

Item No. 5.2	Classification: Open	Date: 28 January 2020	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 DORA DIXON-FYLE** (Seconded by Councillor Sirajul Islam)

Making Southwark a Borough of Sanctuary

1. Council assembly notes:
 - a. The Conservative government's "Hostile Environment" policies which have deliberately made it harder for refugees, asylum seekers, and those who cannot prove their right to remain in the UK.
 - b. The "Solidarity with the Windrush Generation" passed by council assembly in November 2018, which condemned the government's "Hostile Environment" policies.
 - c. That the council currently supports over 280 vulnerable households who have No Recourse to Public Funds due to their immigration status.
 - d. That the council receives no funding from government to support these households.
 - e. That four families have been resettled in the borough through the council's refugee resettlement programme, and that one family has been resettled by the Peckham Sponsors Refugees Community Sponsorship Scheme.
 - f. That aside from a Home Office owned hostel which accommodates some asylum seekers for "initial assessment", the Government does not place many asylum seekers in Southwark, as is consistent with their policy of "dispersal" of asylum seekers to areas of the UK which has cheaper accommodation.
 - g. The work that Southwark Council has already been doing to highlight to the government the impact of underfunding immigration system, meaning applications are subject to long delays, the impact of being excluded from fully participating in society for people granted leave to remain in the UK but who have No Recourse to Public Funds and the impact of the unjustifiably high and unreasonable fees for immigration applications.
2. Council assembly believes:
 - a. That Southwark should be a place that welcomes those from around the world.
 - b. That Southwark values the enormous contributions that refugees and migrants have made, and continue to make to Southwark.
 - c. That declaring Southwark to be a "Borough of Sanctuary" would reaffirm Southwark's commitment to Southwark's refugee and migrant communities.
3. Council assembly resolves to call on cabinet to:
 - a. Declare Southwark to be a "Borough of Sanctuary"
 - b. Work with community groups to harness public support to help and support refugee, migrant and asylum seekers in Southwark.
 - c. Continue to celebrate the contribution of refugee and migrant communities to Southwark.
 - d. Continue to work with organisations in the borough who support refugees and asylum seekers in the borough.
 - e. Challenge anti-refugee and anti-migrant attitudes wherever they are found.
 - f. Lobby the government to reform No Recourse to Public Funds so that people are no longer blocked from fully participating in society for years while they wait for their status to be resolved.

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

2. MOTION FROM COUNCILLOR ANOOD AL-SAMERAI (Seconded by Councillor David Noakes)

EU Citizens

1. Council assembly notes that:
 - a. EU nationals from the other 27 EU member states are part of our shared communities alongside UK citizens. They are our husbands, wives, partners, parents, friends, neighbours and colleagues. They are an integral part of a vibrant and thriving Southwark community
 - b. Since 2016 EU nationals have been promised again and again that "there will be no change for EU citizens already lawfully resident in the UK and [...] will be treated no less favourably as they are at present".
2. Council assembly further notes that:
 - a. According to the Home Office's July statistics, only a third of EU nationals have applied for the Settled Status and 42% of them have been granted the inferior Pre-Settled status leading them to reapply for the Full Settled status later on.
 - b. There is no possibility of knowing how many EU nationals need to apply, leaving vulnerable and unaware EU nationals left at risk of becoming unlawful residents the mercy of the Home Office's "Hostile Environment".
 - c. Lack of clarity regarding differentiating between EU citizens arriving before and after the UK's exit from the EU could lead to discrimination in the labour market and may prevent many from accessing the services to which they are entitled.
3. Council assembly asserts that:
 - a. After three years of living in limbo, EU nationals' homes and livelihoods are in danger of being threatened by the further uncertainty brought about by the outcome of the General Election in December 2019.
 - b. Another Windrush-like scandal could be unfolding right before the eyes of this Council and we must not be passive observers to it.
4. Council assembly therefore calls on cabinet to direct:
 - a. Officers to report to cabinet within 3 months with action plans for how the council will mitigate adverse impacts on the rights of EU nationals post-Brexit (including but not limited to advising on what the council can do to help landlords and employers to be better informed about immigration status and therefore avoid potential discrimination against EU nationals)
 - b. The chief executive of the council to write to EU citizens resident in Southwark giving advice on how the council can help them with applying for Settled Status. This notice shall inform EU citizens of any potential consequences of not applying for the EU Settlement scheme. This includes asking EU citizens to contact the council for further support if they did not achieve Full Settled Status.
 - c. The leader of the council to write to the Home Secretary seeking clarification and suggesting improvements for the European Settlement scheme, which include:
 - i) Confirming that there will be no reduction in the rights of Settled Status EU citizens from what they currently have and committing to ratifying this as primary legislation before the exit day;

- ii) Confirming what support is to be provided to EU Citizens who did not achieve Full Settled Status and over what timescales;
- iii) Providing a means for EU Citizens to rapidly and without charge obtain physical proof of Settled Status that can be used to access services if required with the option to apply for full British citizenship waiving the fees involved;
- iv) Providing EU citizens the right to full participation in civic life, including the ability to stand for office and vote in UK referendums, European elections from within the UK and UK general elections as well as local elections.
- v) Replacing the current European Settlement scheme with a better free registration scheme without a deadline where EU citizens living in the UK for 5 years or more are considered lawful by default.

