

Item No. 5.2	Classification: Open	Date: 27 March 2019	Meeting Name: Council Assembly
Report title:		Members' 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 MARGY NEWENS (Seconded by Councillor Victoria Olisa)

Making Southwark a Living Wage Place

1. Council assembly notes:
 - a. That low pay is a leading cause of poverty, with the majority of people living in poverty now being in working households.
 - b. That the real Living Wage is independently-calculated based on real living costs and reflects the minimum people need to earn to get by. It is currently £10.55 an hour in London.
 - c. That 21% of all workers in the UK still don't earn a real Living Wage – meaning that they are paid less than it costs to have a decent quality of life.
 - d. That research from the Living Wage Foundation has found that 93% of Living Wage Employers have seen benefits since accrediting; that 86% say it has improved their reputation; and that 75% say it has increased staff motivation and retention.
2. Council assembly further notes:
 - a. That Southwark Council is an accredited Living Wage Employer. This means that all council employees and contractors are paid at or above the London Living Wage.
 - b. That Southwark Council has also led the way in establishing the Southwark Apprenticeship Standard, which commits organisations and employers to providing high quality apprenticeships, including paying at least the London Living Wage. Over 50 Southwark employers have now signed up to the standard.
 - c. That Southwark has also signed up to the Ethical Care Charter, which has improved working conditions for contracted employees who provide home care services to Southwark residents. The Ethical Care Charter includes a requirement to pay the London Living Wage to all home care staff, and pay for travel time.
 - d. That both the Southwark Apprenticeship Standard and the Ethical Care Charter have led to positive outcomes not only for employees but for service users and local residents.
 - e. That the council's work to promote the Living Wage to other employers in the borough has been a key factor in 137 employers in Southwark now being accredited Living Wage Employers.
 - f. The Council Plan commitments on the Living Wage, which are to:
 - i) Double the number of employers who pay the London Living Wage and make Old Kent Road and Canada Water London Living Wage Zones;
 - ii) 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;
 - g. That the Living Wage Foundation has announced that it is piloting "Living Wage Places" where councils work with 'anchor institutions' (major local employers who represent the community) to increase the uptake of employers paying the London Living Wage across the area.

3. Council assembly further notes:
 - a. That this Conservative government's so-called 'Living Wage' is set at £7.83 per hour for over 25 year olds – and for those under 25 and apprentices it can be as low as £3.70 per hour.
 - b. That the government's 'Living Wage' is calculated as a percentage of median earnings, rather than being calculated as the amount of money needed to live on.
 - c. That the real London Living Wage is currently £10.55 per hour – almost £3 per hour more than the government's Living Wage for over 25 year olds.
 - d. That this disparity between the government's 'Living Wage' and the actual Living Wage means too many people in this country cannot afford a decent quality of life on the wages they earn, and so are either forced to work multiple jobs to make ends meet, or find themselves falling into poverty.
4. Council assembly resolves to call on cabinet to:
 - a. Reiterate our commitment to making the Old Kent Road and Canada Water London Living Wage Places, recognised by the Living Wage Foundation.
 - b. Work with the Living Wage Foundation and major local employers and organisations who are prepared to be 'anchor institutions', to make the whole of Southwark a Living Wage Place.
 - c. Write to the Secretary of State for Business, Energy and Industrial Strategy, the Rt Hon Greg Clark MP, asking him to calculate the government's Living Wage based on the actual earnings that people need to have a decent quality of life, rather than an arbitrary percentage of median national wages.

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

2. MOTION FROM COUNCILLOR MARIA LINFORTH-HALL (Seconded by Councillor Adele Morris)

NEXUS-Group GP services

1. Council assembly notes:
 - a. The Care Quality Commission inspection into the NEXUS Group declared that the GP service provided was 'inadequate overall and requires improvement for all population groups'
 - b. That the report details risks of legionella, inconsistent systems for checking equipment and vaccines, as well as the presence of expired medical emergency equipment.
2. Council assembly also notes that:
 - a. £8.7 million of S106 monies was recently approved by planning committee to be invested in health facilities across the borough
 - b. The inadequacies found at the NEXUS group relate not to facilities but to the systems and services provided.

