

Council Assembly Ordinary Meeting

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 30 November 2016 at 7.00 pm at

PRESENT:

The Worshipful the Mayor for 2016-17, Councillor Kath Whittam (Chair)	
Councillor Evelyn Akoto	Councillor Richard Livingstone
Councillor Anood Al-Samerai	Councillor Rebecca Lury
Councillor Jasmine Ali	Councillor Vijay Luthra
Councillor Maisie Anderson	Councillor Jane Lyons
Councillor James Barber	Councillor Eliza Mann
Councillor Radha Burgess	Councillor Hamish McCallum
Councillor Sunil Chopra	Councillor Darren Merrill
Councillor James Coldwell	Councillor Victoria Mills
Councillor Fiona Colley	Councillor Michael Mitchell
Councillor Stephanie Cryan	Councillor Jamille Mohammed
Councillor Catherine Dale	Councillor Adele Morris
Councillor Dora Dixon-Fyle MBE	Councillor David Noakes
Councillor Nick Dolezal	Councillor Damian O'Brien
Councillor Karl Eastham	Councillor James Okosun
Councillor Gavin Edwards	Councillor Leo Pollak
Councillor Paul Fleming	Councillor Sandra Rhule
Councillor Tom Flynn	Councillor Catherine Rose
Councillor Lucas Green	Councillor Martin Seaton
Councillor Renata Hamvas	Councillor Rosie Shimell
Councillor Barrie Hargrove	Councillor Andy Simmons
Councillor Jon Hartley	Councillor Johnson Situ
Councillor Peter John OBE	Councillor Michael Situ
Councillor Ben Johnson	Councillor Charlie Smith
Councillor Samantha Jury-Dada	Councillor Cleo Soanes
Councillor Eleanor Kerslake	Councillor Dan Whitehead
Councillor Sarah King	Councillor Kieron Williams
Councillor Anne Kirby	Councillor Mark Williams
Councillor Sunny Lambe	Councillor Bill Williams
Councillor Octavia Lamb	Councillor Ian Wingfield
Councillor Lorraine Lauder MBE	

1. PRELIMINARY BUSINESS

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

The Mayor announced the death of Tony Ritchie, the former leader of the council, and Councillors Ian Wingfield, Eliza Mann and Michael Mitchell gave tribute to him. A one-minute silence was observed in his memory.

Councillor Stephanie Cryan, deputy leader and cabinet member for housing, announced that Southwark Council would not be imposing the optional increased rents for higher income local authority tenants following the Housing and Planning Act 2016. She also confirmed that she would be writing to all council tenants to explain the situation.

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

The Mayor formally moved the programme motion.

RESOLVED:

The timings for the evening will be as follows:

Time	Business
19:00 - 19:10	1. Preliminary business and announcements
19:10 - 19:15	2.2 Questions from the public <ul style="list-style-type: none">Mr Jeff Kelland
19:15 - 19:25	4 Deputation Requests Women Against State Pension Inequality
19:25 - 19:35 (mover and seconder only)	5.2 Motions Fair transitional state pension arrangements for 1950s' women
19:35 – 20:45 (20 minutes) (7 minutes) (5 minutes) (35 minutes) (3 minutes)	Themed debate 3.1 Community Evidence <ul style="list-style-type: none">A Cinderella LineDulwich Village Forum 3.2 Motion on the Theme <ol style="list-style-type: none">Councillor Ian Wingfield, cabinet member for environment and the public realm, and Councillor Mark Williams, cabinet member for regeneration and new homesCouncillor Damian O'Brien, opposition spokesperson, to speak on the motion and move Amendment AThemed debate open to all other councillorsCabinet member's right of reply to the debate

	4 Deputation Requests
20:45 - 20:55	Southwark Citizens
20:55 - 21:25	5.1 Members' Question Time
21:25 - 22:00	5.2 Motions
	Motion 2 - Stand up for local pharmacies/Motion 4 - Saving Southwark's pharmacies
	Motion 1 - Tackling flytipping in Southwark
22:00*	6. Other Reports
	6.1 Refresh of Council Plan 2014-18
	7.1 Treasury management - mid-year update 2016/17
	7.2 Appointment of local auditor
	7.3 Constitutional amendments
	7.4 Community councils - constitutional issues

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

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

That the meeting be conducted as follows:

Item 4

To vary the order of business to take item 4, deputation requests, and the motion on Fair transitional state pension arrangements for 1950s' women, first.

