road;
- Support independent food businesses which reflect the diversity of our community;
- Protect all local residents from the effects of Brexit;
- Promote Southwark's diversity and cultural richness;
- Ensure all residents benefit from opportunities to take advantage of the digital revolution;
- Improve high speed internet access across the borough;
- Put free, ultra fast broadband in every community hall;
- Support a range of cultural celebrations across the borough;
- Continue to make culture in Southwark accessible and work with cultural organisations in the borough to offer opportunities to Southwark residents;
- Open a new library at Grove Vale in East Dulwich;
- Ensure Kingswood House remains an asset for the local community and improve facilities on the Kingswood Estate;
- Keep libraries open, keep investing and ensure they are open when people need them;
- Ensure that every primary child gets a free visit to the theatre every year;
- Secure the future of Walworth Town Hall and make it a publicly accessible cultural hub.

Let's talk

This is our plan for Southwark.

Over the next four years, we will keep listening to and talking with you because we know that we can only achieve this ambition with the energy and talents of everyone who lives, works and has fun in our borough. Engaging with local communities is inherent in everything we do and we will be regularly seeking feedback from you and engaging with you on all aspects of this plan over the next four years.

So please keep in touch as we get to work on delivering our ambition of a fairer future for all in Southwark.



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Council Plan 2018-2022

Equality analysis

November 2018

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies.

Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports.

Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with

divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health & wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates		Council Plan 2018/19 – 2021-22			
Equality analysis author		Matthew Little			
Strategic Director:		Eleanor Kelly			
Department		Chief Executive’s	Division	Chief Executive’s Office	
Period analysis undertaken		June 2018 to November 2018			
Date of review (if applicable)		The council plan as the overarching business plan will be subject to regular monitoring, including annual review. Individual commitments that make up the plan, and associated equalities analysis, will be reviewed in accordance with this and other local service business planning arrangements. Commitments will be achieved at differing timescales and will be subject to relevant analysis at the appropriate pre-implementation stage and subsequently in line with local service planning arrangements. As such, much of the detailed equality analysis and analysis of impact will be addressed through local services plans and relevant documentation.			
Sign-off	Stephen Gaskell	Position	Head of Chief Executive’s	Date	November 2018

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

The Council Plan is the Council's overarching business plan. A draft Council Plan for 2018/19 to 2021/22 was agreed by Cabinet for consultation in June 2018. The Council Plan describes how we will deliver the Fairer Future vision through the promises and commitments made to the people and communities of Southwark. It also makes a number of commitments to equality and fairness in line with our approach to equality.

As a Council we are committed to taking steps to ensure that we meet our commitments under the Public sector equality duty. This means that we will pay due regard to:

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity, including finding out about and meeting diverse needs of our local communities, addressing disadvantage and barriers to equal access; enabling all voices to be heard in our engagement and consultation undertaken
- Fostering good community relations; to be a borough where all feel welcome, included, valued, safe and respected.
- To be a borough which tackles prejudice and promotes celebration and understanding of the rich diversity of its communities
- To be a borough where your background does not determine your life chances.

The Council Plan will impact what every council team and member of staff does, meaning that we will all work together to achieve our shared goals. We will be transparent and accountable about our progress in delivering the Council Plan. We will produce an annual performance report at the end of each financial year and will communicate progress through our website and our Southwark Life magazine.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	<ul style="list-style-type: none"> • All residents • Businesses and business organisations in Southwark • Partners of the Council • Faith groups • Sports clubs • Charities, all organisations working to support young, old and vulnerable residents, and volunteers • Community leaders and those who help look after their local areas • Visitors to the borough
Key stakeholders were/are involved in this policy/decision/business plan	<p>The “Southwark Conversation”, running from 19 October to 24 December 2017, was a conversation with communities about wellbeing and the future of the borough. The conversation drew on a range of engagement methods to generate 2,923 individual responses, representing the largest borough wide response of its type. Initial findings were presented to Cabinet in March 2018 and further, more detailed analysis was presented in July, which has directly fed into the development of the Council Plan, meaning the feedback from the Southwark Conversation has shaped priorities.</p> <p>The Council Plan closely reflects the contents of the Southwark Labour manifesto which had wide public engagement during the local elections in May 2018.</p> <p>In accordance with the council’s constitution and budget and policy framework, the draft Council Plan and proposals within it have been subject to public consultation. The draft Council Plan was published on the council’s online consultation hub on 28 June 2018 and the consultation ran for nine weeks, closing on 31 August 2018.</p> <p>The draft Council Plan has also been reviewed by the Forum for Equality and Human Rights (FEHRS) in Southwark’s “Equality and Human Rights Panel” (EHRP), an external panel chaired by Citizen’s Advice Bureau. FEHRS is funded by the Council to act as a critical friend to the council on our delivery of equality and were consulted on how to further embed equality into the Council Plan. Comments received from EHRP will also be included in the Council’s revised Approach to Equality.</p> <p>Following the adoption of the Council Plan by council assembly, the council will continue to engage with local people to implement the commitments set out in the Plan. We will continue to engage on the plan over the next four years.</p>

Section 4: Pre-implementation equality analysis

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Possible impacts (positive and negative) of proposed policy/decision/business plan

The commitments in the Council Plan will have a range of impacts on people of all ages in the borough. For older people, a review of the impacts of our Age Friendly borough action plan will ensure that we are meeting our ambitions in this regard and two new nursing homes will provide additional high quality care to elderly residents. Extra care housing will be built to accommodate older people who require a degree of support and we will raise standards with a Residential Care Charter to make sure that all council commissioned residential care homes are rated as good or outstanding and residents are satisfied with the care they receive. A loneliness prevention strategy will aim to tackle this important public health challenge, and help those elderly residents, among others, who experience loneliness to improve their health and wellbeing.

New safe pedestrian crossings, including at the junction of Lordship Lane and Dulwich Common, will improve access for residents and a network of accessible toilets (and baby changing facilities) will allow residents and visitors to easily locate current toilet provision. Fifty new facilities will also be implemented across the borough to increase accessibility. While these new facilities will benefit all, they will have a positive impact on older people, as evidence suggests individuals are more likely to suffer from conditions such as incontinence, urgency and prostate problems as they age.

Digital skills can be a barrier for some of our residents, including the elderly, and we are committed to ensuring that all of our residents benefit from opportunities to take advantage of the digital revolution. We want to make sure that no-one is left behind and we will work with partners and stakeholders to support residents to gain basic digital skills.

Air quality affects health, particularly our youngest and oldest residents. To help tackle the air pollution problems around schools and encourage more sustainable modes of travel we have made a commitment to make walking fun, safe and accessible by developing a green walking network. We will also close roads around schools at drop off and collection time and get more children walking and cycling to school.

For young people, we will work with communities to find local solutions that help young people stay away from knives. The Blue Youth Club and Community Centre in Bermondsey will be re-opened to provide increased opportunities for community activities and a positive Futures Fund will be launched to support groups which provide inspiring opportunities for young people.

The challenge to be a full employment borough includes ambitious targets (5,000 jobs and 2,500 apprenticeships) to support people of all working age into fairly paid and sustainable employment. The new Southwark Works framework, which is the council's longstanding employment support programme, contains provision for employment support for all ages including vulnerable young people and older people (50+). On top of this is a commitment to support 500 young people from low income backgrounds into paid internships so that they can

benefit from opportunities and work placements with a range of good employers throughout London.

The provision of appropriate GPs, school places and parks to support residents is a key council plan commitment. For school places, in addition to the new Charter School East Dulwich, there will be a new secondary school opened at Borough in response to the increasing number of children in the local area requiring secondary school places and a predicted shortage of places within Southwark from 2019 onwards. In terms of primary places, there will be a new primary school in Rotherhithe to address local needs in the medium to long term.

Performance wise, we have worked with schools to drive up standards and help ensure that all children and young people in the borough have the opportunity to reach their potential. Building on this track record, the council plan will make sure all schools in Southwark are Good or Outstanding and they are exceeding London averages at every stage.

Free theatre visits for every primary school child every year will have a positive impact on young people and provide schoolchildren with access to a rich cultural offer no matter what their background.

Recognising the financial burden of childcare costs for many of our residents, we will help parents to spread the costs of childcare over a longer period of time by introducing an affordable childcare loan scheme. We will also extend free healthy school meals to nurseries will provide nursery children with a healthy meal while increasing social mobility and saving money for families.

Equality information on which above analysis is based

- [Healthy People in Healthy Places – Annual Public Health Report of the Director of Health and Wellbeing 2017](#)
- [Our Borough 2018, Public Health summary for Southwark](#)
- [Protected characteristics JSNA 2017](#)
- [Air Quality JSNA 2017](#)
- [Southwark Works Equalities Analysis](#)
- [Economic Wellbeing Strategy 2017-2022](#)
- [Primary and Secondary School Place Planning Strategy Update](#)
- [Skills Strategy \(and Equalities Analysis\)](#)

Mitigating actions to be taken

Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Possible impacts (positive and negative) of proposed policy/decision/business plan

Many of the commitments will positively impact on disabled people in the borough. The Southwark Works service has a potential positive impact on people with disabilities and health conditions. However, data analysis has suggested more could be done to support people with disabilities into employment. Therefore under the new Southwark Works model, people with disabilities will be able to better access support through any part of the new Framework, with specific lots being designed for people with disabilities, for example a focus on mental health and physical and learning Disabilities. There will also be provision for young people with SEND in the 'vulnerable young persons' lot. In addition, other providers will engage and work with employers to secure vacancies for any client and ensure recruitment policies are inclusive; specifically with the needs of potential and current employees with disabilities.

Mental health problems represent the single largest cause of disability in the UK and it is estimated that almost one in five adults in Southwark are experiencing a common mental disorder, equating to approximately 47,000 individuals. The prevalence of severe mental illness in Southwark is 1.4% (approximately 3,800 patients) and severe mental illness disproportionately affects male, older and black ethnic population groups. To this end, there are specific commitments to protect adult mental health services and protect funding for mental health services for children and young people – also trying to find ways to change and improve services so that more children get the support they need when they need it. As an employer, the council will train appropriate staff to be mental health first aiders, including senior managers, and work with partners to develop an ongoing Council-wide mental health awareness and stigma programme for all staff. We will also work with a range of community stakeholders, including voluntary and community sector organisations and businesses, to deliver a community training offer which builds local capacity and promotes mental health.

In Southwark, 17% of school children have been identified as having special educational needs and disabilities (SEND). This equates to 8,145 children and means that Southwark has the 5th highest prevalence out of 33 London boroughs. Recognising the need to provide excellent and much needed SEND provision to Southwark, two special schools will be developed and launched – Cherry Garden School in Bermondsey and Beormund at Borough.

The Council's free swim and gym offer means that disabled residents can use any of the borough's leisure centres for free at any time - this helped to achieve a significant increase in the number of visits in 2017/18 from the previous year. Registrations and user data will continue to be monitored as the council commits to driving up participation amongst disabled residents whilst making free swim and gym even more flexible for all users.

Equality information on which above analysis is based

<ul style="list-style-type: none"> • Southwark Works Equalities Analysis • Health and Wellbeing in Southwark – Joint Strategic Needs Assessment (Mental Health 2017) • Southwark Council Interim Performance Report 2014-2018 • Protected characteristics JSNA 2017 • Special Educational Needs & Disabilities JSNA 2018
Mitigating actions to be taken
Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.

Gender reassignment - The process of transitioning from one gender to another.
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>The commitment to tackle all forms of hate crime is reinforced by adopting a zero tolerance approach in this council plan; this includes the launch of a hate-crime awareness-raising communications campaign and the 'Stronger Southwark' communities project fund for first round of applications.</p> <p>Other positive impacts include:</p> <ul style="list-style-type: none"> • Review of the diversity standard and promotion of diversity in the borough. <p>Important to note that the Council has specific commitments in the Council's Workforce Plan in relation to development of guidance for managers re: gender identity. The Council will also consider recommendations arising from central government's recent consultation on the Gender Recognition Act 2004.</p>
Equality information on which above analysis is based.
The Council will be reviewing current equality monitoring analysis information collected, including revision of current equality monitoring categories. This will also include any recommendations arising from central government's recent consultation on the Gender Recognition Act 2004.
Mitigating actions to be taken
Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.

<p>Marriage and Civil Partnership - In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination).</p>
<p>Possible impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>None identified at this stage.</p>
<p>Equality information on which above analysis is based</p>
<p>Mitigating actions to be taken</p>
<p>Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.</p>

<p>Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p>
<p>Possible impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>Creating a network of accessible toilets and baby changing facilities will positively impact those with caring responsibilities for babies and toddlers who will have greater access to toilet and changing facilities.</p> <p>Although outside of the 'maternity' definition, it is recognised that the period away from work owing to pregnancy and childcare are a contributory factor to the gender pay gap. We are committed to promoting family-friendly employment policies through our own commissioning, and more widely and we aim to make Southwark the first Equal Pay Borough so all our contractors must publish their gender pay gap and plans to reduce it.</p>
<p>Equality information on which above analysis is based</p>

- [Southwark Works Equalities Analysis](#)
- [Protected characteristics JSNA 2017](#)
- [Economic Wellbeing Strategy 2017-2022](#)

Mitigating actions to be taken

Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Possible impacts (positive and negative) of proposed policy/decision/business plan

There are a range of potential impacts related to race. In housing terms, the proportion of people in the social housing sector who are BAME is greater than their representation in the borough as a whole. This population group may be disproportionately affected by any regeneration that targets areas with higher concentrations of social housing. To tackle this and the wider issues of social regeneration, are a number of council plan commitments to make sure that growth is inclusive and that residents health and wellbeing is enhanced. Any developments on council owned land must have at least fifty percent council rented homes and there must be a right to return for council tenants and resident leaseholders so local people can stay in the borough they call home. In addition, if estates need to be redeveloped, there will be an increase in the number of council homes which will be built to the highest standards. Ballots will also be introduced on any new estate regeneration along with a Consultation Charter to ensure local residents can hold private sector developers to account. For specific sites such as the Ledbury Estate the council has committed to securing the future of the estate with no reduction in the number of council homes. At the Aylesbury Estate, a new library and GP Health Centre will be built and funds secured to support residents through the regeneration.

The commitment to tackle all forms of hate crime is reinforced by adopting a zero tolerance approach in this council plan; this includes the launch of a hate-crime awareness-raising communications campaign and the 'Stronger Southwark' communities project fund for first round of applications.

Southwark has one of the highest rates of sexually transmitted infections (STIs) and HIV in the country. With over 8,000 new STI diagnoses each year, Southwark has almost double the London rate. Southwark also has the second highest HIV prevalence in England: there are just over 2,500 people living in the borough who have been diagnosed with HIV. We will continue to tackle HIV stigma and increase testing and engage residents in the Testing Faith programme, which aims to tackle HIV stigma specifically in BAME communities.

To promote Southwark's diversity and cultural richness we will review the diversity standard and the promotion of diversity in the borough. We will also support a range of cultural celebrations across the borough and support independent food businesses which reflect the diversity of our community.

The Southwark Works service has a potential positive impact on all ethnicity groups and people from any background will be able to access employment support via any of the Framework providers. However, qualitative and quantitative data analysis has suggested the ethnicity groups who could benefit more from employment support services and where the implementation of the service should focus. An evaluation of the current service users has shown that 70.8% of clients registering with the Southwark Works service identify as from a BAME background.

Equality information on which above analysis is based

- [Protected characteristics JSNA 2017](#)
- [Our Borough 2018 Public Health summary for Southwark](#)
- [Equality Analysis – Southwark Housing Strategy to 2043](#)
- [Southwark Works Equalities Analysis](#)
- [Cultural Strategy](#)

Mitigating actions to be taken

Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage. This will include secondary research and engagement with local community and voluntary organisations to find out about needs to help inform services.

Religion or belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Possible impacts (positive and negative) of proposed policy/decision/business plan

A number of council plan commitments will have a positive impact on fostering good community relations, including:

- Working alongside our communities to help them counter extremism and radicalisation.
- Having a zero tolerance approach to hate crime and launching a hate-crime awareness-raising communications campaign and the 'Stronger Southwark' communities project fund for first round of applications.
- Enhancing and refreshing the Faith Strategy and action plan.
- Promoting Southwark's diversity and cultural richness.
- Supporting a range of cultural celebrations across the borough.

Equality information on which above analysis is based

<ul style="list-style-type: none"> • Protected characteristics JSNA 2017 • Census 2011 data on Faith and Religion <p>As part of the proposed review of equality monitoring information collected and analysed, the Council will aim to improve collection of equality monitoring information re: religion/belief where relevant, in order to help provide appropriate service provisions in relation to specific needs arising from a person's religion or belief.</p>
Mitigating actions to be taken
<p>Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage. This will include secondary research and consultation and engagement with local community and voluntary organisations to find out about needs to help inform services.</p>
Sex - A man or a woman.
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>We are committed to promoting equal opportunities employment policies through our own commissioning, and more widely and we aim to make Southwark the first Equal Pay Borough so all our contractors must publish their gender pay gap and plans to reduce it.</p> <p>Through the Council Plan and Economic Wellbeing Strategy there is an ambition that there is genuine pay equality in Southwark and for Southwark residents, and we continue to embed the principles of equal pay and family friendly work practices across all our services and promote, influence strategically, and lobby nationally for fair wages and the elimination of the gender pay gap. We will deliver a Good Work campaign that focuses on fair pay, equality and good work and the new Southwark Works Framework will have a new focus on supporting people into better work. Anecdotal evidence suggests that there are more women in need of this support than men and engagement and outreach of clients will target women.</p> <p>A lot of good work to better support people who experience domestic abuse has taken place in Southwark, but the case for change is still strong and we will review and develop our Sanctuary Scheme to better prioritise domestic abuse survivors over their abuser so they can stay in their own home.</p> <p>We will also develop of a Violence Against Women and Girls strategy to tackle all forms of gender based violence.</p>
Equality information on which above analysis is based

<ul style="list-style-type: none"> • Protected characteristics JSNA 2017 • Southwark Domestic Abuse Strategy • Economic Wellbeing Strategy 2017-2022 • Southwark Works Equalities Analysis • Domestic Abuse Strategy 2015-2020
Mitigating actions to be taken
Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>Research from the Office for National Statistics suggests that Southwark has one of the largest gay and lesbian populations in the country, where 5% (12,000 people) of the population of Southwark identify as being gay or lesbian, compared to only 2% of the entire London population and 1% in England. Estimates of those identifying as either bisexual, transgender are not considered reliable enough for practical use.</p> <p>Council Plan commitments likely to have positive impacts include:</p> <ul style="list-style-type: none"> • Review of the diversity standard and promotion of diversity in the borough. • Have zero-tolerance of hate crime; this includes the launch of a hate-crime awareness-raising communications campaign and the 'Stronger Southwark' communities project fund for first round of applications.
Equality information on which above analysis is based
Mitigating actions to be taken
Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage. This will include secondary research and engagement with the Southwark LGBTQI+ community forum to find out about local needs to help inform services.

Human Rights There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol
Potential impacts (positive and negative) of proposed policy/decision/business plan
<p>Our commitment to equality and fairness runs throughout this plan, both in the commitments we make to the people of Southwark, and the way we deliver services every day. As a council we are committed to taking all necessary steps to meet our commitments to equalities under the Public Sector Equality Duty, including regularly reporting back to the public so they can hold us to account.</p> <p>No specific Human Rights impacts have been identified.</p>
Information on which above analysis is based
Mitigating actions to be taken
<p>Council Plan commitments will have equality analysis undertaken at the relevant pre-implementation stage.</p>

Section 5: Further actions and objectives

The Council Plan is the council's overall business plan made up of a series of individual commitments grouped into eight priority themes that will be delivered over the four year period to 2021/22. Commitments will be achieved at differing timescales and will be subject to relevant analysis at the appropriate pre-implementation stage and subsequently in line with local service planning arrangements. As such, the detail of this section will be set out through local business plans and other such supporting material.