3. Council assembly therefore:

- a. calls on the cabinet member for community safety and public health to investigate the reasons for the poor service provision and report back to councillors.
- b. calls on cabinet to query how the S106 money will be spent, given that improving facilities will not necessarily resolve the NEXUS performance issues.
- c. also calls on cabinet to ensure that future money derived from S106 and community infrastructure levy (CIL), which is designed to accommodate increase pressures deriving from new development, is allocated to the areas that have earned those funds due to having undertaken that development.

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

3. **MOTION FROM COUNCILLOR JAMES MCASH** (Seconded by Councillor Sunny Lambe)

Crossrail and Cuts to Transport for London

1. Council assembly notes:

- a. London Mayor Sadiq Khan has said there is no date that Crossrail chief executive Mark Wild can give "with confidence" for when Crossrail will open.
- b. That Crossrail delays will strip Transport for London (TfL) of £600m in revenue over 3 years, with possible further delays and losses running to millions more.
- c. The gaping hole in TfL's finances created by the government's decision to withdraw the operating grant of £700 million annually.
- d. The announcement of 30% more cuts to TfL's business plan by 2022, including staffing.
- e. Job losses, already in their thousands, overwhelmingly affecting lower grades, with no equivalent reduction in directors.
- f. Tens of millions of pounds spent each year on private sector consultants, many costing £1,500 per day.

2. Council assembly resolves to call on cabinet to:

- a. Publicly support the full restoration of the grant.
- b. Lobby TfL's leadership to honour its existing policies, and to implement a step change in industrial relations.
- c. Call on the Mayor to:
 - i) lead a review of TfL's Pay for Performance scheme.
 - ii) reinstitute a common pay and conditions structure and network-wide collective bargaining for London's bus workers.
 - iii) commission an independent review of the use of consultants at TfL.
 - iv) launch an immediate public review into the Crossrail fiasco.
 - v) engage with the trade unions on the proposals to cut a further 30% of expenditure on "middle and back office roles".

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

4. MOTION FROM COUNCILLOR VICTOR CHAMBERLAIN (Seconded by Councillor David Noakes)

HIV in Southwark

1. Council assembly welcomes:
 - a. The recent news of a Londoner becoming the second person to be found "free" of HIV.
 - b. The fact that new diagnoses of HIV in the UK as a whole have been declining since their peak in 2005, falling 17 per cent from 5,280 in 2016 to 4,363 in 2017.
 - c. Britain achieving the UN's "90-90-90 targets" to end the AIDS epidemic, with 92 per cent of people living with HIV diagnosed, 98 per cent of people diagnosed receiving treatment, and 97 per cent of people receiving treatment having an "undetectable viral load", with levels of virus in the blood so low it cannot be passed on.
2. Council assembly also recognises that Southwark still has the second highest number of people diagnosed with HIV in UK.
3. Council assembly believes that to eradicate HIV/AIDS we need a comprehensive approach that allows all people to access quality life-saving and life-enhancing prevention (such as Pre-Exposure Prophylaxis - PrEP), treatment, care and support services. PrEP has significantly reduced the risk of HIV being passed on to others.
4. Council assembly welcomes Southwark's participation in the England 'trial' but notes demand is high and extremely oversubscribed which leaves too many vulnerable. The Terrence Higgins Trust estimate that every day the NHS delays access to PrEP, 17 people are diagnosed with HIV.
5. Council assembly therefore calls on the UK government to set a target to end transmissions by 2025 and to end the oversubscribed PrEP trial by fully funding its roll out across England.

