

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 6 July 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Report back on motions referred to cabinet from council assembly	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Cabinet	

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – MOTION ON THEMED DEBATE: THE FUTURE FOR SOUTHWARK – RISING TO THE COMMUNITY CHALLENGE**

Cabinet on 17 May 2011 considered the following motion referred from council assembly on 6 April 2011 which had been moved by Councillor Patrick Diamond and seconded by Councillor Michael Situ.

1. That council assembly notes the letter from the cabinet member for equalities and community engagement setting out the theme of the debate: “The future for Southwark - rising to the community challenge”.
2. That council assembly notes the assertion that “the council’s role will have to change over the coming years, due to spending cuts and changing resident expectations and needs.” It notes the questions that the cabinet member posed to members to help them think about how they can shape that change:
  - How can we give residents more control over the services they receive?
  - What role could you and your community play in helping to deliver these services?
  - How should we measure success and how should we communicate our progress with you?
3. That council assembly calls on the cabinet to note the content of the debate and points raised.
4. That council assembly calls on the cabinet member for regeneration and corporate strategy to report back in not less than six months on which of these ideas will be pursued further with communities and neighbourhood forums.

We received and noted the motion.

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – REPAYMENT OF MAJOR WORKS CHARGES BY LEASEHOLDERS**

Cabinet on 17 May 2011 considered the following motion referred from council assembly on 6 April 2011 which had been moved by Councillor Lewis Robinson and seconded by Councillor Toby Eckersley.

That 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.

That 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.

That 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.

We agreed the motion with the following amendments:

- Paragraph 7 – to apply to ‘resident’ leaseholders only.

- Paragraph 9 – We noted the request for definitive advice on leaseholder duties in respect of all types of request for contributions for remedying of fire safety defects, and also noted that the strategic director of housing services is bringing back a further report on this issue in due course.

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – SECONDARY SCHOOL IN SE16**

Cabinet on 17 May 2011 considered the following motion referred from council assembly on 6 April 2011 which had been moved by Councillor Rosie Shimell, seconded by Councillor Jeff Hook and subsequently amended.

1. That council assembly recognises the need for more secondary school places in SE16.
2. That council assembly notes that this administration has always been firmly committed to a new school in SE16 - and that this has consistently been reflected in the Canada Water Action Plan.
3. That council assembly notes that:
  - 1) The Labour government and the previous council administration agreed a programme of 12 Building Schools for the Future (BSF) schools in Southwark, including a brand new, 5 forms of entry (150 places per year group) school in Rotherhithe.
  - 2) In July 2010, the Secretary of State scrapped almost all the BSF programmes across the country, but told this council that Southwark's 12 schools were 'unaffected' by these changes – including schools in Phase 3 of Southwark's BSF programme.
  - 3) Last June the government asked the council to resubmit the borough's pupil place demand projections.
  - 4) In October 2010 Partnerships for Schools (an agency of the Department for Education) informed the council that programmes referred to as 'unaffected' in July would be subject to the Department for Education value for money review. Initially, reference was made to the Department for Education seeking savings of up to 40% across remaining BSF programmes nationally.
  - 5) In November 2010 the government wrote to the council saying that they were withdrawing the £19.6 million it had previously allocated for a new school in Rotherhithe. In the letter, however, the government said it considered there was a need for 2 forms of entry (60 places per year group) worth of places in the area. The letter from the Department for Education to the council said:

"It is not considered that a case can be made for the delivery of a new 5 form of entry secondary school in Rotherhithe at this time. As such the £19.6 million funding provisionally allocated to this project through the Stage 0 approval process in April 2010 will no longer be available to the Authority to deliver that proposal.

"The Department [for Education] considers that there is the need to establish 2 forms of entry of additional secondary places in the Rotherhithe area in the next five years. As such the Department will work alongside Southwark and PfS [Partnerships for Schools] to identify an alternative proposal for the delivery of these places."

- 6) To date the government has not confirmed how much funding the government will provide to the council for these extra places and when the council will receive it. Until the government confirms this, the council can not progress plans.
- 7) Last month a working level BSF spreadsheet, emailed from an official in Partnerships for Schools to an officer in the council, suggested that the government had still allocated the full £19.6 million to a new school in Rotherhithe. This was despite the fact that the government had formally told the council in November that it had withdrawn the funding.
- 8) As a result, the council wrote to the government demanding clarity on how much funding the council will receive for new secondary places in SE16. The letter said:

"The council has always maintained that, despite borough-wide figures, there is a specific need for additional places in Rotherhithe and our proposals for a new school responded both to this and the specific demand in Rotherhithe.

I am writing to seek confirmation that we can now move forward....I hope you can advise without delay in order that I can progress, because we need to give certainty to local families."