Item No: 6.2	Classification: Open	Date: 28 November 2018	Meeting Name: Council Assembly
Report title:		Treasury Management – Mid-year Update 2018/19	
Wards or Groups affected:		All	
From:		Strategic Director of Finance and Governance	

RECOMMENDATION

1. That council assembly note the 2018-19 mid-year treasury management update report and that:
 - all treasury management activity was undertaken in compliance with the approved treasury management strategy and with the council's prudential indicators, as Appendix A.
 - the balance remaining on all external debt as at 30 September 2018 was £588m.
 - in the six months to 30 September 2018 the average investment balance was £116m and the balance of investments at 30 September 2018 stood at £147m.
 - the debt cap for HRA was removed with immediate effect from 29 October 2018.

BACKGROUND INFORMATION

2. In compliance with the Local Government Act 2003, the council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice (the Code). The Code requires local authorities to determine an annual treasury management strategy and, as a minimum, formally report on their treasury activities and arrangements to Council Assembly mid-year and after the year-end.
3. The 2018-19 treasury management strategy was approved by council assembly in February 2018. 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:
 - Local authority regulatory changes
 - The council's borrowing strategy and debt management position
 - Investment activity
 - Prudential indicators for 2018-19.

KEY ISSUES FOR CONSIDERATION

Local Authority Regulatory Changes

Revised CIPFA Codes

6. In December 2017, following a consultation exercise in September 2017, CIPFA published revised editions of the Treasury Management and Prudential Code. The additional requirements of the revised Treasury Management and Prudential Code, as outlined below, are being incorporated into treasury management strategies and monitoring reports.
7. In the 2017 Treasury Management Code the definition of 'investments' has been widened to include additional financial assets as well as non-financial assets held primarily for financial returns, such as investment property. These, along with other investments made for non-treasury management purposes such as loans supporting service outcomes and investments in subsidiaries, must be presented in the Capital Strategy or Investment Strategy. Additional risks of such investments are to be set out clearly and the impact on financial sustainability is to be identified and reported.
8. The objective of the Prudential Code is to provide a framework such that individual local authority capital investment plans are affordable, prudent and sustainable.
9. The 2017 Prudential Code introduces the requirement for an authority to produce a Capital Strategy to provide a high-level overview of the long-term context of capital expenditure and investment decisions and their associated risks and rewards along with an overview of how risk is managed for future financial sustainability.
10. The Code recommends that the Capital Strategy should include sufficient information about the council's long term capital expenditure expectations, council assets and liabilities in such detail to allow elected members to understand how value for money, prudence, sustainability and affordability will be secured. The Code also expands on process and governance issues associated with capital expenditure and investment decisions.
11. The requirement to produce a capital strategy as per the 2017 Prudential Code is effective from April 2019. However the council elected to produce an early version of the capital strategy, which was agreed by Council Assembly in July 2018 in advance of this deadline, in order to ensure early consideration of the strategy and the context in which capital and investment decisions are made.

MHCLG Investment Guidance and Minimum Revenue Provision

12. In February 2018 the Ministry of Housing, Communities and Local Government (MHCLG) published revised Guidance on Local Government and Investments and Statutory Guidance on Minimum Revenue Provision (MRP). Local authorities are required to have regard to the revised guidance in consideration of capital, debt and investment decisions.
13. Changes to the Investment Guidance include a wider definition of investments to include non-financial assets held primarily for generating income return, typically investment property. This also extends coverage to a new category called

“loans” (e.g. temporary transfer of cash to a third party, joint venture, subsidiary or associate).

14. The investment guidance specifies additional reporting and disclosure requirements as part of the Capital and Treasury Management Strategy. The Investment Guidance is effective from 1 April 2018 with the additional disclosure requirements necessary as part of the capital and investment strategy for 2019-20.
15. The Guidance introduces the concept of proportionality and additional disclosure for borrowing solely to invest. Investment strategies must detail the extent to which service delivery objectives are reliant on investment income and a contingency plan should yields on investments fall.
16. During the financial year 2017-18 the council acquired a number of strategic property assets including four properties in London Bridge and property within Old Kent Road opportunity area. These were funded from prudential borrowing and part financed from rental income. It is expected that these assets will provide a long term, sustainable source of income for the council.
17. The new Statutory Guidance on the MRP issued by MHCLG in February 2018 will be applicable for accounting periods from 1 April 2019 for which Southwark must have regard to when setting and applying MRP policy.
18. The guidance has sought to clarify what the government considered as prudent provision for the repayment of debt. This has included updated specification of individual asset lifetime over which provision is to be made for repayment, including an upper limit of 50 years in all but exceptional cases.
19. The definition of prudent MRP has been changed to “put aside revenue over time to cover the Capital Financing Requirement (CFR)” and any change in MRP policy cannot create an overpayment; the new policy must be applied to the outstanding CFR going forward only.
20. The council’s existing MRP policy and proposed MRP Policy for 2019-20 is compliant with the new guidance.

UK Budget 2018 and HRA Debt Cap

21. As part of the 2018 UK National Budget on 29 October 2018 the debt cap for the HRA has been lifted with immediate effect. As at 31 March 2018 the HRA had £147m headroom within the debt cap.
22. The capital programme for the HRA will continue to comply with the requirements of the CIPFA prudential code; such that capital expenditure and any associated financing implications must be affordable, prudent and sustainable.
23. The setting of internal prudential borrowing limits for the HRA will be required to ensure that the annual cost of debt interest remains affordable. Any prudential limit is expected to be significantly greater than the national debt cap. Initial estimates indicate that a prudential borrowing cap for affordability for the HRA borrowing could be up to £1,300m, increasing the headroom for new borrowing by around £900m, over the long term.

24. The potential to increase prudential borrowing within the HRA will allow the council to consider opportunities for ambitious housebuilding schemes that would otherwise have been excluded due to the limitations enforced by the debt cap.

MiFID II

25. As a result of the second Markets in Financial Instruments Directive (MiFID II), from 3 January 2018 local authorities were automatically treated as retail clients but could “opt up” to professional client status, providing certain criteria was met which includes having an investment balance of at least £10 million and the person(s) authorised to make investment decisions on behalf of the authority have at least a year’s relevant professional experience. In addition, the regulated financial services firms to whom this directive applies have had to assess that that person(s) have the expertise, experience and knowledge to make investment decisions and understand the risks involved.
26. The Authority met the conditions to opt up to professional status and has done so in order to maintain its former MiFID II status prior to January 2018.

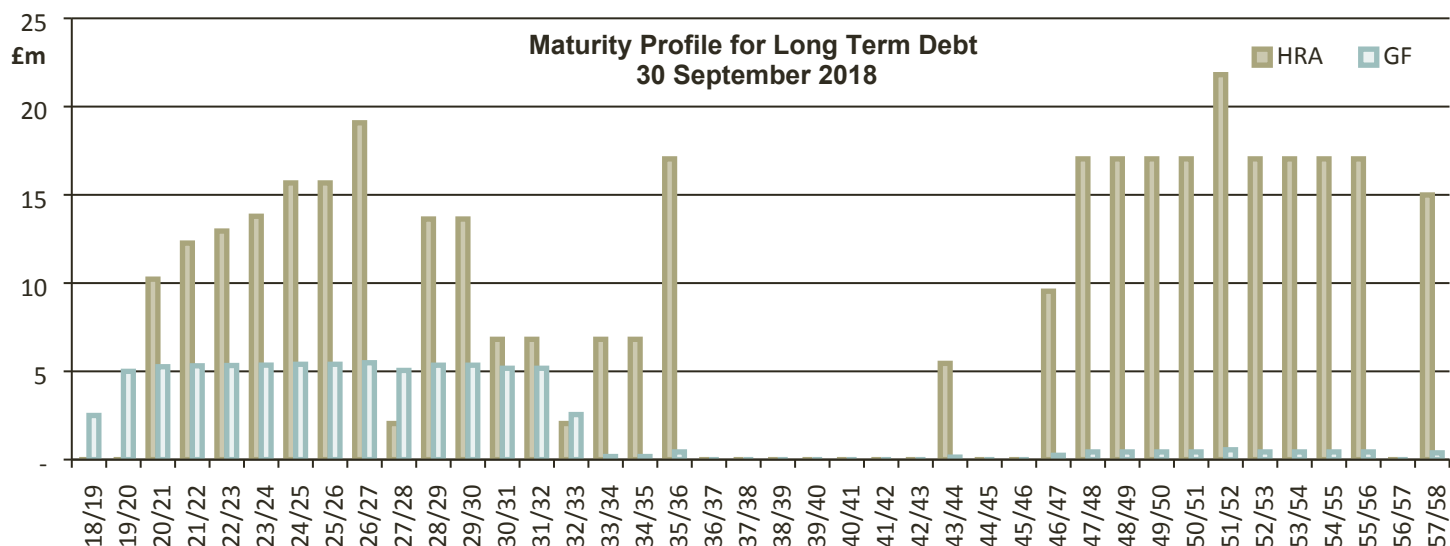
Prudential Indicators - Actuals

27. Local authority borrowing, investment and capital finance activity is supported by the Prudential Code for Capital Finance, the Treasury Management in the Public Services Code of Practice and related guidance published by CIPFA. The codes require councils to set a series of indicators and limits each year. The 2018-19 indicators were agreed in February 2018, before the start of the financial year and enabled the strategic director of finance and governance to carry out his responsibilities in this area. The prudential indicator estimates for 2018-19 are included at Appendix A.
28. The council has complied with its Prudential Indicators throughout 2018-19.

Borrowing strategy and debt management activity and position

29. The council’s debt management strategy since 2011-12 has been to pursue a policy of internal borrowing, which is the use of existing reserves and balances to temporarily fund capital expenditure rather than the use of external borrowing.
30. The use of internal borrowing allows the council to minimise unnecessary external borrowing costs by only borrowing when needed for liquidity, or to benefit from advantageous borrowing rates. Borrowing in advance of need from a cashflow perspective creates a ‘cost of carry’ which is the difference between the short term investment income earned through holding cash balances compared against longer term external debt financing costs
31. Efficient use of existing council resources to fund capital expenditure through internal borrowing also reduces the council’s counterparty risk inherent in the investment of cash balances
32. During 2017-18, it became necessary to undertake new borrowing in order to finance prior internal borrowing from the capital programme and to maintain target cash balances. During the course of the financial year 2017-18 the council elected to borrow £110m in short term loans from other local authorities.

33. This approach to short term borrowing has continued into the first half of 2018-19 with the balance of short term borrowing from local authorities at £145m as at 30 September 2018. The weighted average rate of interest on short term borrowing is 0.90%, significantly less than long term rates of borrowing.
34. Officers regularly monitor current and forecast interest rates to determine the appropriateness of the internal and short term borrowing approach, so that the reduction in current borrowing costs from use of internal balances is not offset by higher borrowing costs in the future.
35. Future borrowing requirements arising from the approved capital programme, the extent of internal borrowing and the need to refinance scheduled debt repayments, together with potential for interest rate rises, indicate the need for long-term borrowing during the second half of 2018-19, with further borrowing required during 2019-20.
36. Projections for approved capital expenditure and cashflows indicate an additional borrowing requirement of up to £250m by March 2019.
37. All historical long term debt for the council has been drawn from the PWLB; however future borrowing could come from a variety of different sources. The council could borrow through other financial institutions and banks, the Municipal Bond Agency, or directly from other local authorities. All short term borrowing during 2018-19 was via other local authorities. Borrowing from other local authorities is typically at lower rates than from other sources for short duration debt.
38. The council's outstanding debt portfolio, used to fund historical capital expenditure, stood at £588m as at 30 September 2018.
39. All long term outstanding debt was borrowed from the Public Works Loans Board (PWLB), part of HM Treasury, at fixed rates of interest. During the first half of 2018-19, £10m of long debt principal matured and was repaid to PWLB. All long term debt was drawn prior to 2011-12.
40. The weighted average rate of interest for the council's debt portfolio is 4.6% as at 30 September 2018 a reduction from 5.5% as at 31 March 2017. This reflects the largely historical nature of the debt, the majority of which was drawn prior to 2008.
41. The maturity profile of outstanding long term borrowing as at 30 September 2018 is shown in the chart below:



Provisions for repayment of debt

42. Each year, the general fund sets aside sums, known as the minimum revenue provision (MRP), to reduce its borrowing liabilities. The HRA can also set aside sums to reduce borrowing liabilities. During 2017-18 no additional balances were set aside for repayment of debt.
43. The PWLB operates a spread of approximately 1% between “premature repayment rates” and “new loan” rates so the premium charge incurred for early repayment of PWLB debt remained expensive for the council’s portfolio and therefore unattractive for debt rescheduling activity.

Investment strategy and investment activity and position

44. The council holds sizable investment balances, representing income received in advance of expenditure plus balances and reserves held. Investments as at 30 September 2018 were £147m (£116m at 30 September 2017).
45. Council resources that are not immediately required for current expenditure are invested in money market instruments in accordance with the MHCLG Guidance on Local Authority Investments and the approved investment strategy. The MHCLG guidance gives priority to security and liquidity and the council’s aim is to achieve a yield commensurate with these principles.
46. Council investments are managed both in-house and delegated to two fund managers: Alliance Bernstein and Aberdeen Standard (formerly Aberdeen Asset Management). The focus for in-house investment is to meet variable near term cash liquidity requirements, principally using money market funds and other highly secure, liquid financial instruments
47. Any surplus cash resources not required in the short term to fund council activities is placed with the council’s two external fund managers. The fund managers invest for a longer term in UK government gilts, supranational bank bonds, certificates of deposits issued by major banks/ building societies and other financial instruments.
48. 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.

49. The distribution of council investments across counterparties by rating and maturity as at 30 September 2018 is set out in the table below:

Investment Maturity	A		AA		AAA		Total
	£m	%	£m	%	£m	%	£m
Up to 1 Year	10.7	7%	25.2	17%	85.2	59%	121.1
1 - 2 Years	-	0%	3.2	2%	14.6	10%	17.8
2 - 5 Years	-	0%	-	0%	7.7	5%	7.7
Total	10.7	7%	28.4	19%	107.5	74%	146.6

50. The annualised rate return for council treasury management assets for the first six months of the financial year was 0.74%. Market expectations of a further increase in UK base rate, agreed unanimously by the UK Monetary Policy Committee in August, led to increased yields in short duration gilts. The increase in short duration interest rates has had a limited, negative impact on existing asset valuations.
51. The council's portfolio was well placed for an increase in rates with a low duration exposure, and therefore will likely benefit from an increased rate of return during the second half of 2018-19.
52. To assess the treasury management investment performance, the council measures the return against a composite investment benchmark of three month LIBID and one to three year gilt index. For the first half of the financial year the benchmark index annualised return was 0.54% indicating an outperformance versus the benchmark of 0.20%.
53. The rate of investment return generated by the treasury management portfolio is a consequence of the council's prudent, low risk approach to treasury management investing. This is in line with the requirements of the statutory guidance for local government treasury investment issued by MHCLG.
54. The priorities for treasury management investment are, in order of priority, security, liquidity, and yield. The objective therefore is to ensure that funds are available to meet council liabilities as they fall due.

SUPPLEMENTAL ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

55. 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.
56. 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.

57. 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.
58. 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 Ministry of Housing, Communities and Local Government Guidance on Local Authority Investments updated February 2018 and there is statutory guidance on the Minimum Revenue Provision (MRP) made under section 21(1A) of the 2003 Act.
59. 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 – 2018-19 Actuals & Estimates

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Governance		
Report Author	Rob Woollatt, Interim Departmental Finance Manager		
Version	Final		
Version Date	15 November 2018		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments sought	Comments included
Director of Law and Democracy		Yes	Yes
Strategic Director of Finance and Governance		Not applicable	Not applicable
Cabinet Member		Yes	Yes
Final Report Sent to Constitutional Team			15 November 2018

APPENDIX A

PRUDENTIAL INDICATORS: 2018-19 ACTUALS AND ESTIMATES

BACKGROUND

1. 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 2018, and the outturn position was reported in July 2018. This appendix updates 2018-19 indicators.
2. The indicators are grouped into three broad areas: affordability and prudence, capital finance and treasury management. The indicators are of a technical nature and existing budgets take account of capital finance and treasury activities. The indicators themselves have no effect on those budgets.

INDICATORS ON AFFORDABILITY AND PRUDENCE

3. The indicators below are for affordability and prudence.

2017-18 Outturn	2018-19 Estimate	
		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 2017-18 on account of cash balances, internal borrowing and PFI transactions.
£956m	£1,117m	CFR
£563m	£588m	Maximum Gross Debt in the Year

INDICATORS ON CAPITAL FINANCE

4. The indicators below are for capital finance.

2017-18 Outturn	2018-19 Estimate	
		Capital Expenditure Capital expenditure includes PFI funded spend.
£168m	£120m	HRA
£233m	£193m	General fund
£401m	£313m	Total

		Capital Financing Requirement (CFR) The CFR is the balance on past capital expenditure financed through borrowing and long term liabilities (e.g. PFI).
£430m	£436m	HRA
£526m	£681m	General fund
£956m	£1,117m	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
£430m	£436m	Actual HRA CFR
£147m	£141m	HRA Headroom

INDICATORS ON TREASURY MANAGEMENT

5. The indicators below are for treasury management.

2017-18 Outturn	2018-19 Limit	2018-19 Estimate	
			Operational Boundary on Debt and Authorised Limits for External Debt These are limits the council determines to accommodate borrowing and long term liabilities. The lower limit is the operational boundary and takes account of existing positions and ordinary activity and the higher limit is the authorised limit, enabling additional borrowing to be taken for very short periods, in the interest of prudence, within a risk controlled framework.
			Operational Boundary
£563m	£791m	£588m	Borrowing (maximum outstanding in year)
£101m	£110m	£96m	Other Long Term Liabilities
£664m	£901m	£684m	Total

			Authorised Limit
£563m	£1,207m	£588m	Borrowing (maximum outstanding in year)
£101m	£130m	£96m	Other Long Term Liabilities
£664m	£1,337m	£684m	Total

2017-18 Outturn	2018-19 Limit	2018-19 Estimate	
78%	100%	75%	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.
100%	100%	100%	Fixed rate debt
0%	20%	0%	Variable rate debt

			Maturity Structure of Borrowing Limits accommodating existing positions with flexibility to vary exposure within a risk controlled framework.
22%	25%	23%	Under 1 year
1%	25%	2%	1 year and within 2 years
9%	50%	10%	2 years and within 5 years
17%	75%	17%	5 years and within 10 years
52%	100%	48%	10 years and over
			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.
23%	50%	17%	Percentage longer than one year
7 months	2 years	6 months	Overall maximum average maturity

Item No. 7.1	Classification: Open	Date: 28 November 2018	Meeting Name: Council Assembly
Report title:		Changes to Community Council Boundaries November 2018	
Ward(s) or groups affected:		All wards	
From:		Constitutional Steering Panel	

RECOMMENDATION

1. That council assembly agree to maintain the interim boundaries for community councils until March 2019, in order to support further options and consultation for potential new community council arrangements.

BACKGROUND INFORMATION

2. Council assembly in March 2018 agreed that in order to minimise the impact of the 2018 Local elections, that the current community council boundaries remained closely aligned to previous community council areas as an interim measure.
3. It is now proposed that the interim arrangements remain in place until the end of the municipal year. Further options will be presented to council assembly in March 2019.
4. Community council areas are defined in article 8 of the council's constitution. Each ward falls within a community council area and the members from those wards make up the community council. Council assembly has agreed that there are five community council areas.
5. Article 8 of the constitution sets out composition of community councils. The current composition is set out below and in appendix 1.

Name of community council	Members from electoral wards serving on Community councils
Bermondsey and Rotherhithe	London Bridge & West Bermondsey, North Bermondsey, South Bermondsey, Old Kent Road (North), Rotherhithe and Surrey Docks wards.
Borough, Bankside and Walworth	Borough & Bankside, St George's, Chaucer, Newington, North Walworth and Faraday wards.
Camberwell	Camberwell Green, St Giles and Champion Hill wards.
Dulwich	Goose Green, Dulwich Village, Dulwich Hill and Dulwich Wood wards.
Peckham and Nunhead	Old Kent Road (South), Peckham, Rye Lane, Nunhead & Queen's Road and Peckham Rye wards.

