

Council Assembly (Ordinary)

Wednesday 8 July 2015
7.00 pm
Council Offices, 160 Tooley Street, London SE1 2QH

Councillors are summoned to attend a meeting of the Council to consider the business contained herein

Eleanor Kelly
Chief Executive

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

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Date: 26 June 2015



Council Assembly (Ordinary)

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Council Offices, 160 Tooley Street, London SE1 2QH

Order of Business

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	PART A - OPEN BUSINESS	
1.	PRELIMINARY BUSINESS	
1.1.	ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE	
	To receive any announcements from the Mayor, members of the cabinet or the chief executive.	
1.2.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT	
	In special circumstances an item of business may be added to an agenda within seven working days of the meeting.	
1.2.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.	
1.3.	APOLOGIES FOR ABSENCE	
	To receive any apologies for absence.	
1.4.	MINUTES	
	To approve as a correct record the open minutes of the council assembly meetings held on 25 February, 25 March and 16 May 2015 (to be circulated separately).	

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2.	ISSUES RAISED BY THE PUBLIC	
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2.2.	PUBLIC QUESTION TIME	
	The deadline for public questions is Midnight, Thursday 2 July 2015. Questions can be emailed to constitutional.team@southwark.gov.uk .	
	Questions from the public will be distributed in a supplemental agenda.	
3.	THEMED DEBATE - SCHOOLS, STANDARDS AND PLACES	
3.1.	COMMUNITY EVIDENCE	
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	Submissions from the public will be distributed in a supplemental agenda.	
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	Deputation requests will be distributed in a supplemental agenda.	
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7.	OTHER REPORTS	
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7.2.	TREASURY MANAGEMENT PERFORMANCE - 2014/15 ANNUAL REPORT AND PRUDENTIAL INDICATORS FOR CAPITAL FINANCE AND TREASURY MANAGEMENT	85 - 94
	Council assembly to note the treasury management and in-year activity including the council's cash, borrowing, and supporting capital finance and treasury management prudential indicators.	
7.3.	CONSTITUTIONAL ISSUES 2015/16	95 - 122
	Council assembly to consider several constitutional issues referred from the constitutional steering panel.	
7.4.	APPOINTMENT OF INDEPENDENT PERSON	123 - 125
	Council assembly to approve the appointment of the two individuals as independent persons, as outlined in the closed report.	

8. AMENDMENTS

Any member of the council may submit an amendment to a report or motion on the agenda. The amendments will be circulated to all members in a supplemental agenda.

ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**EXCLUSION MOTION (IF NECESSARY)**

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

PART B – CLOSED BUSINESS**ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING****9. APPOINTMENT OF INDEPENDENT PERSON**

Date: 26 June 2015

Item No. 3.2	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Motion on the Theme: Schools, standards and places	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The theme for this meeting is schools, standards and places.

The relevant cabinet member shall submit a motion on the theme. All other political groups on the council are allowed to submit one amendment to the motion. The cabinet member's motion and the amendments do not need to be seconded. The cabinet member will present the motion to the meeting, followed by the lead opposition spokesperson's response and moving of their amendment. Following this the subject matter of the theme will be open to debate. Amendment(s) from other opposition groups on the council can be moved during this part of the meeting.

MOTION FROM COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR CHILDREN AND SCHOOLS

Council assembly:

1. Welcomes the good progress being made by the council in keeping pace with the increased demand for primary and secondary school places and in driving up standards for educational achievement.
2. Recognises the incredible work of Southwark schools, where results and performance are rising and scores continue to be above the national average.
3. Recognises the work that this administration has done to create new school places within the challenging context of the government's free schools programme, working with communities and providers to open new schools that parents want in areas of high demand.

Standards

4. Council assembly welcomes the increase in the number of schools in the borough that are rated either Good or Outstanding, which has risen to 91%, from 64% in 2010, with no schools in Southwark rated inadequate.
5. Council assembly notes that:
 - Southwark's performance is higher than the national and London averages at foundation stage and is narrowing the gap with London average for Key Stage 1 performance
 - Southwark ranks in the top quartile nationally for Key Stage 2 results
 - Southwark is in the top quartile nationally for GCSE results and was ranked joint 20th in the country, an improvement of 43 places since 2013
 - Southwark is one of the most improved and high performing London boroughs at secondary level and continues to outperform other neighbouring boroughs in results at GCSE, English Baccalaureate and A Levels.

6. Council assembly applauds Southwark secondary schools for record levels of improvement achieved in GCSE results and calls on cabinet to continue supporting schools and protecting school improvement work in the face of vicious government cuts, to achieve even more and meet the council's ambitious target of 70% of our young people achieving five or more A* to C grades at GCSE or equivalent by 2016.

Places

7. Council assembly recognises that demand for school places in Southwark, particularly in the north of the borough, continues to rise. Following the Liberal Democrats' admission that there was a 'school places crisis' when they ran the council, Council assembly welcomes the steps taken by this administration to ensure additional school places to meet this demand.
8. Council assembly calls on the cabinet to continue the practice of the last five years of expert and well researched places planning, and investment in high quality education facilities in popular, well performing schools.
9. Council assembly welcomes the work undertaken by the council to create 1,690 additional primary school places since 2010 and commends the current expansion programme, and the two new free school projects Belham and Galleywall, which will provide additional school places to meet forecast demand for September 2016.
10. Council assembly also welcomes the council's work to assist and facilitate expansion in oversubscribed secondary schools and to open a new Charter School in East Dulwich. Council assembly calls on cabinet to work with the community and providers to open an outstanding secondary school on the former Southwark Fire Station site, to meet demand for secondary school places in the north of the borough.
11. Council assembly believes that there should always be a requirement to consult with parents about the school their child is attending. Council assembly therefore condemns the proposals in the Education and Adoption Bill, which will scrap the requirement for academy sponsors to consult locally on whether they should take over schools. Council assembly calls on cabinet to challenge the government to explain what possible benefits there are in forcing a school to go through the academy process at the moment they are rated inadequate, when local experience in Southwark shows that intensive support from a local authority can help a struggling school get back on track.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet member's motion	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Lesley John, Constitutional Officer
Version	Final
Dated	24 June 2015

Item No. 5.1	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Members' Question Time	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

Members' question time shall not exceed 30 minutes. During this time, members may not question any one cabinet member or committee chair for longer than fifteen minutes.

Members are limited to one question at each meeting. One councillor from each community council will be able to submit a question on behalf of their community council.

Questions to the leader will be taken first, followed by question from community council councillors followed by questions to other cabinet members. The order in which the different political groups ask questions of the leader will be rotated. Questions to cabinet members will also be rotated. The order of portfolios will be rotated at each meeting such that the two cabinet members answering questions immediately after the leader will be the last cabinet members to answer any questions at the next meeting of council assembly. The rotation is in line with decisions of council assembly in July 2014 and rotations circulated by the proper constitutional officer in April 2015.

Cabinet members and committee chairs have discretion to refer a question to another cabinet member.

Responses to members' questions will be circulated on yellow paper around the council chamber on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other cabinet members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

Notes:

1. The procedures on members' questions are set out in council assembly procedure rule 2.9 in the Southwark Constitution.
2. In accordance with council assembly procedure rule 2.9 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.
3. A question from a community council must have been previously considered and noted by the relevant community council (CAPR 2.9.2).

1. QUESTION TO THE LEADER FROM COUNCILLOR RADHA BURGESS

What impact does the leader believe the recent decision by the government to slash £200 million of public health funding for local government will have in Southwark?

2. QUESTION TO THE LEADER FROM COUNCILLOR JAMES OKOSUN

What progress has there been implementing the recommendations of the Childcare Commission so far?

3. QUESTION TO THE LEADER FROM COUNCILLOR KIERON WILLIAMS

Can the leader give an update on the progress being made to deliver the administration's ambitious pledges set out in the council plan?

4. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

Can the leader update councillors on what the council is doing to ensure co-ordinated action on education and training for jobs, and on proposals for the old Southwark College site on Drummond Road?

5. QUESTION TO THE LEADER FROM COUNCILLOR EVELYN AKOTO

Can the leader give an update on the council's free swim and gyms pilot for older and young people in Southwark?

6. QUESTION TO THE LEADER FROM COUNCILLOR JAMES BARBER

Can the leader explain why the council's new policy to prohibit and restrict payday lenders and pawnbrokers does not also prohibit and restrict fast food takeaways close to schools?

7. QUESTION TO THE LEADER FROM COUNCILLOR ELEANOR KERSLAKE

Can the leader explain what the council is doing to ensure that Southwark residents are able to make the most of employment opportunities arising from regeneration and construction schemes in the borough?

8. QUESTION TO THE LEADER FROM COUNCILLOR ELIZA MANN

What action is the council taking to reduce the number of empty homes in the borough following the motion agreed by council assembly in January?

9. QUESTION TO THE LEADER FROM COUNCILLOR KATH WHITTAM

Southwark was recently officially recognised by the World Health Organisation as the only London community in its Global Network of Age-Friendly Cities and Communities. What will this recognition mean for the council's Age Friendly work?

10. QUESTION TO THE LEADER FROM COUNCILLOR DAMIAN O'BRIEN

What is the leader's response to the recent article in Southwark News by the local Greater London Authority member which stated that the Bakerloo Line extension should only have one branch?

11. QUESTION TO THE LEADER FROM COUNCILLOR BILL WILLIAMS (BERMONDSEY AND ROTHERHITHE COMMUNITY COUNCIL)

Will the leader of the council explore the allocation of council staff parking permits across the borough and whether it is being abused?

12. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR KIERON WILLIAMS (CAMBERWELL COMMUNITY COUNCIL)

Can the council advise as to progress on the extension of the Bakerloo Line to Camberwell?

13. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR MARTIN SEATON (BOROUGH, BANKSIDE AND WALWORTH COMMUNITY COUNCIL)

What plans does the council have to improve planning, housing and regeneration policy to ensure easier access to information on progress, better access to opportunities for local people, and better standards by developers in employment?

14. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR JOHNSON SITU (PECKHAM AND NUNHEAD COMMUNITY COUNCIL)

Can the cabinet member for regeneration and new homes give the Peckham and Nunhead community council an update on the current progress of the Peckham square co-design?

15. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM FROM COUNCILLOR JON HARTLEY (DULWICH COMMUNITY COUNCIL)

Could the cabinet member for environment and the public realm please provide an update on the consultation and implementation of the one hour free parking at shopping parades in the borough?

16. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR BEN JOHNSON

What discussions have there been between Notting Hill Housing Trust and the council about affordable housing levels in The Exchange development at Bermondsey Spa?

17. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR DAVID HUBBER

Given the increasing pressure to permit redevelopment in the borough by demolishing much-loved buildings, can the cabinet member confirm that it is still the council's intention to produce a schedule of locally-listed buildings where they are not listed nationally and, if so, when this will be adopted?

18. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR REBECCA LURY

Can the cabinet member tell me what the council is doing to protect local historic pubs for community use?

19. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR ANDY SIMMONS

Can the cabinet member give an update on the progress of the council's plans to build 1,500 new council homes by 2018?

20. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR SARAH KING

Can the cabinet member give an update on the council's campaign for the Bakerloo line extension?

21. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR ADELE MORRIS

How much does the council currently have in pooled affordable housing contributions and how much does it expect to receive in the next five years from developments with planning consent?

22. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR LISA RAJAN

What is the latest spend on the security fence and security staffing/policing for the Aylesbury estate regeneration scheme?

23. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR MAISIE ANDERSON

Can the cabinet member confirm how the council is supporting local people into employment through the Elephant Park regeneration?

24. QUESTION TO THE CABINET MEMBER FOR REGENERATION AND NEW HOMES FROM COUNCILLOR NICK DOLEZAL

Can the cabinet member give an update on the council's online planning portal and whether it is improving public access to the planning process?

25. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR BUSINESS, EMPLOYMENT AND CULTURE FROM COUNCILLOR MARTIN SEATON

Can the cabinet member give an update on the progress of the Southwark business forum?

26. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR BUSINESS, EMPLOYMENT AND CULTURE FROM COUNCILLOR JASMINE ALI

Can the cabinet member give an update on the work of the Southwark Employment Enterprise Development Scheme in supporting business growth and reducing youth unemployment in Southwark?

27. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR BUSINESS, EMPLOYMENT AND CULTURE FROM COUNCILLOR CHARLIE SMITH

What has the public reaction been to the new sculpture in Dulwich Park?

28. QUESTION TO THE CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE FROM COUNCILLOR ROSIE SHIMELL

How many times has the council failed to provide an answer to freedom of information requests within the legal timeframe in each year since May 2010?

29. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND PUBLIC REALM FROM COUNCILLOR DAVID NOAKES

Can the cabinet member tell us about progress on improving the pedestrian crossings along Borough High Street at the junctions with St. Thomas Street/ Newcomen Street/Marshalsea Road/Great Suffolk Street?

30. QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND PUBLIC REALM FROM COUNCILLOR HAMISH McCALLUM

Can the cabinet member update us on discussions with Transport for London on expanding the London Cycle Hire Scheme further into Southwark?

31. QUESTION TO THE CABINET MEMBER FOR HOUSING FROM COUNCILLOR MARIA LINFORTH-HALL

What steps is the council taking to reduce the record number of Southwark homeless applicants being placed outside London?

Item No. 5.2	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		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 ANOOD AL-SAMERAI (Seconded by Councillor David Noakes)

Save Southwark woods

1. Council assembly notes the challenges in finding new graves in the borough and understands that the council's focus has primarily been on securing sustainable burial space.
2. Council assembly recognises the consultation held on the burial strategy in 2011, but has the following concerns about the process:
 - the consultation focused on Honor Oak Recreation Ground, not the disputed woodland in Old and New Cemeteries, and the majority of respondents were Lewisham residents.
 - there was insufficient consultation with those who plan to be buried in the borough or their families.
 - the consultation failed to highlight the potential impact of new grave sites on existing woodland and the word 'trees' only appears once in the 2011 report.
 - there were no consultation responses from people of religions other than Christian.
 - there were no precise costs or estimates of the number of trees to be felled.
 - the consultation was conducted too far in advance of the current implementation - Southwark has a high population turnover and many residents near the cemeteries will be new.
3. Council assembly notes that the existing plans to provide over 2,000 new graves will affect existing woodland negatively and that while Southwark has excellent maintained parks, there are few natural woodland areas.
4. Council assembly also notes that The Camberwell Old Cemetery woodland is a Grade 1 site of borough importance for nature conservation and councillors have a duty to protect heritage and nature for future generations.
5. Council assembly recognises there is no legal obligation for the council to provide burial space within the borough and that 9 out of 13 inner London boroughs have no plans to create new graves.
6. Council assembly further notes that the new graves for Southwark residents could be provided at Kemnal Park, as Tower Hamlets council has done recently.
7. Council assembly therefore calls for:
 - a review of the existing cemeteries strategy by the relevant scrutiny committee to investigate the direct effects on woodland and whether there are more cost-effective and less harmful alternatives.
 - all councillors involved in the scrutiny process to visit the woodland.
 - a new consultation exercise to explore how to protect and enhance the woodland and wildlife in this area and to ask specifically whether new burial spaces should be provided within the borough.

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

2. MOTION FROM COUNCILLOR LUCAS GREEN (Seconded by Councillor Tom Flynn)

Right to Buy

1. Council assembly welcomes this administration's commitment to building 11,000 new council homes to meet growing demand for affordable housing in the borough, with the first 75 of these new homes recently being built at Willow Walk.
2. Council assembly notes however that the council's ambitious house-building programme is at serious risk from the government's right to buy proposals, which could lead to up to 500 council homes a year in Southwark being sold, as well as forcing the sale of new council homes as soon as they are built.
3. Council assembly believes these proposals will have a devastating effect on council housing in Southwark and could effectively stop the local authority from building much-needed new council homes, particularly in the north of the borough.
4. Council assembly believes that at a time when London boroughs are facing a housing crisis, it is an utter disgrace for the 12,000 people on Southwark's housing waiting list for the government to force the sale of desperately needed council homes. Council assembly also believes that is wrong for council housing to be sold in London, where there is a massive housing shortage, to fund the sale of housing association properties outside the capital.
5. Council assembly calls on the cabinet to work with other London boroughs to lobby the government to reconsider these preposterous plans and to push for an exemption to new build homes, to ensure that the government's plans do not jeopardise the council's ambitious council house building programme.

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

3. MOTION FROM COUNCILLOR JAMES OKOSUN (Seconded by Councillor Maria Linforth-Hall)

Children missing from care

Council assembly:

1. Puts on record its concern about the issue of young people in Southwark and throughout London going missing from care, which can put already vulnerable people at further risk of exploitation, abuse or other serious harm.
2. Notes that in 2014/15 there were 249 recorded incidents of children going missing from care in Southwark.
3. Recognises that this is a complex issue and thanks council officers and care home staff who have been working to support young people in care and reduce the number going missing.
4. Also recognises that this is a problem that should be acknowledged and understood by all councillors in order to highlight the issue, work towards

reducing the number of recorded incidents in future years and ensure there is no complacency whatsoever where the welfare of looked-after children is concerned.

5. Welcomes the work done on this issue by politicians on all sides, including the 'Looked-After Children: Missing In Care' report by Caroline Pidgeon AM published in June 2015, which looked at the problem across London.
6. Calls on the cabinet to tackle the problem of children missing from care by monitoring each of the recommendations included in the corporate parenting committee's 'statutory guidance on children who run away or go missing from home or care.
7. Also calls on the cabinet to provide a quarterly update on children missing from care to all councillors, including the latest figures, and for these to be published on the council's website each quarter.
8. Asks the education and children's services scrutiny sub-committee to also monitor this issue on a regular basis.

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

4. MOTION FROM COUNCILLOR LEO POLLAK (Seconded by Councillor Catherine Dale)

Revitalising The Blue

Council assembly:

1. Believes that while high streets are at the heart of the economic and civic renewal of many of our neighbourhoods, the challenges of online competition, redeveloped shopping centres and prevalent retail uses that take money out of a neighbourhood mean that creative solutions are required for their future vitality.
2. Welcomes the investment Southwark Council has made through the Investing In Local Retail Environment (ILRE) and High Street Challenge programmes across the borough, including the improvements made to shop fronts and public realm at the Blue and Southwark Park Road and the support provided to help establish the Blue Bermondsey business improvement district.
3. Supports the Blue Bermondsey BID's efforts to drive new investment into the area in a way that directly benefits local people and welcomes the establishment of a "Commonplace" survey to identify what kinds of shops, stalls, attractions and general amenities local people want.
4. Notes that the balance of shops around the Blue and Southwark Park Road does not serve local residents well, with 4 betting shops, 8 fast food takeaways, and 12 general grocer/late night off licences in the immediate area.
5. Notes that the Southwark Park Road/Market Place town centre has a very high concentration of retail units under council ownership and management.
6. Calls on cabinet to develop a new lettings strategy or charter for the parade, in dialogue with the Blue Bermondsey BID, local residents and landlords, which takes a holistic view on the maximisation of revenue income from the parade by

creating over time the full variety of retail uses serving all parts of the local community and establishing the Blue as a cultural and retail destination for people in Bermondsey and beyond.

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

5. MOTION FROM COUNCILLOR BILL WILLIAMS (Seconded by Councillor Renata Hamvas)

Albion Primary School

1. Southwark faces a significant challenge in meeting the growing demand for school places across the borough. Council assembly therefore welcomes the redevelopment of Albion Primary School, which will provide new school facilities and enable the school to expand to add an additional class, providing education to more Southwark children.
2. Council assembly welcomes the leadership being provided by Albion Primary School in meeting the challenge of growing places and building an innovatively designed new school, which makes the best possible use of outdoor space.
3. Council assembly further applauds Albion Primary School for taking the brave decision to release a portion land on the site for housing, helping to meet the council's ambitious pledge to build 11,000 new council homes while also enabling the school to build a state of the art building with fantastic facilities.
4. Council assembly believes the redevelopment of Albion Primary will deliver a genuinely world class school for Southwark children, make a huge contribution to the regeneration of the area and provide high quality facilities for the local community.

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	Ian Millichap, Constitutional Manager
Report Author	Lesley John, Constitutional Officer
Version	Final
Dated	24 June 2015

Item No. 6.1	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Report back on motions referred to cabinet from council assembly	
Ward(s) or groups affected:		All	
From:		Cabinet	

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – TRAFFIC AND TRANSPORT INCLUDING CYCLING AND PUBLIC TRANSPORT

Cabinet on 17 March 2015 considered the following motion on the theme referred from council assembly on 26 November 2014 which had been moved by Councillor Mark Williams.

1. That a well resourced, well maintained and accessible transport system can improve the lives of our residents, expand economic growth, improve public health and make the borough a more pleasant place to live. Council assembly recognises the need for a robust transport policy that enables people to travel around the borough and access services as freely and easily as possible, while at the same time minimising the environmental impact of transport and making the borough a safer, cleaner, healthier and more attractive place to live.
2. That council assembly believes that transport policy should reflect an emphasis on public transport, including improving walking and cycling routes, increasing bus capacity and improving transport links for people living in outreach areas of the borough, who are currently poorly served by National Rail.
3. That council assembly recognises the key role played by the council in promoting and encouraging sustainable forms of transport, such as walking and cycling, to improve health and air quality, and to improve the public realm, including streets, parks and open spaces.
4. That council assembly welcomes the progress made by the council to reduce traffic and encourage more environmentally friendly forms of transport. In particular, council assembly welcomes the launch of the new cycling strategy for consultation, which aims to both improve cycling experiences and increase the number of people cycling in the borough.

Economic growth

5. That council assembly recognises the potential for improvements in transport to unlock economic growth by increasing employment opportunities, opening up connectivity across the borough and improving links between Southwark and the rest of London.
6. That with a projected population increase of 19% over the next fifteen years, it is essential to ensure capacity and affordability of public transport in Southwark by

maintaining and improving the existing transport network, to ensure that those who live and work in the borough are able to make journeys as freely and easily as possible.

7. That council assembly recognises that significant public transport improvements are needed in parts of the borough which are currently under-served and in need of additional investment.
8. That council assembly fully supports Labour's campaign to extend the Bakerloo line south of Elephant and Castle and welcomes the cross party support for this campaign. Council Assembly welcomes that after more than 100 years since the extension was first proposed, a consultation is now being undertaken by TfL to consider options for the route.
9. That council assembly supports the expansion of the Bakerloo line to serve both Camberwell and the Old Kent Road and calls on Cabinet to continue pushing for a two-branch extension with Transport for London (TfL) and the Mayor of London and to push for a more ambitious timetable for the delivery of the Bakerloo line extension.
10. That council assembly calls on the cabinet to support small businesses in Southwark and encourage people to shop locally by supporting the small business Saturday campaign, including suspending parking charges to encourage people to shop locally.