Meeting to agree to hear a deputation from:

1. Women Against State Pension Inequality

Item 3 - Themed debate

Community Evidence Submissions

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

- A Cinderella Line
- Dulwich Village Forum

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

Themed debate

To run as listed in the timings above.

Item 4 - Deputations

To receive deputations from the group listed in the report:

- Southwark Citizens

Item 5.2 - General Motions

General motions to be taken in the below order:

Motion 1 - Stand up for local pharmacies/Motion 4 - Saving Southwark's pharmacies
Motion 1 - Tackling flytipping in Southwark

The Bus Services Bill motion has been withdrawn.

Motion 1 and Motion 4 to have a joint debate and single vote, and each other motion to have a single debate, subject to the guillotine.

Motion 1 – Stand up for local pharmacies

- To seek the meeting's consent to change the seconder of Motion 1 to Councillor David Noakes.
- In accordance with CAPR 1.14.15, a member may alter a motion of which she has given notice, with the consent of the meeting. The meeting's consent will be signified without discussion.

The meeting's consent to the alteration shown in Amendment F listed in the tabled papers. Therefore the meeting will debate the revised Motion 1/Motion 4.

Note: Relevant procedure rules will be suspended.

- CAPR 2.7.2 Length of themed debate.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Helen Dennis, David Hubber and Maria Linforth-Hall.

1.5 MINUTES

RESOLVED:

The minutes of the ordinary meeting held on 13 July 2016 were agreed as a correct record.

2. ISSUES RAISED BY THE PUBLIC

2.1 PETITIONS

There were no petitions.

2.2 PUBLIC QUESTION TIME

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

There was one question from the public, the answer to which had been circulated on white paper at the meeting. The public questioner asked a supplemental question of the leader of the council.

3. THEMED DEBATE - TRANSPORT

3.1 COMMUNITY EVIDENCE

The meeting agreed to receive submissions from the following:

A Cinderella Line

The group's representatives spoke to the meeting for five minutes and thereafter asked a question of the cabinet member for regeneration and new homes.

Three members (Councillors Fiona Colley, Renata Hamvas and Rosie Shimell) asked questions of the group's representatives.

Dulwich Village Forum

The group's representatives spoke to the meeting for five minutes and thereafter asked a question of the cabinet member for environment and the public realm.

Three members (Councillors Michael Mitchell, James Barber and Andy Simmons) asked questions of the group's representatives.

3.2 MOTION ON THE THEME

The cabinet member for regeneration and new homes, Councillor Mark Williams, and the cabinet member for environment and the public realm, Councillor Ian Wingfield, presented the motion on the themed debate.

Councillor Damian O'Brien, the majority opposition group spokesperson, responded to the cabinet member's motion and proposed Amendment A.

Following debate (Councillors James Coldwell, Bill Williams, Adele Morris, Rebecca Lury, Gavin Edwards, Octavia Lamb, Dan Whitehead, Maisie Anderson, James Barber and

Victoria Mills), the cabinet member for regeneration and new homes, Councillor Mark Williams, and the cabinet member for environment and the public realm, Councillor Ian Wingfield, responded to the debate.