6. The Local Government Boundary Commission for England (LGBCE) reviewed ward boundaries in Southwark, and these new boundaries came into force in May 2018 at the time of local government election.
7. At the annual meeting of council assembly on 21 May 2018, members were asked to establish community councils and elected chairs for those committees. As the council was then formed on new ward boundaries, constitutional amendments were made to reflect those changes.

KEY ISSUES FOR CONSIDERATION

8. The approval of community council composition (electoral wards serving on community councils) is a matter reserved for decision by council assembly. In Southwark, the constitutional steering panel (CSP) must consider any changes to the constitution before the decision is referred to council assembly.
9. Community councils have both executive and non-executive powers and are considered area committees. As regards its executive functions, these are enabled by section 9E of the Local Government Act 2000 together with s102 of the Local Government Act 1972. The definition of an area committee in these provisions is:
 - a) the committee is established to discharge functions in respect of part of the area of the authority, and
 - b) the members of the committee or sub-committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part.
10. As regards its non-executive functions (in accordance with regulation 16A of the Local Government (Committees and Political Groups) Regulations 1990) the Council needs to ensure in addition to the above requirements that
 - i) the area of the part of the authority for which the area committee is responsible does not exceed two-fifths of the total area of the authority, and that
 - ii) the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.
11. Officers have considered these proposals in relation to the statutory requirements, and are satisfied that they are consistent with them.

Community impact statement

12. The roles and functions of community councils include the promotion of involvement of local people in the democratic process. Community councils take decisions on local matters including environmental improvement and community safety as well as consultation on a wide range of policies and strategies that affect the area.
13. An explicit objective within community council is that they be used to actively engage as widely as possible with, and bring together, Southwark's diverse local communities on issues of shared mutual interest.
14. In fulfilling the above objectives that community councils have of bringing together and involving Southwark's diverse local communities, consideration has also been given to the council's duty under the Equality Act 2010 which requires the council to have due regard when taking decisions to the need to:
 - a) Eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct
 - b) Advance of equality of opportunity between persons who share a relevant protected characteristic and those who do not share it
 - c) Foster good relations between those who share a relevant protected characteristic and those that do not share it.

15. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
16. Having due regard to the need to advance equality of opportunity is further explained by the Act, which states that it involves
 - Removing or minimising disadvantages connected with a relevant protected characteristic.
 - Taking steps to meet the different needs of persons who share a relevant protected characteristic.
 - Encouraging persons who share a relevant protected characteristic to participate in public life or any other activity in which they are under-represented.
17. Due consideration was given to this duty during this process and no adverse impact on any group with a protected characteristic was evident.

Resource implications

18. There are no resource implications.

Consultation

19. The constitutional steering panel has been consulted.

Financial implications

20. There are no financial implications.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

21. The Director of Law and Democracy notes the contents of the report and that the relevant references to the council's constitution and to the legal framework and requirements have been identified in the report.
22. The panel is reminded that the public sector equality duty under section 149 Equality Act 2010, as set out in the Community Impact section of the report, applies to the exercise any of its functions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

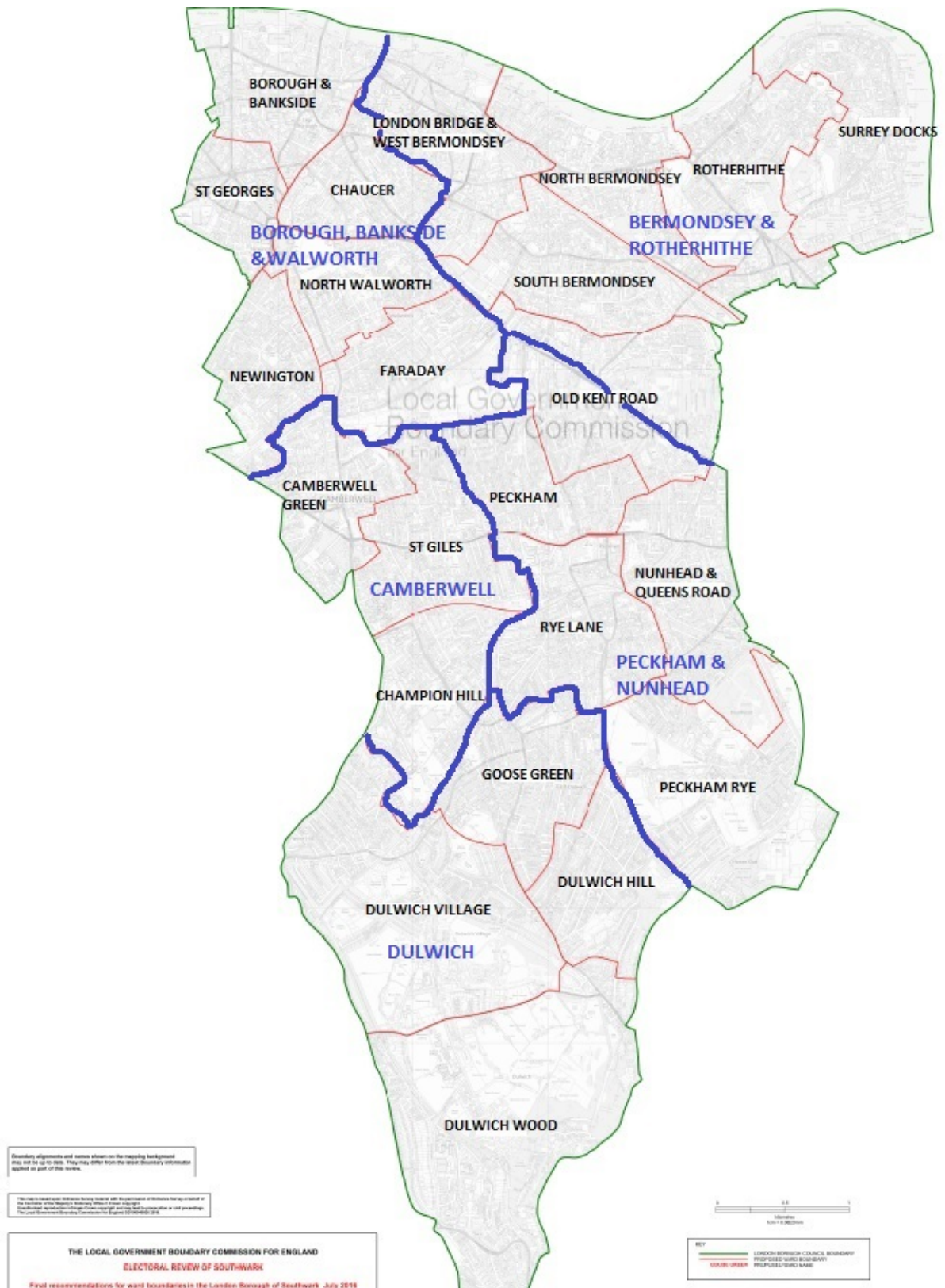
APPENDICES

No.	Title
Appendix 1	Current community council boundaries

AUDIT TRAIL

Lead Officer	Stephen Douglass, Director of Communities		
Report Author	Forid Ahmed, Community Council Team Leader		
Version	Final		
Dated	14 November 2018		
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	No	No	
Strategic Director of Housing and Modernisation	No	No	
Cabinet member	Yes	No	
Date final report sent to Constitutional Team		14 November 2018	

APPENDIX 1



Item No. 7.2	Classification: Open	Date: 28 November 2018	Meeting Name: Council Assembly
Report title:		The Gambling Act 2005 – Statement of Gambling Licensing Policy 2019-2022	
Ward(s) or groups affected:		All wards	
From:		Licensing Committee	

RECOMMENDATION

1. That council assembly agree the publication of the Southwark Statement of Gambling Licensing Policy for 2019-2022 (Appendix A) from 31 January 2019.

BACKGROUND INFORMATION

2. The Gambling Act 2005 introduced a licensing regime for gaming and betting administered through a combination of the Gambling Commission and local licensing authorities.
3. The Act regulates the following sectors:
 - Arcades
 - Betting
 - Bingo
 - Casinos
 - Gambling software
 - Gaming machines
 - Lotteries
 - Remote (online) gaming.
4. The Gambling Commission is responsible for licensing operators and individuals involved in providing the above activities.
5. Licensing authorities are responsible for:
 - Issuing gambling operators with premises licences
 - Issuing gambling operators with permits (which allow low stakes gambling in venues which are primarily not for gambling)
 - Registering societies – allowing them to hold small lotteries
 - Compliance and enforcement of the Act locally.
6. Licensing authorities are required under section 349 of the Gambling Act 2005 to prepare and publish, every three years, a statement of the principles which they propose to apply when exercising their licensing functions. The Act requires that before the licensing authority publishes its statement of licensing principles it must

carry out a public consultation exercise.

7. Section 153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it:

- In accordance with relevant codes of practice
- In accordance with the guidance for licensing authorities issued by the Gambling Commission
- Reasonably consistent with the licensing objectives
- In accordance with the authority's statement of licensing policy.

8. This authority's statement of principles (The Southwark Statement of Gambling Licensing Policy) was first published in January 2007. It was compiled having regard to a broad range of contributions from responsible authorities; representatives of the industry; and of the community. It has been subject of several reviews and amendments as policy and guidance has changed over the years. On 25 November 2015, the council assembly agreed to the continuation of the Southwark Statement of Gambling Licensing Policy for the period 2016-2019, pending the full review of the policy to take place due to the Gambling Commission issuing the fifth edition of its Guidance to local licensing authorities, with parts 17 (Casinos), 18 (Bingo) and 19 (Betting Premises) due to be amended in September 2016. The decision was:

"That the continuation of the Southwark statement of gambling licensing policy for 2013-2016 beyond 31 January 2016 be agreed, pending a full review of the policy document in the light of the publication of the fifth edition of the Gambling Commission guidance to local licensing authorities (September 2015)."

9. The changes in the Gambling Commission Licence Conditions and Codes of Practice (LCCP) requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's statement of policy.

10. Licensees are now required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- when applying for a variation of a premises licence
- to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

11. The guidance states that there is no mandatory requirement to have a local area profile, but there are a number of benefits:

- it enables licensing authorities to better serve their local community, by better reflecting the community and the risks within it

- greater clarity for operators as to the relevant factors in licensing authority decision making, will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application
 - it enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge
 - it encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.
12. The current Statement of Gambling Policy was considered by the Licensing Committee on 20 June 2017 when the committee agreed for officers to consult on the revised Southwark Statement of Gambling Licensing Policy for 2016-2020 That the committee agreed to consult on the revision of the Southwark statement of gambling licensing policy for 2016-2020.
 13. At the meeting of the Licensing Committee on 06 November 2017 members were informed that as the full review for the Southwark Statement of Gambling Licensing Policy was due for consultation in 2018 and, as there were very few applications and to save on resources, the amendments for local area profiles will be included in the full review of the 2018. Members noted this update.

KEY ISSUES FOR CONSIDERATION

Amendments made to the existing gambling policy

14. At the full licensing committee meeting on 07 November 2018 members considered the draft statement of gambling policy 2019 to 2020 and decided to recommend that Council Assembly approve the policy.
15. The committee considered the following information in making that decision:
16. The proposed policy has being consulted on for the six week period from 20 August 2018 to 07 October 2018.
17. No responses were received during the consultation period for the licensing policy from residents, the gambling industry or their representatives.
18. Consultation with Public Health made some recommendations to the policy in the form of advice and best practice to applicants and these were incorporated within the draft Policy prior to the statutory consultation.
19. The Gambling Commission responded to the Council and informed us that they were not making representation with regards to the consultation but did offer some comments for consideration. These comments were mainly matters within the policy that needed clearer explanation and have also been incorporated into the draft policy.
20. A copy of the draft Southwark Statement of Gambling Licensing Policy 2019-22 is attached at Appendix A.

21. The changes that have been made to the policy are:

- To deal with the political composition of the Authority under Section 2 – All about Southwark including the new ward map.
- Introduction of local area profiles.
- Public Health comments
 - Section two, replace 4 to 7 for up to date information about Southwark.
 - Section five, 110 add two bullet points on training records for staff on underage sales and the use of a refusals book.
 - Section five, local area profiles this is a new section, 137 added by Public Health
 - Section five, door supervisors additional recommendation at 149
- Gambling commission comments
 - Section five, replace primary gambling activity 77 to 79 with gaming machines in gambling premises
 - Section five, 110 similar to Public Health, add one bullet points and the use of a refusals book on underage sales.
 - Section five 113, built points on location, expand the built point relating to places or worship. Remove the built point regarding over concentration of similar gambling premises.
 - Section six 190 to 194 replace section on Club gaming and machine permits.
- Correction of some minor errors with in the Policy and updating contact details within section 9 of the document.

22. The licensing committee decided to recommend to Council Assembly to agree the publication of the Southwark Statement of Gambling Licensing Policy for 2019-2022 (Appendix A) from 31 January 2019.

Community impact statement

23. The Southwark statement of gambling licensing policy recognises that as long as gaming and betting premises are well run and premises management acknowledges the value of working together with the local community, they can make a significant contribution toward building community cohesion and cultural development.

24. The policy equally recognises that negative impacts can also occur if good management practices are not followed. Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. With gaming and betting establishments there are also risks of individual gambling addiction.

25. The policy seeks to provide the necessary balance between responsible business operators contributing toward a thriving business and late night economy whilst ensuring that the quality of life of those who live and work in the Borough is protected and enhanced through the licensing system. We believe these aims are achievable if all parties concerned work together.

26. Central to this, is a licensing process which aims to be inclusive and ensures that local community concerns are understood, debated and resolved. This is supported by offering broad support to licensees, through the range of involved authorities, to

establish best practice management, and by a strong directed enforcement resource.

27. The equalities impact assessment has been revisited as part of the revision of this policy. As the extension of this policy document is primarily a technical matter, no new issues are identified at this stage.

Resource implications

28. This extension of the Southwark statement of gambling licensing policy 2013-16 does not have any resource issues in itself.
29. The resource costs of managing this process may be borne within the current licensing budget.

Consultation

30. The Gambling Act 2005 requires that each revision of the licensing authorities statement of policy is subject to consultation which is required to take place with
 - Chief officer of police for the authority's area
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions.
31. The statutory consultees were notified of the review and consultation of the gambling policy and how to respond. The consultation has also been advertised in the at the Council's offices in Tooley street and on the Council's website. The draft policy has been available for comment for a 6 week period on the Council website from 20 August 2018 to 07 October 2018.
32. In the event that council assembly agrees the publication of the policy then this decision will be announced in a notice published in a local newspaper; on the council's web site; and at the council's offices, in accordance with the statutory requirements.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

33. The Gambling Act 2005 ("the 2003 Act") requires the council, as the licensing authority, to prepare and publish a statement of its gambling licensing policy every three years.
34. In determining its policy, the council is exercising a licensing function and as such must have regard to with codes of practice issued under section 24, the guidance issued by the Secretary of State under section 25 of the 2005 Act. It must also give appropriate weight to the views of those persons/bodies listed in the Act which it is required to consult before determining its policy.

35. Although the guidance represents best practice, it is not binding on the council. As long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so. In this event they will need to give full reasons for their decisions, which must be consistent with the objectives of the 2003 Act.
36. The council is required to have regard to the statement of licensing policy and make decisions in accordance with it. Licensing authorities may depart from their policy if the individual circumstances of any case merit such a decision in the interests of promoting the licensing objectives. In this event it is important that full reasons are given for departing from the published statement of licensing policy.
37. Members should note that the 2005 Act imposes a duty on the council, as the licensing authority, to carry out its functions under the Act with a view to promoting the 3-licensing objectives, namely:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
38. Each of these objectives is of paramount and equal importance. There are no other licensing objectives and therefore the council cannot reject an application for a licence or impose conditions on a licence for any purpose unrelated to the promotion of these objectives.
39. The statement of gambling licensing policy cannot seek to impose blanket conditions. Each application must be considered on its own merits. Conditions can only be imposed on a licence if they are necessary to promote the licensing objectives in relation to the specific premises and are a proportionate response to the specific situation to be addressed. The guidance provides that if the situation the condition is intended to address is already addressed by a provision in the 2005 Act or any other legislation then the condition cannot be said to be 'necessary'.
40. The licensing is about regulating the carrying on of gambling activities within the terms of the 2005 Act. The statement of gambling policy should make it clear that gambling law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business carrying on gambling activities. However, the guidance also states that gambling law is a key aspect of such control and should always be part of a holistic approach to the management of the evening and night-time economy. It is therefore desirable that the statement of licensing policy is in line with the council's wider objectives and consistent with other policies.
41. Members should note that the statement of gambling policy must not be inconsistent with the provisions of the 2005 Act and must not override the rights of any individual as provided for in that Act. Nor must the statement of gambling policy be inconsistent with obligations placed on the council under any other

legislation, including human rights legislation. Members should also note that the council has a duty under section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a licensing authority under the 2005 Act, to do all it reasonably can to prevent crime and disorder within the borough.

42. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties, with regard to race, disability and gender. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. Gender equalities duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995.
43. Equality impact assessments are an essential tool to assist councils to comply with our equalities duties and to make decisions fairly and equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.
44. Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, decisions relating to licensing matters cannot be the responsibility of an authority's executive. The 2005 Act provides that whilst the majority of the functions of the licensing authority, are to be taken or carried out by its licensing committee, decisions relating to the statement of licensing policy cannot be delegated in such a way. The decision on whether to adopt the statement of licensing policy must therefore be taken by council assembly.

Strategic Director of Finance and Governance (E&L/15/016)

45. The Strategic Director of Finance and Governance notes the recommendations for the continuation of the Southwark Statement of Gambling Licensing Policy for 2013-2016 pending a full review and that the head of service has confirmed that the cost implications of this updated policy will be contained within the existing licensing revenue budget for the division.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Gambling Act 2005 plus secondary regulations https://www.legislation.gov.uk/ukpga/2005/19/contents	The Licensing Service, Southwark Council C/O PO BOX 64529 London SE1P 5LX	Name: Mrs Kirtikula Read Phone number: 020 7525 5748
The Gambling Commission Guidance to Local Licensing Authorities https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx		

APPENDICES

No.	Title
Appendix A	Draft Southwark Statement of Licensing Policy 2019-2020 (including Appendix 1 of the Policy)

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure		
Report Author	David Franklin, Licensing Team Leader		
Version	Final		
Dated	8 November 2018		
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		Yes	Yes
Cabinet Member		Yes	Yes
Date final report sent to Constitutional Team			15 November 2018

THE SOUTHWARK STATEMENT OF GAMBLING LICENSING POLICY 2019 – 2022

DRAFT

Amended October 2018

LEGAL BACKGROUND TO THIS DOCUMENT

The Gambling Act 2005 (the Act) received royal assent on 7 April 2005. It repealed the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusement Act 1976 and provided a new regulatory system to govern the provision of all gambling in Great Britain other than the national lottery and spread betting.

The Act introduced a new unified regulator for gambling in Great Britain, the Gambling Commission. The commission replaced the gaming board of Great Britain.

The Act came into effect in 2007. Since 2007 the commission has been responsible for granting operating and personal licences for commercial gambling operators and personnel working in the industry. It also regulates certain lottery managers and promoters.

Licensing authorities have responsibility for licensing gambling premises in their area, as well as undertaking functions in relation to lower stake gaming machines and clubs and miners' welfare institutes.

Licensing authorities are required by under section 349 of the Gambling Act 2005 to consult upon and publish a statement of the principles, which they propose to apply when exercising their functions under the act. This statement must be published at least every three years and be reviewed from "time to time". Any amendments must be subject of further consultation.

Southwark Council's original statement of licensing policy was first published on 3 January 2007, following approval by Council Assembly on 6 December 2006. This revision of the policy was compiled in 2018. In producing this revision, this authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to the licensing authorities issued by the Gambling Commission, and any responses from those consulted on the policy statement.

A list of those parties with whom the Council consulted directly is attached at appendix A to this document. It should be noted that unsolicited comments were received also.

The consultation followed the Revised Code of Practice (which came into effect in April 2004) and the cabinet office guidance on consultations by the public sector.