Public health

11. That council assembly recognises the potential to improve public health through transport policy, by encouraging residents in the borough to make more active journeys walking and cycling. Council assembly believes that sustainable journeys should be prioritised and encouraged through transport policy.
12. That over 100 people in Southwark die prematurely each year from poor air quality. Council assembly supports the implementation of an Ultra Low Emissions Zone (ULEZ) in London, but believes that the current ULEZ proposal by TfL will not go far enough to improve air quality across the capital. Council assembly calls on the cabinet to press the Mayor and TfL to consider Labour's proposed revisions to the scheme, including widening the zone beyond the Central London Congestion Charge boundary, committing to levy increased charges for more polluting vehicles, introducing a scrappage scheme to provide targeted assistance to drivers and cleaning up the TfL bus fleet.
13. That council assembly welcomes the launch of the borough's new cycling strategy, which aims to increase the number and quality of cycling journeys made in Southwark. Council assembly welcomes the cabinet's commitment to more than double cycling in the next ten years by proving the infrastructure, education and information needed to get more people cycling. Council assembly also welcomes the fact that more money is being spent on cycling in Southwark than ever before, with £2 million funding committed for cycling over the next four years.
14. That council assembly calls on the cabinet to:
 - i) Continue investing in cycling, both to make roads safer and to promote cycling as a healthy mode of transport.

- ii) Invest in cycling infrastructure, including:
- Introducing new cycle routes
 - Closing off roads to motor vehicles to make routes more accessible for cyclists
 - Identifying areas where segregated cycle lanes could be introduced to improve cycle safety
 - Pressing TfL for an expansion of the cycle hire scheme.

Making the borough a more pleasant place to live

15. That prioritising sustainable modes of transport and designing roads and public spaces to be more pedestrian friendly has a positive impact on the public realm, making the borough cleaner, greener and a more attractive place for people to live and work.
16. That closing off roads to enable children to play outdoors can promote healthy activities and bring together the community in a positive way. Council assembly calls on the cabinet to continue to promote play streets, making it easier and safer for children to play outdoors in Southwark.
17. That council assembly welcomes the steps taken by the council to ensure we have a transport system that works for all, by improving disabled access and making Southwark an age friendly borough. Council assembly believes that significant access improvements are needed across the London transport system and welcome's the Mayor of London's recognition of the need for improved step free access in the London Infrastructure Plan. However, council assembly believes that the Mayor's commitment to step free access in two thirds of stations by 2050 is not sufficient, and calls on the cabinet to push the Mayor of London to commit to a more ambitious target of step free access across the London transport network by 2030.
18. That council assembly welcomes the council's ambitious step to become a 20mph borough, making Southwark a pioneering council in London committed to reducing road casualties and creating a more pleasant environment for people in the borough.
19. That council assembly recognises the potential for transport improvements to transform communities; making improvements to streets and public spaces by opening up areas and making them even better places to live, work and visit.
20. That council assembly welcomes the cabinet's commitment to transform the Elephant and Castle area through one of the biggest regeneration projects in London. Council assembly calls on the cabinet to work with TfL to deliver proposals to remove the northern roundabout and create a major new public space, to improve walking and cycling routes and to make the area feel cleaner and greener.
21. That council assembly welcomes the cabinet's commitment to transform the Old Kent Road, making it more pleasant for pedestrians and cyclists. Council assembly welcomes the designation of the Old Kent Road as an opportunity area, but recognises that the area is desperately in need of better public transport links. Council assembly calls on the cabinet to lobby the Mayor of

London for infrastructure improvements, improved public transport connections and the extension of the Bakerloo line to support the development of the area. Council assembly welcomes the consultation on options for the area.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – A FAIR DEAL FOR TENANTS AND LEASEHOLDERS

Cabinet on 17 March 2015 considered the following motion referred from council assembly on 26 November 2014 which had been moved by Councillor Hamish McCallum, seconded by Councillor James Okosun and subsequently amended.

1. That council assembly notes that:
 - i) This administration wants to make Southwark a place we can all be proud of. The council is committed to tackling the borough's biggest problems and making a real difference to the quality of life of local people. As the largest local authority landlord in London, our housing department has a key role in achieving this aim.
 - ii) The council provides a range of housing services to help make our residents' homes cleaner, safer and more modern and to keep neighbourhoods clean and safe. Estate cleaning and grounds maintenance is inspected every 6 weeks by housing officers and tenant representatives and performance is consistently good.
 - iii) Last year the council carried out 3,149 estate inspections, to ensure services are being provided to a good standard. 97% of estates were rated good or excellent. 99.98% of bin collections are done on time and in the last year the council carried out:
 - 99.6% of graffiti removals within 24 hours
 - 99.6% of fly tipping removals within 24 hours
 - 99.8% of dog fouling removals within 48 hours.
 - iv) This administration has driven up standards in repairs and is taking innovative steps to improve the quality of our services. Since 2010 satisfaction with repairs has increased from 72% to 82% and 82% of repairs are now completed right first time, 14% higher than 2010.
 - v) This administration wants to go even further than this to ensure high quality service. Council assembly welcomes the cabinet's commitment in the draft Council Plan to:
 - Introduce resident inspectors - putting residents in control of repair quality
 - Introduce deep cleaning of estates, to remove built up dirt and keep estates clean
 - Introduce an independent leaseholder management company to empower the local community to hold the council properly to account and ensure leaseholders know they are getting a fair deal.

- vi) The council's vision is to make Southwark's homes and neighbourhoods great places to live, where good quality services are delivered right first time. In many areas of the service the council does just that, but this administration is always looking for ways to improve the services that the council provides to our residents. When things go wrong the council will look at compensation on a case by case basis.
2. That council assembly believes that the council should continue to work with residents to improve services, rather than expecting residents to put up with poorer quality homes in exchange for compensation.
 3. That council assembly calls on the cabinet to prioritise getting things right first time and to continue to invest in improvements to ensure a high quality service is delivered to all residents.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – CAMPAIGN AGAINST HIGH STAKE GAMBLING MACHINES

Cabinet on 17 March 2015 considered the following motion referred from council assembly on 26 November 2014 which had been moved by Councillor Neil Coyle and seconded by Councillor Stephanie Cryan.

1. That council assembly reiterates its concern about the proliferation of high street betting outlets in Southwark which, like for many other London boroughs, is an issue of grave concern to the council and local residents.
2. That council assembly notes that there are more than twice as many betting shops in the poorest 55 boroughs compared with the most affluent 115, equivalent by population. Council assembly also notes the concerns of the Gambling Commission that fixed odds betting terminals (FOBTs) present a high inherent money laundering risk.
3. That council assembly regrets that despite this evidence that the most vulnerable are being targeted, the government has refused to act.
4. That council assembly condemns Liberal Democrat and Tory MPs, including government minister and local MP Simon Hughes, for voting against Labour's motion calling for local authorities to be given new powers to restrict the growth of FOBTs, despite publicly backing campaigns to curb high stakes gambling machines.
5. That council assembly notes that Labour's proposal have been welcomed by the Campaign for Fairer Gambling, which praised Labour for 'putting pressure on the government to take action sooner rather than later'.
6. That council assembly calls on the government to back Labour's proposals to enable local authorities to curb the growth of FOBTs and to establish a separate planning class for betting shops.
7. That council assembly calls on cabinet to work with The London Borough of Newham and other London councils to make a submission to the government

under the Sustainable Communities Act 2007 to reduce the maximum bet per spin on FOBTs in on street betting shops from £100 to £2, bringing them in line with other gambling machines.

8. That council assembly calls on Liberal Democrat MPs and government ministers, including Simon Hughes MP, to demonstrate their support for the campaign against high stake gambling machines by backing Labour councils' submission to reduce the maximum bet per spin on FOBTs and to introduce a separate use class for betting shops, instead of simply voting on the issue at an party conference that no one cares about.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – TOWNS AGAINST TAX DODGING

Cabinet on 17 March 2015 considered the following motion referred from council assembly on 26 November 2014 which had been moved by Councillor Karl Eastham, seconded by Councillor Sarah King and subsequently amended.

1. That council assembly believes:
 - i. Southwark as a local authority has a duty to provide the best possible public services.
 - ii. The council's ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
 - iii. All who benefit from public spending should contribute their fair share.
 - iv. The UK must take a lead role in creating a fairer tax system and combating tax dodging
2. That council assembly notes:
 - i. It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose three times more to tax dodging than they receive in aid each year - enough to give a basic education to the 57 million children currently missing out.
 - ii. The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.
 - iii. The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.
 - iv. Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.
3. That therefore council assembly calls on cabinet to support ActionAid's Towns Against Tax Dodging campaign and to support the motion:

“While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies, in developing countries and the UK.”

4. That council assembly notes the work of all parties in government to start to tackle tax avoidance since 2004.
5. That council assembly acknowledges that government action since 2010 has helped HMRC collect considerable additional tax revenue by:
 - Increasing the number of prosecutions for tax crimes
 - Closing tax loopholes
 - Improving tax data systems to reduce fraud
 - Collecting tax through deals with tax havens like Switzerland, Liechtenstein and the Channel Islands.
6. That council assembly agrees that because of the increasingly global nature of trading operations and finance, tax avoidance should most effectively be tackled at a national and international level.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – HEALTHY AND ACTIVE COMMUNITIES

Cabinet on 17 March 2015 considered the following motion on the theme referred from council assembly on 21 January 2015 which had been moved by Councillor Barrie Hargrove.

1. That everyone in our borough should have the opportunity to lead a healthy and active life. As a local authority Southwark Council is supporting local residents to be healthy and active by:
 - 1) Committing to make swim and gym use free for all Southwark residents in council leisure centres to ensure that that cost is not a barrier preventing people in Southwark from getting fit and healthy. This ground-breaking initiative will be particularly targeted at those who would benefit most from free swimming and gyms, including residents with ill health, children and young people, older people, and those with disabilities.
 - 2) Giving free healthy school meals to all primary school children in Southwark, despite four years of opposition from Liberal Democrat councillors, saving parents £340 a year for each of child, and extending free fruit to all primary school pupils as a healthy morning snack.
 - 3) Investing in our parks and open spaces and bringing even more of our parks up to green flag standards.

- 4) Delivering a cycling strategy to improve cycle take up and safety in the borough.
 - 5) Doubling the number of free NHS health checks to catch problems like heart disease and diabetes.
 - 6) Providing a wide range of sports provision, including:
 - Free accredited training for Southwark residents
 - Equipment grants for clubs and coaching courses to increase sport participation for young people
 - A wide range of disability sport opportunities and sportability grants to increase opportunities for disabled people in sport and physical activity
 - A large programme of older adult classes
 - Sports activities for women and girls
 - Free community sport hours at leisure centres and parks across the borough.
 - 7) Investing in sports infrastructure, including the state of the art BMX track in Burgess Park, reinstating Southwark Park athletics track, and new leisure centres at Elephant and Castle and Canada Water.
 - 8) Helping residents in Southwark to support each other to lead healthy and active lives, by working with partner organisations, including Volunteer Centre Southwark, Community Action Southwark and Southwark Arts Forum, to make it easier to volunteer and to encourage more people in Southwark to volunteer.
2. That there are a number of barriers that can prevent people from being healthy and active, including finance, time, work, ill health, disability or access to health, sport and leisure services. Council assembly welcomes this administration's work to remove these barriers and support our residents to become healthy and active. However, council assembly is concerned that the government is making it harder for people to be healthy and active by:
- 1) Overseeing an increase in GP waiting times, cancelled operations and delays in treatments.
 - 2) Hitting 3,500 families in the borough with the bedroom tax, making it harder to make ends meet and forcing people into debt for the first time.
 - 3) Imposing harsh welfare cuts and forcing huge increases in the number of families in Southwark relying on food banks.
3. That council assembly calls on the cabinet to continue doing everything possible to support local residents to be healthy and active members of the community and to remove the barriers currently preventing some residents from leading healthy and active lives.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – TACKLING EMPTY HOMES IN SOUTHWARK

Cabinet on 17 March 2015 considered the following motion referred from council assembly on 21 January 2015 which had been moved by Councillor Adele Morris, seconded by Councillor Ben Johnson and subsequently amended.

1. That council assembly:
 - 1) Notes the projected rise in the borough's population within the next twenty years and the need to ensure sufficient housing as part of the borough's housing strategy and the new Southwark Plan.
 - 2) Notes that Southwark has one of the strongest records in London for delivering new homes, with more affordable homes being delivered over the last 3 years than any other London borough.
 - 3) Welcomes the administration's commitment to build 11,000 new council homes, with the first 1,500 to be delivered by 2018.

2. That council assembly also:
 - 1) Agrees that minimising the number of empty homes in the borough will also be a key way of ensuring the maximum number of homes for Southwark residents.
 - 2) Notes recent media reports of some other inner London boroughs where up to one third of new developments are said to be left empty as 'buy to leave' investment opportunities.
 - 3) Welcomes the new powers given to local authorities by the government to charge additional council tax for second and long-term empty homes and notes that Southwark was one of the first local authorities to use these powers.
 - 4) Notes, however, that minimising the number of empty homes in the borough on its own will not meet the growing demand for housing, which will require more homes to be built across the borough, particularly affordable homes.

3. That council assembly therefore calls on the cabinet to:
 - 1) Identify ways the council's planning powers could be used to ensure future new homes in Southwark do not stay empty for more than three months.
 - 2) Increase the number of existing empty homes in the borough that are charged council tax by reviewing the current council tax exemptions on empty homes.
 - 3) Support calls for the qualifying period for charging the empty home premium to be reduced from two years to one and for the amount to be increased from 150% to 200% council tax.

- 4) Continue to build more homes of every type in Southwark, including council homes at council rents.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – LOCAL GOVERNMENT DEVOLUTION

Cabinet on 17 March 2015 considered the following motion referred from council assembly on 21 January 2015 which had been moved by Councillor Rebecca Lury and seconded by Kieron Williams.

1. That council assembly believes that local government has significant potential to shape outcomes for residents and to positively change the lives of people in our borough. Therefore, council assembly believes that local government is best placed to deliver services to residents to meet local need.
2. That local government has proved itself as the most efficient part of government. Local authorities are continuing to delivering services, balance budgets and grow local economies while at the same time making huge savings, following government cuts of up to 30% of councils' budgets.
3. That the devolution of public health to local authorities has been a welcome first step towards delivering better health outcomes and a more joined up approach to health and social care. Council assembly notes the efforts of this administration to put public health in Southwark at the front and centre of the council's priorities in every area, including transport, housing, leisure and environment.
4. That council assembly believes giving local government greater control over health and welfare spending has the potential to tackle health inequalities locally, to deliver better services and to save taxpayers money.
5. That council assembly calls on cabinet to work with other London boroughs and the Mayor of London to lobby government to be less centralist and to introduce greater devolution to local authorities in London. Council assembly further calls on cabinet to write to the Secretary of State for Health and the Secretary of State for Work and Pensions to call for the devolution of greater health and welfare powers to local government, in order to improve service delivery and local accountability.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – HIV TESTING

Cabinet on 17 March 2015 considered the following motion referred from council assembly on 21 January 2015 which had been moved by Councillor David Noakes and seconded by Councillor Dan Garfield.

1. That Southwark Council:
 - i. Recognises the importance of local action in coordinating and commissioning accessible and effective HIV testing to reach the undiagnosed and reduce late HIV diagnosis.

- ii. Recognises that Southwark has a high prevalence of HIV (over 2 diagnosed per 1,000 residents) and commits to strengthening its own provision of HIV testing services through working with local NHS partners, HIV charities and patient groups.
 - iii. Recognises that late HIV diagnosis is a Public Health Outcomes Indicator in the Public Health Outcomes Framework.
 - iv. Recognises the volume and quality of public health and local government guidelines and performance indicators designed to support local authority implementation and monitoring of appropriate and effective testing guidelines.
2. That the council further notes:
- i. That an estimated 100,000 people were living in England with HIV in 2012; 22% were unaware of their status.
 - ii. That there is an impact of late diagnosis on individual health, public health and health budgets. Late diagnosis increases the likelihood of the need for complex and expensive treatment and the risk of onward transmission to others. 47% of people diagnosed with HIV in 2012 were diagnosed late (with a CD4 count <350mm³).
 - iii. That if diagnosed early, put on a clear treatment pathway and guaranteed access to antiretroviral therapy (ART), people living with HIV can expect to have a near-normal life expectancy and live healthy and active lives.
3. That recognising the weight of evidence in favour of expanding local HIV testing services, Southwark Council:
- i. Resolves to:
 - Act to halve the proportion of people diagnosed late with HIV (CD4 count <350mm³) in Southwark by 2020.
 - Act to halve the proportion of people living with undiagnosed HIV in Southwark by 2020.
 - ii. Further resolves to:
 - Ensure that rates of late diagnosed HIV are included as an indicator in its Joint Strategic Needs Assessment (JSNA).
 - Ask the Director of Public Health to provide a report outlining what needs to be done locally in commissioning and provision of services in order to halve late diagnosed and undiagnosed HIV by 2020.
 - Become a supporter of the Halve It Coalition by contacting the Halve It secretariat (info@halveit.org.uk) informing them of this resolution and by agreeing to be listed as a Halve It coalition supporter.

We agreed this motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – WELFARE REFORM WITH AN EMPHASIS ON FINANCIAL INCLUSION

Cabinet on 2 June 2015 considered the following motion on the theme referred from council assembly on 25 March 2015 which had been moved by Councillor Fiona Colley.

1. That council assembly believes that the coalition government's welfare reform has utterly failed, with hardship and deprivation increasing, at the same time as the cost of implementing the reforms is mounting.
2. That council assembly condemns the government's changes to benefits which have targeted the most vulnerable and hit families with children under five harder than any other group.
3. That council assembly notes that despite the government's rhetoric on repairing the nation's finances, cuts to welfare have been offset by tax cuts for the most well off, meaning the government's welfare reform has made no overall contribution to paying down the deficit.
4. That council assembly notes that residents in Southwark have been hit hard by the coalition government's welfare reform, including:
 - The cruel and unfair bedroom tax, which has hit 5,000 Southwark residents
 - A benefit cap which disproportionately affects families in London and has left some households facing the threat of eviction
 - Unacceptable delays in personal independence payments, which have left over 300,000 disabled people in limbo nationally as they wait for a decision on crucial support
 - Cuts to local government funding for discretionary housing payments and council tax benefits.
5. That council assembly notes this administration has prioritised our most vulnerable residents, using our resources to protect them as far as possible from the worst excesses of the government's welfare cuts, including:
 - Providing financial assistance and support for residents affected by the bedroom tax and other welfare changes through the welfare hardship fund
 - Providing a much-needed safety net for our most vulnerable residents through the Southwark Emergency Support Scheme, despite government cuts to the funding
 - Helping residents to ensure they are claiming all benefits entitled to them, through the Rightfully Yours advice service.
6. That council assembly is concerned about the rollout of universal credit, particularly following direct payment pilots in Southwark, which have highlighted the risk of residents struggling to cope with complex budgeting and increasing numbers of residents falling into rent arrears.
7. That council assembly welcomes the steps that have been taken by this administration to mitigate against these risks and to promote financial inclusion, working in partnership with Lambeth and Lewisham to deliver support for

residents to prepare for universal credit, including opening bank accounts, dealing with debt and coping with budgeting on a monthly basis.

8. That council assembly believes that employment is central to improving the financial resilience of our residents and recognises that current welfare to work provision fails to meet the needs of our most vulnerable residents. Council assembly therefore welcomes the steps this administration is taking to support residents with the most complex needs to develop the skills, motivation and experience to be able to secure employment.
9. That council assembly believes that the growth of insecure, low-paid, poor quality jobs under the coalition government is undermining the UK's ability to earn our way out of the current cost of living crisis and adding to welfare spending.
10. That council assembly believes that the country's welfare system can only become sustainable for the long-term by getting more people into work, and creating better paid and more secure jobs.
11. That council assembly therefore welcomes Labour's national commitments to:
 - Abolish the cruel, costly and failing bedroom tax, which is hitting over 400,000 disabled people nationally
 - Make work pay by increasing the national minimum wage and encouraging more employers to pay a living wage
 - Tackle the root causes of rising housing benefit spending by getting 200,000 homes a year built by 2020
 - Introduce a compulsory jobs guarantee, paid for by a bank bonus tax, to provide a paid starter job for every young person unemployed for over a year, and everyone over 25 unemployed for over two years.

We noted the motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – FINANCIAL ADVICE IN HEALTH SERVICES

Cabinet on 2 June 2015 considered the following motion referred from council assembly on 25 March 2015 which had been moved by Councillor Stephanie Cryan, seconded by Councillor Rebecca Lury and subsequently amended.

1. That council assembly acknowledges the inherent link between financial health and health and wellbeing, particularly mental health.
2. That council assembly welcomes the work of the healthy communities scrutiny sub-committee exploring the health of the borough, including financial health. Council assembly welcomes the committee's work in highlighting the impact of financial exclusion on health, in particular the impact on those with mental health concerns who are also struggling financially.
3. That council assembly therefore calls on cabinet to introduce financial health services in health centres, to provide high quality debt and income maximisation advice and welfare benefits casework for patients in Southwark.

4. That council assembly believes that the provision of high quality financial advice will improve the patient experience and optimise the time of GPs and health professionals, as well as directly targeting the link between mental and financial health.
5. That council assembly notes that many user-led local mental health services which give patients holistic support, including financial advice, are currently struggling and at risk of closure because of a number of factors including:
 - A move away from block contracts and a traditional day centre model to personal budgets and recovery-focused day activities
 - The recent decision by the CCG, as the lead commissioner, to commission mental health services with a national provider, instead of a Southwark-based consortium of mental health voluntary sector providers
 - The complexity of the Section 75 pooled budget arrangements.
6. That council assembly notes that changes to local mental health services, including financial advice for users, need to be managed and supported carefully and therefore calls on cabinet to:
 - Urgently commission a report laying out the financial stability and viability of the local voluntary sector mental health services in Southwark and bring a report back to the next cabinet meeting
 - Explore one-off or ongoing transitional funding prior to the introduction of community and wellbeing grants in October to support long-established and trusted local services, providing high-quality debt- and income-maximisation advice or welfare benefit casework services in Southwark, in order to avoid any gaps in service provision and allow these services to develop alternative funding sources to make them viable.

We noted the motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – MENTAL HEALTH SERVICES IN SOUTHWARK

Cabinet on 2 June 2015 considered the following motion referred from council assembly on 25 March 2015 which had been moved by Councillor Ben Johnson, seconded by Councillor Adele Morris and subsequently amended.