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

5. MOTION FROM COUNCILLOR KARL EASTHAM (Seconded by Councillor Sirajul Islam)

Reform Our Broken Housing Economy

1. Council assembly notes:
 - a. The existing pipeline of Southwark's New Homes programme with over 635 council rent homes delivered across 20 sites, 101 now under construction, 595 with planning permission and in contractor procurement, and 1,478 in design and consultation.

- b. That Southwark has an ambitious target to deliver 11,000 council homes by 2043, and is currently identifying council homes sites on existing land and pursuing land acquisition opportunities to deepen the pipeline of council homes development projects.
 - c. The best available social rent grant level (£100,000/unit) is currently less than a third of the average build cost (£310,000/unit).
 - d. The council is restricted in its use of Right to Buy receipts to replace lost social homes. Current rules require Right to Buy receipts to be spent within three years, never combined with grant, and otherwise returned to HM Treasury with interest.
 - e. That current land assembly powers recognise a landowner's right to a speculative premium based on events and actions in which they played no part. This makes purchasing new land for council housing more difficult, and damages the viability of including more council housing in schemes more difficult.
2. Council assembly calls on cabinet to:
- a. Lobby and campaign for a housing economy that supports the affordable housing needs of Southwark residents, including:
 - i) Social rent grant being linked to build costs. The Mayor of London's mandate to solve the housing crisis hasn't been fully respected, with social rent grant level increased from £60,000/unit to £100,000/unit against an average build cost of £300,000/unit.
 - ii) Full retention and flexibility to use Right to Buy receipts, including combining with grant. To also give freedom to suspend Right to Buy, or otherwise mitigate against its impact by (a) allowing covenants in new Right To Buy leases requiring any re-let at social rent, and (b) a one-in/one-out policy capping one year's Right To Buy applications against the number of social rent completions in the previous year.
 - iii) The ability to secure affordable land for affordable housing. The current Land Compensation Code recognises the landowners' right to speculative 'hope value' – the compensation regime should be pegged to the existing use value of a site, with a fixed premium. The council endorses the proposed reforms in Helen Hayes MP's Planning (Affordable Housing and Land Compensation) Bill.

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

6. MOTION FROM COUNCILLOR PETER BABUDU (Seconded by Councillor Alice Macdonald)

End Violence at Work Charter

1. Council Assembly notes:
- a. That many public service workers are subjected to violence and aggression in the course of their work.
 - b. That UNISON, the UK's biggest trade union, state that almost half of their members working in the community sector have been subjected to violence or aggression in the course of their work in the previous two years. Incidents reported by UNISON members range from verbal aggression to serious physical assaults.

- c. Evidence, publicised by UNISON, that in some contracted out services, public service workers are told by their employers to tolerate violence, suggesting assaults are just “part of the job”.
 - d. UNISON’s ‘End Violence at Work Charter’ - which commits employers to ten basic actions to safeguard public service workers and provide support should they become the target of violence at work. The actions include managing risk, providing appropriate training and making support available to those who have suffered from violent incidents.
 - e. That the 'End Violence at Work Charter' is already making headway in driving up safety standards for public service workers and recognises that 37 major employers in the charity and housing association sectors have already signed up across the UK.
 - f. That council assembly would like to see more employers confront the issue of violence in the workplace and ensure that nobody providing services on our behalf is left exposed to unacceptable risk of violence.
2. Council assembly resolves to call on cabinet:
- a. To make the ‘End Violence at Work Charter’ a core part of Southwark Council’s commissioning process.
 - b. To ask all existing service contract providers to sign up to the End Violence at Work Charter and make the award of new contracts dependent on a commitment by the organisation to sign the Charter. This step is consistent with the Council’s ongoing commitment to an ethical procurement and commissioning process.
 - c. To reiterate its opposition to violence at work in all sectors and reaffirms its commitment to working with its own employees and trade unions to ensure that all appropriate steps and support are in place to tackle the issue for its own workforce.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
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