The full list of comments made and the consideration by the Council of those comments is available by request to

Licensing
Southwark Council Regulatory Services
Floor 3, Hub 1
PO BOX 64529
London
SE1P 5LX
Tel contact – The customer service centre on 020 7525 2000 or
Email – licensing@southwark.gov.uk

This policy was approved by the full Council assembly on 28 November 2018. Hard copies are available from the licensing service. Copies will be placed in the public libraries of the area as well as being available in the town hall.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the address given above.

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SECTION ONE – EXECUTIVE SUMMARY

This policy, alongside our complementary (alcohol, entertainment and late night refreshment) licensing policy recognises the change that is taking place within Southwark and how recent development and regeneration projects are adding to the growing value and importance of our Borough. It recognises also the extent of the contribution of the leisure and entertainments industry.

Southwark enjoys a widespread and diverse selection of licensed premises and venues. Some 1,200 premises are currently licensed for either the sale or supply of alcohol; the provision of regulated entertainment; and / or the provision of late night refreshment. These range from off-licences, shops and supermarkets; restaurants, cafes and take-away establishments; to pubs, bars, members clubs, night clubs, theatres, cinemas and indoor sports facilities. There are in excess of 100 additional gaming and betting facilities, comprising of bingo halls, amusement arcades and betting offices. Together they combine to provide a wide-range of leisure and cultural opportunities; support tourism; provide employment; and make a significant economic contribution to the local community.

As long as premises are well run and premises management acknowledges the value of working together with the local community, they can make a significant contribution toward building community cohesion and cultural development.

Of course, negative impacts can also occur if good management practices are not followed. Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. With gaming and betting establishments there are also risks of individual gambling addiction.

Our policy seeks to provide the necessary balance between responsible business operators contributing toward a thriving business and late night economy whilst ensuring that the quality of life of those who live and work in the Borough is protected and enhanced through the licensing system. We believe these aims are achievable if all parties concerned work together.

The opening sections of this policy help establish how we set out to address our licensing responsibilities under the Act. Section two of our policy provides an introduction to our Borough and our Council, while section three sets out the purpose and scope of the policy. Section four covers our administrative arrangements for determining applications (including consultations), confirming the bodies the authority recognises as competent to advise on issues of child protection and protection of vulnerable adults; and the principles this Authority will apply in determining whether someone qualifies as an interested party.

Section five deals with premises licences in some detail and applicants for such licences are urged to carefully read this section in particular. It provides advice on the provision of gambling activities, definitions of premises and helps clarify the position on provisional statements. It goes on to examine issues relevant to the three licensing objectives (with particular consideration given to the third objective of preventing harm to children and vulnerable people) and, importantly, gives advice and information of the expectations of the licensing authority and the other responsible authorities around these objectives. This includes access arrangements, age identification schemes, restrictions on advertising and social responsibility. Section five also sets out this Authority's policy on the location of licensed premises. This section also covers issues around social responsibility and sets out requirements for access arrangements across categories of premises.

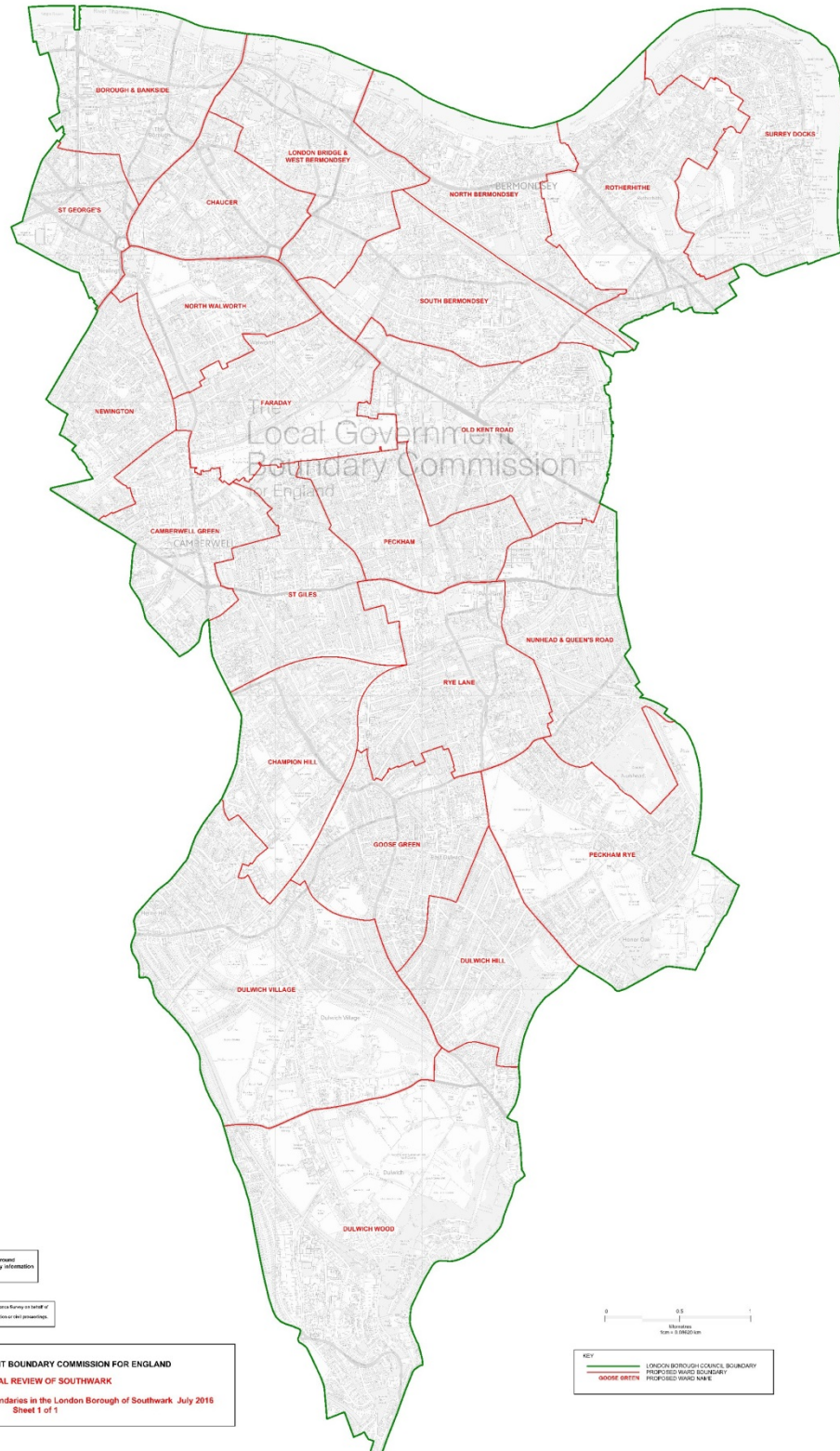
Section six of this policy provides a statement of the principles this Authority will consider when considering applications for permits, temporary and occasional use notices. Section seven of the document deals with small society lotteries.

Section eight of our policy sets out our approach to regulation, examining how we aim to ensure that our enforcement actions are targeted where they are needed most and co-ordinated together with our partners. It also sets out how we aim to ensure that our enforcement actions are carried out in a fair, consistent and transparent manner.

This policy will be regularly reviewed and will be subject of public consultation at least every three years. We welcome your thoughts on its content and the manner in which we undertake our responsibilities under it.

SECTION TWO – ALL ABOUT SOUTHWARK

SHEET 1, MAP 1



1. Southwark is London's most historic Borough. It has witnessed and participated in a wide variety of important events over the centuries, playing a crucial role not only in London's history but shaping the very world we live in today.
2. Southwark is made up of eight very distinctive neighbourhoods that extend along the river Thames and down into southeast London. The Borough encompasses some of London's top attractions (e.g. Tate Modern, the Globe Theatre and the London Dungeons); creative hotspots (e.g. Camberwell College of Arts and the Design Museum); and acclaimed green spaces (e.g. Peckham Rye and Dulwich Park).
3. Southwark also offers a wide-range of leisure and cultural opportunities, including a vibrant late night-economy; which makes a significant economic and employment contribution to the local community. The north of the Borough, with considerable development currently taking place (e.g. the London Bridge and Blackfriars Station redevelopments; the Shard; and More London) is recognised as one of London's fastest growing tourist quarters and a thriving business location.
4. Home to over 312,000 people, Southwark is a patchwork of communities: from leafy Dulwich in the south, to bustling Peckham and Camberwell, and the rapidly changing Rotherhithe peninsula. Towards the north, Borough and Bankside are thriving with high levels of private investment and development. While there has been a marked improvement in many socio-economic and health outcomes in recent years, these can mask the significant inequalities that exist, with many communities affected by high levels of deprivation and poor health. This is particularly evident in neighbourhoods stretching from Elephant & Castle, through to Camberwell and across to Peckham.
5. Southwark is a young and culturally diverse Borough with large numbers of young adults and residents from a wide range of ethnic backgrounds. The median age in Southwark is 32.9 years; seven years younger than the England average and two years younger than the London average. This stems not from a large number of children, but from a large number of young working age residents: over 40% of the Southwark population is aged 20 to 39, compared to just 34% in the rest of London. In terms of ethnicity, just over half of Southwark's residents are White, a quarter Black and a quarter Asian, mixed or other ethnicities. The ethnic diversity of the Borough varies markedly across age groups and the population under 20 is much more diverse than other age groups, with a similar proportion of young people from White and Black ethnic backgrounds. According to the 2011 census, 39% of Southwark residents were born outside the UK, showing that Southwark is both ethnically and culturally diverse.
6. The population of Southwark is growing rapidly, with projections suggesting there will be an additional 63,000 people in the Borough by 2026. Over the coming decade our population is predicated to grow older, with the largest relative increase in those aged 60-69. Population growth is set to take place across almost all parts of the Borough, but the largest increases are expected in redevelopment areas around Old Kent Road, South Bermondsey and Elephant and Castle. Urban redevelopment is an opportunity for shaping place to improve health and wellbeing by influencing the built and social environment. It is a process in which local authorities are strategic leaders, working with partners towards a shared vision for health through place-shaping that accounts for local

health needs and is critical to helping tackle the wider social determinants of health.

7. While there has been significant regeneration in Southwark in recent years, the Borough remains one of the most deprived in the country. As a whole, Southwark is the 40th most deprived of 326 local authorities in England and ninth most deprived out of 32 local authorities in London. Two in five Southwark residents live in communities ranked in the 20% most deprived areas nationally. By contrast, only two in one hundred residents live in communities considered the least deprived nationally. Deprivation has an important impact on health, which is clearly exemplified by the differences in life expectancy across the Borough. Women living in the most deprived areas in Southwark live on average 5.5 years less than their least deprived neighbours. For men the discrepancy is even larger at 9.5 years and this gap has been widening over time. There have been a number of significant improvements in health outcomes in Southwark as life expectancy continues to increase and the rate of premature mortality falls, with levels of cardiovascular mortality more than halving since 2001. Levels of teenage pregnancy in Southwark are at their lowest levels since monitoring began, with over 200 conceptions per year fewer than 1998. While there have been improvements in many areas, challenges remain, particularly in relation to sexual health, childhood obesity and mental health.

Leading Southwark

8. Southwark is made up of 23 wards, with 63 Councillors. These Councillors sit on the Council Assembly, which is the “sovereign” body of the Council. The assembly is chaired by the Mayor of Southwark and is responsible for approving the budget and policy framework. Currently Labour holds 49 seats, the Liberal Democrats hold 14 and the Conservatives hold no seats. The Council has a Labour administration.
9. The Council operates a leader / cabinet model. The Cabinet is headed by the Leader of the Council and the Deputy Leader. Thirteen members hold individual portfolios.
 - Children’s services;
 - Business, Employment & Culture
 - Finance, Modernisation & Performance
 - Adult Care and Financial Inclusion
 - Public Health, Parks and Leisure
 - Regeneration and New Homes
 - Children and Schools
 - Housing
 - Environment & Public Realm
 - Communities and Safety
 - Digital Strategy
 - Excellence in Design
 - Careers and Employability
 - Young People
10. The Cabinet is responsible for leading the community planning and consultation process, drafting the budget and policy framework, and taking most decisions on resources and priorities.
11. Scrutiny committees take a close look at Council decisions and activities and calls for the Council to be open and accountable. They examine services provided by

the Council and review the Council's budget and policies. Scrutiny can look at, or 'call-in' decisions made by the cabinet and recommend decisions are changed or reconsidered.

12. A licensing committee is established to consider licensing policy. Contested licence applications are considered by sub-committees of the main committee (see table 1 in Section 4 of this document). Licensing matters fall under the responsibility of the cabinet member for communities and safety. ;
13. Community councils are part of the Council's decision making process. They provide a focal point for discussion on local matters. Local ward councillors sit on the community councils and take decisions relating to key areas that have a direct local impact.
14. Community Council meetings also provide a forum for consultation with local people and an opportunity for residents to influence how Council services are delivered.
15. The five community councils are:
 - Bermondsey and Rotherhithe;
 - Borough, Bankside and Walworth;
 - Camberwell;
 - Dulwich; and
 - Peckham and Nunhead

SECTION THREE – PURPOSE AND SCOPE OF THE POLICY

Purpose of the policy

16. This policy has four main objectives

- To reinforce to elected members on the Licensing Committee, the boundaries and power of the local authority as licensing authority and provide the parameters under which these licence decisions are made
- To inform licence applicants of the parameters under which this authority will make licence decisions and how a licensed premises is likely to be able to operate within an area
- To inform residents and businesses of the parameters under which licence decisions will be made and how their needs will be addressed
- To support licensing decisions that may be challenged in a court of law

Scope of the policy

17. This policy covers matters arising from the range of functions and duties falling to the licensing authority under the Gambling Act 2005.

18. The main functions of the licensing authority are to:

- Licence premises for gambling activities (including betting shops and adult gaming centres);
- Consider notices given for the temporary use of premises for gambling;
- Grant permits for gaming and gambling machines in clubs and miners' welfare institutes;
- Regulate gaming and gaming machines in alcohol-licensed premises;
- Grant permits to family entertainment centres (FECs) for the use of certain lower stake gaming machines;
- Grant permits for prize gaming;
- Consider occasional use notices for betting at tracks; and
- Register small societies' lotteries.

19. The authority also has an obligation to provide information to the Gambling Commission, including details of licences, permits and registrations issued.

Definitions

20. "Gambling" is defined in the Act as either gaming, betting, or taking part in a lottery.

- Gaming means playing a game of chance for a prize;
- Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not; and
- A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process, which relies on chance.

Principles to be applied

The licensing objectives

21. In exercising most of their functions under the Gambling Act 2005, the licensing authority must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Other considerations

22. This Licensing Authority also understands that, in carrying out its functions under the Act, it must have regard to the guidance issued by the Gambling Commission. This general principle applies to a number of the authority's functions, including considering temporary use notices and occasional use notices and issuing permits. 'Must have regard' does not mean that the authority must always follow the Guidance to the letter; however, the expectation is that there should be strong and defensible reasons for departing from it.
23. However, the Guidance has a particular role and significance in the context of the principles that must be applied by licensing authorities when exercising their functions in relation to Part 8 of the Act, including premises licences. Section 153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it:
- In accordance with any relevant code of practice under section 24;
 - In accordance with any relevant guidance issued by the gambling commission under section 25;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the authority's own statement of licensing policy.
24. Thereby a licensing authority has no discretion in exercising its function under Part 8 of the Act to grant premises licences where that would mean taking a course which it did not think accorded with the Guidance provided by the Gambling Commission, any relevant code of practice or its own statement of policy; or be consistent with the licensing objectives. In reaching a view that a grant would be in accordance with such Guidance, code of practice or statement of policy, the authority is obliged to act fairly and rationally.
25. The authority may depart from its own policy if the individual circumstances of a case merit such decision in promoting the licensing objectives. Where such a decision is taken, full reasons for the departure from the policy will be given.
26. While this statement sets out the Council's general approach to the making of licensing decisions, nothing in this statement overrides the right of any person to make an application; make representations about an application; or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

'Demand' for gaming premises

27. Previous legislation required that the grant of certain gambling permissions should take account of whether there is unfulfilled demand for the facilities. Section 153 of the Act makes it clear that unmet demand is not a criterion for licensing authorities in considering applications for premises licences.

Duplication

28. This Authority gives a firm commitment to avoid duplication with other regulatory regimes, as far as is possible. For instance, this Authority recognises that a range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements need not be covered in this statement of policy.

Human Rights Act 1998

29. In considering applications and taking enforcement actions under the Act, this authority will bear in mind that it is subject to the Human Rights Act and, in particular:
- Article 1, Protocol 1 – Peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest;
 - Article 6 – The right to a fair hearing;
 - Article 8 – Respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life; and
 - Article 10 – Right to freedom of expression.
30. When applying this licensing policy this Authority will consider whether, in the light of relevant representations made to it, exceptions to these policies should be made in any particular case. In deciding to reject any application this authority shall rely on reasons that demonstrate that the licensing objectives are not being met, or are unlikely to be, met. Moral or ethical reasons are not valid reasons to reject applications for premises licences.

SECTION FOUR – ADMINISTRATION, EXERCISE AND DELEGATION OF THE FUNCTION

31. The ability to provide gaming and betting facilities is dependent upon a range of licences and consents being obtained from the gambling commission and the local licensing authority. This document does not set out to deal with the circumstances under which any one of the available licences or consents may be required, nor does it attempt to set out the applications process.
32. Full information is provided on each of the licences and consents relevant to each individual gambling sector on the gambling commission web site at www.gamblingcommission.gov.uk . All potential operators are referred to this information in the first instance.
33. Further advice on licences and consents issued by this authority may be obtained, together with copies of application forms, from our own web site at <http://www.southwark.gov.uk/business/licences> or from the licensing team (see contact details at the end of this document).

Applications – general

34. Applications for any of the variety of licences and consents available from this authority must be made on the form prescribed in regulations laid down by the Secretary of State. Copies may be downloaded from our web site. Applications shall not be progressed until the form has been completed in full and this, together with the relevant fee, and all other required information has been received by the Licensing Authority. Applications will be progressed in accordance with the Act. Prospective applicants should refer to the relevant guidance document for further information.

Provision of scale plans

35. Section 51 of the Act requires applicants to submit plans of the premises with their applications, in order to ensure that the licensing authority has the necessary information to make informed judgement about whether the premises are fit for gambling. The plan will also be used by the licensing authority to plan future premises inspection activity.
36. Applicants should note that this Council requires that current plans in scale 1:100 be submitted with all new applications for premises licences and for any application for a variation of a premises licence, unless otherwise agreed by this authority in writing. Plans need not be professionally drawn but must include all required detail.

Responsible authorities

37. Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. All representations made by responsible authorities are likely to be relevant representations if they relate to the licensing objectives. Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. They are:

- Each licensing authority within whose area the premises is wholly or partly situated;

- The Gambling Commission;
 - The Commissioner of the Metropolitan Police Authority;
 - The Chief Officer of the London Fire and Emergency Planning Authority;
 - The local planning authority;
 - The local environmental health service;
 - The Southwark Childrens' Social Care Service (being the body designated in writing by this authority as being competent to advise about the protection of children from harm;
 - The Southwark Safeguarding Adults Partnership (being the body designated in writing by this authority as being competent to advise about the protection of vulnerable adults; and
 - HM Revenue & Customs.
38. The principles applied by this authority in exercising its powers under section 157(h) of the Act to designate, in writing, bodies competent to advise the authority about the protection of children and vulnerable adults from harm are:
- The need for the body to be responsible for an area covering the whole of Southwark; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.
39. Section 211 (4) of the Act provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities, that have statutory functions in relation to the waters where the vessel is usually moored or berthed, or any waters where it is proposed to be navigated at a time when used for licensable activities. This includes:
- The Environment Agency;
 - The British Waterways Board; and
 - The Secretary of State
40. The contact details of all the responsible bodies under the Gambling Act 2005 are provided at the end of this document.