1. That council assembly notes that:
 - Mental health issues will affect 1 in 4 people at some point in their lives and that 70,000 people in Southwark will suffer from mental health issues
 - Mental health issues can shorten life expectancy by fifteen to twenty years
 - People with mental health issues are more likely to experience homelessness, and anxiety and depression have been linked to overcrowded and unfit housing.
2. That council assembly notes that the coalition government has taken some steps to improve mental health services:
 - Invested £400 million in early support for people with mental health issues

- introduced maximum waiting times for talking therapies and the Crisis Care Concordat to ensure nobody experiencing psychosis is ever turned away from accident & emergency
 - Pledged extra investment for new inpatient beds, better case management and improved access to mental health care for children and young people
 - Helped fund the Time to Change campaign which challenges mental health stigma and discrimination
 - Called on all health service trusts to aim for a 'Zero Suicide' policy and established a government-wide mental health taskforce.
3. That council assembly notes, however, that despite the government's commitment to put mental health treatment on a par with physical health, mental health trusts in England have seen their budgets fall by more than 8% in real terms, equivalent to almost £600m, and spending on children's mental health services in England has fallen by more than 6% in real terms, equivalent to nearly £50m, since 2010.
 4. That council assembly condemns the government's cuts to spending on children's mental health services, which have led to increased waiting times and children being treated on adult psychiatric wards or having to travel hundreds of miles across the country to get the help they need.
 5. That council assembly also notes that the government's cuts to local authority budgets which have led to a £90m shortfall in funding for social care.
 6. That council assembly welcomes the extensive work undertaken by the council and the CCG to tackle stigma, raise awareness about mental health and promote wellbeing in Southwark, including:
 - Setting up a Parity of Esteem Programme Board chaired by the GP clinical lead for mental health, to review the extent of inequality amongst people with mental health problems
 - Providing training for teachers and head teachers to recognise and support children and young people with mental health issues in schools
 - Working with the Time to Change campaign
 - Providing community grants for small organisations to promote wellbeing with their clients/members
 - Commissioning mental health first aid courses for voluntary and community sector
 - Adopting the Mayor of London's Healthy Workplace Charter to minimise the risk of mental distress in the workplace and promoting to all employers in Southwark.
 7. That council assembly welcomes Labour's national commitment to provide fairer access to mental health services, including ensuring all professional health service staff receive mental health training and changing the NHS Constitution to give people the right to psychological therapies for mental health problems like anxiety and depression, helping to give mental health the same priority as physical health.
 8. That council assembly calls on the cabinet to:
 - Extend advocacy services available for Southwark residents with mental health issues

- Consider the appointment of a Southwark Mental Health Champion to act as a link between the council, clients and the different agencies working in mental health
- Ensure that mental health services receive their fair share of public health funding and review funding for mental health services each year
- Ensure each council department deals with residents with mental health issues consistently and with a supportive and sympathetic approach
- Improve the promotion of counselling services available for staff experiencing mental health or emotional issues.

We noted the motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – BETTING SHOP ENFORCEMENT

Cabinet on 2 June 2015 considered the following motion referred from council assembly on 25 March 2015 which had been moved by Councillor Renata Hamvas and seconded by Councillor Lorraine Lauder.

1. That council assembly recognises the growing concern of local residents and the council about the proliferation of high street betting shops in Southwark; particularly the rise in high stake Fixed Odds Betting Terminals.
2. That council assembly is particularly concerned by recent evidence which suggests that despite age restrictions on gambling, some young people under the age of 18 are using these highly addictive gambling machines in betting shops.
3. That council assembly notes that the council does not currently have the power to inspect gambling venues to ensure that age restrictions are being properly enforced, nor is there a requirement for a 'Think 21' or 'Think 25' policy, as there is in premises selling alcohol, tobacco or other age-restricted products. Council assembly also notes that there are currently no regulations on layout in gambling premises to ensure that all customers entering the premises are in line of sight of staff.
4. That council assembly further notes that of the 80 gambling premises in Southwark, only two have recently been subject to spot-checks by the Gambling Commission and that both premises failed these checks.
5. That council assembly believes that it is vital that betting shops have sufficient controls in place to prevent children from using these highly addictive gambling machines, which could lead to young people developing gambling problems later in life.
6. That council assembly therefore calls on the cabinet to lobby local MPs and government to give local authorities more powers of enforcement in gambling premises, which are effectively self-regulating, to bring them in line with other licensed premises.

We noted the motion.

MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – IMPROVE SERVICES AT LONDON BRIDGE STATION

Cabinet on 2 June 2015 considered the following motion referred from council assembly on 25 March 2015 which had been moved by Councillor Helen Hayes, seconded by Councillor Sarah King and subsequently amended.

1. That council assembly believes that the current situation for rail passengers at London Bridge station is completely unacceptable.
2. That council assembly notes that almost three months since the introduction of the new timetable at London Bridge the situation at the station is worse than ever, with increasing chaos and disruption and dangerous overcrowding.
3. That council assembly notes that passengers in Dulwich, Peckham Rye and South Bermondsey, are facing increasing delays and cancellations to an already reduced timetable, and that unacceptable levels of overcrowding are also being experienced at other stations including Herne Hill and Loughborough Junction as passengers seek to avoid London Bridge.
4. That council assembly believes that the chaos at London Bridge has demonstrated that Network Rail and Southern are not capable of sorting out the mess.
5. That council assembly notes that the Secretary of State for Transport, Patrick McLoughlin MP, has so far failed to respond to letters from elected members in Southwark on the issues at London Bridge, and requests that Cabinet writes to demand his urgent personal intervention to improve the service for passengers at London Bridge.
6. That council assembly notes that there are significant transport issues on trains across South East London in addition to the problems at London Bridge, including the lack of capacity on the Southeastern line into London Victoria, affecting passengers at Nunhead, Peckham Rye and Denmark Hill.
7. That council assembly notes the success of London Overground services run by Transport for London, which have consistently achieved high ratings for punctuality and customer satisfaction, while more than trebling passenger numbers, and whilst using much of the same infrastructure as Southern.
8. That council assembly notes that it is Labour's policy to allow public sector organisations to bid to run rail services, and that in London we have a public sector organisation, Transport for London, which already runs some of London's rail services to an extremely high level of customer satisfaction.
9. That council assembly welcomes the government announcement in July 2013 which will allow some commuter rail services out of Liverpool Street station to be managed by Transport for London. Council assembly further notes that it was London Liberal policy in 2012 for Transport for London to run commuter rail services into the capital.
10. That council assembly therefore calls on the Secretary of State to allow Transport for London to run all rail services in South East London in order to have a properly integrated transport system.

11. That council assembly also notes that the long-term improvements at London Bridge should not just be for commuters, but also improve and green the local environment around the station for residents. Council therefore calls on the cabinet to work with Team London Bridge, Network Rail and Transport for London to ensure:

- That the new public realm around the station is of equal priority to the development of the station
- That no opportunity is missed to reduce local traffic and air pollution to make the area more pedestrian- and cyclist-friendly
- Support for local independent and creative businesses.

We noted the motion.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet agenda and minutes – 17 March and 2 June 2015. The documents are available on this web page.	Constitutional Team, 160 Tooley Street, London SE1 2QH	Paula Thornton 020 7525 4395
Link: http://moderngov.southwark.gov.uk/ielistmeetings.aspx?CId=302&Year=0		

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	4 June 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	4 June 2015	

Item No. 7.1	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Electoral Review – Council Size	
Ward(s) or groups affected:		All	
From:		Chief Executive	

RECOMMENDATION

1. That council assembly note the report from the Electoral Review Working Group on council size.

BACKGROUND INFORMATION

2. The Local Government Boundary Commission for England (LGBCE) was established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009. One objective of the Commission is to provide electoral arrangements for English principal local authorities that are fair and deliver electoral equality for voters. To do this, the Commission conducts electoral reviews. These are reviews of the electoral arrangements of local authorities: the number of councillors, the names, number and boundaries of wards and electoral divisions and the number of councillors to be elected to each.
3. Electoral reviews are initiated primarily to improve electoral equality. This means ensuring, so far as is reasonable, that for any principal council, the ratio of electors to councillors in each electoral ward or division, is the same.
4. When an electoral variance in representation across a local authority becomes notable, an electoral review is required. There are three criteria that trigger this review including where more than 30% of a council's wards have an electoral imbalance of more than 10% from the average ratio for that authority. In Southwark 9 out of 21 wards currently have a population variance of more than 10%. The Commission has therefore determined that Southwark Council is required to undergo a review of ward boundaries which will be implemented for the next full council elections in May 2018.
5. The review is scheduled to begin in August 2015 and be completed in July 2016. Ahead of the formal review, the Commission has invited the council to make a submission about the size of the council. The Commission has asked for a final submission by 15 July 2015 and will make a decision about the number of elected members in Southwark by 18 August 2015.
6. The commission will not consider the pattern of wards until a decision is made on the size of the council. Following a decision on size, the Commission will then consider the number of wards, ward boundaries, and number of members in each ward and the names of wards. The Commission have advised that the new wards can be a mix of one, two or three member wards.
7. After consultation on ward patterns, the Commission will publish and consult on

draft recommendations. Final recommendations will be laid before Parliament in October 2016.

8. The Local Democracy, Economic Development and Construction Act 2009 provide most of the rules which the Commission must follow in conducting a review. The Act requires that the Commission must make recommendations to parliament that have regard to:
 - a. The need to secure equality of representation
 - b. The need to reflect the identities and interests of local communities; and
 - c. The need to secure effective and convenient local government.
9. The Act also states that the Commission should take into account any changes in the number and distribution of electors that is likely to take place within the five years following the review. They will therefore consider the council's population forecast.
10. The Commission are clear that local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. Their aim in an electoral review is to recommend arrangements, including a council size, which is right for the local authority in question.
11. The Commission are unwilling to apply strict mathematical criteria for council size or impose nationally a formula for its calculation. However, this approach means that it is important that they receive well-reasoned proposals which clearly demonstrate the individual characteristics and needs of each local authority area and its communities and how its circumstances relate to the number of councillors elected to the authority.
12. The review is an opportunity for Southwark to consider how many councillors it needs, having regard to the political management arrangements, regulatory and scrutiny functions and the representational role of councillors, both in terms of their ward work and representing the council on external bodies.
13. The Commission will take a view on the right size for Southwark by considering three areas:
 - the governance arrangements of the council, how it takes decisions across the broad range of its responsibilities, and whether there are any planned changes to those arrangements;
 - the council's scrutiny functions relating to its own decision making and the council's responsibilities to outside bodies, and whether any changes to them are being considered; and
 - the representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.
14. The Commission want council size proposals that reflect not only the council's current arrangements, but also likely future trends or plans.
15. The council should also identify whether there are any other local factors which would affect how many members are needed in the council.
16. The Commission will take submissions from different groups, but have advised that they particularly welcome the council's view on the optimal number of

members. The Commission will be interested in the justification that the council offers for any recommendation that we make.

KEY ISSUES FOR CONSIDERATION

17. Cabinet on 17 March 2015 set up a working group of members to report back to the Leader with recommendations on council size. The working group was made up of members from all three parties represented in Southwark (3 Labour, 2 Liberal Democrats, 1 Conservative)
18. The working group has considered the questions which the Commission raised which consider the number of members required for effective governance, representation and scrutiny, as well as future changes which could impact on the number of members required in the borough. The working groups findings are presented in the attached report (see appendix).
19. Cabinet agreed that before the leader takes a decision on the council's submission, that the report was brought to council assembly.
20. Council assembly are asked to note the report from the working group.

Policy implications

21. The working group has been asked to consider the existing constitution, and details within it about committee size and makeup. If the council is to change the number of councillors, how the council forms committees, cabinet and other panels and bodies may need to change. The working group has considered the legal requirements on the council in terms of functions it has to perform.
22. The Council Plan sets out the council's values and priorities. The council is committed to being open, honest and accountable and also to promote value for money. The report of the working group demonstrates the council's commitment to provide value for money whilst also ensuring that the council can continue to be open, honest and accountable.

Community impact statement

23. Changing the number of councillors in Southwark and the make up of wards could have an impact on the representation of people in the borough. The working group has considered the impact that changing the number will have on the diversity of people who stand for election and serve as members.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

24. The report notes that the work of the electoral review working group established by cabinet on 17 March 2015 and the report of the working group.
25. As an executive function, the decision to submit a response rests with the cabinet; however the report notes the decision maker will consider any comments by council assembly before final submission.

Strategic Director of Finance and Corporate Services

26. The strategic director of finance and corporate services notes the recommendation and that there are no financial implications arising from this.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Electoral Review of Southwark – Report to Cabinet	Southwark Council, 160 Tooley Street London SE1 2QH	Chris Page 020 7525 7259
Link: http://moderngov.southwark.gov.uk/documents/s52557/Report%20Boundary%20Review.pdf		

APPENDICES

No.	Title
Appendix 1	Electoral Review Working Group – Draft Submission to the Local Government Boundary Commission for England

AUDIT TRAIL

Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Chris Page, Head of Cabinet Office	
Version	Final	
Dated	18 June 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		18 June 2015

**Local Government Boundary Commission for
England**

Southwark Electoral Review

**Submission from
Southwark Council
July 2015**

Recommendation

The council recommends that Southwark should retain 63 councillors. The council considers that this is the minimum number required to ensure effective governance. We considered an increase to 66 and a decrease to 60 members. A greater number of members would increase their resilience and representativeness and lead to a more manageable workload. In reviewing our nearest neighbours, it should be noted that to increase the number of members to more than 66 would make Southwark an outlier. Decreasing to 60 would negatively impact on governance and our representational roles. While we are conscious of an increasing population and the benefits of at least 66 members, we do not believe that, at a time when the numbers of officers are being reduced and budgets are being cut, we can justify an increase. The council currently demonstrates that it can operate adequately with 63 members, and believes it can continue to do so.

- All councillors serve on at least one committee, with 60 out of 63 serving on at least two and more than half serving on three or more.
- Just over half (28 out of 52 non-executive) of members sit on at least one scrutiny committee. Southwark currently has the right number of members to ensure effective scrutiny.
- Southwark has a very diverse population and wants a council which reflects that diversity. Southwark has the highest proportion of residents in the country who were born in Africa and where 3 in 4 reception age children are from a black and minority ethnic group. Over 120 languages are spoken in Southwark, with 11 per cent of households having no member of the household who has English as a first language. The council currently has a diverse group of councillors representing Southwark. The role and support for members enable people from a variety of backgrounds to perform the role. Reduction in councillor numbers, even a small reduction, would make this harder to achieve and deter members with childcare commitments or full time work.
- Southwark is the largest local authority landlord in London with nearly a third (31.2%) of homes rented from the council. This generates a high volume of casework for members, which will be considerably more than other similar boroughs.
- The borough is changing with an overall increase in population including through major regeneration projects. The Aylesbury Estate and the Elephant and Castle are amongst the largest housing developments in the UK. We expect the population to grow to over 350,000 by 2021 and for over 20,000 people to be living in new housing.
- Members in 2002 represented an average of 3,886 people. In 2015, this rose to 4,800 and if we retain 63 councillors this will rise to 5,567 by 2021. We consider

5,000 to be the optimal number of residents per councillor which would mean the council needs at least 71 councillors.

- The council can carry out its functions effectively with 63 members and ensure adequate representation, good governance and scrutiny. Members do have a high workload and the multiple pressures mean that members have to work hard to ensure that their various responsibilities are met.
- Due to reductions in budgets, the council is asking more from its members and providing less support. This has increased the workload of members. Southwark has considered reducing the number of members to 60 but is concerned that a reduction in the number of members would further increase the workload of councillors to a point at which it would deter potential good quality candidates, with other commitments, from standing.

Introduction

Southwark welcomes the review of electoral boundaries and the opportunity to submit representations to the Commission.

The council's cabinet set up a cross-party working group, made up of councillors from the three political parties represented in the borough to consider the question of council size and to lead the work that the council has done to assess the optimal number of councillors which Southwark needs for the future.

The working group was comprised of the following members:

Cllr Richard Livingstone (Chair)	(Labour Cabinet Member)
Cllr Anood Al-Samerai	(Liberal Democrats Group Leader)
Cllr Fiona Colley	(Labour Cabinet Member)
Cllr Michael Mitchell	(Conservative Group Leader)
Cllr David Noakes	(Liberal Democrats Deputy Group Leader)
Cllr Cleo Soanes	(Labour Councillor)

This report is the output from the work of the group. It has subsequently been taken to a meeting of the full council so that all councillors had an opportunity to debate and consider before it was adopted as Southwark's submission to the Commission.

1. Southwark Profile

- 1.1. Southwark is a central London borough which is home to over 300,000 people. Southwark has the 9th highest population density in England and Wales at 9,988 residents per square kilometre.
- 1.2. Southwark is made up of a number of historic and distinct communities with the areas of Borough, Bermondsey and Rotherhithe along the Thames in the north. The communities of Walworth, Peckham, Nunhead and Camberwell are in the centre of the borough, with East Dulwich and Dulwich in the south.
- 1.3. Southwark is a borough of huge diversity with areas of high wealth living alongside some of the poorest communities.
- 1.4. Southwark is the largest local authority landlord in London with a third (31.2%) of homes rented from the council. A third are privately owned (31.4%) and a third are privately rented or another social rent (24.9% and 12.5%).
- 1.5. Southwark is a borough which celebrates its enormous ethnic diversity, welcoming people from around the world who choose to make their home in London. Southwark has the highest proportion of residents in the country who were born in Africa (12.9 per cent). Southwark has a large Afro-Caribbean population (26.9%) and just under one in ten people are Asian (9.4%). We have recently seen significant growth in smaller minority communities such as our Latin America community. 75 % of reception-age children are from black and minority ethnic (BME) groups.
- 1.6. Over 120 languages are spoken in Southwark, with 11 % of households having no member of the household who has English as a first language.
- 1.7. Southwark has a proportionally youthful population with 58 % aged 35 or under. This also contributes to some areas having an increasingly transient population with young people often struggling to meet the cost of housing if they choose to start families.

2. Southwark's Priorities

- 2.1. Southwark is an ambitious council and expects a lot from its officers and members. The council's Fairer Future commitments set out the councils' promises and commitments which reflect the needs of our residents. The building of 11,000 new council homes, free swim and gym use for our residents and guaranteed education, employment or training for every school leaver reflects our continued commitment to equality and fairness valuing all residents in the borough.

- 2.2. This year, Southwark faces the third highest cut of spending power per household in the country. Members and officers need to work hard to make decisions about how to spend the council's budget, whilst remaining ambitious for the borough and our residents. The council is committed to creating a borough where everyone has opportunity to reach their own potential. We are realistic about the challenges ahead and will continue to do more with less, and look for innovative ways of investing in the things that matter most to our residents. We will carry on delivering free healthy school meals for every primary school child, we will finish our warm dry and safe programme for the borough's council homes and we will keep working to create jobs in apprenticeships that provide local residents with the better opportunities of learning, living and working in Southwark.
- 2.3. Over the next three years, we are increasing our efforts to make the borough healthier with investment in cycling, parks and leisure and free fruit every day for primary school children. We are rolling out our ethical care charter and improving the quality of homecare so that older people can lead independent lives for longer. We are also delivering on our commitment to make Southwark an age friendly borough, so that whatever your age you can get the best from living in the borough.
- 2.4. The council can only make all of this a success with the work, help and support of people and other organisations in the borough. We have an active local community who use their time and talents to make the borough what it is. Councillors are crucial in this mix, bringing together groups and working with them to enhance and improve the life of the borough for all our residents.
- 2.5. The council's priorities reflect the borough that we are and the challenges that we face. They are:
 - 2.5.1. Quality affordable housing – Southwark is the largest local authority landlord in London, and is continuing to build more homes of every kind including 11,000 new council homes. Much of our housing stock has been historically neglected so the council is renewing it making every home warm dry and safe, before ensuring every home has a quality kitchen and bathroom.
 - 2.5.2. Ensuring the best start in life – Southwark has one of the highest numbers of looked after children in London and a high number of children who are classed as vulnerable. Many parents in Southwark are struggling with the cost of childcare. As a council we want to support parents, carers and young people so that they have the choices to be in control of their lives and future.
 - 2.5.3. Building a strong local economy – we want to ensure that more people find work and get the training they need to achieve their

aspirations. We want to help ensure more people are financially independent and that people have the skills and knowledge to make use of the opportunities that Southwark has to offer.

- 2.5.4. Healthy and active lives – Southwark wants to reduce health inequalities in a borough where we have some of the highest HIV infection rates, childhood obesity and teenage pregnancy rates. Southwark is investing in breaking down the barriers to people being fit and healthy and leading full and active lives.
- 2.5.5. A cleaner, greener and safer borough – Southwark has already doubled recycling in four years, and now aims to divert over 95% of waste from landfill. We are leading the way nationally on improving women’s safety and taking action on domestic violence.
- 2.5.6. Revitalised neighbourhoods – Southwark is proud of its heritage and excited about its future. We are delivering some of the most exciting and ambitious regeneration programmes anywhere in Europe. Our residents are at the heart of our ambition and our aim is for our regeneration to deliver not just new homes, but also better infrastructure and jobs.

3. Changes in Southwark since 2002-2021

- 3.1. The last boundary review was carried out ahead of the 2002 local government elections. Since then, Southwark has undergone a number of changes which affect local government and the work of councillors.
- 3.2. The population of Southwark continues to grow. The GLA population growth forecasts set out below show that from a 2002 population of 256,926, Southwark will have reached a population of 337,231 by 2021.

3.3.

Year	Population
2002	256,926
2011	289,361
2012	294,149
2013	299,081
2014	301,116
2015	304,626
2016	310,554
2017	316,521
2018	322,391
2019	328,107
2020	333,734
2021	337,231

- 3.4. The council believes that the GLA's population growth forecast represents an undercount. The council has recently revised its residential development trajectory which forecasts an additional 5,206 homes over the period. These have not been accounted for in the GLA's population growth forecast. With each home yielding an average of 2.6 people, that represents an additional 13,535 people by 2021 so an overall population of 350,766.
- 3.5. The number of people in employment has increased from 130,500 to 160,100 between 2004 and 2013, whilst the number of people who are unemployed remains the same at 14,000 over this period.
- 3.6. The council has changed how it has operated since the last boundary review. We now operate under the Strong Leader model as set out in this paper and have introduced scrutiny committees which have changed the way that Southwark is governed and the role of members.
- 3.7. There have been other changes in the borough which have affected the work that the council does. Large scale regeneration has helped attract new business, and in the last 15 years, the borough has begun to realise its potential as an inner London borough. In the north of the borough, along the river and around London Bridge, we now house a number of major international companies such as News UK. Iconic buildings like the Shard have helped transform this area of London and brought investment into an area which for too long was not feeling the benefits of being at the heart of London.
- 3.8. Our town centres have been transformed again attracting more and more businesses. Areas like Peckham and Camberwell are busy and growing and the council is working hard with the community to support local entrepreneurs and start up businesses.
- 3.9. The presence of two universities in the borough: London South Bank University and the University of the Arts London, attract more young people to the borough. The strong arts focus in our universities, together with the London College of Communications and Camberwell Arts College, help attract not just the arts to the borough but also means we act as a hub for people in the arts starting their careers.
- 3.10. While the Government has cut and continues to cut funding for local authorities, Southwark has been particularly hard hit. Southwark has seen some of the largest reductions in funding each year since 2010 and in the most recent settlement received the third highest reduction in the country. This has a huge impact on the council's ability to deliver services and puts a greater pressure on councillors to do more with less. The Government has said it will continue to make cuts for the rest of this Parliament up until 2020

so by 2021 Southwark could be operating with as little as half the grant it had five years ago but being expected to deliver more.