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

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

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

RESOLVED:

Transport

1. Southwark Labour is committed to making the borough a cleaner, greener, healthier and more pleasant place to live for our residents.
2. Council assembly recognises that high quality, accessible and well maintained transport is essential to improve the public realm, expand economic growth and to enable residents to travel and access services as freely and easily as possible.
3. Council assembly also recognises that transport has a significant environmental impact, particularly on air quality, and this administration's priority is to deliver a sustainable transport system, which promotes and encourages walking, cycling and improving public transport access and links.
4. Council assembly welcomes the steps this administration has taken improve transport and make Southwark a more pleasant borough to live, including:
 - investing over £30m in cycling over 5 years and launching the Southwark Cycling Strategy to make it easier and safer for people in the borough to travel by bike,
 - delivering the new north-south cycle route, the Southwark Spine, to complement Quietway cycling routes and link to the new north-south Cycle Superhighway on Blackfriars Road;
 - increasing the number of Play Streets, closing roads to make it easier and safer for children to play outdoors;
 - making Southwark an Age Friendly Borough, enabling older people to access a broad range of affordable and accessible transport options to get around the borough easily;
 - doubling investment in roads and making Southwark a 20mph borough;
 - successfully campaigning for improvements to bus services, such as extending the 42 and 136 bus routes, and improving the C10.

Regeneration

5. Council assembly recognises that effective transport infrastructure is necessary for

regeneration, to both unlock new developments and meet existing demand, for example on the Old Kent Road, where the Bakerloo Line Extension will help deliver growth in homes and jobs.

6. Council assembly welcomes the steps that the administration has taken to use infrastructure in new developments to make it safer for people to walk and cycle, for example at Elephant Park;
7. Council assembly calls on the cabinet to continue working with Transport for London (TfL) to extend the Santander Cycle Hire scheme through Bermondsey and Rotherhithe, and bring the scheme to Camberwell, Peckham and Walworth.

Air Quality

8. Council assembly recognises the significant impact transport has on air quality; the most polluted areas in the borough, where national standards for air quality are frequently exceeded, correspond to the major road network.
9. Council assembly therefore welcomes the work the council has done to improve air quality, including working with Tower Hamlets on the Tower Bridge Anti-idling partnership to encourage drivers to turn off engines when stationary, and improving the council's commercial fleet to reduce emissions.
10. Council assembly also welcomes Mayor of London's commitment to improving air quality by:
 - bringing forward the implementation of the Ultra Low Emissions Zone (ULEZ) and extending it to cover more of the borough, following calls led by Southwark Labour;
 - introducing new Clean Bus Corridors, prioritising new, clean buses in the most polluted roads in the city, and setting a target of only buying clean electric or hydrogen buses from 2020;
 - bringing forward plans for the new Rotherhithe pedestrian and cycle bridge following campaigns by Labour councillors, which will bring benefits for the local environment by reducing congestion;
 - making cycling easier and safer for more Londoners.
11. Council assembly welcomes the Mayor's commitment to delivering 'Healthy Streets' and calls on the cabinet to continue to put pressure on TfL to deliver public realm improvements in Peckham and Camberwell town centres in line with this vision.

Rail services

12. Council assembly welcomes the consultation on the new Thameslink Programme timetable and the introduction of 4 trains an hour on the Catford Loop, but believes that this should be a 7 day service and should extend the service through the whole Thameslink core;

13. Council assembly notes the continued and unacceptable levels of delays, cancellations and overcrowding on Southern Rail services, and calls on the government to allow TfL to be able to take over rail services in south London;
14. Council assembly welcomes the progress the council has made with TfL on the re-opening of Camberwell station, and calls on the cabinet to continue lobbying TfL and train companies to make the strong case for re-opening the station.

4. DEPUTATIONS

(See pages 4 - 6 of supplemental agenda 1)

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

Southwark Citizens

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

Three members (Councillors Ben Johnson, Fiona Colley and Cleo Soanes) asked questions of the deputation.

Women Against State Pension Inequality

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

Two members (Councillors Peter John and Ben Johnson) asked questions of the deputation.

5. ISSUES RAISED BY MEMBERS

5.1 MEMBERS' QUESTION TIME

(See pages 7 - 12 of supplemental agenda no. 1 and the additional papers circulated at the meeting)

There was one late question to the leader of the council, the written response to which was circulated on white paper at the meeting. Two supplemental questions were asked of the leader of the council.