Interested parties

41. Interested parties are also entitled to make representations concerning applications for premises licences, or apply for a review of an existing licence. Interested parties are defined in the Act as follows:
42. "A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:
- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
 - Has business interests that might be affected by the authorised activities; or
 - Represents persons in either of these two groups."
43. This authority will consider whether a person is an interested party on a case by case basis, taking all relevant factors into account.

People living close to the premises

44. The factors that this Authority will take into account when determining what 'sufficiently close to the premises' means will include:

- The size of the premises;
- The nature of the premises;
- The distance of the premises from the location of the person making the representation;
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises);
- The circumstances of the complainant. This is not to be taken as the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it may be reasonable to conclude that 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident; (b) residential school for children with truanting problems; and (c) a residential home for vulnerable adults.

The nature and scope of business interests that could be affected

45. When considering the matter of business interests, this Authority will give the term the widest possible interpretation and include such as partnerships, faith groups, educational establishments; and medical practices.

46. As to whether a person has business interests that might be affected by the premises under consideration, factors that are likely to be relevant will include:

- The size of the premises;
- The catchment area of the premises (that is how far people travel to visit the premises); and
- Whether the person making the representation making the representation has business interests in that catchment area that might be affected.

People representing those in the above categories

47. Interested parties includes democratically elected representatives, including local ward Councillors; the Community Council; and MPs.

48. Any other relevant representation made on behalf of qualifying interested parties will also be considered for acceptance on a case by case basis with all relevant matters taken into account. The authority will generally require written evidence that the person / body concerned does represent the interested party or parties stated. In the case where a meeting has been convened at which the decision to raise a representation has been made a copy of the formal minute of the meeting should be supplied. For cases where a representation is to be submitted by a friend, family member, advocate or similar, a pro forma authorisation form is available on the licensing web site or upon request from the licensing office.

49. If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the licensing sub-committee dealing with the licence application. If there are any doubts then please contact the licensing service (*see contact details provided at the end of this document*).

Consultation arrangements

50. This authority considers it important that the local community is fully aware of local licensing applications being made within its area. Requirements for applicants to advertise applications for new and varied premises licences by way of a public notice displayed at the premises and in the local press are laid down under statute. No applications for licences will be progressed by this Council unless all public consultation requirements are met in full. Checks will be made to ensure that notices at application premises are displayed, so as to be clearly seen by passers by and maintained in position for the length of the consultation period.
51. As an additional aide to community awareness the licensing service has established a public register at:
<http://app.southwark.gov.uk/licensing/licenseregister.asp>
upon which detail of all current licence applications under consideration (alongside detail of currently licensed premises) will be maintained. It is open to any person who wishes to be kept abreast of the latest applications to subscribe to “licensing alerts”, by which e- mail notifications will be sent to those who have registered, when a new licence application is made within the relevant ward. Furthermore, the licensing service will ensure that local ward Councillors are informed of all new applications in their area.

Representations

52. It is open to any “responsible authority” or “interested party”, to lodge representations in respect of an application for a premises licence during the set consultation period. A representation would only be “relevant” if it relates to one or more of the licensing objectives, or raises issues under the policy statement, or under the commission’s guidance or codes of practice.
53. The commission’s guidance for local authorities advises that “moral objections to gambling are not a valid reason to reject applications for premises licences” (except as regards any ‘no casino resolution’ see section on casinos) and also that unmet demand is not a criterion for a licensing authority.
54. It is also for the licensing authority to determine on its merits whether any representation by an interested party is “frivolous” or “vexatious”.
55. When considering whether any representation made to it is “frivolous” or “vexatious” the authority will consider matters such as:
 - Who is making the representation, and whether there is a history of making representations that are not relevant;
 - Whether it raises a “relevant” issue” or
 - Whether it raises issues specifically to do with the premises that are the subject of the application.
56. Representations must be received in writing at the licensing service office by the last date for representations. Representations must be signed, dated, provide the grounds of representation in full and include the name and address of the person / body making the representation.
57. Where representations are being made by a trade association, trade union, residents’ and tenants’ association, or similar, information must be provided on the membership that live sufficiently close to the premises to be classed as interested parties.

Determinations

58. Section 154 of the act provides that all decisions relating to premises licences are delegated to the licensing committee of the authority that has been established under section 6 of the Licensing Act 2003 except:
 - A resolution not to issue casino licences;
 - Functions in relation to the three year licensing policy; and
 - Setting fees.
59. Decisions that are delegated to a Licensing Committee may be further delegated to a sub-committee of the Licensing Committee. The Council's Licensing Committee is established with provision for sub-committees of three members to be drawn from the overall pool of the main committee membership.
60. The Council intends to establish a speedy, efficient and cost-effective licensing system and, thereby, where the Act carries a presumption of grant for non-contentious applications, these matters will be delegated to officers. All such matters will be reported for information and comment only to the next full licensing committee meeting.
61. Where matters are subject of representations, this Council will normally attempt to reach a negotiated outcome through our conciliation process. Conciliation is offered as we recognise that the best solutions are normally ones that all concerned parties can sign up to and in order to attempt to save the time and costs associated with holding a public hearing. Conciliation will be attempted up until 24 hours before the arranged hearing date. Where it is not possible to reach agreement, the application and representations will be determined by the sub-committee.
62. Table 1 below sets out proposals for the delegation of decisions and functions to licensing committee, sub-committees and officers. This form of delegation is without prejudice to the Council's right to redirect an application as appropriate in the circumstances of any particular case.

Table 1 – Delegation of decisions and functions			
Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)	X		
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received or representations withdrawn
Application for a variation to a premises licence		Where representations have been received and not withdrawn	Where no representations received or representations withdrawn
Application for a transfer of a premises licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or representations withdrawn
Review of a premises licence		X	
Application for a club gaming / club machine permit		Where objections have been made (and not withdrawn)	Where no objections have been made / objections have not been withdrawn.
Cancellation of a club gaming / club machine permit		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Licence reviews

63. Requests for a review of a premises licence can be made by interested parties or responsible authorities. Such applications must be submitted to the licensing authority in the prescribed form, stating the reasons why a review is being requested.
64. An application for a review may be rejected if this authority thinks that the grounds on which the review is requested:
 - Are not relevant to the principles that must be applied by the licensing authority;
 - Are frivolous or vexatious;
 - Will certainly not cause the authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
 - Are substantially the same as the grounds cited in a previous application relating to the same premises; or
 - Are substantially the same as representations made at the time the application for a premises licence was considered.
65. The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
66. The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:
 - Add, remove or amend a licence condition imposed by the licensing authority;
 - Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - Suspend the premises licence for a period not exceeding three months; and
 - Revoke the premises licence.
67. In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
68. In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
69. Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
 - The licence holder;
 - The applicant for review (if any);
 - The commission;
 - Any person who made representations;
 - The chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

70. Further information, including an outline of the process that is followed at review hearings, can be found in the separate document "Guidance to the Hearing of Representations and Licence Reviews".

Exchange of Information

71. Licensing authorities are required to include in their policy statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the gambling commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
72. The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any guidance issued by the gambling commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
73. Should any protocols be established as regards information exchange with other bodies then they will be made available.

SECTION FIVE – PREMISES LICENCES

Introduction

74. This section considers the licensing objectives and some of the matters that this licensing authority may consider when determining applications for premises licences under the Act. It also sets out this authorities approach to the setting of conditions on premises licences.
75. When considering matters in this section, the authority will have regard to any guidance or codes of practice issued by the Secretary of State and / or the Gambling Commission which may relate to a specific premises or category of premises.
76. In the interests of good practice, this licensing authority will expect applicants to offer their own measures to meet the licensing objectives based on a risk-assessment approach. However, advice may be obtained from any of the responsible bodies when preparing a licence application.
77. While this section sets out some of the expectations of the authority and the responsible bodies, the authority will, however, always treat each case on its own individual merits

Gaming machines in gambling premises

78. Gaming machines may be made available for use in licensed gambling premises for betting and bingo where there are also substantive facilities for non-remote gambling, provided in reliance on this licence, available in the premises.
79. Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times.
80. Licensees must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing non-machine facilities.

Definition of “premises”

81. In the Act, “premises” is defined as “any place”.
82. Section 152 prevents more than one premises licence applying to any place. However, there is no reason in principle why a single building could not be subject to more than one premises licence, provided each licence is for a different part of the building and each part of the building can be reasonably regarded as being different premises. This approach allows large, multiple unit premises such as a pleasure parks, tracks or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, this authority will pay particular attention to issues around sub-division of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.
83. Whether different parts of a building can properly be regarded as being separate

premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing team. However, it should be noted that this authority does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can be properly regarded as different premises.

84. This authority also takes particular note of the Commission's guidance which states that: licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
 - The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating;
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit; and
 - Customers should be able to participate in the activity named on the premises licence.
85. Factors that this authority might consider in determining whether two or more premises are truly separate, include:
 - Is a separate registration for business rates in place for the premises?
 - Is the neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or a public passageway?
 - Can the premises only be accessed from any other gambling premises?

Relationship between planning permission, building regulations and granting of a premises licence

86. In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, in effect those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities are advised to bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. This is why the Act allows a potential operator to apply for a provisional statement if construction of the

premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them.

87. As the Court has held in the case of *The Queen (on the application of) Betting Shop Services Ltd V Southend on Sea Borough Council* (2008), operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and licensing authorities are required to determine any such applications on their merits. Such cases should be considered in a two stage process;
 - Firstly, licensing authorities must decide whether, as a matter of substance after applying the principles in section 153 of the Act, the premises ought to be permitted to be used for gambling; and
 - Secondly, in deciding whether or not to grant the application a licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place. An authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
88. For example, where the operator has still to undertake final fitting out of the premises but can give a reasonably accurate statement as to when the necessary works will be completed, it may be sufficient to simply issue the licence with a future effective date. The application form allows the applicant to suggest a commencement date and the notice of grant allows the licensing authority to insert a date indicating when the premises licence comes into effect. In other cases, it may be appropriate to issue the licence subject to a condition that trading in reliance on it shall not commence until the premises have been completed in all respects in accordance with the scale plans that accompanied the licence application. If changes to the pre-grant plans are made, then parties who have made representations should be able to comment on the changes made.
89. If the plans submitted at the time of the application for a premises licence are changed in any material respect during the fitting out of the premises after the grant of the licence, then the applicant will be in breach of the licence. If the applicant wishes to change the proposed plans after grant then, in order to avoid breaching the licence, it will be necessary for the applicant to either make a fresh application under section 159 or seek an amendment to a detail of the licence under section 187 of the Act. If there are substantive changes to the plans, then this may render the premises different to those for which the licence was granted. In such a case, variation of the licence under section 187 is not possible. For this reason, and while this is a matter of judgement for the authority, we consider it would be more appropriate in the case of any material post grant change, for the applicant to make a fresh application under section 159 to preserve the rights of interested parties and responsible authorities to make representations in respect of the application. This authority will need to be satisfied in any individual case that the completed works comply with the original, or changed, plan attached to the premises licence. Depending upon circumstances, we consider that this could be achieved either through physical inspection of the premises or written confirmation from the applicant or surveyor that the condition has been satisfied.
90. Requiring the building to be complete before trading commences would ensure that the authority could, if considered necessary, inspect it fully, as could other responsible authorities with inspection rights under Part 15 of the Act.

Inspection will allow authorities to check that gambling facilities comply with all necessary legal requirements. For example, category C and D machines in a licensed family entertainment centre must be situated so that people under 18 do not have access to the category C machines. The physical location of higher stake gaming machines in premises to which children have access will be an important part of this, and inspection will allow the authority to check that the layout complies with the operator's proposals and the legal requirements.

91. If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, this authority will consider whether, applying the two stage approach advocated above, it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected.
92. When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

Provisional statements

93. S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
 - Expects to be constructed:
 - Expects to be altered; or
 - Expects to acquire a right to occupy.
94. Developers may wish to apply to this authority for provisional statements before they enter into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. It is also possible for an application to be made for premises that already have a premises licence (either for a different type of gambling or the same type).
95. Applicants for premises licences must fulfil certain criteria. They must hold or have applied for an operating licence from the Commission (except in the case of a track) and they must have the right to occupy the premises in respect of which their premises licence application is made. However, these restrictions do not apply in relation to an application for a provisional statement.
96. Once the premises are constructed, altered or acquired the holder of a provisional statement may then apply for a premises licence. The licensing authority will be constrained in the matters it can consider when an application

for a premises licence is made subsequently in relation to the same premises. No further representations from relevant authorities or interested parties can be taken into account unless:

- They concern matters which could not have been addressed at the provisional statement stage, or
- They reflect a change in the applicant's circumstances

97. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- Which could not have been raised by objectors at the provisional statement stage;
- Which in the authority's opinion reflect a change in the operator's circumstances; or
- Where the premises has not been constructed in accordance with the plan and information submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

The Licensing Objectives

98. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the gambling commission's guidance to local authorities and some comments are made below.

Objective 1 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

99. This licensing authority is aware that the gambling commission takes a leading role in preventing gambling from being a source of crime and that licensing authorities will not need to investigate the suitability of an applicant.
100. The commission's guidance does, however, envisage that licensing authorities may need to consider the location of premises in the context of this licensing objective. If an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, for example, this authority will consider what controls (if any) might be appropriate to prevent those premises being a source of crime.
101. Thereby, where representations are received to premises licence applications under the crime and disorder objective, this authority will give appropriate consideration to the location of the premises (see separate section below) and also to issues such as:
- The configuration, design and layout of the premises, paying particular attention to steps taken to "design out" crime;
 - Security arrangements within the premises, including whether CCTV is installed and, if so, the standard of the CCTV and the positioning of cash registers;
 - Training provided to staff around crime prevention measures
 - The level of staffing provided at the premises, including whether door supervisors are employed;
 - The arrangements in place to conduct age verification checks
 - Steps taken to redress the recurrence of any historical crime and disorder

- issues; and
- The likelihood of any violence, public disorder or policing problems if the licence is granted.
- It would be considered to be best practice for the Licensee to keep a written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised;
- It would also be considered to be best practice for the licensee to keep a register (Refusals Book) to contain details of time and date, description of under age persons entering the premises, and the name/signature of the sales person who verified that the person was under age and the Refusals Book to be kept on the licensed premises and made available for inspection

102. The above list is not exhaustive.

103. Where it is considered necessary for the promotion of the crime and disorder objective, this authority will impose appropriate conditions. In doing so, this licensing authority would note that it is aware of the distinction between disorder and nuisance in the case of gambling premises licences and that disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.

Objective 2 - Ensuring that gambling is conducted in a fair and open way

104. This licensing authority has noted that the gambling commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

Objective 3 - Protecting children and other vulnerable persons from being harmed or exploited by gambling

105. With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and be prevented from entering those gambling premises which are adult-only environments.

106. The third objective refers to protecting children from being harmed or exploited by gambling. That means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children in such a way that makes them attractive to children, excepting Category D machines.

107. This authority is aware that the Gambling Commission's general licence conditions and associated codes of practice under the Gambling Act 2005 (8 May 2015) include requirements made under operating licences that licensees must have and put into effect social responsibility policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.

108. In order that this authority and the other responsible authorities are able to make a proper informed judgement as to the effectiveness of these policies and procedures, it is requested that copies of the relevant documents are submitted for consideration as part of the application for any new, varied or transferred premises licence. These will be considered upon their individual merits.

109. Where concerns are raised under the representation system, consideration will be given to whether specific measures are required at particular premises with regard to this licensing objective.

Preventing children from taking part in gambling

110. It is noted that the Act allows children (under 16) and young persons (16 – 17) to take part in private and non-commercial betting and gaming, but places the following restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place:

- Casinos cannot admit anyone under 18;
- Regional casinos cannot permit under 18s into the gambling area;
- Betting shops cannot admit anyone under 18;
- Bingo clubs may admit those under 18 but must have policies to ensure they do not gamble, except on category D machines;
- Adult entertainment centres cannot admit those under 18;
- Family entertainment centres and premises with liquor licences (eg pubs) can admit under 18s, but they must not play category C machines which are restricted to those over 18;
- Clubs with a club premises certificate can admit under 18s, but they must have policies to ensure those under 18 do not play machines other than category D machines;
- Horse and dog tracks can admit under 18s and they may have access to gambling areas on race days only. Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.
- It would be considered to be best practice for the Licensee to keep a written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised;

111. Accordingly, this authority will wish to ensure that these restrictions are complied with.

112. This licensing authority will expect applicants to offer their own proposals to achieve the licensing objective. However, there are a range of measures and controls that this authority and the other responsible authorities would recommend that consideration is given to where appropriate:

- The use of proof of age schemes;
- It would be considered to be best practice for the Licensee to keep a written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised;
- Use of a refusal book (a requirement for operating licenses issued by the Gambling Commission but recommended for all permits) to contain details of time and date, description of under age persons entering the premises, and the name/signature of the sales person who verified that the person was under age and the Refusals Book to be kept on the licensed premises and made available for inspection;
- The installation of CCTV systems with the maintenance of a 31 day library of recordings;
- The supervision of entrances to the premises and / or machine areas;
- The physical separation of areas;
- Careful consideration as to the location of entrances;

- The provision of suitable notices / signage; and
- Setting of specific opening hours

113. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

114. As assistance to prospective licensees, the minimum expectations of this authority and the responsible bodies in relation to proof of age are given in table 2 below with issues shown as being, in our view, either essential or desirable.

Table 2 – Proof of age schemes	
Essential	For premises where under 18s are not allowed access, notices shall be displayed informing customers and staff that under 18s will not be admitted to the premises or will not be permitted to take part in gambling activities (as applicable) and that age identification will be required
Essential	That a proof of age compliance scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff to be under the age of 18 and who is attempting to enter the premises or, where admission of under 18s is permitted, who is attempting to take part in gambling. Evidence of this scheme (in the form of documented procedures) shall be made available for inspection by authorised officers.
Desirable	That a “Challenge 25” or “Think 25” proof of age compliance scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff to be under the age of 25 and who is attempting to enter the premises or, where admission of under 18s is permitted, who is attempting to take part in gambling. “Think 25” or “Challenge 25” notices shall be displayed informing customers and staff that admission to the premises will not be given to anyone appearing to be under 25 unless they can prove they are 18 or over. Evidence of this scheme (in the form of documented procedures) shall be made available for inspection by authorised officers.
Essential	That all staff shall be trained in the premises proof of age compliance scheme and records of such training shall be retained on the premises and made available for inspection by authorised officers.
Essential	That an incident log shall be maintained and details of all age related refusals recorded. This book shall be reviewed monthly by the nominated responsible member of staff and any actions taken recorded in the book and signed off by that member of staff. This log shall be retained on the premises and made available for inspection by authorised officers.
Desirable	That, if a CCTV recording system is installed inside the premises, it shall be so arranged as to monitor each entrance and exit and the gaming areas. A library of recordings taken by the system shall be maintained for 31 days and made available to authorised officers upon request.

The proof of age London (PAL) card

115. In order to assist businesses avoid illegal underage sales and gambling the

Council's trading standards service administers a local PASS approved proof of age card. PASS approved proof of age cards are supported by the Home Office and ACPO (Association of Chief Police Officers).

116. The PAL card is available to 16-25 year olds by direct application or may be issued via their school or other educational establishment.
117. There are currently around 6,000 PAL cards in circulation and many of Southwark secondary schools and colleges have a process in place to make the card available to all students.
118. Further information on introducing a proof of age compliance scheme, and free in store signage, can be obtained by contacting the trading standards service - for contact details see section 9.
119. Note: In detailing the Council's recommended approach to underage sales, it is recognised that some sales may be made through intimidation or fear. Licensees experiencing such problems are advised to discuss their situation with licensing or trading standards officers. Furthermore, the Council's health and safety team offers conflict resolution training aimed at helping deal with the threat of violence and aggression in the workplace. For details please contact the licensing service - for contact details see section 9.

Restriction to areas where category C or above machines are on offer

120. This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:
 - All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance; and
 - Only adults are admitted to the area where the machines are located; and
 - Access to the area where machines are located is supervised at all times, either by one or more persons whose responsibilities include ensuring that under 18s do not enter the area or by CCTV observed by one or more persons whose responsibilities include ensuring that under 18s do not enter the area; or
 - The areas where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - A notice stating that no person under the age of 18 is permitted to enter the area must be displayed in a prominent place at the entrance to the area.
121. These considerations, will apply to premises including buildings where multiple premises licences are applicable.

Restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children

122. The Gambling Act 2005 removed virtually all of the existing statutory restrictions on the advertising of lawful gambling conducted in Great Britain. Responsibility for the advertising by gambling operators will be shared by the Secretary of State, the Commission, and the advertising regulatory bodies. We note, however, that the commission's codes of practice require all advertising of gambling products to be undertaken in a socially responsible manner, consistent

with the advertising codes of practice which apply to the form and media in which they advertise their gambling services. This authority understands that the following general principles apply:

- Not to encourage irresponsible or excessive gambling;
- Not to seek to harm or exploit children, the young, or other vulnerable persons;
- Not to direct advertisements at those under 18; and
- Only to feature in their advertisements people who are, and seem to be, over 25

123. This authority may accept that further conditions on this matter should not normally be necessary, but all issues of non-compliance with the code will be rigorously investigated and reported to the relevant authorities.

Protection of vulnerable people

124. The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children.

125. This authority notes that the Commission does not seek to define 'vulnerable people', but it does for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental health needs learning disability or substance misuse relating to alcohol or drugs. This licensing authority will consider this licensing objective on a case by case basis.

126. This authority notes that the commission's codes of practice place general requirements on operators to put into effect policies and procedures which promote socially responsible gambling. In particular, the codes of practice place responsibilities upon licensees to make information available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling. The information is required to cover:

- Any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend;
- Timers or other forms of reminders or reality checks where available;
- Self-exclusion options; and
- Information about the help of further help or advice.

127. Again, the codes of practice do not require an operator to inform the licensing authority and other responsible authorities of these policies and procedures when applying for the premises licence. However, in order that this authority and the other responsible authorities are able to make a proper informed judgement as to the suitability of these policies and procedures, this authority asks that copies of the relevant documents be submitted to the appropriate authorities for consideration as part of the application for any new, varied or transferred premises licence. These will be considered upon their individual merits. If concerns are raised under the representations system then, consideration will be given to additional relevant conditions.

128. This authority and the other responsible authorities would expect that:

- Self-exclusion schemes introduced are clearly publicised on licensed premises; and
- That information is made publically available about organisations that can provide advice and support, both in relation to gambling itself and to debt, for example for gambling addiction - GamCare, Gamblers Anonymous, and the Gordon House Association; and for debt counselling Blackfriars Advice Service and National Debtline.

129. While the value of self-exclusion schemes is recognised, the authority would emphasise that these should not relieve responsibility from staff to be alert to any customers who are exhibiting signs of 'problem gambling' and from providing support where possible.

Location

130. This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's guidance to licensing authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

131. In pursuit of these objectives, when determining applications for premises licences, this authority will have regard to the location of the premises. The authority will give special consideration in relation to the proximity of premises to

- Local schools, youth clubs, shops, parks, leisure and recreational establishments and any other similar premises directed at, or primarily used by children or families;
- Places where vulnerable people are housed or treated, including clinics, recovery centres, outpatients clinics and homes;
- Residential areas where there is a high concentration of children and young people or vulnerable people;
- Areas where there is a high level of organised crime;
- Places of worship, community facilities or public buildings which have a high usage by children

132. This list is not exhaustive.

133. It should be noted, however, that this policy does not preclude any application being made and each application will be decided upon its own merits, with the onus being on the applicant showing how potential concerns can be overcome.

134. Although this authority recognises that nuisance is not one of the three stated licensing objectives and that the guidance to the Act states that disorder is intended to mean activity that is more serious and disruptive than nuisance, this authority will receive information from the Council's environmental protection team on nuisance issues as being relevant to matters of location of premises.

Local area profiles

135. The Gambling Commission Licence Conditions and Codes of Practice (LCCP) requires all applicants to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant

matters identified in the licensing authority's statement of policy.

136. To assist operators in conducting their risk assessments and Members of the Licensing Committee in determining contested application the Licensing Authority has conducted a Local Area Profile.
137. In line with the current Gambling Commission statutory guidance for Local Authorities the Local Area Profile is available as a separate document attached to this Policy to enable the consultation on updating of the Local Area Profile to take place independently from a consultation to amend the full gambling policy.
138. The local area profiles will be key to identifying at risk areas within the Borough for gambling related harms. It is within these areas that more rigorous controls will be required. The 'high risk' areas and the associated restrictions the Council will enforce with regards to new gambling premises (assuming new premises will be permitted in these areas).
139. Appendix 1 to this policy contains "local area profiles for gambling premises in Southwark"; this analysis was conducted in March 2017. Licence holders and applicants for gambling premises licence are advised to ask the Licensing Authority for up to date area analysis of the location of the gambling premises, please contact the Licensing Authority.

Conditions generally

140. This authority understands that mandatory conditions will be attached to all premises licences. The mandatory conditions specify the number of gaming machines of particular categories in each type of gambling premises (for further information on gaming machine categories, please see the Gambling Commission website). They also require that:
 - The summary of the terms, conditions and restrictions of the premises licence issued by the licensing authority must be displayed in a prominent place on the premises;
 - The layout of the premises must be maintained in accordance with the plan that forms part of the premises licence;
 - Neither national lottery products nor tickets in a private or customer lottery may be sold on the premises; and
 - That, facilities for gambling must not be provided on Christmas Day.
141. Section 169 of the Act gives licensing authorities:
 - The ability to exclude from premises licences any default conditions that have been imposed under s168; and
 - The power to impose additional conditions on the premises licences they issue
142. However, this authority understands that it has a duty to act in accordance with the principles set out in section 153 of the Act and that as it must aim to permit the use of premises for gambling, it may not attach conditions that limit the use of premises for gambling, except where that is necessary as a result of the requirement to act:
 - In accordance with the guidance issued by the commission, the commission's codes of practice or it's own licensing policy statement; and
 - In a way that is reasonably consistent with the licensing objectives.

143. This authority also understands that it should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.
144. This authority also notes that it is the Commission's view that the conditions necessary for the general good conduct of gambling premises are those set as default and mandatory conditions by the Secretary of State.
145. This authority will attach individual additional conditions to licences, however, where there are specific, evidenced risks or problems associated with a particular locality, or specific premises, or class of premises.
146. This authority will aim to ensure that such conditions imposed upon premises licences will be proportionate to the circumstances it is sought to address. In particular, premises licence conditions should be:
- Relevant to the need to make the proposed building suitable as a gambling facility;
 - Directly related to the premises and the type of licence applied for;
 - Fairly and reasonably related to the scale and type of premises: and
 - Reasonable in all other respects.
147. This authority will take decisions on individual conditions on a case-by-case basis, against the background of the general policy set out in guidance and the statement of licensing policy.
148. It is noted that there are conditions which the licensing authority cannot attach to premises licences. These are:
- Any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - Conditions relating to gaming machine categories, numbers, or method of operation;
 - Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
 - Conditions in relation to stakes, fees, winning or prizes.

Door supervisors

149. Where this authority chooses to attach a condition to a premises licence in respect of for door supervision (i.e. a condition requiring someone to be responsible for guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage) any requirement for that person to be licensed under the Private Security Industry Act 2001 must be treated as though it were a condition of the premises licence.
150. It is noted that door supervisors at casinos or bingo premises, who are directly employed by the casino or bingo premises operator, are not required to be licensed by the Security Industry Authority. However, it would be considered to be best practice for such door supervisors to have:
- a competency qualification of Level 2 for Door Supervision in the National

- Qualification Framework (NQF), or;
- an equivalent qualification or training which would meet the criteria of the Security Industry Authority for the licensing of that person as a Door Supervisor by that Authority.

Casinos

151. This licensing authority has not passed a 'no casino' resolution under section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be taken by the full Council assembly. At the time of publication, Southwark did not have any licensed casino premises.

Adult gaming centres

152. This authority notes that the following specific mandatory conditions must be added to each AGC premises licence:

- That a notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises;
- That there can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre, club gaming, club machine or licensed premises gaming machine permit;
- Any Automated Telling Machine (ATM) made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so; and
- The consumption of alcohol in AGCs is prohibited at any during which facilities for gambling are being provided on the premises. A notice stating this should be displayed in a prominent place at every entrance to the premises.

153. This authority will wish to have specific regard to the location of and entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised for example, where an AGC is in a complex, such as a shopping centre.

154. All AGCs within the Borough are considered to be a potentially 'high risk' premises by their nature and are fully inspected on an annual basis by Licensing Enforcement Officers.

Bingo premises

155. This authority notes that the following specific mandatory conditions must be attached to each bingo premises licence:

- That a notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises;
- That no customer shall be able to enter bingo premises direct from a casino, an adult gaming centre or betting premises;
- That over 18 areas within bingo halls that admit under 18s must be separated by a barrier with prominently displayed notices stating that under 18s are not allowed in that area and with adequate supervision in place to ensure that children and young people are not able to access these areas or the category B or C machines. Supervision may be done by placing the terminals within the line of sight of an official of the operator

- or via monitored CCTV;
 - That any admission charges, the charges for playing bingo games and the rules of bingo must be displayed in a prominent position on the premises. Rule can be displayed on a sign, by making available leaflets or other written materials containing the rules, or running an audio-visual guide to the rules prior to any bingo game being commenced; and
 - That any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
156. This authority notes that the following default condition will be placed upon bingo premises licences unless this authority chooses to exclude it:
- That bingo facilities within bingo premises may not be offered between the hours of midnight and 0900. However, there are no restrictions on access to gaming machines in bingo premises.
157. This authority will need to satisfy itself that bingo can be played in any bingo premises for which it issues a premises licence. This is a relevant consideration where the operator of an existing bingo premises applies to vary their licence to excludes an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.
158. Children and young people are allowed into bingo premises, however, they are not permitted to participate in bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
159. All bingo premises within the Borough are considered to be a potentially 'high risk' premises by their nature and are fully inspected on an annual basis by Licensing Enforcement Officers.

Betting premises

160. This authority notes that the following mandatory conditions must be attached to each betting premises licence (non-track):
- That a notice shall be displayed at all entrances to the betting premises stating that no person under the age of 18 years will be admitted. The notice should be clearly visible to people entering the premises;
 - There must be no access to betting premises from other premises that undertake a commercial activity (except from other premises with a betting premises licence including tracks). Except where it is from other licensed betting premises, the entrance to a betting shop should be from a street (defined as any bridge, road, lane, footway, subway, square, court, alley or passage – including passages through enclosed premises such as shopping centres – whether a thorough fare or not);
 - That any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.
 - That no apparatus for making information or any other material available in the form of sounds or visual images may be used on the licensed premises, except where used to communicate:
 - Information about the coverage of sporting events, including information relating to betting on such events (and incidental information including advertisements); or
 - Information relating to betting (including results) on any event in

- connection with which bets may have been effected on the premises.
 - No music, dancing or other entertainment is permitted on betting premises;
 - The consumption of alcohol is prohibited;
 - The only publications that may be sold or made available on the premises are racing periodicals or specialist betting publications; and
 - That a notice setting out the terms on which a bet may be placed must be displayed in a prominent position on the premises.
161. This authority notes that the following default condition will be placed upon bingo premises licences unless this authority chooses to exclude it:
- That gambling facilities may not be offered in betting premises between the hours of 2200 on one day and 0700 on the next day, or any day.
162. Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and circumstances in which they are made available by attaching a licence condition to betting premises licence. When considering whether to impose such condition, this authority will take into account, among other things, the size of the premises; the number of counter positions available for person to person transactions, and the ability of employees to monitor the use of the machines by children and young people or by vulnerable people.
163. This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure, for example, that under 18 year olds do not have access to the premises.
164. All betting premises (book makers) within the Borough are considered to be a potentially 'high risk' premises by their nature and are fully inspected on an annual basis by Licensing Enforcement Officers.

(Licensed) family entertainment centres

165. This authority notes that the following mandatory conditions must be attached to each family entertainment centre premises licence:
- The summary of the terms, conditions and restrictions of the premises licence issued by the licensing authority must be displayed in a prominent position within the premises;
 - The layout of the premises must be in accordance with the plan;
 - The premises must not be used for the sale of tickets in a private lottery or customer lottery, or the National Lottery;
 - No customer shall be able to enter the premises directly from a casino, an adult gaming centre or betting premises (other than a track);
 - Any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so;
 - Over 18 areas within FECs that admit under 18s must be separated by a barrier with prominently displayed notices at the entrance stating that under 18s are not allowed in that area and with adequate supervision in place to ensure that children and young persons are not able to access these areas or the category C machines. Supervision may be done by placing the terminals within the line of sight of an official of the operator or

via monitored CCTV. And

- The consumption of alcohol in licensed FECs is prohibited at any time during which facilities for gambling are being provided. A notice stating this should be displayed in a prominent position on the premises

166. This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

167. Given that this category of premises is one to which children may properly have access, operators should also consider measures / training for staff on how to deal with suspected truant school children upon the premises.

SECTION SIX – PERMITS / TEMPORARY & OCCASIONAL USE NOTICES

Introduction

168. The following part of this policy considers the various permits that this licensing authority is responsible for issuing under the Act. These are:

- Family entertainment centre gaming permits;
- Club gaming permits and club machine permits;
- Prize gaming permits; and
- Notifications from holders of alcohol licences that they intend to exercise their automatic entitlement to two gaming machines.

169. Licensing authorities may only grant or reject an application for a permit. There is no provision to attach conditions.

Unlicensed family entertainment centre gaming machine permits (statement of principles on permits – schedule 10 paragraph 7)

170. Where a FEC does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for a permit.

171. The licensing authority may grant or refuse an application for a permit, but cannot add conditions. An application for a permit may only be granted if the authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted. Applicants must show that the premises will be used wholly or mainly for making gaming machines available for use.

172. As unlicensed FECs are not subject to scrutiny by the commission, applicants will also be asked to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- That the applicant has no relevant convictions; and
- That employees are trained to have a full understanding of the maximum stakes and prizes.

173. The Commission's guidance for local authorities also states that within its "statement of licensing policy a licensing authority may include a statement of principles that it proposes to apply when exercising its function in considering applications for permits. In particular, it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises will particularly appeal to children and young persons, licensing authorities may want to give weight to matters relating to child protection issues."

174. This licensing authority has duly prepared a statement of principles, which is that each applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits.

175. Copies of these policies and procedures must be submitted with any application for a permit. Applicants are advised that the minimum expectations of the local safeguarding children board are that policies and procedures will demonstrate:

- How employees or contracted agencies will be made aware of the company's / organisation's policy / statement on keeping children safe from harm;
- That recruitment processes for staff who may have to deal direct with children under the age of 18 seek to ensure, as best the company / organisation can, that the appointed applicant has not been known to have harmed children;
- That there will be clear expectations on staff with regard to their personal conduct in direct relations with children under 18 and guidance on what is appropriate in dealing with specific situations which may arise;
- That there are systems in place and that staff are aware of them for dealing with possible abuse or violence to children from other users of the licensed facility;
- That there are clear and accessible complaints systems for children to report if they have been harmed and that there are clear whistle- blowing procedures for staff who may have concerns about the welfare of children on the premises; and
- That all duty managers or staff in charge of the premises are aware of how to refer any concerns about the welfare of children to the local police, education authority or social services as necessary.

176. It is expected that policies and procedures will be consistent with the position set out in the London Safeguarding Children's Board 'Safeguarding Children Policy for Licensed Premises' which can be viewed using the link provided http://www.londoncp.co.uk/chapters/sg_licensed.html. All unlicensed family centre operators are asked to agree to display a copy of the procedure and accompanying poster available upon the premises. Policies and procedures may also include appropriate measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

(Alcohol) Licensed premises gaming machine permits – (schedule 13 para 4(1))

177. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and / or D. In such cases the premises licence holder under the Licensing Act 2003 must give notice to the licensing authority of their intention to make the gaming machines available for use and pay the relevant fee.

178. This authority understands that it has no discretion to consider the notification or reject it. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of section 282 of the Act (for example that gaming machines have been made available in a way that does not comply with requirements in the

commission's code of practice on the location and operation of gaming machines);

- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises

Permit for 3 or more machines

179. If a premises wishes to have more than 2 machines, then an application must be made for a permit and the licensing authority must consider that application based upon the licensing objectives; guidance issued by the gambling commission; and other matters considered relevant to the application.

180. This licensing authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

181. Measures which will satisfy the authority may include:

- That adult machines are located within a bar or segregated area to which under 18s are not admitted; and
- That procedures are in place to ensure that under 18s are not admitted (see advice in section five of this policy); or
- That adult machines are situated in full sight of the bar staff, or other staff who will monitor that the machines are not being used by those under 18; and
- That procedures are in place that will ensure that under 18s are not able to play upon the machines (see advice in section 5 of this policy).
- Additionally, notices and signage may also be of help in both circumstances

182. Applicants should also see advice provided in s168 of this policy regarding the LCSB policy. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

183. It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an adult gaming centre premises licence.

184. It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

185. It should also be noted that the holder of a permit must comply with any code of practice issued by the gambling commission about the location and operation of the machine.

Prize gaming permits

186. The Act states that a licensing authority should include a statement of the principles that it proposes to apply in considering applications for permits and, in

particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit. Given that the premises will particularly appeal to children and young persons, licensing authorities may want to give weight to matters relating to child protection issues.

187. This licensing authority has prepared a statement of principles, which is that each applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. Prospective applicants are directed toward the information contained in sections 161 and 162 of this statement.

188. This licensing authority has prepared a statement of principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- That they understand the limits to stakes and prizes that are set out in regulations;
- That the gaming offered is within the law; and
- Clear policies that outline the steps to be taken to protect children from harm.

189. In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any gambling commission guidance.

190. It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

Club gaming and club machines permits

191. Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Commercial clubs such as snooker clubs run on a profit basis may apply for a club machine permit. Each type of permit allows the provision of different types of gaming and provision of gaming machines. The current entitlements can be found by visiting the Gambling Commission's website: (www.gamblingcommission.gov.uk).

192. A commercial club is defined as a club where membership is required but the

club is operated for commercial gain.

193. A non-commercial club is a club where no commercial gain is made. A non-commercial club must meet the following criteria to be considered a members' club:

- it must have at least 25 members;
- it must be established and conducted wholly or mainly for purposes other than gaming (with the exception of bridge or whist);
- it must be permanent in nature;
- it must not be established to make a commercial profit;
- it must be controlled by its members equally.

194. Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

195. The Licensing Authority may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Gambling Commission or the Police.

196. There is also a "fast-track" procedure available under the Act for premises that hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which a Licensing Authority can refuse a permit are reduced. The grounds on which an application under this process may be refused are that:

- a) the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

197. There are statutory conditions on club gaming permits that no child may use a Category B or C gaming machine on the premises and that the holder complies with any relevant provision of a Gambling Commission Code of Practice about the location and operation of gaming machines.

198. The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- is the primary activity of the club something other than gaming?
- are the club's profits retained solely for the benefit of the club's members?
- are there 25 or more members?
- are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- do members participate in the activities of the club via the internet?
- do guest arrangements link each guest to a member?
- is the 48 hour rule being applying for membership and being granted admission being adhered to?
- are there annual club accounts available for more than one year?
- how is the club advertised and listed in directories and on the internet?
- are children permitted in the club?
- does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- is there a list of Committee members and evidence of their election by the club members?

199. When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

200. Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits.