- 3.11. The council expects changes to continue over the next five years. Southwark's council house building programme is the biggest in the country, and sits alongside some of the biggest regeneration projects in the country. Southwark is a borough which is being transformed and looking forward, this change will continue.
- 3.12. Southwark has grown in importance within London and we expect this to continue as new businesses and regeneration continue to drive change in the borough.
- 3.13. The cost of living continues to rise and the cost of housing does too. House prices in Southwark have been amongst the highest in the country. The cost of housing and the cost of living puts a real strain on many residents in the borough. Our young population includes many who want to buy their first home, yet struggle to afford it. Our challenge is to help people stay in the borough and ensure that there is adequate housing of all types to maintain the diversity of the borough and the mix of people who want to make this their home.

4. Section 1 - Governance and Decision Making

- 4.1. Southwark is made up of 21 wards, with 63 councillors leading the council. Each of these councillors sits on the council assembly, which is the 'sovereign body' of the council. The assembly is chaired by the Mayor of Southwark.
- 4.2. Council assembly elects a leader to serve a four year term. The Leader appoints a cabinet of up to ten members (including the Leader) which has executive responsibility for decision making.
- 4.3. Council assembly establishes and then agrees the size and composition of the council's committees.
- 4.4. The political balance of the council is currently 48 Labour, 13 Liberal Democrats and 2 Conservatives. Due to the proportionality rules, the council has increased the size of some committees to ensure that every party gets at least one committee place, in addition to community council places, so that all parties have a role in the governance and decision making process.
- 4.5. All councillors serve on at least one committee, 60 out of 63 members serve on two and over half (33) serve on two or more.
- 4.6. The appendix sets out the full details about where decisions are taken and how they are delegated.

5. Leadership

5.1. The Leader

- 5.1.1. The Leader operates under a "Strong Leader" model.
- 5.1.2. The Leader agrees the forward plan and can specify that a decision is to be taken by a particular decision maker. The Leader can vary this in line with the council's constitution.
- 5.1.3. The Leader can give authority to delegate to a cabinet member or chief officer individually, including details of the limitation on their authority.
- 5.1.4. The Leader can remove or replace members of the cabinet or make changes to portfolios.
- 5.1.5. In practice most decisions are delegated by the Leader to the Cabinet or to individual cabinet members.
- 5.1.6. The Leader is a full time role.

5.2. Cabinet

- 5.2.1. There are currently 10 members of the cabinet; this is the Leader and nine cabinet members. There are four non-executive deputy cabinet members. The current cabinet portfolios are:
- Business, Employment and Culture
 - Finance, Modernisation and Performance
 - Adult Care and Financial Inclusion
 - Public Health, Parks and Leisure
 - Regeneration and New Homes
 - Children and Schools
 - Housing
 - Environment and Public Realm
 - Communities and Safety
- 5.2.2. The cabinet meets monthly to make executive decisions. The council's constitution sets out matters reserved to cabinet which include decisions on large contracts, recommendations to council assembly on the council's budget and policy framework, decisions of strategic management, approval of new fees and charges, various financial decisions in relation to disposal of assets, debt write offs and acquisition of land or property. It also includes issues such as school admissions and adoption of supplementary planning documents.
- 5.2.3. Individual cabinet members are responsible for reports which come to the cabinet and play an active role in the formulation of reports before the cabinet.
- 5.2.4. Other than matters reserved for cabinet, the Leader delegates most decision making to cabinet members under the council's Individual Decision Making process (IDM).
- 5.2.5. IDMs include proposing allocations of budgets within the overall budget framework, agreeing performance standards and policy changes, agreeing consultation arrangements and approving responses to consultations from government or other bodies.
- 5.2.6. Reports and policies are formulated between officers and cabinet members. Cabinet members have regular one to ones with their chief officer to provide political leadership to the various decisions that are being taken across the council.
- 5.2.7. The council has up to four deputy cabinet members. They do not have an executive function, but carry out work for the Leader on areas of

particular importance to the administration. For example the establishment and delivery of a Women's Safety Charter.

5.2.8. Cabinet members are expected to work an average of 38 hours per week on executive matters; some of this work will naturally be in the evenings and at weekends and much of it will be undertaken out of the office. Cabinet members have 30 days of leave per year. They are expected to keep a record of their leave taken.

5.3. **Council Assembly**

5.3.1. Council assembly is made up of all 63 councillors. It is chaired by the Mayor. These meetings are held six times a year which includes an annual meeting and mayor making, as well as a budget setting meeting.

5.3.2. The council holds a Leader's Public Question time in place of a seventh meeting which the council previously held.

5.3.3. Meetings are held in the evening and are open to the public. Meetings include public deputations, questions from the public and members to the Cabinet, motions from members and themed debates. Council assembly considers reports on matters reserved to council assembly (as set out above).

5.3.4. Council assembly establishes the various committees of the council and the composition of these.

5.3.5. Council assembly considers the borough's constitution and can make changes to it.

5.4. **Non-Executive Councillors**

5.4.1. There are 52 non-executive councillors (excluding Leader, Cabinet and Mayor). They all attend council assembly and in addition sit on the various committees of the council.

5.4.2. The council's constitution sets out details of the role of a councillor. (See appendix)

5.4.3. The opposition have a shadow cabinet that help scrutinise the administration. In addition each party has a whip who liaise to agree business and manage work between the groups. This includes agreeing business for council assembly and constitutional changes.

5.5. **Outside Bodies**

5.5.1. The council's annual meeting appoints members to outside bodies. In addition to those listed below, some members serve on panels by virtue of their executive function such as the Leader sitting on the London Enterprise Panel (LEP). This is not a Southwark Council nomination. (A list can be found in the appendix)

6. **Regulatory**

6.1. Planning Committees

6.1.1. The council has one planning committee and two planning sub-committees.

6.1.2. The planning committee's powers are set out in section 3F of the council's constitution. Primarily its work involves considering and determining all strategic and major planning applications.

6.1.3. It also considers the expenditure of s106 monies, and makes recommendations on local development framework in respect of significant planning matters. It comments on consultations proposing changes to strategic planning.

6.1.4. The Planning Committee establishes two sub-committees to also consider applications.

6.1.5. In the last two years the council has determined 11,218 planning decisions, of which 194 (just under 2%) were made by members.

6.1.6. The committee meets around 12-14 times a year and the sub-committees meet 6-7 times each per year. These are often particularly demanding meetings for members, regularly lasting beyond midnight.

6.1.7. There is significant public involvement at each meeting. Members also are expected to do work in preparation for the meeting.

6.1.8. Southwark has a number of major areas of regeneration and development including the Elephant and Castle and the Aylesbury Estate. These areas attract a high level of public involvement and engagement and the time of members.

6.1.9. There are currently eight members of the Planning Committee and seven members of each of the two sub-committees.

6.1.10. Committee Membership across the ordinary committees of the council is proportionate to the make up of the party groups. It is decided annually at council assembly and is only changed if the makeup of the council changes during the year.

6.1.11. Meetings of the committees have always been quorate.

6.2. Licensing Committees

6.2.1. The council has a Licensing Committee and Licensing Sub Committee.

6.2.2. The Licensing Committee's powers are set out in section 3G of the council's constitution. The committee considers and determines applications, revocation of licenses and polices in relation to licensing and registration.

6.2.3. The full committee meets around four times a year. The sub committee meets around 50 times a year.

6.2.4. The Licensing Committee has 15 members. A sub committee can be convened with any three members of the main committee.

6.2.5. There is significant public involvement at each meeting, and work for Members to do in preparation for the meeting.

6.2.6. Southwark has a number of areas with a busy and growing night time economy generating a high number of licensing applications. In the last year Southwark had 2,224 licensing applications of which 78 were determined by councillors (3.5%) over 58 meetings.

6.2.7. Licensing meetings happen in the daytime so that licensees can attend, but this puts a pressure on members, as it limits these meetings to those who can take time off in the day. As the appendix shows licensing meetings last around 3½ hours and take place about once a week.

6.2.8. Meetings are always quorate.

6.3. Other Committees of the Council and Panels

6.3.1. In addition to the regulatory committees of the council, Southwark also has a number of other committees and panels which play an important role in decision making and governance. These are:

- Joint Partnership Panel (2 Cllrs)
- Leaseholder Arbitration Panel (Pool of Cllrs)
- Southwark Safeguarding Adults Board (1 Cllr)

- Southwark Safeguarding Children's Board (1 Cllr)
- Standing Advisory Council on Religious Education (4 Cllrs)
- Tenancy Agreement Arbitration Panel (Pool of Cllrs)
- Southwark Tenant Management Organisation Committee (5 Cllrs)
- Pensions Advisory Panel (3 Cllrs)
- Appointments Committee (7 Cllrs)
- Health and Wellbeing Board (3 Cllrs)
- Corporate Parenting Committee (7 Cllrs)
- Audit and Governance Committee (6 Cllrs)
- Standards Committee (7 Cllrs)
- Constitutional Steering Panel (5 Cllrs)
- Council Assembly Business Panel (4 Cllrs)
- Member Support and Development Steering Group (5 Cllrs)

6.3.2. Southwark takes its role as a corporate parent very seriously. Southwark has one the highest number of looked after children in London. Councillors play an important role through Corporate Parenting Panel, Health and Children Services Scrutiny Committee, and in challenge to Cabinet in holding the council to account. Following the failures in Rotherham recently, Southwark wants to take every step to ensure that there is a culture where councillors can challenge practice to ensure those failures do not occur in Southwark. It is essential that there are members dedicated to this work.

7. Community Councils

- 7.1. The council devolves some decisions to the community level through community councils. Community councils were introduced in 2003 after the last boundary review. The five community councils are based on council ward boundaries. Each has elected councillors as voting members. One ward sits across two community councils so their members sit on two community councils. There were previously eight community councils, but following reductions in budgets this has been rationalised to five. This has increased the size of community councils for members to manage and these changes increase the work of each community council.
- 7.2. The five community councils in Southwark are based on boundaries that reflect Southwark's neighbourhoods. They are an important part of the council's decision making process. They make decisions on issues such as traffic management, community safety and environmental improvements.
- 7.3. The community councils also manage funds and allocate money for local projects and activities through a 'Cleaner, Greener, Safer' fund. Community councils also manage the devolved highways budget and the neighbourhood fund. Across Southwark over £3.2million is devolved to ward councillors at the community council level.

- 7.4. The community councils hold public meetings, at least five times a year, where local people can meet with each other and with the ward councillors, to discuss key issues of concern, and help influence decisions on matters of local interest. The community council also plays a central role in managing community consultations.
- 7.5. Community councils also provide a forum for consultation with local people, giving residents an opportunity to influence how council and other services are delivered. The meetings are usually themed around a particular topic, such as transport, development, environment, or employment. and there are presentations from council officers, special interest groups and local initiatives with some relevance to the theme.
- 7.6. As well as attending, the public can bring a deputation, ask questions and take part in discussions. There are also community slots in the agenda to enable the public to speak with councillors about community activity.

8. Demands on Time

- 8.1. The role of councillors is set out in Article 2 of the constitution. Councillors will:
- represent their communities and bring their views into the council's decision making process, i.e. become the advocate of and for their communities;
 - deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
 - balance different interests identified within the ward or electoral division and represent the ward or electoral division as a whole;
 - maintain the highest standards of conduct and ethics;
 - contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making functions;
 - sit on council assembly.
- 8.2. There is training available for members which is managed within each group. In addition the Council provides initial induction training to all members following an election, both new and returning.
- 8.2.1. The training took place over two months and included introductions to how the council operates, powers and decision making, code of

conduct, planning, licensing and local government finance. There is training on safeguarding, and the benefits system.

- 8.2.2. There is additional more detailed training for members of particular committees and regulatory committees.
 - 8.2.3. The council provides various skills based training sessions on matters such as how to chair meetings effectively, effective scrutiny questioning and managing casework.
 - 8.2.4. The council ensures that all members have equalities training.
- 8.3. Southwark replaces around half of its councillors at each election.
- 2014 – 29 re-elected, 34 new councillors,
 - 2010 – 32 re-elected, 31 new councillors,
 - 2006 – 33 re-elected, 30 new councillors,
 - There are some slight anomalies where for example eight councillors in the last three terms have left the council and returned after a period.
- 8.4. Elections in Southwark are competitive with the three main parties fielding three candidates in every ward. In addition smaller parties and independents stood in almost all wards at the last few elections. This suggests to the Council that there is no concern in attracting candidates to stand for election.
- 8.5. Councillors work hard to meet their commitments. The council has not had an instance when it has been unable to discharge its duties due to a lack of councillors.
- 8.6. Councillors have been surveyed as part of the electoral review process to better understand the demands on their time, how they communicate with residents, their local leadership role and the impact of past and future changes.
- 8.7. The average councillor is attending around 19 meetings per month, taking up an average of 42 hours. This includes borough wide meetings, ward level and community meetings. Councillors in Southwark attend a large number of tenant and resident association (TRA) meetings (average of three per member per month) reflecting Southwark's role as a major social landlord.
- 8.8. Members who have been councillors for some time observed that the absolute volume of correspondence had increased, with constituents demanding more and a more immediate response from their elected members. This is expected to increase as new forms of communication like

Twitter become more prevalent and where instant responses requires members to spend more time communicating than previously. 86% of councillors use Twitter.

- 8.9. Members were asked about the time commitment of being a councillor. Around two fifths expected it to be a lesser time commitment. Members who felt this were surprised by the volume and complexity of casework and the level of need of residents through social and electronic media.
- 8.10. Currently there are 335 places that need to be filled by members across committees, bodies and panels and positions within the council. With 63 members this averages at just over 5 per member. A reduction in the number of members to 60 would increase this and make it harder to fill posts – especially outside bodies.

9. Policy Changes

- 9.1. Changes in legislation do affect the work load of sub-committees; one example is that licensing sub-committees have become significantly more frequent since changes to the licensing legislation. Southwark has a large number of licensed premises which puts a high demand on member's time.
- 9.2. The council has taken over responsibility for public health. This means that the council has had to put in place the relevant governance structures and needs councillors to have a role in this. The Health and Wellbeing Board has three councillors on it, and the Healthy Communities Scrutiny Sub-Committee has taken on additional responsibilities in scrutinising health decisions.
- 9.3. The Conservative Party have made a number of commitments ahead of the General Election which are now likely to become government policy. Some of these will impact on Southwark and the need for members. This includes:
- Further devolution of powers over economic development, transport and social care to large cities;
 - Further control over skills, spending and planning given to the Mayor of London;
 - The government appears to be looking at more pro-devolution policies which may impact on the work that councils do, and also the need for Members to scrutinise decisions made in relation to these powers;
 - Government plans to make continued changes to welfare, and further reductions in council budgets. This is likely to increase the caseload of councillors – particularly in areas with a high level of social housing.

10. Section 1 - Summary and Conclusion of Governance

- 10.1. The council's 'Strong Leader' model means that executive power rests with the cabinet and Leader.**
- 10.2. The community system means that all members have responsibility for some local level decisions.**
- 10.3. Every councillor sits on at least one committee of the council, 60 out of 63 sit on at least two and over half (33) sit on at least three.**
- 10.4. Southwark has a high number of planning and licensing decisions due to its central London location and ambitious building and regeneration projects. There were 58 licencing meetings in the last year.**
- 10.5. The council is aware of future changes in neighbourhood planning which will increase the demand on members.**
- 10.6. All councillors have some decision making responsibility due to their role as members of the community council. There are no councillors who are not engaged in some part of the council's governance process. Council meetings are well attended, and members are actively engaged, suggesting that they are attending willingly and have about the right number to attend.**
- 10.7. An effective opposition is important in any council, a smaller opposition often has more difficulty in having an impact in holding the administration to account. A reduction in the overall size of the council would make this more challenging.**
- 10.8. 63 councillors provide the council with enough members to fulfil its governance function. With almost all councillors serving on at least two committees and over half serving on three or more, the council would struggle to meet its governance standards with fewer members. Even a reduction to 60 would limit the availability of members. An increase in councillors to 66 would mean that members could sit on fewer committees and so dedicate more time to those that they do.**

11. Section 2 - Scrutiny Functions

- 11.1. The council has an Overview and Scrutiny Committee (OSC) which appoints three sub-committees.
- OSC – 11 members
 - Education and Children’s Services Sub Committee – 7 members
 - Healthy Communities Sub Committee – 7 members
 - Housing and Community Safety Sub Committee – 6 members
 - In addition to councillors, there are also co-opted members on some of these committees.
- 11.2. Membership is on a cross-party basis and under current arrangements the three sub committees are chaired by Labour councillors with the Vice Chairs being drawn from the main opposition party.
- 11.3. Each scrutiny committee conducts two-three reviews a year as well as holding a formal session to hold cabinet members to account and dealing with topical items where there is capacity. Each scrutiny committee’s workload is regularly reassessed and the committees have usually been able to cover their agreed priority topics.
- 11.4. There is also a longer OSC session each year dedicated to budget scrutiny. In addition to the role of OSC, the council’s audit and governance committee also has a role in scrutinising the council’s budget.
- 11.5. The sub-committee that covers health could have a larger workload than the other sub-committees due to its statutory functions, and responsibility for the wider health environment outside of the council including hospitals and the CCG. This has previously led to the need for very careful agenda planning to ensure that all required papers are considered at the committee alongside any enquiries that the committee would like to carry out on its own initiative.
- 11.6. The cabinet is split with different members having responsibility for the Health and Wellbeing Board, public health and adult social care. This impacts on the business that the committee can conduct, due to the need for three cabinet interviews to ensure that all areas covered by the committee can be discussed.
- 11.7. It is welcomed that our communities and stakeholders actively want to contribute to the work of the scrutiny committees, this leads to large numbers of witnesses at the meetings which can sometimes also make agenda planning difficult, and to address all issues there needs to be careful time management.

- 11.8. The committees develop work programmes at the start of the year and keep them under review. Work is timetabled with flexibility to allow for changing priorities.
- 11.9. In most cases, the committee chairs will hold discussions with members to develop proposals for the main inquiries that should be undertaken, and chairs work alongside officers to ensure that any urgent business or emerging priorities can be factored into agenda planning.
- 11.10. Reviews tend to be scheduled to allow for the reports to be brought back to the main OSC and then onto cabinet within a council year, although this is not always possible when priorities are changed.
- 11.11. There are periodic reviews of the health committee agenda throughout the year to ensure that agendas are not too long, and that any changes are reflected and taken into account.
- 11.12. The bulk of our scrutiny work is carried out in formal meetings. We are aware that many of our councillors have work/life balance challenges so we do not require activity between formal meetings. However, it is helpful for them to take part in site visits and to read research reports and follow up correspondence. Chairs play an active role in developing and managing the work programmes and require regular contact with council officers and other stakeholders. Chairs of committees sometimes draft scrutiny reports themselves which is clearly a time consuming activity. However, this is not a requirement.
- 11.13. In some cases, the chair of the committee will draft the report in conjunction with officers who can provide further information if required, or check within the council for clarification on any issues arising.
- 11.14. In the case of the health committee, there are regular meetings with the CCG and public health, and members of the committee are regularly invited to attend stakeholder meetings at the hospitals that fall within Southwark.
- 11.15. The health committee needs strengthening due to its increased work load on public health. Since the last boundary review the committee has gained additional powers such as referral of decisions to the Secretary of State.
- 11.16. The council has had to reduce the officer support for scrutiny committees due to funding cuts. This means that members are expected to do considerably more of the work themselves.
- 11.17. The council has also reduced the number of committees due to funding and a lack of officer support being available. Members have expressed a desire to do more scrutiny and have fuller work plans.

- 11.18. Scrutiny members are expected to lead the work of their committees. The Education and Children's Sub Committee for example wanted to test out and strengthen the committee's findings on three topics that they had worked on during the year. Members organised a policy seminar with a range of stakeholders from the children's workforce, community groups and partner agencies. They invited the key note speakers and invested a lot of time in building up support and attendance. This is in addition to the work in the committee and in preparing research and reports.
- 11.19. Scrutiny Chairs have also led in data gathering. For example in an Overview and Scrutiny Inquiry into the council's procurement systems, the Chair of OSC conducted 45 minute interviews with a series of officers who work at various levels in the organisation to explore the details of how the council procures and improvements that could be made.
- 11.20. Scrutiny members in the Housing and Community Safety Scrutiny Sub Committee have been out on a series of visits to the services which they scrutinise. Members have been involved in late night noise patrols, a day working with the community wardens, a day with a plumber, spending time in the call centre listening to calls and working with the repairs service on how residents' repairs are managed.
- 11.21. With additional powers coming to the council, particularly around health, there will be an increased scrutiny workload. 63 members enables the council to meet these challenges and future challenges. A reduction to 60 members would enable the council to continue to deliver scrutiny, but it would impact on the ability of the council in the future to increase the reach of its scrutiny and meet new scrutiny challenges.