Sources:

<https://www.politics.co.uk/comment-analysis/2019/07/31/johnson-claimed-he-d-protect-eu-citizens-but-he-s-already-go>

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 Catherine Rose)

A fully funded, proper pay rise for council and school workers

1. Council assembly notes:
 - a. Government has endured central government funding cuts of nearly 50% since 2010.
 - b. Between 2010 and 2020, councils will have lost 60p out of every £1 they have received from central government.
 - c. The 2019 LGA survey of council finances found that one in three councils fear they will run out of funding to provide even their statutory, legal duties by 2022/23. This number rises to almost two thirds of councils by 2024/25 or later.
 - d. The Local Government Association estimates councils will face a funding gap of £8 billion by 2025.
 - e. Faced with these cuts from central government, the local government workforce has endured years of pay restraint with the majority of pay points losing 22 per cent of their value since 2009/10.
 - f. At the same time as seeing their pay go down in real terms, workers experience ever increasing workloads and persistent job insecurity. Across the UK, an estimated 876,000 jobs have been lost in local government since June 2010 – a reduction of 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.
 - g. There has been a disproportionate impact on women, with women making up more than three quarters of the local government workforce.
2. Council assembly believes:
 - a. Our workers are public service heroes. They keep our communities clean, care for those in need, and keep our towns and cities running.
 - b. Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.
 - c. Government funding has been cut to the extent that a proper pay rise could result in a reduction in local government services.

- d. The government needs to take responsibility and fully fund increases in pay; it should not put the burden on local authorities whose funding been cut to the bone.
3. Council assembly resolves to call on cabinet to:
 - a. Support the pay claim submitted by Unite, GMB and UNISON on behalf of council and school workers for a £10 per hour minimum wage and a 10% uplift across all other pay points in 2020/21 and for this to be fully funded by central government.
 - b. Call on the Local Government Association to make urgent representations to central government to fund the National Joint Council (NJC) pay claim.
 - c. Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government.
 - d. Meet with local NJC union representatives to convey support for the pay claim.

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

4. **MOTION FROM COUNCILLOR WILLIAM HOUNGBO** (Seconded by Councillor Jane Salmon)

Safe meeting spaces

1. Council assembly notes that:
 - a. Police officers and community support officers often need to meet and speak to members of the public in Southwark to hear their concerns, gather information and build links with the community;
 - b. These meetings are informal, and are usually arranged at a time convenient to both the police and the member(s) of the public involved, and aim to provide a safe space where people can speak freely about their concerns.
2. Council assembly further notes that:
 - a. Police officers and community support officers have told Liberal Democrat councillors that it can often be difficult to find somewhere to hold these meetings, as many members of the public are concerned about inviting the police into their homes, being seen to enter a police station, or being seen speaking to police officers near to where they live;
 - b. There are various rooms across the borough in buildings owned or managed by the council, such as libraries and council offices, which could be made available to the police for meetings of this type;
 - c. There are also other spaces in the community which may have suitable meeting rooms which could also be made available to the police, such as doctors' surgeries, community health centres, and places of worship.
3. Council assembly therefore calls on cabinet to direct officers to liaise with the police and other partners to explore:
 - a. The possibility of making appropriate rooms in council owned or managed buildings available free of charge to the police as a safe space for informal meetings with members of the public;

- b. The possibility of working with the NHS, faith groups and other relevant organisations to support them in making appropriate rooms available to the police as a safe space for informal meetings with members of the public.

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

5. MOTION FROM COUNCILLOR MAGGIE BROWNING (Seconded by Councillor James McAsh)

High-stakes Testing in Primary Schools

1. Council assembly welcomes the commitment of the Labour Party and the Liberal Democrats to abolish statutory assessment tests (SATs) and other high-stakes testing in primary schools.
2. Council assembly notes that:
 - a. Statutory testing in primary schools has increased since 2010 and is increasing further: by 2020, children will be tested in Reception (the Baseline Assessment), Year 1 (the Phonics Screening Check), Year 2 (SATs), Year 4 (the Multiplication Tables Check) and Year 6 (SATs).
 - b. The pressures of testing in primary schools have a detrimental effect on children's mental health.
 - c. Tests are focussed on the requirements of school accountability rather than on support for children's learning.
 - d. Educational research has demonstrated repeatedly that teaching to the test narrows the curriculum and the educational experience of children, focussing on labelling not learning.
 - e. The pressures of statutory assessment contribute to the crisis of teacher morale, workload, recruitment and retention.
3. Council assembly believes:
 - a. That campaigning, by those who work in primary schools, parents, guardians and academics, to end the current high-stakes system of primary assessment should be welcomed, in particular the More Than A Score campaign.
4. Council assembly resolves to call on cabinet to:
 - a. To express its support for campaigns against the current system of primary assessment, including those organised by teacher unions and More Than A Score.
 - b. To call a meeting of trade unions, parents, guardians and school governors to discuss the council's position on these matters and to coordinate a response.
 - c. To lobby the Secretary of State for Education to listen to the growing number of voices who are calling for the abolition of high-stakes testing in primary schools.
 - d. To offer support to schools within the area which adopt an alternative approach to assessment (for example by taking the More Than A Score pledge).