4. That council assembly further notes that:
  - any suggestion in the media or otherwise that the council should 'welcome the government's funding for a new school in SE16 is based on a fundamental and complete misunderstanding of the situation
  - any suggestion in the media or otherwise that £10 million for new places may be available from the government does not match the facts as they are known to the council.
5. That council assembly supports the cabinet in its calls for the government to clarify how much funding is available for new secondary places in SE16.
6. That council assembly welcomes the cabinet's wish to work with stakeholders, including both the MPs for SE16, to find a solution to the need for places in the area.

We noted and agreed the motion. We also noted that the council had still not heard back from Partnership for Schools.

## **MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – SECURE TENANCIES**

Cabinet on 17 May 2011 considered the following motion referred from council assembly on 6 April 2011 which had been moved by Councillor Ian Wingfield and seconded by Councillor Gavin Edwards.

1. That council assembly notes that Southwark is the largest local authority social landlord in London with 45,000 tenants and homeowners in the borough.
2. That council assembly notes the proposal in the Conservative/Liberal Democrat government's Localism Bill to end the right to a secure tenancy for council and housing association tenants, and restrict the rights of tenants to complain directly to the housing ombudsman.
3. That council assembly notes that Labour has tried to remove these provisions from the Localism Bill but that Liberal Democrat MPs voted with the Conservatives to keep them within the bill.
4. That council assembly regrets the government's proposal to issue fixed-term tenancies of just two years that will force tenants in Southwark to go through an assessment of their income and family circumstances after just eighteen months in their home which will act as a disincentive to get a better job, could force couples to leave their family home once their children leave home and do not include a right to improve homes or a right to pass on the tenancy to a child, live-in carers or siblings.
5. That council assembly is deeply concerned at the lack of clarity from the Tory-led government regarding the rights of existing social tenants in Southwark to a secure tenancy if they move to a new council or housing association property.
6. That council assembly also notes that along with their cuts to council house building, housing benefit and their plan to introduce rents of up to 80% of local market rents, and reduce funding for the decent homes programme, this is an attack on the fundamental principles of decent, secure and affordable public housing.
7. That in the circumstances council assembly praises the Southwark Labour administration's ambition to make every council home warm, safe and dry.
8. That council assembly calls upon the cabinet and the relevant cabinet members:
  - To lobby Simon Hughes MP to vote against this proposal in the House of Commons and not abstain
  - To seek clarification from the government regarding the proposals to force council tenants to move if their income increases.

We noted and agreed the motion. We also noted that the deputy leader and cabinet member for housing management had received a letter from Andrew Stunell MP and that it would be circulated to all members of the council.

## **MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – CABINET PRIORITIES**

Cabinet on 17 May 2011 considered the following motion referred from council assembly on 6 April 2011 which had been moved by Councillor Anood Al-Samerai, seconded by Councillor Paul Noblet and subsequently amended.

1. That council assembly notes that in just under a year of the Labour administration, despite the savage cuts from the Tory/Liberal Democrat government:
  - The administration's success in taking the regeneration of the Elephant & Castle forward, with progress on new leisure facilities
  - The administration has delivered a food waste recycling pilot, meaning that, where carbon would be produced through incineration and methane through landfill, fewer emissions are produced. It notes the planned reduction in the carbon produced by the council's estate
  - The cabinet's commitment to a new school in Rotherhithe. It notes that the government withdrew the Building Schools for the Future funding for a new school.
  
2. That the other following deliveries on the administration's commitments be noted:
  - Piloting free school meals and securing the finance for free meals in primary schools across the borough
  - Establishing a commission on reducing teenage conceptions
  - Cutting spending on special responsibility allowances by the same amount that they were increased by the Liberal Democrat/Tory administration
  - New safeguards on spending on consultants and the amount spent on them cut as a result
  - The most open budget process in the borough's history
  - All fire risk assessments of council homes now available to the public
  - New dedicated housing department created
  - Two air-quality monitoring stations reopened
  - Consulted with the voluntary sector on our care service charter of rights
  - Piloting a new dedicated phone line for queries about social care.
  
3. That the other following achievements in the administration's 2011/12 budget be noted:
  - Transition fund for voluntary sector, thought to be unique in London, and funding cushion for day care centres and lunch clubs
  - Youth fund to help young people in Southwark find work or stay on in education
  - Pay increase for the lowest paid council employees, despite a national pay freeze.
  
4. That council assembly believes that this administration delivers. It calls on the cabinet to put delivery at the core of the new council business plan.

We noted and agreed the motion.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet agenda and minutes – 17 May 2011	Constitutional Team, 160 Tooley Street, London SE1 2QH	Everton Roberts 020 7525 7221
Council assembly agenda and minutes – 6 April 2011		

## AUDIT TRAIL

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager	
<b>Report Author</b>	Everton Roberts, Constitutional Officer	
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