12. Section 2 - Summary and Conclusion of Scrutiny

- 12.1. 28 members out of 52 non-executive members are on a scrutiny committee.**
- 12.2. Members receive clerking support and some policy support, but increasingly have to lead the work and drafting of reports themselves.**
- 12.3. The current schedule is very full including cabinet member interviews for every cabinet and deputy cabinet member, and a full day of budget scrutiny.**
- 12.4. With additional powers coming to the council, particularly around health, there will be an increased scrutiny workload. There is the right number of members to meet this demand at present, but we remain ambitious for the future and so need available councillors to increase, but the council will need to resource scrutiny further if it is to support this. If not, members will be expected to do more of the work themselves, with limited officer support.**

- 12.5. The council is ambitious for scrutiny now and in the future and would like to do more. A reduction in members to 60 would inhibit the council's ability to deliver effective scrutiny now but also limit our ability in the future.**

13. Section 3 - Representational Role of Councillors

- 13.1. All councillors do casework differently. The council's iCasework system records casework from members. Officers across the council should record casework on this and so we can draw down information about the type and quantity of casework which exists. Officers estimate that about 20% of casework is not logged in this way.
- 13.2. Analysis of iCasework shows that there are on average 650 cases logged per month by councillors.
- 13.3. Most casework is housing related – the top five issues for members enquiries are: housing list issues; wet trade issues like damp; carpentry and plumbing issues like new doors, bathroom and kitchen fixtures; and engineering issues such as problems with heating, estate lighting and door entries.
- 13.4. Of the 20% that is not logged on iCasework, this is often when members resolve things informally at a local level by calling a housing officer or speaking with a relevant officer to resolve a case.
- 13.5. The role of officers is set out in the council's constitution. Their job is to give full and impartial advice to councillors to enable councillors to carry out their duties. There is no general administrative support for members to discharge their duties, although there is support for members performing certain roles. For example, if they are part of the controlling administration they will have access to (but not exclusive use of) a PA and a portfolio assistant. If they are a committee members they will have access to an officer from members services, a constitutional officer who attends all committee meetings and access to and use of IT.
- 13.6. All councillors have access to a blackberry, council phone line and email. This way of working means that the public often have high expectations of a councillor's response time and accessibility.
- 13.7. The council operates a members' enquiry service which manages members' queries and casework. The council does not offer any general administrative support for members in their ward or casework. Members are expected to manage their own casework.
- 13.8. Most members hold regular surgeries however each councillor organises these differently.
- 13.9. Some councillors' blog and tweet, this is not hosted by the council but is part of the councillors fulfilling their role in communicating with local residents.

- 13.10. Since the last review, the council has changed substantially. Prior to 2002, like most councils, members operated in a committee system which had a different set of governance arrangements in place to those currently. Although the statutory functions of the council operation remain in place, the nature and focus of overall council activity has significantly altered to reflect the changing nature of the borough and issues facing it.
- 13.11. Members work with people across the borough. The council has various mechanisms in place to assist with groups such as young people and other minority groups.
- 13.11.1. Youth Community Councils and Speakerbox that represents Children Looked After are currently in place. Officers are midway through a piece of targeted work with young people in the borough which includes research about what stops them being engaged. We have also done specific events for young people as part of wider consultations that at times involve councillors such as the ones on the new council homes.
- 13.11.2. Southwark has a very well established formal architecture of engagement with communities of interest across the borough. These include forums established around faith, ethnicity, disability, and the LGBT community. These groups have a very active engagement with ward councillors and cabinet members. Southwark has a very diverse population with a mixture of well-established communities alongside more recently arrived groups. Officers and councillors have worked hard to bring people from different communities and faiths together.
- 13.11.3. Ward councillors play an active role in encouraging residents to get involved in local activities and groups and to create understanding and tolerance. The result is that residents in Southwark are active and participate in their neighbourhoods and the work of the council.
- 13.11.4. Partners have worked well together to empower communities and bring local people together to reduce tension. Southwark is a place where communities generally get on well together. Over three-quarters of residents feel that people from different backgrounds get on well together.
- 13.12. Southwark does not have parish councils.
- 13.13. Southwark has a large number of active Tenant and Residents Associations, partly reflecting the high volume of social housing. Councillors are expected to engage with TRAs in their ward.

- 13.14. The council currently has five community councils which meet at least five times per year. This is set out in section 1.
- 13.15. The two main groups have a political assistant. They provide limited support with press and group administration. They rarely provide any support for individual members with casework or their ward representational role.
- 13.16. Members play a front line role in public consultations. The council holds “Community Conversations” on issues such as the budget process. Ward councillors usually attend these public events to talk with the community about decisions and priorities for the council.
- 13.17. Almost all members attend events in their community where they often play a local leadership role such as fairs and fetes, openings, estate and TRA events, charity events and arts and cultural events. Members report attending around 60 such events on average through the year.
- 13.18. How members interact with their constituents is changing. Members now spend on average just two hours a month in ward surgeries, with some members not doing ward surgeries at all. Similarly members spend relatively little time corresponding through letter, but there is a much larger use of email (95%), social media (70%) and phone calls (92%). This puts a high pressure on members to respond quickly and to carry out dialogue on line. Modern forms of communication mean that members are spending a lot more time engaging with residents.
- 13.19. Members spend around 75% of their time dealing with complex or long term cases on behalf of constituents. Only around 23% is straightforward one-off cases. The majority of casework relates to housing.
- 13.20. At the last review, Southwark had a population of 244,866, (3,886 people per councillor). The population in 2021 will be 350,766. Members are working very hard to meet demands, and currently represent approximately 4,800 people per councillor. If we reduced the number of members to 60, this would mean by 2021 each councillor was representing 5,846 residents – an increase of 50% since the last review. To keep the number below 5,000 we would need 71 councillors.
- 13.21. Southwark is a diverse borough and it is important that that diversity is reflected on the council. The council has a diversity in age, gender and ethnicity. The council has a mix of councillors including those working full time, part time, with caring responsibilities, and retired.
- 13.22. Currently, 30% of councillors are from a black or minority ethnic background, 43% are women, 57% are men. Southwark has a relatively young council with 14% under 30 and 38% under 40. Approximately 13% are over 60. A little under a third (28%) have caring responsibilities for children and the council

has a mix of people working full time, part time and retired with around 57% working full time.

- 13.23. It is important to Southwark that that diversity is maintained. We are concerned that any decrease in the number of councillors will put greater pressure on the reduced number of councillors. This will mean that the council may struggle to attract those who work full time or who have childcare or other caring responsibilities. Already many members report challenges with evening meeting where childcare is an issue, or daytime meetings when there is full time work. Having 63 councillors means there is enough members to cover both types of meetings and enables a breadth of individuals to be members for Southwark.
- 13.24. Southwark has a very active voluntary and community sector putting a lot of demands on members to engage with and be part of these communities. Three member wards ensure that this work can be split effectively and also in wards where one member has additional responsibility (such as being a member of the cabinet) ward colleagues can cover work to ensure that residents still have good access to councillors.
- 13.25. Southwark has a high turnover of population so members have the challenge of working with a lot of people who have only been resident a short time, alongside its older more established communities. Southwark has a mix of residents: those who are very able to access the council and its services, as well as those who have barriers to access and who councillors have to work harder with to ensure that the council is serving them. This means that members need to be constantly adapting to meet the changing needs of the areas that they represent.

14. Section 3 - Summary and Conclusion Representational Role of Councillors

- 14.1. Councillors have high demands on their time. The make up of Southwark means there are a range of challenges in the borough which councillors are involved in resolving. High social housing and high deprivation means councillors have a large casework load.**
- 14.2. Members have little support for their representational role as ward members. They are expected to be self reliant.**
- 14.3. Southwark's population increasingly use e-communication and social media to communicate with their elected members. This is increasing the demands on members and also the expectation of a quick response to enquiries.**
- 14.4. Southwark is a very diverse borough and requires a council that is led by people who represent a range of backgrounds. We are concerned that a reduction in members would increase the workload to make it harder for**

those with childcare and other caring responsibilities or who work full time to do the role. We are concerned that this will limit the council's ability to attract quality members and candidates.

- 14.5. The council expects its members to play an active part in community conversations and community councils.
- 14.6. Councillors have to balance the time they spend in the town hall against the time they spend in the community. With a decrease in support and an increase in workload, this is a challenge for members.
- 14.7. An increase in number to 66 or even 71 would enable councillors to better fulfil the different aspects of their role as set out in sections 1, 2 and 3. However, the council has learnt to operate with 63 councillors and believes it can continue to do so. The council would not support an increase even though much of the evidence suggests that more members are needed. Maintaining 63 is essential to ensure that the council can effectively govern, scrutinise and have members who are effective representatives. This many members also enables people from a range of backgrounds to put themselves forward for election. It is essential to Southwark that this is maintained.

15. Section 4 – The Future

- 15.1. The council does not have plans to further devolve matters to members. The council will of course respond to any changes in policy from central government and welcomes the possibility of greater devolution to a local level. The council would then need to make any necessary changes to governance structures including the role of members to meet this.
- 15.2. There is every indication to believe that the initial steps towards devolution for London are underway. Jules Pipe, Labour Chair of London Councils and the London Mayor are preparing the ground for what has been 'London Settlement' consisting of shared governance and certain levels of fiscal devolution.
- 15.3. In 2013 the London Finance Commission proposed devolving council tax, business rates and capital gains and stamp duty, this was endorsed by the Mayor of London. This move, recently trialled by Greater Manchester, Peterborough and Cambridgeshire will allow the city to retain 100% of business rates and radically alter the traditional relationship with Whitehall. Under the new proposal monies will go via the Mayor to one of four or five groups of London boroughs.
- 15.4. Any fiscal changes would not be wholesale as only 12- 13 % would be apportioned to local councils. Changes in fiscal devolution are still some way off.
- 15.5. Southwark is anticipating changes to population. The population is forecast to increase in central London in the coming few years. Southwark is then forecasting additional growth due to the major regeneration schemes in the borough that are underway and planned for the future. This is set out in paragraph 3 onwards.
- 15.6. We expect to see a further enhancement in the use of social media in the future as well as further changes to rules on the recording of meetings and use of social media within meetings. Southwark is currently trialling the broadcast of OSC meetings and has introduced the use of Twitter into the Leader's Public Question Time. We would anticipate that members will become even more self-reliant to perform their representative/leadership role as they will often be interacting with the public in new and additional ways during meetings.
- 15.7. In both planning and licensing, we forecast that the work of the council will increase as we continue to deliver regeneration and new building. In addition, our town centres are becoming ever more popular with new licensed establishments opening. As areas like Peckham, Walworth and the Old Kent Road change over the coming five years the work of licensing will increase.

16. Localism Act

- 16.1. The Localism Act 2011 has already had a significant impact on Southwark but this will increase in the future as the changes in it begin to be delivered.
- 16.2. **Planning Decisions:** In Southwark, the impact of the Localism Act (2011) has not been significant in terms of planning decisions. The Localism Act introduced an overarching 'presumption in favour of sustainable development' which is intended to incentivise development. However, Southwark has an up to date development plan which is in conformity with the sustainability criteria outlined in the National Planning Policy Framework. As such, the presumption has not been found to be a material planning consideration which outweighs the borough's adopted planning policy.
- 16.3. **Neighbourhood Planning:** The Localism Act (2011) introduced new opportunities for communities to more directly participate in shaping the development of their area through Neighbourhood Planning. Representative groups of residents and/or businesses have the opportunity to establish a Neighbourhood Forum which will then produce the Neighbourhood Plan within boundaries agreed by the council. Neighbourhood plans are being taken forward in six areas in Southwark: Bankside, Bermondsey, Waterloo and South Bank, Rotherhithe and Surrey Docks and Elephant and Walworth, and Crystal Palace (which includes areas within Southwark, Lewisham, Lambeth, Bromley and Croydon). Each area is at a different stage of development and no neighbourhood forums have produced an initial draft Neighbourhood Plan.
- 16.4. **Neighbourhood Development Orders:** The Localism Act also introduced Neighbourhood Development Orders which enable neighbourhood forums to prepare broad parameters of acceptable development similar to an outline planning permission. No neighbourhood groups in Southwark have expressed an interest in preparing a Neighbourhood Development Order.
- 16.5. **Assets of Community Value:** The Localism Act introduced the designation Asset of Community Value (ACV) which allows local groups to nominate buildings or areas. In Southwark there are six ACVs, two of which are pubs.
- 16.6. **Neighbourhood Development:** From April the council adopted the community infrastructure levy (CIL) to replace Section 106 as the primary mechanism of collecting contributions towards infrastructure from development. The council will be required to spend a proportion of CIL revenues in the locality of the development which paid the contribution in consultation with the local community, especially involving Neighbourhood Forums in the decision making process where these exist.

17. Health and Social Care

- 17.1. The Health and Social Care Act 2012 started the formal transition of public health responsibilities to local authorities with the abolition on Primary Care Trusts. In Southwark public health is overseen by a combination of a Health and Wellbeing Board, Director of Public Health and the cabinet member. The cabinet member provides political leadership and direction for this new council function. The Secretary of State has the power to prescribe aspects of how the council carries out its function.
- 17.2. Health inequality remains an important issue in Southwark. The council is still in the early stages of its public health work following the transfer of public health responsibilities. Looking forward, we expect this to increase and also change how the council works as public health embeds across council services changing the way we both monitor and deliver services, to start to drive improvements in public health.

18. Finance and Welfare

- 18.1. The council has had to deliver over £110m worth of savings over the last four years across its operation. This is as a direct result of reductions in funding from government grant over that time period. The majority of the savings have been delivered through improved ways of working, although service reductions have also had to take place given the unprecedented reduction in funding.
- 18.2. The council is predicting similar savings over the next four years. This means that there will be less that the council is able to deliver and the need to do more with what resources are left will increase. The role of members in governing this, and in ensuring that every decision is effectively scrutinised will become even more important as the council makes decisions on efficiencies and delivering value for money.
- 18.3. As already set out, Southwark has many areas of deprivation where residents may largely rely on welfare and other state support. Government changes to this will impact on many Southwark residents which will increase the pressure on the council to continue to deliver for local people and support those in need who are impacted by welfare reform.

19. Section 4 – Summary and Conclusion, The Future

- 19.1. Southwark is at the forefront of lobbying for devolution. When this happens, we want to be at the forefront of delivering in that new devolved settlement. This will mean major change for Southwark and is in addition to major changes already announced. We anticipate there being an impact from the localism act and changes with public health. We also anticipate there being more work in areas like licensing and planning.**

- 19.2. We expect population growth due to general growth across central London, and also additional growth in Southwark due to the major regeneration schemes. By 2021, the population will be over 350,000 including around 20,000 in new developments.**
- 19.3. Southwark anticipates greater devolution in the future which will mean greater responsibility in decision making, and also a need for more scrutiny of decision making.**
- 19.4. There are changes in the size of population will mean that each member is representing more people. There will also be declining budgets to local authorities meaning fewer resources to support councillors and expecting more work from councillors.**

Summary

20. In calculating the number of members the council needs for effective governance as set out in section 1, the council needs at least the following:

Mayor	1
Leader	1
Cabinet	9
Licensing	15
Planning	22
Community Council Chairs	5
 Total	 53

21. In addition to the number of members above, the council also needs an effective Overview and Scrutiny Process as set out in section 2. The council needs the following:

Total for Governance	53
Overview and Scrutiny	11
 Total	 64

- 21.1. The roles set out above are essential for governance and scrutiny. In addition we have members for a range of other functions such as scrutiny sub committees, outside bodies and other committees of the council. These are detailed in the report and as previously stated, every councillor sits on at least one committee of the council, 60 out of 63 sit on at least two and over half (33) sit on at least three.
22. Members in 2002 represented an average of 3,886 people. In 2015, this rose to 4,800 and if we retain 63 councillors this will rise to 5,567 by 2021. We consider 5,000 to be the optimal number of residents per councillor which would mean the council needs at least 71 councillors.
23. Section 1 - Summary and Conclusion of Governance
- 23.1. The council's 'Strong Leader' model means that executive power rests with the cabinet and Leader.
- 23.2. The community council system means that all members have responsibility for some local level decisions.
- 23.3. Every councillor sits on at least one committee of the council, 60 out of 63 sit on at least two and over half (33) sit on at least three.

- 23.4. Southwark has a high number of planning and licensing decisions due to its central London location and ambitious building and regeneration projects. There were 58 licencing meetings in the last year.
- 23.5. The council is aware of future changes in neighbourhood planning which will increase the demand on members.
- 23.6. All councillors have some decision making responsibility due to their role as members of the community council. There are no councillors who are not engaged in some part of the council's governance process. Council meetings are well attended, and members are actively engaged, suggesting that they are attending willingly and have about the right number to attend.
- 23.7. An effective opposition is important in any council, a smaller opposition often has more difficulty in having an impact in holding the administration to account. A reduction in the overall size of the council would make this more challenging.
- 23.8. 63 councillors provides the council with enough members to fulfil its governance function. With almost all councillors serving on at least two committees and over half serving on three or more, the council would struggle to meet its governance standards with fewer members. Even a reduction to 60 would limit the availability of members. An increase in councillors to 66 would mean that members could sit on fewer committees and so dedicate more time to those that they do.
24. Section 2 - Summary and Conclusion of Scrutiny
- 24.1. 28 members out of 52 non-executive members are on a scrutiny committee.
- 24.2. Members receive clerking support and some policy support, but increasingly have to lead the work and drafting of reports themselves.
- 24.3. The current schedule is very full including cabinet member interviews for every cabinet and deputy cabinet member, and a full day of budget scrutiny.
- 24.4. With additional powers coming to the council, particularly around health, there will be an increased scrutiny workload. There is the right number of members to meet this demand at present, but we remain ambitious for the future and so need available councillors to increase, but the council will need to resource scrutiny further if it is to support this. If not, members will be expected to do more of the work themselves, with limited officer support.
- 24.5. The council is ambitious for scrutiny now and in the future and would like to do more. A reduction in members to 60 would inhibit the council's ability to deliver effective scrutiny now but also limit our ability in the future.

25. Section 3 - Summary and Conclusion Representational Role of Councillors

- 25.1. Councillors have high demands on their time. The make up of Southwark means there are a range of challenges in the borough which councillors are involved in resolving. High social housing and high deprivation means councillors have a large casework load.
- 25.2. Members have little support for their representational role as ward members. They are expected to be self reliant.
- 25.3. Southwark's population increasingly use e-communication and social media to communicate with their elected members. This is increasing the demands on members and also the expectation of a quick response to enquiries.
- 25.4. Southwark is a very diverse borough and requires a council that is led by people who represent a range of backgrounds. We are concerned that a reduction in members would increase the workload to make it harder for those with childcare and other caring responsibilities or who work full time to do the role. We are concerned that this will limit the council's ability to attract quality members and candidates.
- 25.5. The council expects its members to play an active part in community conversations and community councils.
- 25.6. Councillors have to balance the time they spend in the town hall against the time they spend in the community. With a decrease in support and an increase in workload, this is a challenge for members.
- 25.7. An increase in number to 66 or even 71 would enable councillors to better fulfil the different aspects of their role as set out in sections 1, 2 and 3. However, the council has learnt to operate with 63 councillors and believes it can continue to do so. The council would not support an increase even though much of the evidence suggests that more members are needed. Maintaining 63 is essential to ensure that the council can effectively govern, scrutinise have members who are effective representatives. This many members also enables people from a range of backgrounds to put themselves forward for election. It is essential to Southwark that this is maintained.

26. Section 4 – Summary and Conclusion, The Future

- 26.1. Southwark is at the forefront of lobbying for devolution. When this happens, we want to be at the forefront of delivering in that new devolved settlement. This will mean major change for Southwark and is in addition to major changes already announced. We anticipate there being an impact from the localism act and changes with public health. We also anticipate there being more work in areas like licensing and planning.

- 26.2. We expect population growth due to general growth across central London, and also additional growth in Southwark due to the major regeneration schemes. By 2021, the population will be over 350,000 including around 20,000 in new developments.
- 26.3. Southwark anticipates greater devolution in the future which will mean greater responsibility in decision making, and also a need for more scrutiny of decision making.
- 26.4. There are changes in the size of population will mean that each member is representing more people. There will also be declining budgets to local authorities meaning fewer resources to support councillors and expecting more work from councillors.

Conclusion and Recommendation

27. Conclusion

- 27.1. Southwark is a well run and effective council, with good engagement by members who play a full and active role as local representatives. We have strong governance and scrutiny and members are central to delivering this good governance.
- 27.2. Our approach has therefore been to start with the existing number of members, and to consider in each area whether an increase in members would be advantageous. We also considered whether we had more members than we needed and so should decrease the number of members.
- 27.3. The summaries of each section are set out above which lead us to conclude that Southwark should increase the number of councillors. Within the nearest neighbour model, we could only increase by three members and remain inline with our neighbours. We have therefore considered increasing to 66.
- 27.4. The evidence in this report shows that we should increase the number of members. Through the report we have also considered making a small reduction to 60 members to test whether Southwark could sustain a smaller number of members.
- 27.5. We have rejected the idea of a reduction to 60 members as with the increases in population and changes in the borough in the coming few years, it would have a detrimental impact on the representational role of members. We consider that it would limit the opportunity to develop scrutiny.
- 27.6. Southwark is unique in regards to the scale of regeneration it has, alongside its role as the largest local authority landlord in London. A reduction in members would reduce councillors ability to adequately represent these dynamic and changing communities, and the council's ability to manage its already very busy planning and licensing processes. We already need to go further in ensuring diversity amongst councillors, any reduction will make this harder.
- 27.7. To ensure a ration of around 5,000 people per councillor, we would need 71 members. However, on other factors around governance we did not see evidence to suggest an increase was necessary although there is little capacity if the demands of these roles increase. While members are already working hard to deliver in their roles, the council has shown it can work with 63 members.
- 27.8. An increase to 66 within the nearest neighbour model has an impact on the representation ratio. It would give members more opportunity to work on

scrutiny. Currently over half the non-executive members work on scrutiny. Most of those who do not are involved in planning and licensing. With both planning and licensing increasing there is limited capacity to enhance scrutiny. With reducing support from officers on scrutiny, members will need to do more and for scrutiny to be effective, more members will need to take an active role. An increase to 66 would provide that capacity.

- 27.9. **Having considered the evidence, we strongly reject the argument for any reduction in councillors and instead believe the council should increase in size to 66. However, we do not believe that this can be justified whilst cuts are being made and will continue to be made to Southwark. The council has shown that it can work and work well with 63 members. We are therefore recommending that the council retains 63 members.**

Appendix 1 – Council Constitution: Delegation of Decisions

COUNCIL ASSEMBLY

Role and functions

Council assembly is responsible for setting up the decision making structure of the council including its committees. It does this annually. Council assembly takes a number of decisions including agreeing the annual budget, setting the council tax, agreeing policy framework strategies and plans. It makes decisions on local legislation and bylaws. The meeting also appoints to outside bodies unless the appointment is an executive function or has been delegated by council assembly.

The council assembly will question the cabinet. The meeting will receive reports from the cabinet, overview and scrutiny committee and officers. It will also debate matters of local importance and consider members' motions.

Matters reserved for decision

The following matters are reserved to the council assembly for decision:

1. Electing the Mayor.
2. Adopting the local authority's code of conduct.
3. Electing the leader.
4. Establishing committees and community councils.
5. Agreeing and amending terms of reference for committees and community councils except for executive functions.
6. Deciding the composition of committees and sub-committees.
7. Agreeing the budget and determining the level of local taxation. The budget includes the allocation of financial resources to different services and projects, proposed contingency funds including reserves and balances, the council tax base, setting the council tax and decisions relating to the control of the council's borrowing requirement, the treasury management strategy and the setting of virement limits.
8. Agree the capital strategy and programme at least once every four years and as necessary in the event of a significant change in circumstances, and the approval of virements over £10,000,000 between capital projects or programme headings as set out in the overall programme.