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

6. MOTION FROM COUNCILLOR HUMAIRA ALI (Seconded by Councillor Victor Chamberlain)

Showing photographic ID in order to vote

1. Council assembly notes that:
 - a. In the December 2019 Queen's Speech the government committed to require voters in elections in England to show photographic ID in order to be able to vote;
 - b. This is being proposed to prevent people pretending to be someone else in order to vote fraudulently in an election, an offence known as "personation".

2. Council assembly also notes that:
 - a. Personation is extremely rare in the UK: of the 44.4 million votes cast in 2017, only 28 allegations of personation were made, of which only one resulted in a conviction. This is equal to 0.000063% of votes²;
 - b. Prior to the 2018 pilots, a major coalition of over 40 leading civil society groups, charities and academics joined came together to oppose mandatory ID plans – including Electoral Reform Society, Age UK, Stonewall, Liberty, The Salvation Army, Migrants' Rights Network, the British Youth Council and the Race Equality Foundation³;
 - c. Compulsory voter ID was piloted across a range of boroughs in local elections on 2018 and 2019. Across all ten trial areas in 2019, 1,968 people were turned away for not having the correct ID. Of those people, 740 did not return to vote;
 - d. This means that around four times as many people were blocked from voting in the 2019 than there have been allegations of personation between 2010 and 2017 in the UK⁴.
 - e. These proposals run the risk of disenfranchising millions of people without photo ID, who are already more likely to come from groups who are marginalised within our society. Research into the impact of compulsory voter ID laws in the United States suggests that they can disproportionately prevent older people, and those from Black and Minority Ethnic backgrounds, from voting⁵;
 - f. Research by the Cabinet Office following the 2018 voter ID pilots showed that implementing mandatory voter ID across Great Britain could cost up to £20m per general election⁶.

² <https://www.electoral-reform.org.uk/latest-news-and-research/parliamentary-briefings/the-2019-voter-id-pilots/>

³ <https://www.electoral-reform.org.uk/latest-news-and-research/media-centre/press-releases/unprecedented-coalition-of-charities-and-civil-society-demand-rethink-on-dangerous-voter-id-trials/>

⁴ https://fullfact.org/crime/voter-id-scheme/?utm_source=content_page&utm_medium=related_content

⁵ <https://fivethirtyeight.com/features/what-we-know-about-voter-id-laws/>

⁶

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733128/Electoral Integrity Project - Local Elections 2018 - Evaluation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733128/Electoral_Integrity_Project_-_Local_Elections_2018_-_Evaluation.pdf)

- g. Research by the Electoral Commission published in September 2019 found that 17% of potential voters (up to 9.4 million people) are not correctly registered to vote at their current address⁷.

3. Council assembly asserts:

- a. The policy of requiring voters in elections in England to show photographic ID in order to be able to vote presents a significant risk to democratic access and equality, and risks undermining the principles of fair and equal participation that have been at the heart of British democracy since the adoption of universal, equal suffrage in 1928;
- b. Public funds would be better spent on ensuring that people are correctly registered to vote rather than on preventing legitimate voters from exercising their democratic right;
- c. Southwark Council will not be party to the mass disenfranchisement of voters proposed by this unfair and discriminatory policy.

1. Council assembly therefore calls upon cabinet to:

- a. Write to ministers expressing in the strongest possible terms Southwark Council's concerns about this policy and its implications for voters in our borough;
- b. Once the legal provisions for this policy have been enacted, direct officers to seek external expert legal advice on the avenues open to the council and its officers to mitigate the impact on Southwark residents;
- c. To work with the Acting Returning Officer and his or her team, in the light of the expert legal advice, to implement the requirement to present photographic ID in order to vote in Southwark in as light-touch a manner as is legally permissible.

7. MOTION FROM COUNCILLOR JAMES MCASH (Seconded by Councillor Margy Newens)

Power for People: Supporting the Local Electricity Bill

1. Council assembly acknowledges the efforts that this council has made to reduce greenhouse gas emissions and promote renewable energy.
2. Council assembly recognises:
 - a. That councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity;
 - b. That very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so;
 - c. That making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations;
 - d. That revenues received by councils that became local renewable electricity providers could be used to help fund local greenhouse gas emissions reduction measures and to help improve local services and facilities.
3. Council assembly calls on cabinet:

⁷ <https://www.electoralcommission.org.uk/major-study-electoral-registers-great-britain-shows-changes-are-needed-help-millions-people-ensure>

- a. To support the Local Electricity Bill, supported during the last parliament by a cross-party group of 115 MPs, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply;
- b. Inform the local media of this decision;
- c. Write to local MPs, asking them to support the Bill, and write to the organisers of the campaign for the Bill, Power for People, expressing support.

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	16 January 2020