There were 34 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 14 supplemental questions.

5.2 MEMBERS' MOTIONS

MOTION 1 - STAND UP FOR LOCAL PHARMACIES (See pages 20 - 21 of the main agenda and tabled Amendment F)

Amendment F to this motion was agreed as per the programme motion.

This motion was considered prior to the guillotine having fallen.

Councillor Eleanor Kerslake, seconded by Councillor David Noakes, moved the motion.

Following debate (Councillor Evelyn Akoto), the motion was put to the vote and declared to be carried.

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

1. Council assembly notes that Department of Health has announced it is pushing forward with dramatic cuts of £170 million to the funding of community pharmacies in England this year and that it has not ruled out more cuts to follow.
2. Council assembly notes that this funding cut could result in 3,000 pharmacies (a quarter of all pharmacies) closing across the country. In Southwark, 18 pharmacies could be at risk of closing.
3. Council assembly believes that the government's plans threaten patient access to pharmacies and pharmacy services in Southwark. Our local pharmacies are at risk of closure or being forced to cut services such as free delivery of prescription drugs, family planning advice and advice on medicines. This will put more pressure on GPs and hospitals and impact social services and is at odds with the local Clinical Commissioning Group's desire to increase the use of pharmacists to ease pressure on GPs.
4. Council assembly notes that the Local Government Association (LGA) has criticised the Department of Health for overlooking the role of community pharmacy as a 'much needed social and economic asset' and warned of 'unintended consequences' that will impact elsewhere in the local community.
5. Council assembly therefore calls on the Government to abandon these cuts and maintain a fully-funded community pharmacy service and asks the cabinet member for public health, parks and leisure to write to the Secretary of State for Health, NHS England and Southwark Clinical Commissioning Group expressing this view.
6. Council assembly also asks the cabinet member for public health, parks and leisure write to the borough's three Members of Parliament asking them to make similar representations on this matter to the Secretary of State for Health.

At this point, Councillor Adele Morris raised a procedural motion to delay the guillotine for 30 minutes. This was seconded by Councillor Anood Al-Samerai.

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

MOTION 2 - TACKLING FLYTIPPING IN SOUTHWARK *(See page 20 of the main agenda)*

This motion was considered prior to the guillotine having fallen.

Councillor Rosie Shimell moved the motion.

Following debate, at 10.02pm the Mayor announced that the guillotine had fallen.

The guillotine having fallen, Amendment B was put to the vote and declared to be carried.

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

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

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

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

1. Council assembly notes that:

- Southwark Council proactively collects fly-tips and records these alongside fly-tips reported by the public, which leads to Southwark having a higher recorded rate of flytipping than other boroughs, who do not record data in this way;
- The council introduced a £16 flat-rate charge for the collection of up to 10 items of bulky waste last year, as part of £30m in budget savings across council services;
- Over the last 5 years, Southwark Council has had to make savings of over £156m, equivalent to a third of the council's budget, because of cuts from the Liberal Democrat and Conservative governments, and this year the council has to make a further £26.5m savings;
- 2015/16 data for local authorities has not yet been published, so there is no comparative data available since the introduction of Southwark's bulky waste charge.

2. Council assembly calls on the cabinet to:

- continue to monitor flytipping in Southwark
- continue to take proactive steps to reduce incidences of people illegally dumping items in our borough

- publish the number of flytipping incidents which are cleared by council staff, as well the number of incidents reported by the public.

MOTION 3 - MAKE FAIR TRANSITIONAL STATE PENSION ARRANGEMENTS FOR 1950's WOMEN *(see page 22 of the main agenda)*

This motion was considered prior to the guillotine having fallen.

Councillor Stephanie Cryan, seconded by Councillor Jasmine Ali, moved the motion.