201. There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Temporary use notices

202. Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. The Commission's guidance suggests that premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues.
203. Section 218 of the Act refers to 'a set of premises' and provides that a set of premises is the subject of a temporary use notice if 'any part' of the premises is the subject of a notice.
204. The meaning of 'premises' in Part 8 of the Act is discussed in Part 7 of the Commission's Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. A large exhibition centre, for example, would be likely to come within the definition as it is properly one premises, and should not be granted a temporary use notice for 21 days in respect of each of its halls. But in relation to other covered areas, such as shopping centres, this authority will need to consider different units are in fact different 'sets of premises', given that they may be occupied and controlled by different people. This authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

Occasional use notices

205. The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

SECTION SEVEN – SMALL SOCIETY LOTTERIES

206. The Act sets out a definition of a lottery and provides that promoting or facilitating a lottery is illegal, unless it falls within one of two categories:
- Licensed lotteries (these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the commission and require operating licences); and
 - Exempt lotteries (including the small society lottery).
207. The local licensing authority is responsible for registering societies to run small society lotteries.
208. This authority will define ‘society’ as the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and will need to understand the purposes for which a society has been established in ensuring that it is a non-commercial organisation. Section 19 of the Act defines a society as such if it is established and conducted:
- For charitable purposes;
 - For the purpose of enabling participation in, or supporting sport, athletics or a cultural activity; or
 - For any other non-commercial purpose other than that of private gain.
209. Applicants for registration of a small society lottery must apply to the licensing authority in the area in which their principal office is located. Where this authority believes that the society’s principal office is situated in another area, it will inform the society as soon as possible and where possible, will inform the other licensing authority.
210. Applications must be made in the form prescribed by the Secretary of State and be accompanied by both the required regulation fee and all documents necessary to assess the application. To this effect, this authority will wish to receive a copy of each applicant societies’ terms and conditions and constitution so as to establish that the society is a non-commercial society.
211. This authority notes that the Commission advises that in a case where a society applies for more than one registration, care should be taken to ensure that the applicant societies have separate and different aims and objectives. Where a society applies for more than one registration, the aims and objectives of the applicant societies are the same and the combined proceeds are likely to exceed the threshold limits for small society lotteries, the applicant will be advised to apply to the Commission for a society operating licence, instead of obtaining society lottery registrations.
212. Lotteries will be regulated through a licensing and registration scheme; conditions imposed on licences by the gambling commission; codes of practice and guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt lotteries, the licensing authority will have due regard to the Gambling Commission’s guidance.

213. The licensing authority will keep a public register of all applications and will provide information to the gambling commission on all lotteries registered by the licensing authority. As soon as the entry on the register is completed, the licensing authority will notify the applicant of his registration. In addition, the licensing authority will make available for inspection by the public the financial statements or returns submitted by societies in the proceeding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the licensing authority will notify the gambling commission in writing, copying this to the society concerned. The licensing authority will accept return information either manually but preferably electronically by emailing licensing@southwark.gov.uk
214. This authority may refuse applications for registration if either
- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant has been refused in the past five years;
 - The society in question cannot be deemed non-commercial;
 - A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
 - Information provided in or with the application for registration is found to be false or misleading.
215. Where this authority intends to refuse registration of a society, it will give the society an opportunity to make representations and will inform the society of the reasons why it is minded to refuse registration, and supply evidence on which it has reached that preliminary conclusion.
216. This authority may determine to revoke the registration of a society if it thinks that it would have had to, or would be entitled to, refuse an application for registration if it were being made at that time.
217. However, no revocation will take place unless the society has been given the opportunity to make representations. The licensing authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.
218. Where a society employs an external lottery manager, it will need to satisfy itself that the manager hold an operator's licence issued by the Gambling Commission, and the licensing authority will expect this to be verified by the society.

SECTION EIGHT – REGULATION

219. Under the Legislative and Regulatory Reform Act 2006, any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function. These provide that regulatory activity should be carried out in a way which is:

- **Proportionate:** Remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** Decisions should be justified and subject to public scrutiny;
- **Consistent:** Rules and standards must be joined up and implemented fairly;
- **Transparent:** Regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** Regulation should be targeted only at cases in which action is needed and focused on the problem, and minimise side effects

220. This authority will have regard to these principles in relation to its activities under the Gambling Act 2005 and also to the requirements of the Regulators' Compliance Code. The purpose of the Code is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

221. In order to ensure that this authorities enforcement activities are targeted and make the best use of resources, this licensing authority has adopted and implemented a risk-based inspection programme, based on:

- The licensing objectives;
- Relevant codes of practice;
- Guidance issued by the gambling commission, in particular Part 36; and
- The principles set out in this statement of licensing policy.

222. Our risk methodology is available upon request.

223. The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

224. This authority will work together with the Gambling Commission to identify and investigate organised or persistent illegal activity and will exchange information on non-compliance with licences and permits to ensure that any action taken is co-ordinated.

225. It remains the over-riding intention, however, of this authority to work together with other enforcement agents, in support of responsible licence holders and operators to help them run a successful business that play a positive role within the local community. Where operators are acting responsibly we will look to provide support, advice and education and we will look to give early warning of any concerns identified at any premises. However, the authorities will use the range of enforcement powers made available under the Act where individuals act with disregard to their responsibilities.

SECTION NINE – CONTACT DETAILS

Southwark Licensing Service

You can contact the Licensing Service in a number of ways

By post or in person by appointment during office hours

Southwark Licensing Unit

Southwark Council Regulatory Services

Floor 3, Hub 1

PO BOX 64529

London

SE1P 5LX

By telephone: (Via the Customer Contact Centre 24/7) 020 7525 5000

By e-mail: licensing@southwark.gov.uk

By visiting our web site at www.southwark.gov.uk/businesscentre/licensing

Other responsible authorities

The Gambling Commission

Victoria Square House Victoria Square

Birmingham, B2 4BP

Email: info@gamblingcommission.gov.uk

Tel: 0121 230 6666

www.gamblingcommission.gov.uk

Commissioner of Police for the Metropolis

Southwark Police Licensing Unit

Southwark Police Station

323 Borough High Street

London, SE1 2RL

Tel: 020 7232 6210

Email: SouthwarkLicensing@met.pnn.police.uk

The London Fire and Emergency Planning Authority

Fire Safety Regulation

South East Area 3

169 Union Street

London, SE1 0LL

Tel: 020 8555 1200

HM Revenue and Customs

Excise Processing Teams

Gambling Duties

BX9 1GL

Email: nrubetting&gaming@hmrc.gsi.gov.uk

The following Council services are now all based at the Tooley Street address shown above for the licensing service

The Council's Building & Development Control Services (including Planning)

The Occupational Health and Safety Team**The Environmental Protection Team (dealing with nuisance issues)**

C/O Southwark Community Safety Enforcement Business Unit

The Local Safeguarding Vulnerable Adults Board

Safeguarding Adults Manager

Southwark Safeguarding Adults Partnership

Tel: 0207 525 3733

Fax: 0207 525 3236

Southwark Childrens' Social Care Services

Interim Practice Group Lead QAU and

Local Authority Designated Officer (LADO)

Southwark Council

Sumner House

Sumner Road

Peckham

SE15 5QS

Telephone: 0207 525 0689

SafeguardingChecks@southwark.gov.uk

Please note that in the case of applications made in respect of vessels a different set of responsible authorities apply. Please contact the Licensing Service for information.

OTHER AGENCIES**Trading Standards**

Southwark Council Regulatory Services

Floor 3, Hub 1

PO BOX 64529

London

SE1P 5LX

tradingstandards@southwark.gov.uk

Southwark Disablement Association

Southwark Disablement Association 10

Bradenham Close

London

SE17 2QB

Tel: 020 7701 1391

Appendix B – Consultation

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The chief officer of police
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005

In preparing this Statement of Gambling Licensing Policy this authority

- Placed public notices in the local media and on the Council's web site advertising the opportunity to comment on the draft policy;
- Wrote directly to all known potential licence applicants;
- Wrote directly to all known tenants and residents organisations;
- Wrote directly to all known gambling business representatives;
- Wrote directly to all known community representative and other interest groups;
- Wrote directly to all ward Councillors; and
- Provided information to each community Council.

Detail of the written submissions received and analysis of those submissions can be obtained from the licensing service.

Contents	1. Introduction	page 1
	2. Southwark's approach to local area profiles (LAPs)	pages 1-4
	3. Areas in Southwark of greater risk to gambling-related harm	pages 5-7
	4. Implementation	page 8

1. Introduction

The purpose of this document is to, in accordance with the Gambling Commission's **Gambling Guidance for Local Authorities**¹ and Southwark's current **Statement of Gambling Licensing Policy**², highlight areas in the borough inhabited or frequented by people who might be more at risk of being harmed or exploited by gambling.

As stated in the Gambling Commission's **Licence Conditions and Codes of Practice (LCCP)**³, licensees have a social responsibility to assess local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises. Although not a requirement for licensing authorities to complete a risk assessment of the local environment, it is emphasised by the Gambling Commission that such risk assessments, referred to as **local area profiles**, are of significant benefit to both the licensing authority and operators. The benefits, as listed under section 6.53 of the **Gambling Commission's guidance**¹, are:

- (i) it enables licensing authorities to better serve their local community, by **better reflecting the community and the risks within it**;
- (ii) **greater clarity** for operators **as to the relevant factors in licensing authority decision-making**, will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application;
- (iii) it **enables** licensing authorities to make **robust but fair decisions**, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
- (iv) it encourages a proactive approach to risk that is likely to result in **reduced compliance- and enforcement action**.

Based on the appreciation of having a better awareness of the local area and its associated risks, whether potential, actual, or emerging, **Southwark Council**

- **will provide a local area profile for each gambling licence application it receives**, and
- **has provided**, under **section 3** of this document, **an overview of the geographical areas in the borough identified as currently being of greater risk to gambling-related harm**.

2. Southwark's approach to local area profiles

This section describes steps ① to ④ of the process followed by Southwark Council to identify areas of greater risk to gambling-related harm in the borough.

① The process started with the **Gambling Act 2005**⁴, which prescribes in its licensing objectives the **protection of children and other vulnerable persons from being harmed or exploited by gambling**. Southwark Council has thereupon expressed in its **Statement of Gambling Licensing Policy**² that special consideration is given in relation to the proximity of gambling premises to

- local schools, youth clubs, shops, parks, leisure and recreational establishments and any other similar premises directed at, or primarily used by children or families;
- places where vulnerable people are housed or treated, including clinics, recovery centres, outpatient clinics and homes;
- residential areas where there is a high concentration of children and young people or vulnerable people;

- areas where there is a high level of organised crime;
- places of worship, community facilities or public buildings; and
- areas where there is considered to be an over-concentration of similar existing licensed operation.

② The second step was to establish who the **other vulnerable persons** would be. A **study**⁵ conducted by Heather Wardle at the Geofutures Gambling and Place Research Hub, found that although anyone could be vulnerable to gambling-related harm, there was sufficient to strong evidence to suggest that, in addition to young people, the following groups of people could potentially be more vulnerable:

- problem gamblers who are seeking treatment;
- those living in the most deprived areas;
- those with financial difficulties / debt;
- those affected by substance abuse / misuse;
- those affected by poor mental health;
- those who are unemployed;
- those who are homeless; and
- those from minority ethnic groups

③ The third step was to identify the **datasets** relevant to the location- and vulnerable persons criteria listed under steps ① and ②. Tables 1A and 1B provide, by criteria, summaries of the data relevant to Southwark.

Table 1A: Location criteria	Identified datasets and data sources
• local schools	Register of educational establishments in England and Wales ⇒ Department for Education, http://www.education.gov.uk/edubase/home.xhtml
• youth clubs	Youth clubs listed on Southwark Council and Community Southwark webpages ⇒ http://www.2.southwark.gov.uk/info/200246/activities_and_things_to_do/1439/youth_clubs ⇒ https://www.communitysouthwark.org/organisations-venues/venues
• shops used by families / children	List of shopping centres, supermarkets, and stores relevant to children / families ⇒ Southwark Council's APP premises database
• parks (including play areas)	MapInfo files for parks, open spaces, play areas and adventure playgrounds ⇒ Southwark Council's GeoStore, maintained by the council's Corporate GIS Team
leisure and recreational establishments used by families / children	Amenities listed on Southwark Council and Community Southwark webpages, and APP ⇒ http://www.2.southwark.gov.uk/info/200006/arts_in_southwark/1122/theatres ⇒ http://www.2.southwark.gov.uk/info/200087/sports_and_leisure/919/leisure_centres ⇒ http://www.southwark.gov.uk/events-culture-and-heritage/museums-and-galleries-in-southwark ⇒ https://www.communitysouthwark.org/organisations-venues/venues ⇒ Southwark Council's APP premises database
• vulnerable people housed or treated: Please see Table 1B	
• residential areas with high concentration of children / young people / vulnerable people: Please see Table 1B	
• areas with a high level of organised crime	List of potential, suspected, and actual child sexual exploitation offences, human trafficking / modern slavery offences, and drug trafficking offences committed between 1 st April 2014 and 28 th February 2017 ⇒ Metropolitan Police Service's Crime Report Information System (CRIS)
• places of worship	List of faith premises in Southwark ⇒ Southwark Council's APP premises database (Usage codes E06, E17, F76)
• community facilities / public buildings	Community centres / tenants' halls, libraries and other public buildings listed on Southwark Council and Community Southwark webpages ⇒ http://www.southwark.gov.uk/libraries/find-a-library ⇒ https://www.communitysouthwark.org/organisations-venues/venues
areas with an over-concentration of similar existing licensed operation	List of current licensed gambling premises in Southwark ⇒ Southwark Council's APP premises database

Table 1B: Vulnerable persons criteria	Identified datasets and data sources
<ul style="list-style-type: none"> children (under the age of 18 years) and young people (students in higher education) 	<ul style="list-style-type: none"> ① Number of residents aged under 18 years ⇒ https://www.nomisweb.co.uk/census/2011/qs103ew ② Register of educational establishments in England and Wales ⇒ Department for Education, http://www.education.gov.uk/edubase/home.xhtml ③ Student accommodation in Southwark ⇒ Southwark Council's APP premises database ⇒ http://www.arts.ac.uk/study-at-ual/accommodation/halls-of-residence/ ⇒ http://www.crm-students.com/crm-accommodation/london/ ⇒ https://housing.london.ac.uk/find-accommodation/registered-private-halls-residence/south-east-london-halls ⇒ http://www.kcl.ac.uk/study/accommodation/residences/index.aspx ⇒ http://www.lsbu.ac.uk/professional-services/accommodation-office
<ul style="list-style-type: none"> problem gamblers seeking treatment 	no data available for Southwark
<ul style="list-style-type: none"> living in the most deprived areas 	English indices of deprivation 2015 ⇒ https://www.gov.uk/government/statistics/english-indices-of-deprivation-2015
<ul style="list-style-type: none"> financial difficulties / debt 	<ul style="list-style-type: none"> ① List of food banks in Southwark ⇒ https://southwark.foodbank.org.uk/locations/ ② List of pawnbrokers in Southwark ⇒ Southwark Council's APP premises database ③ List of pay day loan shops in Southwark ⇒ Southwark Council's APP premises database
<ul style="list-style-type: none"> substance abuse / misuse 	List of drug and alcohol treatment services, narcotics and alcoholics anonymous meetings, and needle exchange services ⇒ Southwark Council's Drug and Alcohol Action Team (DAAT)
<ul style="list-style-type: none"> poor mental health 	List of GP practices treating patients for schizophrenia, bipolar affective disorder and other psychoses ⇒ Health & Social Care Information Centre (HSCIC) http://www.hscic.gov.uk/catalogue/PUB18887/qof-1415-prac-MHNeurogroup.zip
<ul style="list-style-type: none"> unemployed 	<ul style="list-style-type: none"> ① Job centres listed through Directgov's search engine ⇒ http://los.direct.gov.uk ② Economically active unemployed residents ⇒ Census 2011 economic activity data on Nomis, https://www.nomisweb.co.uk/census/2011/qs601ew
<ul style="list-style-type: none"> homeless 	List of hostels, supported housing, registered care, and temporary accommodation sites in Southwark ⇒ Vulnerable People Location document compiled by Southwark Council's Public Health Team
<ul style="list-style-type: none"> minority ethnic groups 	Number of residents from Asian / Asian British, Black / African / Caribbean / Black British, and Arab or other ethnic groups ⇒ http://www.nomisweb.co.uk/census/2011/lc2101ew

Section 2 continues on the next page...

④ The fourth step was to **map** the datasets. This entailed making all the records in the datasets mappable by either extracting or creating the necessary co-ordinates (Easting and Northings). For records relating to buildings, co-ordinates at address point level were used and for records relating to areas (i.e. parks and Census output areas) centroid co-ordinates were used. To better illustrate the geographical distribution of locations and vulnerable persons across the borough, two types of maps were produced:

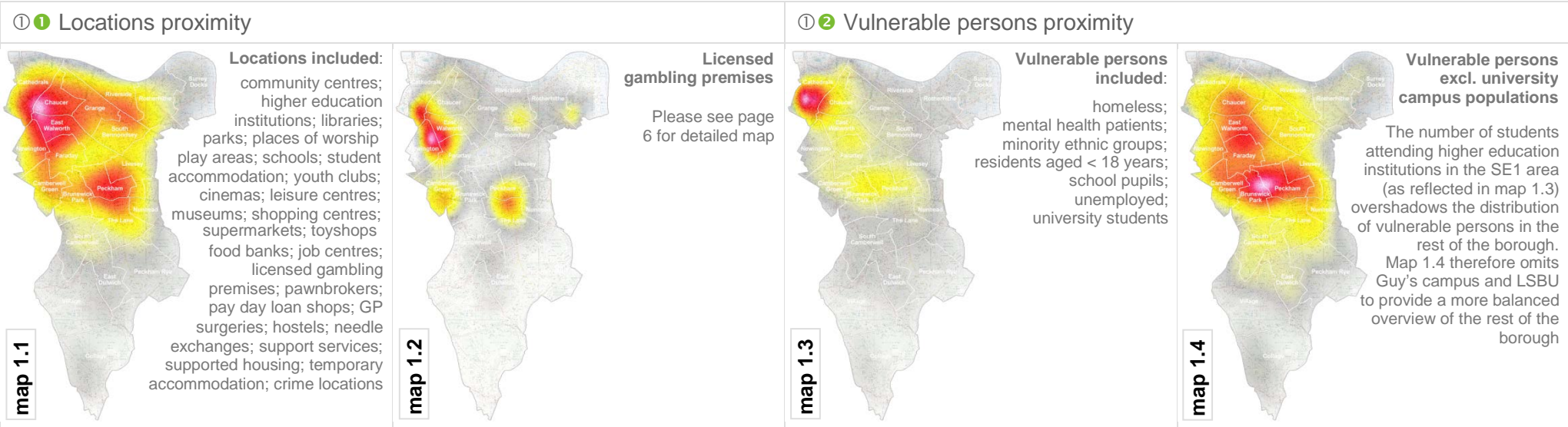
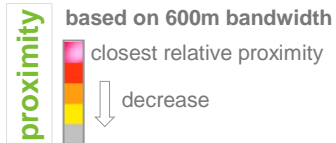
- ① hotspot maps to show the **proximity** of locations or vulnerable persons to one another
- ② grid maps to show the **count** of locations or vulnerable persons per grid cell

The distance used for measuring proximity and grid cell size is 600m. This distance is based on the upper-average of the distances measured between residents' homes and local facilities (post office, primary school, general store or supermarket, and GP surgery), as published by the **Department for Communities and Local Government**⁶.

Please see **sections 3** and **4** for maps as described above. The hotspot and grid maps on **page 5** provide a summary of vulnerable persons and locations in the borough. The map on **page 6** shows the combined vulnerable persons- and locations grid maps overlaid with the current licensed gambling premises in Southwark. The map on **page 7** shows the same as the map on page 6, but with the omission of university campus population data. The map on **page 8** is an example of a local area profile that will be provided by the council in response to a licence application.

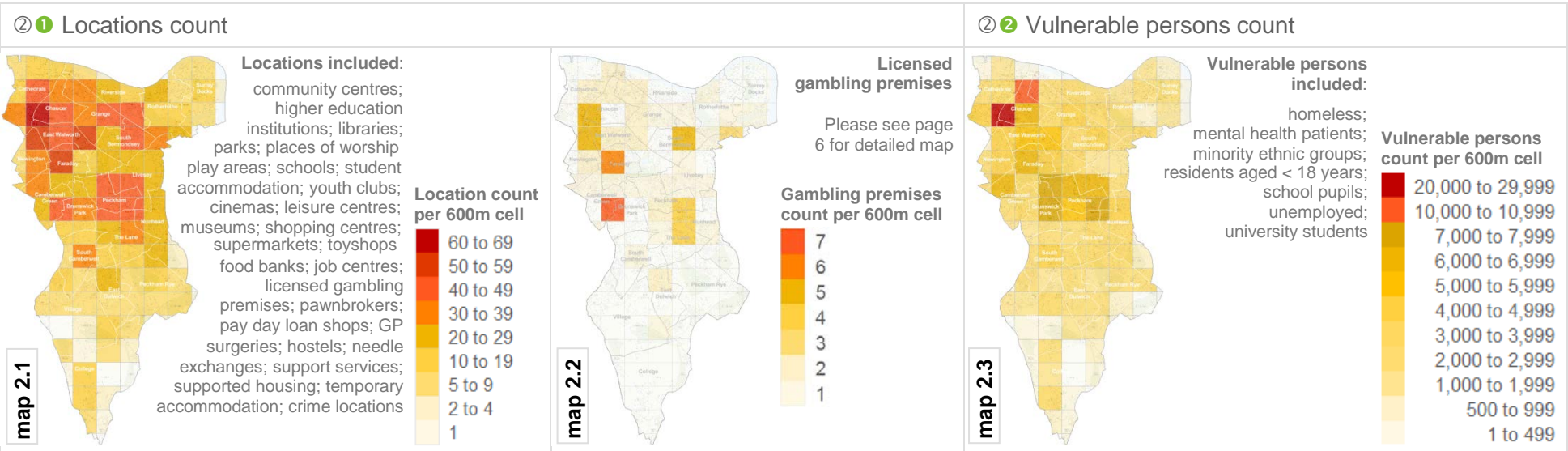
3. Areas in Southwark of greater risk to gambling-related harm

① Maps based on the proximity of ① locations and ② vulnerable persons in the borough

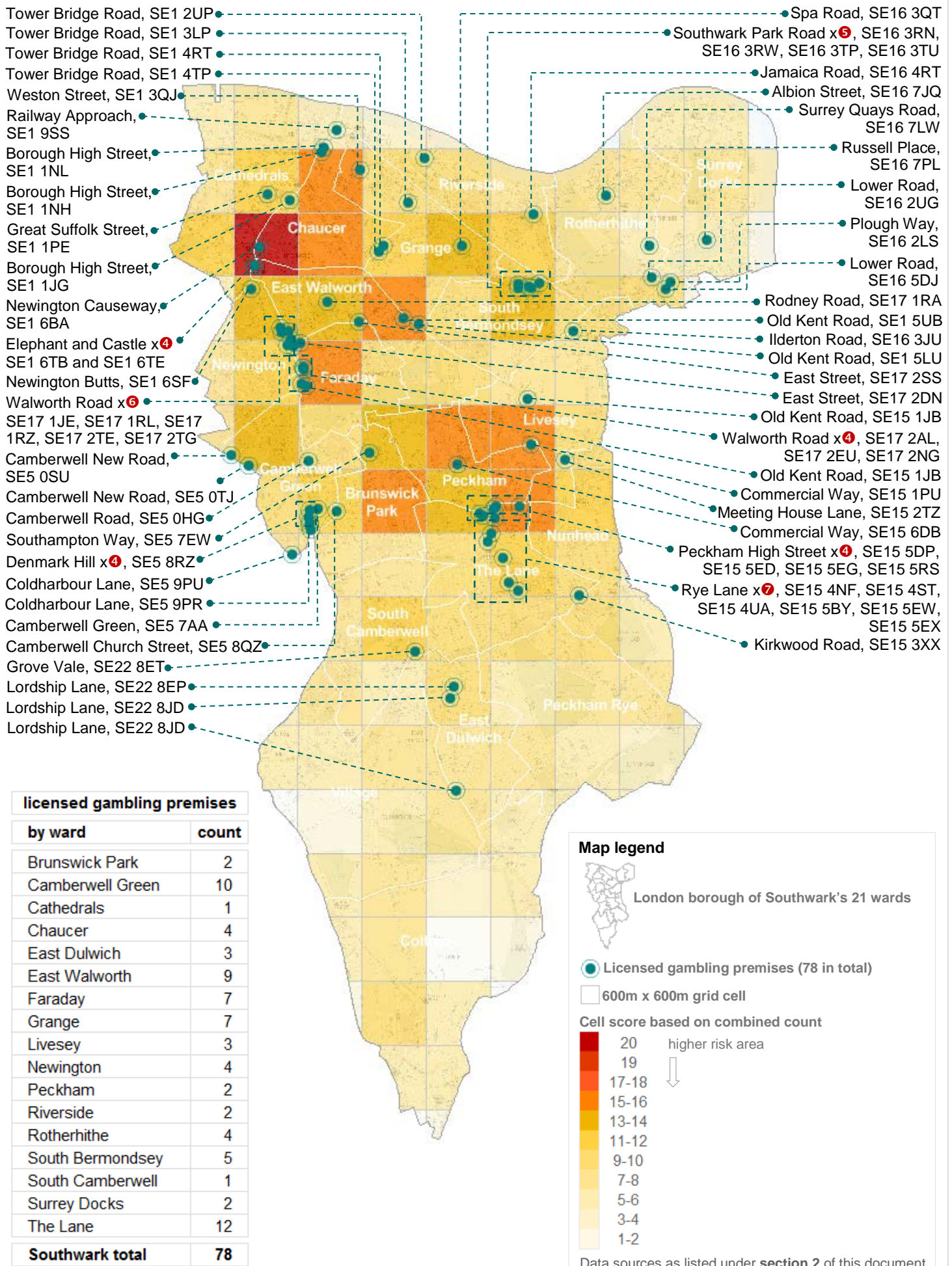


Data sources as listed under section 2 of this document

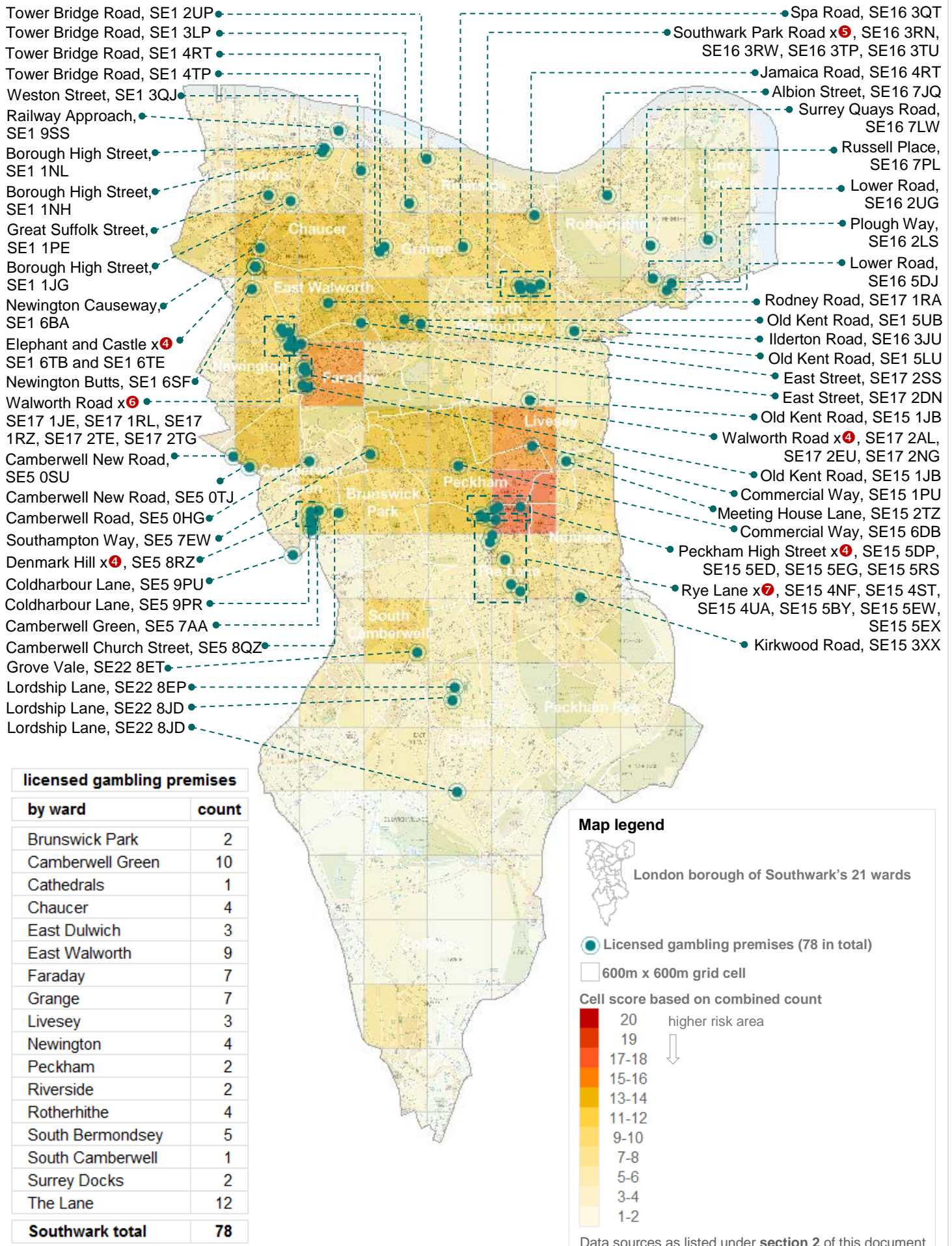
② Maps based on the count of ① locations and ② vulnerable persons in the borough



Data sources as listed under section 2 of this document

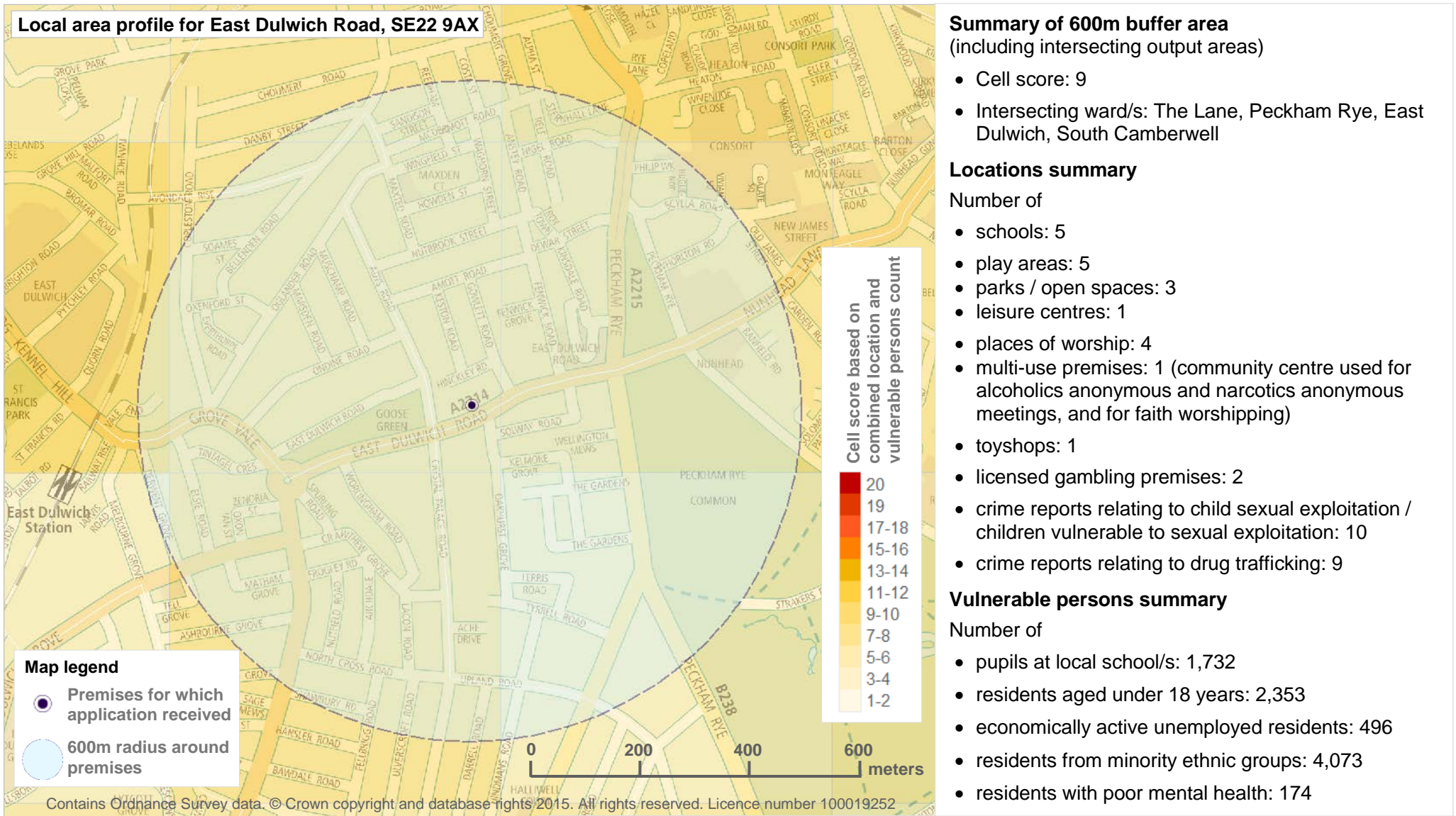
Map 3 Combined vulnerable persons and locations count overlaid with current licensed gambling premises

Map 4 Combined vulnerable persons and locations count (excluding university campus populations) overlaid with current licensed gambling premises



4. Implementation

Upon receipt of a gambling licence application, the licensing authority (Southwark Council in this instance) will provide a **local area profile** (LAP) relevant to the premises for which the application has been received. The profile will consist of a summary of the locations and vulnerable persons found within the **600m radius** of the premises. Based on this information, the council can make a more informed decision. Please see sample LAP below.



References

- ¹ Gambling Commission's Gambling Guidance for Local Authorities
⇒ <http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx>
- ² Southwark Statement of Gambling Licensing Policy
⇒ http://www.2.southwark.gov.uk/download/downloads/id/13142/southwark_statement_of_gambling_licensing_policy_2016-2019
- ³ Gambling Commission's Licence Conditions and Codes of Practice (LCCP)
⇒ <http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/LCCP/Licence-conditions-and-codes-of-practice.aspx>
- ⁴ Gambling Act 2005
⇒ http://www.legislation.gov.uk/ukpga/2005/19/pdfs/ukpga_20050019_en.pdf
- ⁵ Exploring area-based vulnerability to gambling-related harm: Who is vulnerable?
⇒ http://transact.westminster.gov.uk/docstores/publications_store/licensing/final_phase1_exploring_area-based_vulnerability_and_gambling_related_harm_report_v2.pdf
- ⁶ English Indices of Deprivation 2015 File 8: Underlying indicators
⇒ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/467775/File_8_ID_2015_Underlying_indicators.xlsx

Item No. 7.3	Classification: Open	Date: 28 November 2018	Meeting Name: Council Assembly
Report title:		Appointment of Independent Person	
Ward(s) or groups affected:		All	
From:		Director of Law and Democracy	

RECOMMENDATIONS

1. That council assembly approves the appointment of the two individuals as independent persons, as outlined in the closed report, subject to recommendation 2.
2. That the commencement date of each term of office be confirmed by the director of law and democracy.
3. That council assembly approves the re-appointment of the current independent person, named in the closed report, for a further period.

BACKGROUND INFORMATION

4. Section 28 of the Localism Act 2011 requires provision for the appointment of at least one independent person whose views must be sought and taken into account before the authority makes a decision on an allegation or complaint relating to a member.
5. The role of the independent persons will advise the council prior to any decision to investigate an allegation or complaint relating to whether a member has failed to comply with the code of conduct. The independent persons may be consulted by the council's monitoring officer in respect of an allegation against a member in other circumstances. They may also be consulted by a member or co-opted member of the council against whom an allegation or complaint has been made. Additionally, the views of the independent persons will be considered by the council's standards committee or sub-committees, who are responsible for determining the outcome of any complaints and remedial action. The independent person will therefore be required to attend meetings of the standards committee.
6. These persons cannot be a current or past member or co-opted member of the authority.
7. The Localism Act 2011 requires that the process to appoint independent persons must be open and transparent and any appointment must be approved by a majority of members of the authority, which in effect requires approval by council assembly.

KEY ISSUES FOR CONSIDERATION

8. The standards committee agreed, at the meeting held on 5 November 2014 that three members of the standards committee, representing each political group on

the committee, be included on future selection panels in respect of appointments of independent persons.

9. The audit, governance and standards committee, at the meeting held on 18 July 2018, nominated three members of the audit, governance and standards committee to undertake the selection process of the independent person.
10. The selection panel met on 15 October 2018 to interview candidates and make a recommendation to council assembly for appointments.
11. Council assembly is asked to appoint the two named individual as set out in the recommendations. A summary biography for these individuals is set out in Appendix 1 of the closed report.
12. As with independent members in the past, references have been sought. The references are satisfactory and appointment confirmed by the selection panel. The successful outcome has been reported back to the monitoring officer who is satisfied with the outcome.
13. The period of appointment is for four years, which can be extended for a further period by council assembly.

Current independent person

14. Of the two current independent persons, one, who was appointed in July 2012, decided to stand down after six years in the role.
15. The current remaining independent person was appointed in July 2015 by council assembly. He has agreed to undertake the role for a further period of four years.
16. The current independent person was appointed by a similar process with a selection panel meeting on 17 March 2015
17. The monitoring officer is therefore asking council assembly to re-appoint him.

Community impact statement

18. The position of independent persons is required by statute and the individuals appointed play an important part in the work of the council monitoring the probity and conduct of elected councillors.
19. The monitoring officer considers these appointments will resulted in more diversity among independent persons as the appointees better reflect the diversity the wider community of Southwark..

Resource implications

20. Expenditure relating to recruitment and the annual fixed allowance of £1,061 per independent person can be contained within current budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Standards Committee – previous reports and agenda	Constitutional Team, 160 Tooley Street, London SE1 2QH	Chidilim Agada 020 7525 7225

APPENDICES

No.	Title
Appendix 1	Biography (see closed agenda)

AUDIT TRAIL

Lead Officer	Doreen Forrester-Brown, Director of Law and Democracy		
Report Author	Norman Coombe, Head of Corporate Team		
Version	Final		
Dated	2 November 2018		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments included
Director of Law and Democracy		Yes	Incorporated in report
Strategic Director of Finance and Corporate Services		No	No
Cabinet Member		No	No
Date final report sent to Constitutional Team			2 November 2018

**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)
MUNICIPAL YEAR 2018/19**

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

ONE COPY TO ALL UNLESS OTHERWISE STATED		Copies	To	Copies
Councillors (1 each) Councillor Jasmine Ali Councillor Radha Burgess Councillor Sunil Chopra Councillor Nick Dolezal Councillor Tom Flynn Councillor Renata Hamvas Councillor Peter John Councillor Lorraine Lauder Councillor Maria Linforth-Hall Councillor Eliza Mann Councillor Darren Merrill Councillor David Noakes Councillor Damian O'Brien Councillor Leo Pollak Councillor Sandra Rhule Councillor Martin Seaton Councillor Andy Simmons Councillor Cleo Soanes Councillor Kath Whittam Electronic Versions (No hard copy) All other councillors	19		Press	
			Southwark News	1
			South London Press	1
			Group Offices	
			Eleanor Law, Labour Group Office	1
			James Huckle, Liberal Democrat Group Office	1
			Officers	
			Eleanor Kelly	1
			Duncan Whitfield	1
			Doreen Forrester-Brown	1
			Chidilim Agada	1
			Deborah Collins	by email
			David Quirke-Thornton	by email
			Michael Scorer	by email
			Kevin Fenton	by email
			Constitutional Team	12
			(Copies to Virginia Wynn-Jones, 2 nd Floor, Hub 2, Tooley Street)	
			Others	
			Matt Dean, Grant Thornton Ground floor audit office, Tooley Street	1
			Total:	40
			Last updated: 25 July 2018	