

<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 26 January 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motions	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## **BACKGROUND INFORMATION**

In accordance with council assembly procedure rule 1.14 (9), the member moving the motion may make a speech directed to the matter under discussion. This may not exceed five minutes without the consent of the Mayor.

The seconder 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 open up to debate on the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may exercise 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 members 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. **MOTION FROM COUNCILLOR CATHERINE McDONALD** (Seconded by Councillor Patrick Diamond)

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

**Educational Maintenance Allowance**

1. Council assembly notes that over 33,000 young people in Southwark have benefitted from the Educational Maintenance Allowance ('EMA') which provides financial support to young people from financially disadvantaged backgrounds and enables them to afford to remain in post-16 education.
2. Council assembly also notes that before the 2010 general election both the Conservative and Liberal Democrat parties promised to retain the EMA.
3. In the circumstances council assembly bitterly regrets the Conservative/Liberal Democrat coalition government's decision to withdraw the EMA to new students from January 2011 and existing students from July 2011.
4. Council assembly believes that the withdrawal of the EMA will have a significant and disproportionately adverse impact on the educational and life chances of thousands of young people in Southwark and will result in many more young people leaving full-time education at the age of 16.
5. Council assembly also notes and regrets the Conservative/Liberal Democrat coalition government attacks on young peoples' education through increasing university tuition fees, ceasing Bookstart and the withdrawal of the sport in schools programme and calls on the government to reconsider its approach and to invest in our young peoples' future rather than reduce services to them.

Council assembly calls upon the cabinet and the relevant cabinet members:

6. To oppose the abolition of the educational maintenance allowance by the Conservative and Liberal Democrat coalition government from the 1 January 2011.
7. To lobby the Conservative and Liberal Democrat coalition government and the newly appointed advocate for access to higher education, Simon Hughes MP, to reconsider the abolition of the education maintenance allowance.
8. To secure the support of the three Southwark Members of Parliament to oppose the abolition of the education maintenance allowance.
9. To use all appropriate means to publicise the withdrawal of the EMA to young people in higher education in Southwark, particularly those from low-income families who rely on the allowance to remain in education and to ensure Southwark's young people are informed of any alternative financial provision in place to help them to continue in post 16 education.

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

**2. MOTION FROM COUNCILLOR LEWIS ROBINSON** (Seconded by Councillor Toby Eckersley)

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

**Repayment of Major Works Charges by Leaseholders**

Council assembly notes:

1. Southwark Council currently offers leaseholders a number of repayment options when major works (a charge for large one-off works to a block or an estate) are due on their property for which they are liable. These include a “voluntary charge” payable upon sale of the property, and an interest free repayment period of between 12 and 36 months. The council’s preferred option is repayment in 12 monthly instalments (Home Owners Guide)
2. The interest free repayment offer of 36 months is fairly standard across London local authorities, although some do offer a longer period of 48 months.

Council assembly believes:

3. A well planned programme of this type of work across the borough would ensure that all required works are carried out with good notice, and scheduled so that leaseholders are able to make adequate provision and plan ahead financially over a number of years.
4. There have been an increasing number of examples however, of the council failing to achieve this. For example, the council may have to carry out emergency major works following health and safety issues identified in an inspection, or a fire safety notice has been served. In some cases, the programme of works has just been poorly planned.
5. This can and has resulted in several major works programmes taking place in one financial year on an estate, and is highly likely to cause considerable financial hardship to leaseholders. Many on fixed or low incomes are unable to meet the increased costs or able to plan ahead, and given the current state of the housing market, offsetting costs against equity is an increasingly unviable option.
6. The council, while acknowledging that circumstances, and the legal position, may differ from block to block and lease to lease, also believes that further information is required about the obligation of leaseholders to make contributions towards the remedying of fire safety defects

Council assembly therefore requests cabinet:

7. That where exceptional circumstances occur, and the council is required to carry out more than one programme of major works on an individual estate in one financial year, the current repayment schedule of 36 months will be extended to 48 months so that those affected leaseholders are better placed to budget for the additional financial burden.
8. That when such a situation arises the council informs affected leaseholders this further option is available to them.

9. That definitive advice on leaseholder duties in respect of all types of request for contributions for remedying of fire safety defects be obtained.

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

**3. MOTION FROM COUNCILLOR DENISE CAPSTICK** (Seconded by Councillor Paul Kyriacou)

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

**Southwark Council Tribute to Heroes**

1. Council recognises and thanks the people of Southwark for all they have done to support the armed forces and to raise funds for Help for Heroes and Homes for Heroes.
2. Council notes that currently all servicemen and women who die in Afghanistan, are brought to Bermondsey before making their final journey to their resting places.
3. Council agrees to work with the relevant parties involved to facilitate an appropriate tribute from Southwark to recognise those who lose their lives whilst serving our country and make their final journey from our borough.

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

**4. MOTION FROM COUNCILLOR ANOOD AL-SAMERAI** (Seconded by Councillor Columba Blango)

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

**Choices that count**

Council notes:

1. The success of the Southwark Community Games in 2010 in bringing sports coaching and competition to over 9,000 young people.
2. The establishment of a new local Olympic Delivery Board consisting of 14 members eight of whom are either Southwark cabinet members or Southwark Council senior officers.
3. The proposed establishment of an Olympic Legacy Fund of £2 million as part of the council's capital programme and that funding is to be co-ordinated by a "Capital Legacy Group" consisting of the leader of the council, the chief executive, the director of finance, the building schools for the future co-ordinator, a property developer and the MP for Dulwich and West Norwood.

Council therefore calls for:

4. The terms of reference for the Olympic Delivery Board and the Capital Legacy Group to be published on the council's website.
5. The source of the £2 million legacy fund and a breakdown of how it is proposed to be spent to be published on the council website.
6. The cabinet to confirm as soon as possible that it will continue to fund, support and if possible expand, the Southwark Community Games.

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

## **BACKGROUND PAPERS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Member Motions	160 Tooley Street, London SE1 2TZ	Constitutional Team 020 7525 7228

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager
<b>Report Author</b>	Sean Usher, Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	13 January 2011