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

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

1. Council assembly calls on the government to make fair transitional state pension arrangements for all women born on or after 6 April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.
2. Council assembly notes that:
 - Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.
 - Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment.
 - Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60.
 - It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.
3. Council assembly calls on the government to reconsider transitional arrangements for women born on or after 6 April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

6. REPORT(S) FOR DECISION FROM THE CABINET

6.1 REFRESH OF COUNCIL PLAN 2014-18

(See pages 25 - 45 of the main agenda)

RESOLVED:

1. That council assembly agreed to the proposed refresh of the Council Plan 2014-2018.

7. OTHER REPORTS

7.1 TREASURY MANAGEMENT - MID YEAR UPDATE 2016/17

(See pages 46 - 57 of the main agenda.)

RESOLVED:

1. That council assembly noted the 2016-17 mid-year treasury management update report on treasury management and that:
 - a) all treasury management activity in the period was undertaken in compliance with the approved treasury management strategy and with the council's prudential indicators.
 - b) the balance on all loans at 31 March 2016 was £463m (371m housing revenue account and £92m general fund). Loans totalling £2.5m were repaid during the period. No new borrowing or debt rescheduling were undertaken during the period.
 - c) in the six months to 30 September 2016 the sum invested averaged £186m (£253m in the corresponding period last year) and the balance of investments at 30 September stood at £206m. The average return on investments was 0.52% (0.77% in 2015-16).
 - d) following the result of the European Union referendum no changes to the overall treasury management strategy were necessary.
2. That council assembly:
 - a) approved the council's acceptance of the UK Municipal Bonds Agency Framework Agreement and its accompanying schedules including the joint and several guarantee.

- b) noted that signing the Framework Agreement does not make the council subject to the joint and several guarantee or provisions of the Framework Agreement until such time as it chooses to borrow from the Agency.
- c) delegated authority to the strategic director of finance and governance to agree amendments to the Framework Agreement as appropriate.

7.2 APPOINTMENT OF LOCAL AUDITOR

(See pages 58 - 61 of the main agenda.)

RESOLVED:

1. ***That council assembly approved the option of opting in to the authorised national scheme for the appointment of external auditors through the sector-led body, Public Sector Audit Appointments (PSAA), for the appointment of an external auditor for five financial years starting 1 April 2018.***

7.3 CONSTITUTIONAL AMENDMENTS

(See pages 62 - 95 of the main agenda.)

RESOLVED:

Overview and Scrutiny Procedure Rules

1. That the proposed changes to overview and scrutiny procedure rules be agreed (see Appendix 1 of the report).

Communication Protocol

2. That the proposed change to the communications protocol (see Appendix 2 of the report) to include a link to the monitoring officer's guidance on using social media set out in Appendix 3 of the report be agreed.

Cabinet Procedure Rules

3. That the revised cabinet procedure rules be adopted (see paragraph 17 of the report).

Consequential changes

4. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

7.4 COMMUNITY COUNCILS - CONSTITUTIONAL ISSUES

(See pages 96 - 120 of the main agenda and pages 5 - 6 of supplemental agenda 2.)

Amendment E was put to the voted and declared lost.

RESOLVED:

Community engagement

1. That the recommendations set out in paragraph 40 of the report for broadening the reach of community councils and improving the way in which the council engages with its residents be approved.
2. That the changes set out in the report take effect from 1 January 2017, with the first round of shorter decision making meetings being held in the January/February 2017 cycle of meetings (followed by a town hall style meeting) and the first round of town-hall style meetings taking place in the March/April 2017 cycle.

Constitutional changes

3. That the constitutional changes set out in paragraph 41 of the report and Appendices 1 and 2 of the report be approved.
4. That the recommended changes to the executive scheme of delegation be noted by council assembly and referred to the leader of the council for publication in a notice of variation, which will be circulated to all councillors. The changes are set out in Appendix 3 of the report.
5. That members note the draft guidance notes for members on the changes in decision making at community councils (see paragraph 52 of the report).

Consequential changes

6. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

8. AMENDMENTS

Amendments are set out in supplemental agenda no. 2.

The meeting closed at 10.42 pm.

CHAIR:

DATED: