

Item No: 65	Classification: OPEN	Committee: COUNCIL ASSEMBLY	Date: 22nd January 2003
From: CHIEF EXECUTIVE (BOROUGH SOLICITOR & SECRETARY)		Title of Report: MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9	

COUNCIL PROCEDURE RULE 3.9: PROCEDURAL ADVICE ON MEMBERS MOTIONS

A Member may not move more than one Motion. All Motions must be signed and seconded and delivered to the Borough Solicitor & Secretary not later than fifteen clear days before the meeting.

In accordance with CPR 3.9 the Member moving the Motion will be asked by the Mayor to move the motion. The Mover may then 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 NEW CONSTITUTION

The new constitution allocates particular responsibility for functions to Council Assembly, for approving the budget and policy framework, and to the Executive, 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 reserved to Executive (i.e. housing, social services, regeneration, environment, education etc) can not be decided upon by Council Assembly without prior reference to the Executive. While it would be in order for Council Assembly to discuss an issue, consideration of any of the following should be referred to the Executive:

- To change or develop a new or existing policy
- To instruct officers to implement new procedures
- To allocate resources

1. MOTION FROM COUNCILLOR TOBY ECKERSLEY (seconded by Councillor William Rowe)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'That the Council is of the view that the Government's policies with regard to electoral arrangements do not strike the right balance between increasing turnout and maintaining confidence in the electoral process. The Council therefore has sympathy with the views expressed by Councillor John Hemming (Leader, Liberal Democrats, Birmingham) on the increased risks of fraudulent voting resulting from moves away from voting at polling stations, (Local Government First, 12th October 2002) and requests the Chief Executive to enquire into the progress of Councillor Hemming's expressed intention to initiate judicial review of this matter, and report back to the Executive.'

CONCURRENT REPORT FROM THE BOROUGH SOLICITOR AND SECRETARY

The Electoral Commission was established as a new public body in November 2000 and issues guidance and policy statements on electoral matters. One of its statutory obligations is to keep under review, and from time to time submit electoral reports to the Secretary of State on matters relating to elections.

After the Commission's evaluation of the administration of the 2001 General Election, it identified problems in relation to the public perceptions about postal voting fraud, as compared to the actual reported levels of fraud; a general lack of public awareness of the availability of postal voting on demand and other matters relating to the administration of postal voting. The Commission concluded that there is no case for reversing the extension of postal voting on demand, but did comment that attention must be focused on streamlining the administration of the current postal voting arrangements and to provide sufficient safeguards against fraud.

The Commission has just undertaken a consultation exercise on a review of Absent Voting in Britain. It is its stated aim to publish the findings early in 2003.

The Borough Solicitor (and Acting Returning Officer) will seek information from Birmingham on any action it may take in regard to the stated intention of the Electoral Commission, or any other findings.

2. MOTION FROM COUNCILLOR DAVID BRADBURY (Seconded by Councillor Toby Eckersley)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'This Council notes that Southwark was rated weak on the Comprehensive Performance Assessment in contrast to some other inner London authorities,

such as Kensington & Chelsea, Wandsworth, and Westminster which were rated excellent, despite having a lower Council Tax than Southwark; and calls on the Executive to instruct officers to approach those other authorities with a view to learning lessons from them that will help Southwark address the recommendations of the CPA report.'

CONCURRENT REPORT FROM THE CHIEF EXECUTIVE

We are committed to fast-tracking improvement across the organisation.

To that end the Chief Executive has been for the past year leading an 'Improving Southwark' programme aimed at making the Council more effective and raising the standards of services provided. This programme has focussed on a range of themes and activities:

- Leadership/vision
- Resource management
- Learning and development
- Communications

Chief Officer's have led senior manager working groups on these themes and are due to produce this month action plans which can be incorporated in to a wider improving Southwark programme.

In addition to learning lessons from our own improvement work we do recognise we need to tap into the experience and learning of other authorities and organisations. Therefore we are proposing to establish a performance partnership with the City of Westminster to ensure that we learn from a high performing authority with similar social and geographic characteristics, plus other suitable Councils.

3. MOTION FROM COUNCILLOR WILLIAM ROWE (seconded by Councillor Kim Humphreys)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'Council notes that South London has a disproportionately high share of badly performing bus routes and in particular that routes 322, 185 and 3 through Southwark are three of the worst five routes in London.

Council Assembly requests the Executive to instruct officers to consult with the bus companies on measures to reduce delays and to bring forward a plan to achieve substantially improved performance on the 322, 185, 3 and other poor performing routes within the next year.'

CONCURRENT REPORT FROM THE STRATEGIC DIRECTOR OF REGENERATION

Travellers moving within or through the London Borough of Southwark rely heavily on bus services due to the lack of underground facilities servicing the southeast of London. Very high bus usage places strain on existing facilities necessitating improvement over time. Transport for London recognise the

demand for bus travel within Southwark and provide the borough with funding through the London Bus Initiative and the London Bus Priority Network to improve poorly performing routes.

Improvements to the Route 185 including new bus lanes, waiting and loading restrictions, greater enforcement and better bus stop facilities are nearing completion. This, coupled with a new service operator (to replace the previous operator that declared bankruptcy last year), should provide a more reliable and faster bus service.

Route 3 has also been identified as a route that requires improvement. As such funding has been made available through the London Bus Priority Network (LBPN). Junction improvements to give bus priority and increase pedestrian safety have been designed for the route and are programmed for construction in the first quarter of the 2003/2004 financial year. Improvements to bus stops, including bus buildouts are being carried out presently. These are aimed at reducing traffic delays to the service, while providing for better passenger access and comfort while waiting.

Route 322 only enters the borough for approximately 500m before terminating at Elephant and Castle. As such, it is not on Southwark's programme for bus priority improvement. However, the London Borough of Lambeth is currently investigating its operation.

Regular meetings take place between London Buses Ltd and Southwark. Representations will continue to be made through these for improvement to all bus services borough wide.

4. MOTION FROM COUNCILLOR KIM HUMPHREYS (seconded by Councillor Lewis Robinson)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'Council notes

- i) the overall performance of primary schools in Southwark;
 - ii) the comments of David Bell, OFSTED Chief Inspector of Schools (The Times, 27th November 2002) that "too many teachers were unclear about how best to teach the basics of reading and writing"; and
 - iii) the relatively good performance of many Voluntary-Aided schools;
- and requests an urgent report from the Executive and/or the relevant Scrutiny body, and/or WS Atkins on
- a) why the substantial increases in resources per pupil over the last four years have not achieved the desired results;
 - b) what lessons can be learned from teaching methods in the Voluntary-Aided schools together with comparative value-added analysis; and
 - c) what remedial steps are proposed.'

CONCURRENT REPORT FROM THE STRATEGIC DIRECTOR OF EDUCATION AND CULTURE

a) Increases in resources

Increases in resources per pupil over the last four years have followed the pattern below:

Allocation of Resource				
	1999	2000	2001	2002
Primary per pupil	£2280	£2570	£2765	£2927
Total Primary Budget	£51.8m	£60.5m	£64.7m	£68.5m

Although this shows an increase over each of the four years, there have been significant factors which have affected the schools' decisions on allocation and usage.

- Repairs and Maintenance

Many schools have made management decisions to spend on buildings in order to improve or in many cases just to maintain the environment.

- Recruitment and Retention

This is the most significant area. Schools have had to offer significant increases in salaries particularly for headteachers and other senior managers in order to recruit successfully. In addition there have been very substantial increases in supply costs caused both by having to employ supply teachers where recruitment has not been successful and to cover absence through sickness. In many schools these costs have been very high and have meant that a disproportionate amount of the budget has had to be allocated to staffing.

Analysis shows that there is not a clear pattern across the borough. Schools in similar contexts and situations perform in a variety of ways. There are schools which are very successful in both recruiting and retaining staff. In these schools sickness and absence rates also tend to be lower. Further work will be undertaken to identify the key factors which make these schools more effective and to disseminate the practice. Initial work suggests that factors such as strong leadership, clear policies and processes for whole school issues and a commitment to continuing professional development have a major impact.

b) Value-added analysis of Primary Schools including Voluntary Aided

Of the 70 primary schools in the Borough 21 are Voluntary Aided. (30%)
Analysis of value added data from Key Stage 1 to Key Stage 2 shows that:

- 35% of the top 20 performing schools are Voluntary Aided.
- 30% of the bottom 20 performing schools are Voluntary Aided.
- 20% of the mid 40 school are Voluntary Aided.

Currently, of the five schools in Special Measures, two (40%) are Voluntary Aided.

This demonstrates there is no reliable statistical evidence showing any performance differences between types of school.

Teaching methods in these schools are not different. Effective teaching and unsatisfactory teaching is evident in all types of school as evidenced by Local Authority Advisory staff and OFSTED inspectors.

c) Remedial Steps

National Literacy Strategy - Training Priorities 2002-03

Continued focus on the teaching of writing

Extending training in *Grammar for Writing* to more Key Stage 2 teachers and in *Developing Early Writing* to Key Stage 1 and Foundation Stage teachers and practitioners, use of Writing Fliers and associated material, and other writing training.

1. Grammar for Writing: One day training in Autumn 2002, repeated in Spring 2003 – open to all teachers in KS2 who have not yet attended, including NQTs and teachers new to KS2
2. Developing Early Writing: One day for year ½ teachers in Autumn 2002, one day for year R teachers in Spring 2003
3. Raising attainment in writing for pupils learning EAL – new one day course – Autumn 2002

Consultants will undertake follow-up work in intensive schools

Continued training in *Progression in phonics and Spelling bank*.

1. Progression in Phonics: One day in Autumn 2002, repeated in Spring 2003 for KS1 teachers
2. Phonics in the Foundation Stage – One day in Autumn 2002
3. Phonics and spelling in KS2 – One day in Spring 2003

Consultants will undertake follow-up work in intensive schools

Special schools invited to attend training where appropriate. School based training offered as an alternative.

Improving leadership and management through continuing support for headteachers and literacy co-ordinators (including a one-day conference (or equivalent) for all literacy and mathematics co-ordinators (also provided in National Numeracy Strategy).

1. Termly headteachers' briefing (half day each term)
2. One day conference for literacy co-ordinators, Summer 2002 and Spring 2003, joint conference with numeracy Autumn 2002 – all open to LAIs
3. Co-ordinators' task group meeting, Autumn 2002

Providing further Literacy Support training (FLS) for a Year 5 teacher and teaching assistant from each school

1. 5 x 2 day courses (3 in Summer 2002 and 2 in Autumn 2003)
2. Briefing for LAIs/SEN Summer 2002
3. Half day training for SENCos/literacy co-ordinators Autumn 2002

Consolidation and expansion of Early Literacy Support (ELS) and Additional Literacy (ALS) including promotion of adequate provision for 'Wave 3' pupils (in collaboration with SEN services).

1. ELS training – 2 courses in Autumn 2002
2. ALS training – 1 course in Autumn 2002
3. Wave 3 plans still under consideration

Improving the teaching of Guided Reading

1. One day training on reading comprehension and pupils learning EAL at KS2 Spring 2003. Extend this training to ensure maximum benefit for more able pupils (i.e. those working towards level 5)
2. One day session on shared and guided reading at KS1 – Spring 2003
To be a focus of some 'Leading' teacher demonstrations

Other training to embed and disseminate good practice

A variety of strategies, including networks, training for supply, overseas qualified and/or returning teachers, NQTs, Y6, transition, booster classes, speaking and listening, Foundation Stage, more able pupils, improving planning, guided work, plenaries, independent work, use of ICT, cross-curricular links etc.

1. Extend this year's year 6 programme into year 5 – 2 days training and consultant follow up support (includes booster training) – Autumn 2002 to Spring 2003 – additional focus: preparing pupils for level 5
2. One day induction courses for overseas/supply teachers – termly – identified by schools or through LEA where recruited centrally
3. Literacy sessions as part of TA induction course
4. New advanced course for TAs to train them in all the catch up programmes – literacy and Numeracy (accredited) – Autumn 2002 and Spring 2003
5. Literacy sessions as part of NQT induction programme – Autumn 2002 and Spring 2003
6. Training for learning mentors as part of EiC (Excellence in Cities)
7. Phonics in the Foundation Stage
8. Training in English SATs at KS1 and KS2 as part of assessment programme, including focus on preparing pupils for level 3 at KS1 and level 5 at KS2
9. One day session on speaking, listening, drama and role-play
10. Literacy and ICT

Flexible training: Some of these courses will be offered as 'cluster' INSET days, for all staff from up to four schools on regular INSET days.

Targeted support and dissemination

Plans for building local capacity, particularly through literacy expert teachers and headteachers, to maximise training and development opportunities for all teachers, giving specific consideration to those heads and teachers who have received little or no previous support.

1. There is a strong and able team of 21 leading teachers in schools and one leading English Co-ordinator. The programme has been well received and the uptake good over the last year. As well as demonstration days, several leading teachers contribute to training sessions. This will be extended this year, so that leading teachers have a more significant role in training. A small number of leading teachers also provide support with planning to targeted teachers in schools causing concern. Evaluations of the leading teachers by teachers and headteachers have been very positive. This year their role has been mainly to support the LEA work on improving the teaching of writing and phonics. In 2002-2003 we intend to extend this to focus on guided reading as well as writing.
2. Support is targeted at intensive schools. The work of leading teachers is managed by the literacy consultants. This ensures a high level of co-ordination. Supply cover is used to enable targeted staff from intensive schools to visit appropriate leading teachers. These visits are carefully matched by consultants. The programme is also open to non-intensive schools and provides a useful support to schools not receiving support from consultants. Leading teachers attend regular training days (termly) to ensure that they are familiar with any new NLS materials and to aid co-ordination. One training session will be devoted to preparing pupils for level 5, so that leading teachers can discuss pupils working at this level during their demonstration days.
3. Owing to time constraints on consultants this year, monitoring of the leading teacher programme has been limited. Evaluations and action plans from visiting teachers, as well as weekly planning undertaken on the demonstration days are all collected centrally and reviewed. In intensive schools consultants have been able to monitor the impact of a visit by working with the teacher concerned. In some cases the impact of the visit to a leading teacher has been considerable, especially where the visit has followed attendance at training. However, few demonstration days have been visited. This will be a priority in 2002/3 and there will be a rolling programme to monitor every leading teacher by visiting a demonstration day.
4. Intensive support will be provided for approximately 25 schools during 2002-2003. Schools are identified from consideration of a range of factors. The main factor is the school's results in the end of KS tests over the last three years. The analysis of results identifies schools with low results, with a downward or unstable trend, with poor results in writing or with identifiable underachieving groups, such as boys or African Caribbean pupils. Other factors taken into account are the school's targets for 2002/2003, whether or not the school has received support in the previous two years and evidence from LAI visits. Once identified, schools are classified as intensive, medium or light support and receive up to 12, 9 and 6 days support respectively. The level of support is reviewed termly and schools may be moved from one category to another. All schools are entitled to two half-day visits from a consultant or adviser during the year. The focus of training and support is planned termly with each school, dependant on need. However, in most schools support begins with the analysis of pupil scripts and test papers,

setting of curricular targets and action planning. This enables support to be well matched to areas of identified weakness. LAIs are very closely involved in planning the work of consultants in schools causing concern. Each of these schools has an action plan, written by the LAI in consultation with the headteacher and the consultants. The action plan includes attainment targets. The impact of the support in each of these schools is monitored termly by the Senior Adviser with responsibility for schools causing concern and the English Adviser. In addition there is close liaison between the LAIs and consultants over intensive schools. Consultants' visit reports are received by the LAI responsible for the school. Where necessary (i.e. particularly where a school is not making sufficient progress) consultants and LAIs will communicate at the weekly advisory service meeting, by phone or e-mail.

Quality Assurance and Impact

The consultants' work is monitored through:

- Fortnightly meeting between consultants and NLS line manager
- Termly meeting between Senior Adviser with responsibility for schools causing concern and NLS line manager
- Termly meeting between LAI and Headteacher

The impact of the consultants' work is evaluated by:

- School's SATs results
- Monitoring visits by the LAI and other advisers to make judgements about quality of teaching – usually twice a year or termly in intensive schools
- Discussion with headteachers about quality and impact of consultants' work

Support for those schools, which have *not* been identified for more intensive support (in addition to activities outlined in areas 1 and 2 above)

- Entitlement to up to two half day sessions from a consultant
- All LEA training open to all schools
- Leading teacher programme open to all schools

In addition to the actions outlined above, further direct action is outlined within the following plans.

- Action Plan to support overall improvement at Key Stage 2 by 2003.
- Action Plan to support improvement in the attainment of African Caribbean Pupils.

5. MOTION FROM COUNCILLOR JOHN FRIARY (seconded by Councillor Paul Bates)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'That Council Assembly condemns the comments of the Executive Member for Community Support and Safety who stated that Southwark Police are "...illogical, inconsistent and apparently motivated by institutional homophobia."

This Council Assembly believes that these comments are extremely damaging to the excellent relationship that has been developed between

the Council and Southwark Police and that it will have a detrimental effect on work currently taking place to reduce crime in the borough.

It is for that reason that this Council Assembly agree a vote of no confidence in the Executive Member for Community Support and Safety and disassociates itself from the comments that he has made.'

6. MOTION FROM COUNCILLOR JEFF HOOK (seconded by Councillor David Hubber)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'That, in order to ensure that Council resources are not misused, either knowingly or in error, and to remove all doubt as to what constitutes an abuse of resources for party political purposes, this Council agrees that clear guidance should be given as soon as possible to all Members and their support staff.'

CONCURRENT REPORT FROM THE BOROUGH SOLICITOR AND SECRETARY

The Council has already adopted a Member/Officer protocol which provides [in paragraph 6] that:

"The role of Officers is to assist Members in discharging their role as Members of the Council for Council business and in their role as advocates for local communities. Officers should not be used in connection with party political campaigning or for private purposes, and this includes the support offered by political assistants. Council resources (e.g. stationery and photocopying) may only be used for Council business or where such use may be seen as calculated to facilitate, or is conducive or incidental to, that role"

This needs to be read in conjunction with the Code of Conduct for Members and in particular paragraph 8. This provides that:

"A Member must, when using or authorising the use by others of the resources of the Authority -

- (i) act in accordance with the Authority's requirements; and
- (ii) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Authority or of the office to which the Member has been elected or appointed. "

There is also further guidance on the use of the Council's resources in relation to publicity which is contained in the Local Government Act 1986 supplemented by a Code of Recommended Practice [Circular 20/88]. All of these documents have been circulated and are found on public folders on the Intranet.

However, advice concerning the interpretation of these Codes and legal requirements does need refreshing from time to time. Currently some matters

have been referred to the Borough Solicitor for guidance and this is being given. However, the suggestion that the Council Assembly reconsiders these issues is welcome. The proper course of action would be to seek guidance from the Monitoring Officer and Standards Committee which could be reported to full Council Assembly at its next meeting on 26 March 2003.

7. MOTION FROM COUNCILLOR LISA RAJAN (seconded by Councillor Gavin O'Brien)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'Council notes the problem of fly-tipping in Southwark and the limited powers available to local authorities in dealing with this problem.

Council notes further that the Environment Agency, but not Southwark Council, has the power to stop vehicles carrying spoil and to demand to see their waste transfer license.

Council calls on the Government to give local authorities the same powers as it currently gives to the Environment Agency so that councils can effectively tackle this aspect of environmental crime.'

CONCURRENT REPORT FROM THE STRATEGIC DIRECTOR OF ENVIRONMENT

(Report to follow)

8. MOTION FROM COUNCILLOR KENNY MIZZI (seconded by Councillor Toby Eckersley)

Please note that in accordance with Council Procedure Rule 3.9 (3), this motion shall be considered by Council Assembly.

'Council notes the recent Comprehensive Performance Assessment results and the need to learn from excellently-rated Councils of similar type, especially those in London with a lower level of Council tax; and requests the Executive, with particular reference to paragraphs 8, 10, 12 and 19 of its terms of reference, to report to Council Assembly, no later than its submission of the proposed budget for 2003/04, on its medium-term proposals for information-sharing with such other authorities and on the extent to which such exchanges have influenced the budget proposals for 2003/04.'

CONCURRENT REPORT FROM THE CHIEF EXECUTIVE

As mentioned in the Concurrent Report to motion No.2, the Council is committed to tapping into the experience and learning from other authorities, especially those recently recognised by the Audit Commission as performing excellently.

Senior finance officers from the Council meet regularly with their colleagues in other London boroughs to share information and experience. The local government

settlement and the proposals for passporting Education, for obvious reasons, have been the areas of greatest interest across London, in recent months.

Work is currently being undertaken to compare Southwark's performance with Wandsworth, Westminster and Camden using Best Value Performance Indicators and other comparable indicators. All three Councils have been rated excellent, Wandsworth and Westminster achieving this rating with low Council taxes and Camden achieving this rating with a higher Council tax than Southwark. The results of the comparison will be made available to members prior to Council Assembly's consideration of the Council's budget for 2003/04.

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Background Papers

Original Motions

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