9. Agreeing the constitution, subject to the provisions in Article 1.05 on changing the constitution.
10. Agreeing the policy framework comprising the following plans and strategies:
 - Children and young persons' plan
 - Corporate plan
 - Development plan documents (which form part of the development plan framework)
 - Policy on the community councils
 - Sustainable community strategy
 - Treasury management strategy (including prudential borrowing arrangements)
 - Youth justice plan.
11. Agreeing the following policies:
 - Licensing statement
 - Gambling statement.
12. Agreeing any application to the Secretary of State in respect of any housing land transfer. Housing land transfer means the approval or adoption of applications to the Secretary of State (whether in draft form or not) for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.
13. Taking decisions in respect of functions which are the responsibility of the cabinet which are not in accordance with the policy framework or budget agreed by the council assembly.
14. Subject to the urgency procedure contained in the access to information procedure rules in part 4 of this constitution, making decisions about any matter on the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget.
15. All local choice functions set out in part 3 of this constitution which the council assembly decides should be undertaken by itself rather than the cabinet.
16. Taking decisions in respect of functions which are not the responsibility of the cabinet and which have not been delegated by council assembly to committees, community councils, sub-committees or officers.
17. Making or confirming the appointment of the head of paid service.

18. Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal bills.
19. Determining the scheme and amounts of members' allowances.
20. Appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the council assembly.
21. Changing the name of the area, conferring the title of Honorary Alderman or Freedom of the Borough.
22. All other matters which, by law, must be reserved to council assembly.

PART 3B: CABINET ROLE AND FUNCTIONS

The cabinet has responsibility for the following areas. The issues listed are the "executive functions" of the council.

Local leadership

1. To provide community leadership in the borough.
2. To lead the community planning process and the search for best value, with input and advice from overview and scrutiny committees/sub-committees, community councils and any other bodies or persons as appropriate.
3. To take in-year decisions on resources and priorities, together with other stakeholders and partners in the local community, to deliver and implement the budget and policy framework as agreed by council.
4. To ensure consultation on the development of the council's policy framework, other key strategic documents and key decisions.
5. To be the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.
6. To oversee and take responsibility for effective joint work with partner agencies.

Policy

1. To draft the budget and policy framework for approval by council assembly.
2. To have responsibility for drafting the sustainable community strategy and recommending it to council assembly.

3. To formulate the council's overall policy objectives and priorities, recommending them to council assembly for approval where appropriate.
4. To determine the council's strategy and programme in relation to the policy and budget framework set by the council.
5. To determine the authority's strategy and programme in relation to the social, environmental and economic needs of the area.
6. To exercise the council's functions in relation to community engagement and the local strategic partnership, including the formulation of council strategies for communication, consultation, capacity building and active citizenship, and their coordination and implementation with particular reference to the provisions of relevant legislation.
7. To promote human rights, equality of opportunity and the interests and particular needs of all those who experience discrimination or disadvantage by virtue of their race, gender, disability, sexuality, or age.
8. To monitor the implementation and coordination of the statutory functions and obligations of the council with respect to equality of opportunity and non-discrimination, including its function as an employer.
9. To oversee and promote initiatives on best value across the council.
10. To set the strategic direction for the council's democratic renewal initiatives.
11. To consider and promote strategic and council wide initiatives to improve the quality, efficiency and effectiveness of the council's services to the public.

Financial management and resources

12. To have responsibility for the strategic management of the council's resources, financial, land, property and staffing, and to take decisions on such matters in the context of the budget and policy framework agreed by council.
13. To have responsibility for the council's revenue and capital budgets, including the housing revenue account, ensuring effective financial control and the achievement of value for money, within the provisions of financial standing orders.
14. To have responsibility for the operation of the council's risk management function.
15. To have responsibility for audit issues.

16. To have overall responsibility for acquisitions and disposal of any interest in land, buildings or the real and leasehold property of the council and to have responsibility for land and property used for operational purposes.

General

17. To oversee the authority's services.
18. To have responsibility for all staffing and human resource matters including the number and type of staff, equalities issues and health and safety, subject to the authority's personnel policies and procedures except for staff appointments and dismissals.
19. To have responsibility for all equalities and diversity matters concerning both employment policy and practices and service delivery and the active promotion of the council's equalities policies.
20. To have responsibility for the council's role as corporate parent.
21. To affiliate to and appoint representatives to outside bodies where such appointments are a function of the cabinet.
22. To delegate to appropriate committees of the cabinet and to chief officers and to receive regular information reports from them with particular reference to value for money; service implementation and development; client/customer service and performance; and the performance and achievement of equalities objectives.
23. To agree the reduction or cessation of any service.
24. To agree the authority's response to consultation papers.
25. To consult with scrutiny and take into account the final reports of scrutiny inquiries.
26. To consider whether the council should give evidence before a Royal Commission, government committee or similar body.
27. To be responsible for all cabinet matters even if not expressly set out in this part of the constitution.

Plans and strategies to be approved by the cabinet

- Asset management plan
- Employment strategy
- Enterprise strategy
- Food law enforcement plan
- Green travel plan

- Housing investment programme
- Housing renewal policy
- Housing strategy
- Local area agreement (LAA)
- Medium term resources strategy (including the housing revenue account)
- Renewal areas strategies
- Road safety plan
- Schemes for financing schools
- Special education needs action plan
- Statement of community involvement
- Supplementary planning documents
- Waste strategy
- Youth strategy.

Note: This list is not exhaustive.

The cabinet makes decisions in the following circumstances:

1. Matters reserved to the cabinet are as set out in Part 3C.
2. Matters reserved to individual cabinet members are as set out in Part 3D, except where, in any particular case, the leader, deputy leader and/or the chief executive directs that the decision should be reserved to the cabinet; or the individual member refers the decision to the cabinet.
3. Matters reserved to cabinet committee(s) are as set out in Part 3E.

PART 3C: FULL CABINET – MATTERS RESERVED FOR COLLECTIVE DECISION MAKING

1. All matters reserved to the cabinet by council assembly for decision.
2. Decisions on matters reserved to the cabinet in accordance with the provisions of contract standing orders in part 4 of the constitution.
3. Approval for recommendation to council assembly of those proposals and plans contained in the council's budget and policy framework.
4. Decisions regarding the strategic management of the council including decisions on major reorganisations and major reallocations of functions between departments or chief officers.
5. Approval to the creation of posts at grade 17 and above.
6. Approval of major terms and conditions of employment outside the national and provincial schemes.

7. Decisions regarding the strategic aspects of the regulation and control of the council's finances.
8. Approval of new fees and charges and agreement of charging levels in line with the medium term resources strategy.
9. Approval of virements over £1,000,000 and up to £10,000,000 between capital projects or programme headings as set out in the overall programme approved by council assembly.
10. Approval of policy and procedures governing the council's relationship with the voluntary sector.
11. Approving write-offs of debt of a value of over £50,000.
12. Amendments to the council's equal opportunities policy.
13. Agreement to the disposal of leasehold and freehold interests in land and property where the market value is more than £750,000 excluding Right to Buy and Leasehold Reform Act cases.
14. All disposals at less than best consideration where the market value is more than £250,000 or where ministerial consent is required, unless the disposal is required by statute.
15. Acquisition of land and property, outside any scheme already agreed by members, where the market value is more than £100,000.
16. The acquisition of land and property which involves the use of compulsory purchase orders.

Education issues

17. Approval of school admissions policies where the council is the admissions authority.
18. Approval of the co-ordinated admissions process for primary and secondary schools in Southwark.
19. All school organisation final decisions on statutory proposals e.g. whether to close a school.

Planning issues

20. To adopt preferred options of development plan documents.

21. To adopt supplementary planning documents taking account of comments from the planning committee.

Notes

- a) All matters not reserved as above or to individuals or to cabinet committees (see 3D and 3E) are delegated to the appropriate chief officer and heads of service. All delegated matters can always be decided by the parent body. See also Part 3P: Matters delegated to officers.
- b) Cabinet committees have the power within the role and functions delegated to them to decide all matters reserved to cabinet.

PART 3D: INDIVIDUAL CABINET MEMBERS – MATTERS RESERVED FOR DECISION

Introduction

There are occasions when matters affect more than one portfolio; on such occasions the decision will be referred to a meeting of the full cabinet.

In discharging any functions that have been delegated, a cabinet member must act lawfully. This means that the cabinet member must act within the scope of the authority that is delegated to him or her in accordance with any limits within the delegation, this constitution, council policies, procedure rules and the members' code of conduct.

Budget

1. Proposing revenue and capital budget allocations to the cabinet, in relation to their areas of responsibility.
2. Agreement of significant programmes in relation to these objectives.
3. Agreement of changes to existing fees and charges, in relation to their areas of responsibility and in line with the medium term resources strategy, other than any set by council assembly as part of the budget process.
4. Approving the submission of bids for additional resources from government and other agencies, in relation to their areas of responsibility, where member level agreement is required by the external agency.
5. Matters reserved to individuals above specific financial thresholds:
 - Approving write offs of debt for their portfolio area of a value of £5,000 – £50,000.
 - Approving grants to voluntary organisations over £2,500.

Service planning and delivery

6. Agreement of statutory and other strategies, in relation to their areas of responsibility, except where they relate to crosscutting issues.
7. Agreement to significant policy issues, in relation to their areas of responsibility.
8. Agreement of performance standards and key policy objectives, in relation to their areas of responsibility.
9. Agreement to policy and performance priorities for the short and medium term in relation to their areas of responsibility and taking into account the needs of the council as a whole.
10. Agreement of service plans, in relation to their areas of responsibility.
11. To consider any inspection report by an external agency and:
 - agree the action plan, including recommendations for no action, where there are no significant policy implications
 - make recommendations to the cabinet, including recommendations for no action, where there are significant policy implications.
12. Agree reports when there are any significant changes associated with the delivery of an agreed plan.
13. Sign off any plan or strategy or programme when completed or take decisions where no further significant cabinet approval is required.
14. Monitor the effectiveness and appropriateness of the plan or strategy or programme within the portfolio holders responsibility and agree any necessary changes.

Tenders and contracts

15. Decisions on matters reserved to individual cabinet members in accordance with the provisions of contract standing orders in part 4 of the constitution.

Partnerships and consultation

16. To approve responses to consultation documents from government, Greater London Authority, Local Government Association, London Councils and other bodies relating to significant changes affecting their portfolio area, which would not require changes to the budget and policy framework.

17. Agreeing broad consultation arrangements, in relation to their areas of responsibility.
18. To promote effective partnerships, between the council and other agencies and bodies affecting the community, in relation to their areas of responsibility.
19. To deal with petitions in their portfolio area in accordance with council procedure.
20. To agree the following school organisation decisions:
 - Agreement to carry out the initial consultation where the council is proposing to make a statutory change to a school
 - Following the outcome of the initial consultation process, to agree to publish the statutory notice
 - Approval of the co-ordinated admissions process for primary schools in Southwark if there are no changes from the previous year.
21. To agree draft local development framework documents for consultation, such as supplementary planning documents.

Transport issues

22. To decide to implement a new controlled parking zone (CPZ).
23. To determine objections to traffic orders that are of a strategic nature.
24. To decide to make strategic changes to an existing CPZ (i.e. changing the hours/days of operation).

Appendix 2 – Council Appointments to outside bodies

The Council appoints members to the following bodies:

- London Councils Leaders' Committee (1 councillor and 2 deputies)
- London Councils Transport & Environment Committee (1 councillor and 4 deputies)
- London Councils Grants Committee (1 councillor and 4 deputies)
- London Councils Pensions CIV Sectoral Joint Committee (1 councillor and 1 deputy)
- Greater London Employment Forum (1 councillor and 1 deputy)
- Age UK London (1 councillor)
- Better Bankside Board (1 councillor)
- Blue Bermondsey Board (Business Improvement District) (1 councillor) (as of 2014/15)
- Canada Water Consultative Forum (4 councillors)
- Central London Forward (1 councillor)
- Centre for Literacy in Primary Education (1 councillor)
- Creation Trust (3 councillors)
- Cross River Board (1 councillor)
- Crystal Palace Community Development Trust (1 councillor)
- Greater London Enterprise Limited (1 councillor)
- Groundwork London, Local Authority Strategic Input (1 councillor)
- Guys and St. Thomas NHS Foundation (1 councillor)
- Kings College Hospital NHS Foundation (1 councillor)
- Lambeth and Southwark Housing Association Limited (1 councillor)
- London Road Safety Council (LRSC) (2 councillors)
- London Youth Games Limited (1 councillor and 1 deputy)
- Millwall For All (1 councillor) (as of 2014/15)
- North Southwark Environment Trust (1 councillor)
- Potters Fields Park Management Trust (1 councillor)
- South Bank Partnership (4 councillors)
- South Bank and Bankside Cultural Quarter Directors Board (1 councillor)
- South Bermondsey Big Local Partnership Steering Group (2 councillors)
- South London Gallery Trustee Limited (3 councillors)
- South London and Maudsely (SLaM) NHS Trust Members Council (1 councillor)
- Southwark and Lambeth Archaeological Excavation Committee (SLAEC) (1 councillor and 1 deputy)
- Southwark Cathedral Education Centre (1 councillor)
- Safer Neighbourhood Board (1 councillor)
- Waterloo Quarter Business Alliance – Southwark (Business Improvement District) (1 councillor)

Appendix 3 – Meeting Attendance over 2 year.

The table below sets out the number of meeting over two year, the average time each meeting lasted and the average number of councillors who attended the meeting.

	Meetings	Av. Time	Av. Cllrs
Council Assembly	15	2 40	60
Cabinet	19	1 48	9
Bermondsey & Rotherhithe Community Council	10	2 24	14
Camberwell Community Council	10	2 10	8
Borough, Bankside and Walworth Community Council	11	2 31	13
Peckham and Nunhead Community Council	11	2 19	12
Dulwich Community Council	10	2 46	8
Overview and Scrutiny Committee	22	2 43	10
Education & Children's Services Scrutiny Sub Committee	14	2 00	6
Housing and Community Safety (1yr figures)	7	2 33	7
Healthy Community Scrutiny Sub-Committee	12	2 45	6
Planning committee	26	2 31	7
Planning Sub Committee A	12	2 11	6
Planning Sub Committee B	10	3 27	6
Licensing committee	5	1 16	11
Licensing sub-committee	99	3 29	3
Joint Partnership Panel	6	1 24	2
Health and Wellbeing Board	8	2 30	3
Corporate Parenting	7	2 08	5
Audit & Governance	8	1 49	5
Standards	4	1 24	7

Item No: 7.2	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Treasury Management Performance - 2014/15 Annual Report and Prudential Indicators for Capital Finance and Treasury Management	
Wards or Groups affected:		All	
From:		Strategic Director of Finance and Corporate Services	

RECOMMENDATION

1. That council assembly notes this 2014/15 outturn report on treasury management and in year activity which included:
 - a) prudently managing council cash and holding it in money market instruments with major banks and the UK government until it is needed in spend (paragraphs 4 and 5);
 - b) updating the investment strategy in February 2015, ensuring that it remains sound under present market conditions where monetary policy is still highly accommodative and the scope for targeting higher returns without increased risk remains low (paragraphs 7 and 8);
 - c) ensuring that the council can efficiently and effectively execute the updated investment strategy by continuing to use fund managers (paragraph 8);
 - d) reducing the interest on Public Works Loans Board (PWLB) loans outstanding from past capital spend by paying off £5.7m (paragraphs 9 and 10);
 - e) reducing the draw on internal borrowing to fund capital spend by £23m and raising the headroom for future housing revenue account (HRA) capital finance by £19m (paragraph 11); and,
 - f) holding balances remaining on loans and long term liabilities that pay for past capital spend within the authorised debt limit (paragraph 15) and other prudential limits (Appendix A).

BACKGROUND INFORMATION

2. This report presents the 2014/15 position on the council's cash, borrowing and supporting capital finance and treasury management prudential indicators. The report is one of three to council assembly each year on this subject. The others are a strategy report at the start of each financial year and a half year update. The cabinet receives quarterly updates and the audit and governance committee reviews treasury strategy annually, which it will do again in the third quarter of 2015/16 ahead of the council assembly considering the strategy for 2016/17 in February 2016.

3. The treasury strategy is agreed by council assembly and under financial delegation all executive, managerial and operational decisions are the responsibility of the strategic director of finance and corporate services. The statutory and financial duties affecting this area arise from the Local Government Act 2003, supplemented by investment guidance issued by the government and codes of practice issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).

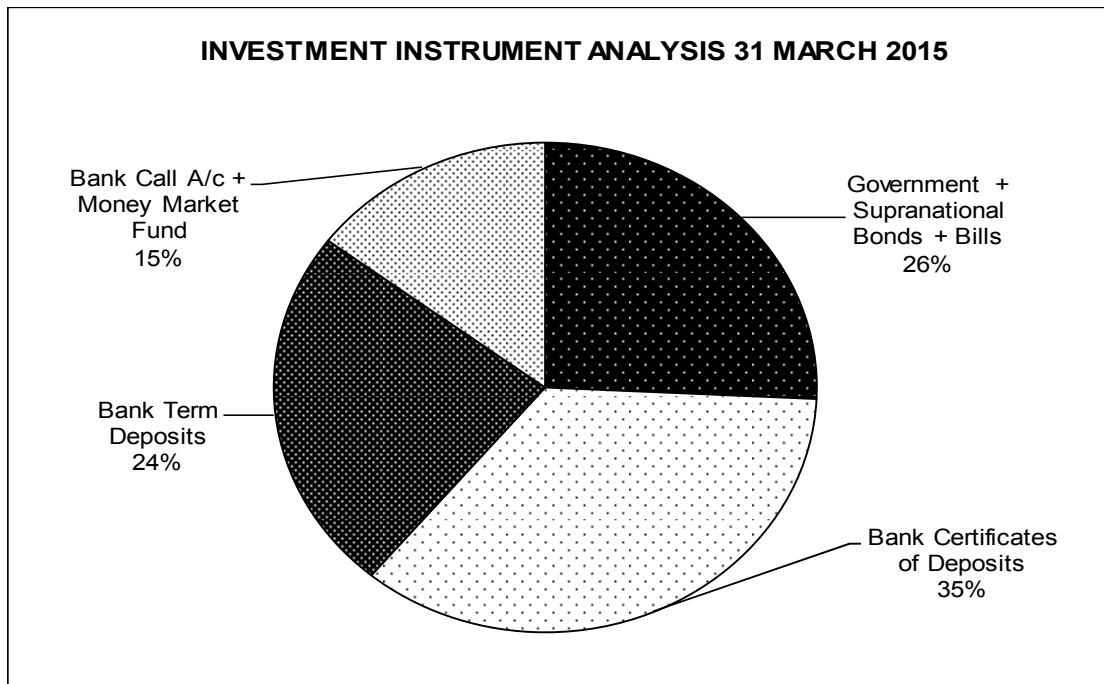
KEY ISSUES FOR CONSIDERATION

Investment Management Activity and Position

4. Council cash that is not immediately used in spend is held in money market instruments and managed according to a prudent investment strategy. The 2014/15 strategy was agreed in February 2014. Over the course of 2014/15 the sums held in investments averaged £210m (£240m in 2013/14) and, as net cash outflow increased towards the end of the 2014/15, closed the year with a balance of £165m (£157m at 31 March 2014).
5. The investments are managed by an in-house operation and two fund managers: AllianceBernstein and Aberdeen Asset Managers. In-house, the focus is on meeting variable day to day cash requirements using call accounts, money market funds and term deposits diversified across major banks and building societies. The fund managers invest more stable cash over a longer term within a risk controlled framework in UK government gilts, supranational bank bonds, and certificates of deposits issued by major banks/building societies. The distribution of investments across counterparties, maturities and instruments at 31 March 2015 is set out in the tables and charts below.

INVESTMENT COUNTERPARTY AND RATINGS 31 MARCH 2015								
EXPOSURE £m	Fund				Ratings			
COUNTERPARTY	Aberdeen	Alliance Bernstein	In-house	Total £m	Long	Short	Sovereign	Sovereign Rating
NORDEA BANK FINLAND	6.5			6.5	AA-	F1+	FINLAND	AAA
BANQUE NAT DE PARIS	3.5	1.0	10.0	14.5	A+	F1	FRANCE	AA
CREDIT INDUST ET COMRCL	3.5			3.5	A+	F1	FRANCE	AA
SOCIETE GENERALE		1.2		1.2	A	F1	FRANCE	AA
CREDIT AGRIC CIB	3.0			3.0	A	F1	FRANCE	AA
DEUTSCHE BANK		1.0	10.0	11.0	A+	F1+	GERMANY	AAA
GOLDMAN SACHS MMF			20.7	20.7		AAA	Money Fund	
BLACKROCK MMF			2.9	2.9		AAA	Money Fund	
ING BANK	3.5	2.0	5.0	10.5	A+	F1+	NETHERLANDS	AAA
RABOBANK	1.1	2.0		3.1	AA-	F1+	NETHERLANDS	AAA
EUROPEAN INV BANK	7.0	5.5		12.5	AAA	F1+	SUPRANATIONAL	AAA
INT BANK RECONST DEVT		4.8		4.8	AAA	F1+	SUPRANATIONAL	AAA
SVENSKA	3.3		10.0	13.3	AA-	F1+	SWEDEN	AAA
CREDIT SUISSE	3.5	2.0		5.5	A	F1	SWITZERLAND	AAA
UBS	3.5	2.0		5.5	A	F1	SWITZERLAND	AAA
BARCLAYS BANK	3.5	2.0		5.5	A	F1	UK	AA+
LLOYDS BANK	3.5		5.0	8.5	A	F1	UK	AA+
NATIONWIDE BSOC	3.3	2.0		5.3	A	F1	UK	AA+
RBS/NATWEST				-	A	F1	UK	AA+
UK TREASURY		25.3		25.3	AA+	F1+	UK	AA+
SANTANDER UK	1.5			1.5	A	F1	UK	AA+
BNY MELLON	0.7	0.1		0.8	AA-	F1+	US	AAA
Total £m	50.9	50.9	63.6	165.4				

INVESTMENT MATURITY PROFILE AND RATING 31 MARCH 2015				
Year Band	A	AA	AAA	Total
Up to 1 Year	60%	25%	9%	94%
1-2 Years			2%	2%
2-5 Years		4%		4%
Total £m	60%	29%	11%	100%



Rating	Definition
AAA	Highest credit quality
AA+/AA/AA-	Very high credit quality
A+/A/A-	High credit quality
F1+/F1	Highest short term credit quality; strongest capacity for timely payment (+donates exceptionally strong credit feature)

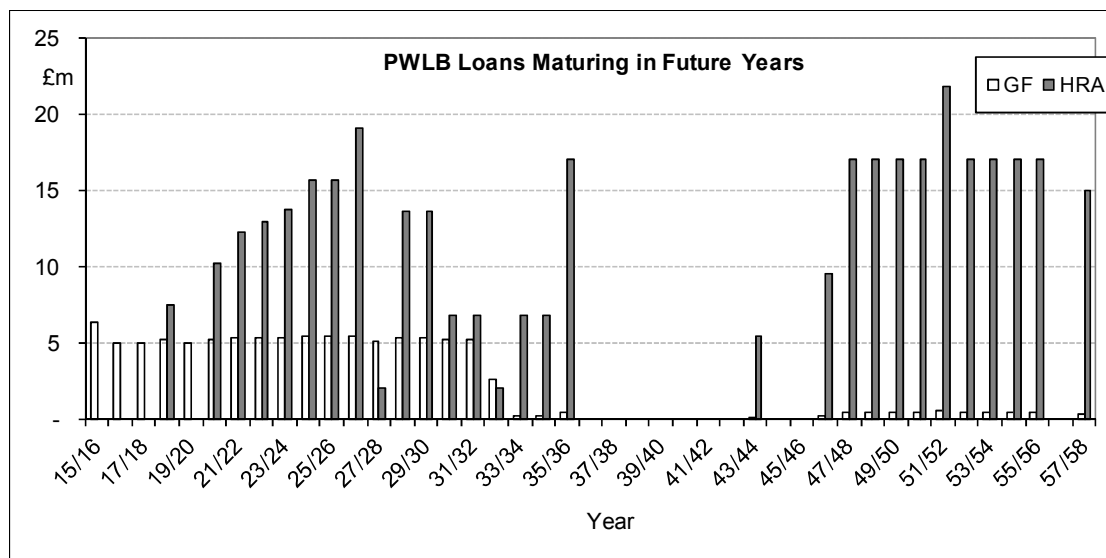
Ratings issued by Fitch or equivalent
(The UK government and its treasury bonds are rated AA+ by Fitch, Aa1 by Moody's and AAA by Standard & Poor's)

6. The average return on investments in 2014/15 was 0.73% (0.69% 2013/14), reflecting the prudent strategy and the highly accommodative central bank monetary stimulus still in place here and abroad to support financial markets and growth. Base rates have, here in the UK, been held at 0.50% since 2009 and monetary policy since then has intensified investors' search for yields, driving yields lower.
7. To ensure that the investment strategy remains sound under present market conditions, KPMG's specialist investment advisory unit were asked to carry out an independent review. They agreed the council's approach was prudent and considered further flexibility to raise diversification, liquidity and returns at the margin. They also noted that the scope for targeting significantly higher returns without increased risk under current tight credit spreads and low term premium was limited.
8. The 2015/16 investment strategy was updated following the KPMG review and agreed by council assembly in February 2015. The changes mean the council can place funds in further high rated supranational banks supported by many

governments, high rated foreign sovereigns, quasi-sovereigns or agencies sponsored by a government, region, local municipality or representative body (for example Network Rail or Transport for London here in the UK). The updated strategy will also be able to access high rated secure covered bonds which, in the unlikely event a major bank were to fail, may not be written down. In addition, there is to be no exposure to any securities longer than 5.5 years and all exposure beyond a year will be sovereign linked or backed by collateral. The changes will help the council respond more flexibly to still challenging financial markets, preserve capital, maintain liquidity, and secure a reasonable return. The council has access to two fund managers to efficiently and effectively implement the updated strategy. The managers' contracts were reviewed in May 2015 and are going to continue for a further three years.

Debt Management Activity and Position

9. The council has balances remaining on long term loans to pay for investment in housing and general fund capital spend carried out many years ago when rates were high. The loans are all from the Public Works Loans Board (PWLB, the local authority lending arm of the government) at fixed rates. In 2014/15, £5.7m loans (all General Fund) fell for repayment and were paid off. The balance remaining on all PWLB loans at 31 March 2015 was £469m (£371m HRA and £98m General Fund). The amounts falling due for repayment in the future are set out in the chart below.



10. PWLB debt levels and interest payments have fallen since 2006/07 as loans have been paid off, refer table below.

Year	Closing debt £m	Annual interest payable £m	Average interest rate %
2006/07	693.7	60.9	8.8%
2007/08	738.3	54.6	7.6%
2008/09	770.7	52.0	7.0%
2009/10	761.7	52.8	6.9%
2010/11	761.7	52.8	6.9%
2011/12*	462.5	55.6	6.9%
2012/13	560.0	33.2	6.0%
2013/14	474.9	33.1	5.4%
2014/15	469.2	25.7	5.5%

() Under HRA self-financing reforms, the debt was lowered by £199.2m in March 2012, HRA subsidy ended and the risks from HRA debt passed to the council.*

11. Each year, the General Fund sets aside sums known as the minimum revenue provision (MRP) to reduce its borrowing liabilities and in 2014/15 the set-aside was £9m. This helped ensure that the £5.7m that matured in 2014/15 could be paid off without taking on new loans. The HRA is also setting aside sums to reduce its own borrowing liabilities. In 2014/15 the HRA set-aside was £19m and raised the headroom for future capital finance by that to £176m. The sums set-aside also reduced the draw on internal borrowing to support past capital spend. Following the set-asides, the level of internal borrowing in 2014/15 fell by £23m and closed the year at £208m (£183m General Fund, £25m HRA). Internal borrowing is cheaper than external borrowing and helps lower financing cost at a time the council faces significant budget pressures. However should cash supporting internal borrowing be needed in the future for spend, external borrowing would be needed. Borrowing may also be taken to replace maturing debt or prudently manage long term financing risks.
12. Earlier this year, the government announced that it would transfer the lending functions carried out by the PWLB to another agency. Although a consultation has yet to be published, it has been indicated that the change is about governance (i.e. the machinery of government) and no change to policy on lending to local authorities is expected. The PWLB is the dominant source of local authority borrowing and developments are being watched with interest.

Municipal Bond Agency

13. The Local Government Association has reported interest from up to 60 councils to launch a municipal bond agency as an alternative to the PWLB. The agency has around £4m in pledges to launch its first bond issue in 2015. The LGA itself is contributing £500,000. The council's own contribution is £200,000. The agency is looking to lend funds at a slightly lower rate than the PWLB. The terms will be fixed when the first bond is issued and potential borrowers will assess any savings in the rate against any joint and several guarantee or other conditions the agency places. However any borrowing the council itself needs will be from whichever source is the cheapest having regard to any conditions.

Prudential Indicators Outturn

14. Local authority borrowing, investment and capital finance activity is supported by the Prudential Code for Capital Finance, the Treasury Management in the Public Services Code of Practice and related Guidance published by the Chartered Institute of Public Finance and Accountancy. The codes recommend councils agree a series of indicators and limits each year. The 2014/15 indicators were agreed in February 2014, before the start of the year and enabled the strategic director of finance and corporate services to carry out his responsibilities in this area. Existing budgets take account of capital finance and treasury activity and the indicators themselves have no impact on those budgets. The 2014/15 outturn on each indicator is set out at Appendix A.
15. The indicators include the authorised debt limit, which is a self imposed cap on borrowing and other long term liabilities (e.g. PFI schemes) outstanding on any one day, which the Local Government Act 2003 requires councils determine annually. The limit for 2014/15 was £935m and included operational flexibility for prudent temporary borrowing, refinancing and replacement of internal borrowing with external loans, within a risk controlled framework. The council

was within its cap and actual debt and long term liabilities did not exceed £589m during 2014/15.

SUPPLEMENTAL ADVICE FROM OTHER OFFICERS

Director of Legal Services

16. The constitution determines that agreeing the treasury management strategy is a function of the council assembly and that review and scrutiny of strategies and policies is the responsibility of the audit and governance committee.
17. Financial standing orders require the strategic director of finance and corporate services to set out the treasury management strategy for consideration and decision by council assembly, and report on activity on a quarterly basis to cabinet and at mid and year-end to council assembly. Furthermore all executive and operational decisions are delegated to the strategic director of finance and corporate services.
18. The Local Government Act 2003 and supporting regulations require local authorities to determine annual borrowing limits and have regard to the Prudential Code for Capital Finance, and the Treasury Management in the Public Services Code of Practice and Guidance, published by the Chartered Institute of Public Finance and Accountancy, when considering borrowing and investment strategies, determining or changing borrowing limits or prudential indicators.
19. Section 15(1) of the 2003 Act requires a local authority "to have regard (a) to such guidance as the Secretary of State may issue". This guidance is found in the Department of Communities and Local Government Guidance on Local Authority Investments updated March 2010 and there is statutory guidance on the Minimum Revenue Provision (MRP) produced under amendments made to section 21(1A) of the 2003 Act by section 238(2) of the Local Government and the Public Involvement in Health Act 2007.
20. Section 12 of the 2003 Act grants local authorities the powers to invest for any purpose relevant to its functions or for the purposes of the prudent management of its financial affairs.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
None		

APPENDICES

No.	Title
Appendix A	Prudential Indicators – 2014/15 Outturn

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Corporate Services	
Report Author	Jennifer Seeley, Deputy Finance Director	
Version	Final	
Version Date	12 June 2015	
Key Decision	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	N/A	N/A
Cabinet Member	Yes	Yes
Final Report Sent to Constitutional Team	24 June 2015	

APPENDIX A

PRUDENTIAL INDICATORS - 2014/15 OUTTURN

BACKGROUND

1. Capital finance, borrowing and investment arrangements are supported by a series of prudential indicators, drawn from the Prudential Code on Capital Finance for Local Authorities and the Treasury Management in the Public Services Code of Practice plus Guidance, published by CIPFA. The Local Government Act 2003 requires that councils have regard to these codes and this appendix sets out the 2014/15 outturn indicators drawn from the council's draft accounts for that year.
2. The indicators are grouped into three broad areas: affordability and prudence, capital finance and treasury management. The indicators are of a technical nature and existing budgets take account of capital finance and treasury activities. The indicators themselves have no effect on those budgets.

(A) INDICATORS ON AFFORDABILITY AND PRUDENCE		
		Ratio of Financing Cost to Net Revenue Stream - a measure of the cost of borrowing and long term liabilities (e.g. PFI) net of interest income and set-asides, as a percentage of revenue.
2013/14	2014/15	
34%	24%	HRA
7%	8%	General Fund
		Incremental Impact of Capital Spend - a measure of the effect of capital plans on council tax and rents. All capital spend in 2014/15 was contained within existing resources.
2013/14	2014/15	
Nil	Nil	Weekly rents
Nil	Nil	Council tax – band D
		Capital Financing Requirements (CFR) and Gross Debt - the CFR is the balance remaining on past capital expenditure financed through debt and long term liabilities (e.g. PFI). The level of gross debt should not exceed the CFR unless prudent over the short term. Actual gross debt remained below the CFR throughout 2014/15 on account of cash balances, internal borrowing and PFI transactions.
2013/14	2014/15	
£804m	£792m	CFR
£560m	£475m	Maximum Gross Debt in the Year

(B) INDICATORS ON CAPITAL FINANCE		
		<p>Capital Expenditure - capital expenditure includes PFI funded spend.</p> <p>In addition to the council's own capital spend, the £19m PFI funded Sacred Heart Catholic School became operational in September 2014 and is the third school funded through building schools for the future programme.</p>
2013/14	2014/15	
£123m	£169m	HRA
£67m	£101m	General Fund
£190m	£270m	Total
		<p>Capital Financing Requirement (CFR) - the CFR is the balance on past capital expenditure financed through borrowing and long term liabilities (e.g. PFI).</p>
2013/14	2014/15	
£419m	£401m	HRA
£385m	£391m	GF
£804m	£792m	Total
		<p>HRA Indebtedness Limit - the HRA CFR must remain below the HRA indebtedness limit determined by the government.</p>
2013/14	2014/15	
£577m	£577m	HRA indebtedness limit determined by the government
£419m	£401m	Actual HRA CFR

(C) INDICATORS ON TREASURY MANAGEMENT			
			<p>Operational Boundary on Debt and Authorised Limits for External Debt - these are limits the council determines to accommodate borrowing and long term liabilities. The lower limit is the operational boundary and takes account of existing positions and ordinary activity and the higher limit is the authorised limit, enabling additional borrowing to be taken for very short periods, in the interest of prudence, within a risk controlled framework.</p> <p>No new loans were taken on and as the council was able to access internal cash in place of borrowing, it remained below the limits throughout 2014/15</p>
2013/14	2014/15 Limit	2014/15 Outturn	
			Operational Boundary
£560m	£765m	£475m	Borrowing (Maximum Outstanding in Year)
£98m	£125m	£114m	Other Long Term Liabilities
£658m	£890m	£589m	Total

			Authorised Limit
£560m	£805m	£475m	Borrowing (Maximum Outstanding in Year)
£98m	£130m	£114m	Other Long Term Liabilities
£658m	£935m	£589m	Total
			Gross and Net Debt - an upper limit on net debt as a percentage of gross debt.
2013/14	2014/15 Limit	2014/15 Outturn	The net debt has remained below gross on account of investments held to meet spend.
68%	100%	65%	Upper Limit and Outturn
			Fixed and Variable Rate Upper Limits - limits recognising existing positions with flexibility to vary exposure within a risk controlled framework should it be prudent.
2013/14	2014/15 Limit	2014/15 Outturn	
£560m	£805m	£475m	Fixed rate debt
£0m	£200m	£0m	Variable rate debt
			Maturity Structure of Fixed Rate Debt - limits accommodating existing positions with flexibility to vary exposure within a risk controlled framework.
2014/15 Lower Limit	2014/15 Upper Limit	2014/15 Outturn	
0%	20%	1%	Under 1 year
0%	20%	1%	1 year and within 2 years
0%	30%	5%	2 years and within 5 years
0%	40%	16%	5 years and within 10 years
0%	40%	31%	10 years and within 20 years
0%	40%	6%	20 years and within 30 years
0%	40%	29%	30 years and within 40 years
0%	40%	11%	40 years and within 50 years
			Limits on Investments Greater than One Year - caps on the maximum exposure to longer investments, while recognising benefits from prudent exposure within a risk controlled framework.
2013/14	2014/15 Limit	2014/15 Outturn	Actual exposure has remained cautious in view of market volatility.
15%	50%	15%	Percentage longer than one year
8 Months	3 Years	8 Months	Overall maximum average maturity
5 Years	10 Years	5 Years	Longest investment
The CIPFA code of Practice on Treasury Management was adopted by council assembly in 2010			

Item No. 7.3	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Constitutional Issues 2015/16	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

That council assembly considers the recommendations of the constitutional steering panel in respect of the proposals set out in this report.

RECOMMENDATIONS

Late questions by group leaders

1. That the proposed change to council assembly procedure rule 2.8 in respect of urgent questions by group leaders as set out in Appendix A be agreed.

Changes to Statutory Dismissal Procedures for Heads of Paid Service, Monitoring Officers and Section 151 Officers

2. That the changes to the constitution in respect of the statutory dismissal procedures for heads of paid service, monitoring officers and Section 151 officers as attached as Appendix B, C and D to this report, be agreed.

Electronic summonses and agenda packs

3. That the current uptake figures of electronic summonses be noted, and that option 2 set out in paragraph 36 of this report for taking electronic summonses forward be agreed, including the constitutional change to procedure rules to issue electronic summonses to reserve members.

Establishment of Standards (Civic Awards) Sub-Committee

4. That from the 2015/2016 civic year, the administration of the civic awards be carried out by the council pending a longer term review of the operation of the awards scheme. Officers are requested to put in place the necessary arrangements for the running of the awards within existing council resources.
5. That decisions on the granting of civic awards be delegated to a sub-committee of the Standards Committee to be known as the Standards (Civic Awards) Sub-Committee with the membership and terms of reference as set out in paragraph 52 and Appendix G.

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.

BACKGROUND INFORMATION

7. All constitutional changes are considered by the constitutional steering panel, which then recommends changes to council assembly. The constitutional steering panel met on 9 June 2015 and agreed that the proposed changes to the constitution, as set out in the following paragraphs, be recommended to council assembly. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.15.

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
- Deletions (shown with a ~~strikethrough~~).

KEY ISSUES FOR CONSIDERATION

8. This report considers the following issues referred from the constitutional steering panel:
 - Late questions by group leaders
 - Changes to statutory dismissal procedures for heads of paid service, monitoring officers and Section 151 officers
 - Electronic summonses and agenda packs
 - Southwark Civic Awards.

LATE QUESTIONS BY GROUP LEADERS

9. Council assembly procedure rule 2.8 (urgent questions by group leaders), states that the leader of each group cannot submit an urgent question unless it is a matter that has arisen since the deadline for members' questions has elapsed or is a matter that cannot wait until the next council assembly. The necessity to establish the urgency of each question often causes a delay in agreeing if the question is in order, therefore it is recommended that these restrictions be deleted and that the procedure rule be amended and renamed 'Late questions by group leaders.
10. The proposed change to council assembly procedure rule 2.8 is set out in Appendix A.

CHANGES TO STATUTORY DISMISSAL PROCEDURES FOR HEADS OF PAID SERVICE, MONITORING OFFICERS AND SECTION 151 OFFICERS

11. The original process for dealing with disciplinary action against the head of paid service, monitoring officer and section 151 officer ("the protected officers") was set out in schedule 3 to the Local Authorities (Standing Orders) (England) Regulations 2001 ("the 2001 Regulations"). They required that no disciplinary action in respect of the protected officers can take place other than in accordance with a recommendation in a report made by a Designated Independent Person (DIP).
12. Disciplinary action in this context has a wide definition of "any action occasioned by alleged misconduct which, if proved, would, according to the

usual practice of the authority, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract.

13. Other key features of the former DIP process were:
 - the appointed DIP must be a person agreed between the protected officer and the authority, or where such agreement cannot be reached, a person nominated by the Secretary of State;
 - any suspension for the purposes of investigating the alleged misconduct must be on full pay, and be for no longer than two months, unless specifically extended following a recommendation from the DIP; and
 - where an authority operates a leader and cabinet executive system the dismissal of the head of paid service (but not the monitoring officer or section 151 officer) must be approved by the authority itself.
14. The new process is set out in the schedule to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ("the 2015 Regulations") which amend the 2001 Regulations.
15. As well as removing the statutory requirement for a DIP in order to take disciplinary action, generally, the regulations introduce new rules in respect of dismissal.
16. The key elements of the new process are that the dismissal of a protected officer must be approved by way of a vote at a meeting of the authority, who instead of only being able to take action in accordance with DIP recommendations, will be able to dismiss provided they take into account:
 - any advice, views or recommendations of a panel (the Panel),
 - the conclusions of any investigation into the proposed dismissal; and
 - any representations from the protected officer concerned.
17. The 2015 Regulations removes the provisions in the 2001 Regulations, relating to the "DIP required to be appointed by a local authority before it could dismiss or discipline its head of paid service, monitoring officer or chief finance officer.
18. It makes new provision about the procedure to be followed in such cases, which authorities are required to include in their standing orders no later than the first ordinary meeting of the authority falling after 11 May 2015.
19. One other point to note is that the requirement under the DIP process set out above for the authority itself to approve dismissal has been extended to cover the chief finance officer/section 151 officer and monitoring officer.
20. It also requires that the authority, when setting up the Panel for the purpose of advising on matters relating to the dismissal of a relevant officer, invite independent persons who have been appointed under section 28(7) of the Localism Act 2011. The authority is required to appoint such independent persons to the Panel in the specified priority order.

21. In order to implement required changes to standing orders, the Officer Employment Procedure Rules have been amended as shown in Appendix B.
22. The new procedure would be an investigation will take place into any alleged misconduct. In the case of any investigation into the conduct of the head of paid service the investigation will be instigated by the monitoring officer. The monitoring officer will also decide if suspension of the head of paid service is necessary. In all other cases any investigation will be instigated by the head of paid service and whether suspension is necessary.
23. The investigation report will be considered by a disciplinary panel, consisting of an independent chair and two other officers. This panel will determine whether any charge is proven; and decide on the appropriate disciplinary sanction to be applied, if the charge is proven. If they decide on dismissal the matter will be referred to the Appointments Committee.
24. The Appointments Committee would act as the Panel required by the 2015 Regulations and would consider the investigation report and where appropriate make recommendations to council assembly.
25. Making the Appointments Committee the Panel will require changes to its terms of reference and to the Committee Procedure Rules. These are shown in Appendices C and D of this report.

ELECTRONIC SUMMONSES AND AGENDA PACKS

26. On 30 January 2015, the Local Government (Electronic Communications) (England) Order 2015 came into effect, thereby enabling the use of electronic communications in the sending of summonses to members.
27. Following on from the decision taken at the Council Assembly meeting on Wednesday 25 February 2015 about the introduction of electronic summonses, councillors were written to by the constitutional team and informed of the changes. The targeted savings agreed were a minimum of £18,000, to be achieved by reducing printing and distribution costs.
28. The current system is an "opt in" system. It allows members to receive summonses electronically where they consent to them being transmitted by this method. Councillors may at any time give or withdraw their consent. Similarly consent can apply to one or more committees or meetings. Members should allow five clear working days for the method of delivery (electronic / paper) to be changed.
29. In order to issue the electronic summons, officers send an email giving notification of a forthcoming meeting, which sets out the agenda titles with a web link to the reports. This is the electronic summons.
30. When a member gives their consent to receive electronic summons, they do not receive a paper agenda as well. Members receive either an electronic summons or a spare paper copy. A limited number of paper copies are available at meetings.
31. This system applies to open agendas only. Closed agendas are still issued in a paper format; this primarily applies to cabinet and licensing sub-committees. The dispatch of closed papers by post eliminates the possibility of confidential

papers being distributed further afield than the closed distribution list. All open meeting agendas and reports can be accessed via the council's website.

32. The procedures of using electronic summonses outlined above are designed to help save on the council's printing budget and resources generally.
33. At present, the printing costs for some sample agenda packs are:

Pack size in pages	Approx. cost per pack	Approx. cost per meeting (30 packs)
50	£3.23	£ 96.90
75	£4.84	£145.20
100	£6.46	£193.80
150	£9.68	£290.40

34. Excluding licensing sub-committee meetings, based on current estimates there will be about 158 meetings this year. Given the target savings, a minimum of 1,860 fewer average-sized agendas have to be printed this year. This translates into producing roughly 12 fewer agenda packs per meeting.
35. At the time of publication, the uptake of electronic summonses is 7 out of 63 councillors. In addition to this, councillors who are reserves on planning sub-committee meetings have also agreed to receive their summonses for these meetings electronically.
36. While no target has been set for the uptake of electronic summonses, in order to achieve savings, a number of measures were considered by the constitutional steering panel:
- Option 1 – Keep the set-up as it operates at the moment, but promote the take-up of electronic summonses. For example by officers sending councillors, who have not “opted in”, reminder emails and the option being promoted in the political groups. This option risks potentially generating the smallest amount of savings.
 - Option 2 – Keep set-up as it currently operates and promote “opting in” via email and the political groups (as in Option 1), but send all reserve members electronic copies only. This would extend the system currently in operation, and ensure greater savings, because of the smaller number of agendas printed.
37. Having considered the above, the constitutional steering panel agreed the following:
- That option 2 be agreed and that group whips inform reserves of the change at their next group meeting.
 - That officers investigate how an email reminder with an agenda link can be sent to members in advance of the meeting to ensure their attendance.
38. A review of the chosen option after six months would be advisable, which should also present the savings achieved.

39. The following procedures in the council's constitution will have to be amended to reflect the new arrangements for issuing electronic summonses to all reserve members:
- 4.3 Council Assembly Procedure Rules
 - 4.4 Committee Procedure Rules
 - 4.5 Community Council Procedure Rules
 - 4.6 Cabinet Procedure Rules

ESTABLISHMENT OF STANDARDS (CIVIC AWARDS) SUB-COMMITTEE

40. The granting of awards is a constitutional function of Standards Committee as set out in Part 3 L of the council's constitution. Standards Committee members have the final discretion whether or not to grant an award, and on the level of award that should be granted.
41. The categories of award available are set out in Appendix E. These were agreed at the standards committee meeting of 9 November 2011. Since then there has only been one amendment made to the eligibility criteria to clarify that nominations of individuals who are candidates for political office should not be considered.
42. While the awards are the council's awards they have been administered since 1997 by the Southwark Civic Association. The Association was founded in 1996 to promote civic awareness, active citizenship, and civic pride across the borough. The awards recognise exceptional contributions to community life by individuals and organisations. The civic awards remain formally made by the council, with the court of the civic association making recommendations to Standards Committee for the granting of civic awards.
43. The awards scheme is primarily a way of recognising exceptional contributions to the civic life of the borough, regardless of factors such as age, ethnicity, disability, gender, or sexual orientation. In this respect the scheme has always been intended to be underpinned by an inclusive approach that encourages the involvement of people from diverse backgrounds although until this year when the council introduced this the association had not actively monitored diversity. This issue has been raised by Standards Committee on a number of occasions who emphasised the importance of putting this arrangement in place. Now this has been established it must continue into the future and form a key part of reviewing the effectiveness of the civic awards.
44. The Civic Association is largely self-funding, through subscriptions and donations. The awards are administered and the presentation ceremony is organised by the Civic Association. The council supports the awards by distributing application forms, promoting the scheme, encouraging nominations, and providing administrative support to the selection and awards process. The council also currently provides support by managing invitations for the awards ceremony, liaising with venue management, and covering costs of venue hire and catering, met from existing council budgets. In practice it is therefore the council that currently undertakes the bulk of the administration of the civic awards.

45. Since their inception there has been no fundamental review of the operation of the civic awards ceremony. It is therefore timely that a full review now takes place to ensure that the awards remain relevant and that the arrangements for administering the awards are effective and efficient. It is recommended that pending this longer-term review the administration of the awards be brought fully back in-house.
46. A limited benchmarking of other London authorities (see Appendix F) has been carried out. In all but one of these cases where civic awards schemes exist they are administered directly by the council. In a number of cases a number of independent members sitting on a council panel help to make recommendations on awards and this is seen as good practice. In most cases fewer individuals or organisations receive awards than in Southwark where over 60 awards were made this year. The risk of making a higher number of awards is that it devalues them. One possible option is that the letters of commendation could be made in a different way (for example alongside the Housing Heroes Awards) leaving the Liberties awards and any special awards for the annual ceremony.
47. Any longer term review should include a fuller benchmarking exercise with other local authorities.
48. The initial benchmarking exercise suggests the following:
 - Administration of the awards should take place within the council in the Mayors Office pending a fuller review of the scheme.
 - Recommendations should be made by a sub-committee established by the Standards Committee with a number of independent members co-opted on to it to represent the local community including one representative from Community Action Southwark as the council's key strategic partner working with the voluntary and community sector. This could be achieved by a relatively small change to the council's constitution adding a civic awards sub-committee to the current powers of Standards Committee to establish sub-committees. The membership and delegations for the sub-committee are set out below.
 - Awards schemes of this kind work better when there are fewer awards given, officers should therefore review the current categories and numbers of awards given and how this can be improved.
49. The constitutional steering panel recommended that a sub-committee be established to make decisions on granting of civic awards and that this be delegated to a sub-committee of the Standards Committee to be known as the Standards (Civic Awards) Sub-Committee. The proposed membership of the sub-committee should be four members of the Standards Committee and three non-voting co-opted representatives of the community. In accordance with proportionality rules this would provide a sub-committee of three Labour and one Liberal Democrat members.
50. The constitutional steering panel recommends a change to the scheme of delegation in "Part 3L: Standards Committee" of the constitution, to council assembly for adoption. The proposed delegation for the sub-committee would be as follows:

Matters reserved for decision by the standards (civic awards) sub-committee

1. To grant civic awards.
2. To consider the process by which the decisions with respect to civic awards applications are to be taken and to make recommendations to the standards committee.
3. To appoint non-voting co-opted members.

51. This proposed change is set out in full in Appendix G.

Community impact statement

52. The constitution enables people, including the local community where relevant, to understand the role that they can play in the decision making of the council and how the council will safeguard high standards of conduct amongst members and officers.
53. The proposal in respect of Civic Awards is intended to have a positive community impact by improving the administration and in particular the equalities monitoring of the civic awards scheme.
54. The council is committed to promoting civic engagement and good relations in our communities. Application forms should be distributed widely throughout the borough with any person able to submit a nomination. The awards attract media interest and recognise the voluntary work of a number of people and organisations within Southwark, thus strengthening community cohesion. It is therefore essential that officers consider how the awards reflect the diversity of the community.

Resource implications

55. There are no specific budget implications from the proposals set out in this report. The recommended changes can be maintained within existing resources.
56. The constitution is published on the council's website and is available for viewing online. Limited numbers of the constitution are produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. It is anticipated that the cost can be contained within existing budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

57. Any legal issues are outlined in the body of the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Constitution http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution	Council Offices, 160 Tooley Street, London SE1 2QH	Constitutional Team Email: constitutional.team@southwark.gov.uk Tel: 020 7525 7228

APPENDICES

No.	Item
A	Proposed changes to council assembly procedure rule 2.8 – Late questions by group leaders
B	Officer Employment Procedure Rules
C	Amendments to Part 3I - Appointments Committee
D	Amendments to the Committee Procedure Rules
E	Southwark Civic Association - Award Categories, Criteria and Eligibility
F	Civic Awards Benchmarking
G	Proposed changes to Standards Committee

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Lesley John, Constitutional Officer	
Version	Final	
Dated	19 June 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Incorporated in the report
Strategic Director of Finance and Corporate Strategy	No	No
Director of Human Resources	Yes	Incorporated in the report
Head of Community Engagement	Yes	Incorporated in the report
Cabinet Member	No	No
Date final report sent to Constitutional Team	22 June 2015	

PROPOSED CHANGE TO COUNCIL ASSEMBLY PROCEDURE RULE 2.8 – LATE QUESTIONS BY GROUP LEADERS

2.8 URGENT LATE QUESTIONS BY GROUP LEADERS

Which meetings consider ~~urgent~~ late questions?

1. ~~Urgent~~ Late questions shall be taken at all ordinary council assembly meetings but not at the annual, extraordinary or council tax setting meetings.

Who can ask ~~urgent~~ late questions?

2. The leader of each group, or in his or her absence the deputy leader, may ask an ~~urgent~~ a late question of:
 - the Mayor
 - a member of the cabinet
 - the chair of any committee, sub-committee or community council.
3. Group leaders are limited to one ~~urgent~~ late question at each meeting.

Scope

4. ~~An urgent~~ A late question may be asked on any matter in relation to which the council has powers or duties or which affects Southwark.
5. ~~An urgent question is one that deals with a matter that has arisen since the deadline for members' questions has elapsed and which cannot wait until the next council assembly.~~
6. No question shall be asked on a matter relating to an investigation by (whether completed or not), or ruling of, the standards committee or sub-committee insofar as the question relates to the behaviour or conduct of an individual member or members.
7. No question shall be asked on a matter concerning a planning or licensing application.

Deadline for submission of questions

8. ~~Urgent~~ Late questions must be received by the proper constitutional officer no later than 10.00am on the morning of an ordinary council assembly meeting. If a meeting is scheduled to commence before 7.00pm or is to be held at the weekend this deadline shall be no later than 10.00am on the working day prior to the meeting.
9. Questions shall be addressed to the Mayor, relevant cabinet member or committee chair who shall be responsible for the content of the answer. Cabinet members and committee chairs shall have discretion to refer a question to another cabinet member or committee chair, if this is appropriate.

Circulation of written answers

10. Copies of all questions and their written answers shall be circulated to all councillors at the beginning of the meeting. Copies shall also be made available to the press and public present at the meeting.

Supplementary question

11. The leader of the opposition will be allowed two supplemental questions without notice. Other group leaders asking a question may ask one supplementary question without notice to the member who was asked the first question. The supplemental question must arise directly out of the original question or the reply.

OFFICER EMPLOYMENT PROCEDURE RULES

1. Appointments generally

(a) Appointments to be on merit

Every appointment of a person to a paid office of the council shall be made on merit, and in accordance with the council's policies and procedures contained in the [Managing@Southwark](#) section on The Source.

(b) Declarations

- (i) The council has drawn up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the council; or the partner of such persons.
- (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.

(c) Seeking support for appointment

- (i) Subject to paragraph (iii), the council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the council. The content of this paragraph will be included in any recruitment information.
- (ii) Subject to paragraph (iii), no councillor will seek support for any person for any appointment with the council.
- (iii) Nothing in paragraphs (i) and (ii) above will preclude a councillor from giving a written reference for a candidate for submission with an application for appointment.

2. Recruitment of head of paid service and chief officers

Where the council proposes to appoint the head of paid service, a chief officer, chief finance officer or the monitoring officer and it is not proposed that the appointment be made exclusively from among its existing officers, the council will as a minimum:

(a) draw up a statement specifying:

- i) the duties of the officer concerned; and,
- ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and,

(c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3. Appointment of head of paid service

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001.

- (a) The council assembly will approve the appointment of the head of paid service following the recommendation of such an appointment by the appointments committee of the council. That committee must include at least one member of the cabinet.
- (b) The council assembly may only make or approve the appointment of the head of paid service where no well-founded and material objection has been made by any member of the cabinet.

4. Appointment of the monitoring officer

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001.

- (a) The appointments committee will appoint the monitoring officer.
- (b) An offer of employment as monitoring officer shall only be made where no well-founded and material objection from any member of the cabinet has been received.

5. Appointment of the chief finance officer

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001.

- (a) The appointments committee will appoint the chief finance officer.
- (b) An offer of employment as chief finance officer shall only be made where no well-founded and material objection from any member of the cabinet has been received.

6. Appointment of chief officers

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001.

- (a) The appointments committee will appoint chief officers.
- (b) An offer of employment as a chief officer shall only be made where no well-founded and material objection from any member of the cabinet has been received.

7. Appointment of deputy chief officers

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001. "Deputy chief officer" is defined in section 2(8)&(9) the Local Government and Housing Act 1989 to mean a person who, in respect of all or most of the duties of his or her post, is required to report directly or is directly accountable to one or more chief officers (excluding persons whose function is solely secretarial,

clerical or otherwise in the nature of support services). By law, members are only able to play a role in appointments of deputy chief officer or above.

- (a) The head of paid services or his/her nominee will appoint deputy chief officers.
- (b) An offer of employment as a deputy chief officer shall only be made where no well-founded and material objection from any member of the cabinet has been received.

8. Other appointments

- (a) **Officers below deputy chief officer.** Appointment of officers below deputy chief officer (other than assistants to political groups) is the responsibility of the head of paid service or his/her nominee, and may not be made by councillors.

- (b) **Assistants to political groups**

- (i) Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group, and the Local Government and Housing Act 1989.
- (ii) No appointment may be made to any post allocated to a political group until a post has been allocated to each group which qualifies for one.
- (iii) A political assistant may not be appointed unless the group qualifies for one under the Local Government and Housing Act 1989.
- (iv) No more than one political assistant can be appointed to each political group.
- (v) No arrangement may be made for the discharge of any of the council's functions by a political assistant.
- (vi) The terms and conditions of any such post shall be the same for all such posts.
- (vii) Whenever any such post has been established and is vacant, the proper officer shall, in accordance with the wishes of the political group to which it is allocated, make appropriate arrangements for posts to be filled.

9. Disciplinary action

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001 and must be in accordance with council's disciplinary code, and relevant employment law and practice.

- (a) **Suspension.** The head of paid service, monitoring officer and chief finance officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last for a reasonable period. ~~no longer than two months.~~
- (b) **Procedure:** The head of paid service, monitoring officer and chief finance officer may not be dismissed unless the following procedure is followed.
- (c) An investigation will take place into any alleged misconduct. In the case of any investigation into the conduct of the head of paid service any investigation will be instigated by the monitoring officer. The monitoring officer will also decide if suspension of the head of paid service is necessary.

In all other case any investigation will be instigated by the head of paid service and whether suspension is necessary.

- (d) The investigation report will be considered by a disciplinary panel, consisting of an independent chair and two other officers. This panel will determine whether any charge is proven; and decide on the appropriate disciplinary sanction to be applied, if the charge is proven. If they decide on dismissal the matter will be referred to the Appointments Committee.
- (e) The Appointments Committee acting as a dismissal panel will consider the investigation report and where appropriate make recommendations to council assembly.
Independent person. ~~No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.~~
- (f) Councillors will not be involved in the disciplinary action against any officer other than the head of paid service, monitoring officer and chief finance officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct. The council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to members in respect of disciplinary action.

10. Dismissal

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001.

(a) **Chief officers, ~~chief finance officer, monitoring officer,~~ and deputy chief officers**

A notice of dismissal shall only be given to an officer specified in paragraph (b) where, in accordance with the regulations, no well-founded and material objection from any member of the cabinet has been received.

~~Application of Paragraph (a) and (b)~~

~~Paragraphs (a) and (b) applies to the dismissal of the head of paid service, a chief officer (as defined by regulation 3(a) or 3(b) of the Local Authorities (Standing Orders) (England) Regulations, the monitoring officer, chief finance officer, or to any deputy chief officer as defined by regulation 3(c) of the Local Authorities (Standing Orders) (England) Regulations.~~

(b) **Officers below deputy chief officer**

Councillors will not be involved in the dismissal of any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, or

- (i) ~~where the councillor hears an appeal as a member of the disciplinary appeals committee, or the disciplinary appeals (safeguarding of children and vulnerable adults) panel.~~

11. Dismissal of **Head of paid service, chief finance officer, and monitoring officer**

This process is subject to the Local Authorities (Standing Orders) (England) Regulations 2001.

The council assembly must approve any dismissal before notice of dismissal is given to the head of paid service, the chief finance officer and the monitoring officer.

Paragraph applies to the dismissal of the head of paid service, a chief officer (as defined by regulation 3(a) or 3(b) of the Local Authorities (Standing Orders) (England) Regulations, the monitoring officer, chief finance officer, or to any deputy chief officer as defined by regulation 3(c) of the Local Authorities (Standing Orders) (England) Regulations.

Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular:

- (a) any advice, views or recommendations of the Appointments Committee;
- (b) the conclusions of any investigation into the proposed dismissal; and
- (c) any representations from the relevant officer.

(a) ~~Head of paid service, chief finance officer, and monitoring officer~~

~~The council assembly must approve any dismissal before notice of dismissal is given to the head of paid service, the chief finance officer and the monitoring officer.~~

~~**Chief officers, chief finance officer, monitoring officer, and deputy chief officers**~~

~~A notice of dismissal shall only be given to an officer specified in paragraph (b) where, in accordance with the regulations, no well-founded and material objection from any member of the cabinet has been received.~~

~~**Application of Paragraphs (a) and (b)**~~

~~Paragraph (a) and (b) applies to the dismissal of the head of paid service, a chief officer (as defined by regulation 3(a) or 3(b) of the Local Authorities (Standing Orders) (England) Regulations, the monitoring officer, chief finance officer, or to any deputy chief officer as defined by regulation 3(c) of the Local Authorities (Standing Orders) (England) Regulations.~~

(c) ~~**Officers below deputy chief officer**~~

~~Councillors will not be involved in the dismissal of any officer below deputy chief officer except:~~

- (ii) ~~where such involvement is necessary for any investigation or inquiry into alleged misconduct, or~~

~~(iii) where the councillor hears an appeal as a member of the disciplinary appeals committee, or the disciplinary appeals (safeguarding of children and vulnerable adults) panel.~~

AMENDMENTS TO PART 3I – APPOINTMENTS COMMITTEE

Role and functions

1. To make recommendations to council assembly as to the appointment of the head of paid service.
2. To appoint the monitoring officer.
3. To appoint the chief finance officer.
4. To appoint to the posts designated in accordance with article 10.01(b) as chief officers.
5. To act as a panel for the purpose of advising council assembly on matters relating to the dismissal of the head of paid service, the chief finance officer or the monitoring officer as prescribed by the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

AMENDMENTS TO THE COMMITTEE PROCEDURE RULES

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10. ADDITIONAL RULES APPLYING TO APPOINTMENTS COMMITTEE

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10. ADDITIONAL RULES APPLYING TO APPOINTMENTS COMMITTEEApplication

1. These rules will apply when the Appointments Committee is acting as a committee appointed by the authority under section 102(4) of the Local Government Act 1972(3) for the purposes of advising the authority on matters relating to the dismissal of head of paid service, the chief finance officer or the monitoring officer of the authority.
2. The Appointments Committee must invite relevant independent persons to be considered for appointment to the Appointments Committee, with a view to appointing at least two such persons to the Committee.
3. In paragraph 2 “relevant independent person” means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.
4. Subject to paragraph 5, the Appointments Committee must appoint such relevant independent persons who have accepted an invitation issued in accordance with paragraph 2 in accordance with the following priority order
 - (a) a relevant independent person who has been appointed by the authority and who is a local government elector;
 - (b) any other relevant independent person who has been appointed by the authority;
 - (c) a relevant independent person who has been appointed by another authority or authorities.
5. An authority is not required to appoint more than two relevant independent persons in accordance with paragraph 4 but may do so.
6. The Appointments Committee must meet at least 20 working days before the meeting of the council assembly that will consider whether or not to approve a proposal to dismiss a relevant officer.

SOUTHWARK CIVIC ASSOCIATION

AWARD CATEGORIES, CRITERIA AND ELIGIBILITY

Southwark Civic Awards are recommended to Southwark Council by the court of the Southwark Civic Association following review of community generated nominations which demonstrate a sustained contribution or commitment by an individual, group, organisation or business for the benefit of Southwark residents and/or the interests of the London Borough of Southwark more generally.

Key examples would include: outstanding personal service in support of the young or elderly, community organisation, initiative or event; excellence in community cohesion; innovation in local business; enhancement of the borough's culture, heritage and reputation.

Award Categories:

There are two main categories of Award, which satisfy most circumstances:

- **Letter of Commendation**
- **Liberty of the Old Metropolitan Borough (... of Southwark, Bermondsey or Camberwell)**

In addition, and in exceptional circumstances, there are options for further **award categories**, as appropriate:

- **Mayor's Award**
- **Southwark Lifetime Award**
- **Young Southwark Civic Award**
- **(...) of the Year Award**

Award Criteria:

- **Letter of Commendation**

A Letter of Commendation may be awarded to a nominee who has demonstrated an exceptional contribution to the life of the local community, usually for a period exceeding five years.

- **Liberty of the Old Metropolitan Borough**

A Liberty of the Old Metropolitan Borough will be considered when a nominee has demonstrated exceptional commitment to the life of the community, usually for a period exceeding ten years.

- **Mayor's Discretionary Award**

A Mayor's Discretionary award may be made to an individual/organisation that, during the Mayor's term of office, has attracted special notice for exceptional community activity.

- **Southwark Lifetime Award**

A Southwark Lifetime award may be recommended where an individual has demonstrated an outstanding contribution to the life of the community, typically for a period exceeding twenty years.

- **Young Southwark Civic Award**

A Young Southwark civic award may be made to a young person of 18 and under who has demonstrated exceptional community spirit and civic responsibility but, by virtue of their age, is ineligible for a letter of commendation.

- **... of the Year Award**

An '... of the Year Award' may be made in circumstances where alternative awards (above) are considered to be inadequate/inappropriate and the nominee is clearly outstanding in their category.

Eligibility:

- Individual unpaid voluntary activity which is unrelated to or additional to the nominee's current employment
- Community group, organisation or business which is based in and/or benefits the Southwark community.

Exclusions:

- Serving members of the Court of the Southwark Civic Association
- Current elected members of Southwark Council
- Employees of Southwark Council (unless for unpaid voluntary activity which is unrelated to or additional to current employment)
- Previous Honorands of equal or greater awards

**Southwark Civic Association
The Mayor's Award,
To be known as: The Mayor of Southwark's Award**

Criteria

Background:

The Mayor of Southwark apart from being Patron of the Southwark Civic Association is at the very centre of civic life in the borough. The First Citizen and Queen's Representative, there will be no one that will travel the length and breadth of our borough, meeting organisations, groups or individuals during their time in Office, more than the Mayor; attending functions, chairing meetings, visiting organisations, community groups, charities, and individual people, who improve the lives of their fellow citizens of the London Borough of Southwark on a voluntary basis.

The Award:

The award to be called "**The Mayor of Southwark's Award**" will be awarded at the sole discretion of the incumbent Mayor of Southwark, and is to be drawn from an organisation, charity, School, community group or individual that The Mayor feels has made a significant contribution to the lives of citizens of the London Borough of Southwark, as a whole or to a local area.

This award can only be granted once to the recipient(s) in the instance that the same recipient(s) are nominated by the serving Mayor on a successive occasion, unless a suitable period of time (to be determined) has elapsed.

The award will be issued in the form of a pre-framed scroll bearing the current London Borough of Southwark Coat of Arms (only), and will declare that "This award has been given at the personal behest of The Worshipful The Mayor of Southwark (*Name of Mayor, (optional)*) to *Name of Recipient(s)* for services to the citizens of the London Borough of Southwark" (final wording to be agreed).

The award is to be personally awarded to the recipient(s) by The Mayor of Southwark at the Annual Civic Awards Ceremony.

Ensuring Political Neutrality

- Nominations for this award must not be used to obtain or reward political favour
- Nominations should not be made to an individual or organisation for their political activities
- Nominations to individuals or organisations with known political affiliations should be avoided.

APPENDIX F

Authority	Contact	Do they have civic awards?	Categories/criteria	Administrative Arrangements	Notes
Barnet	Mayor's Secretary	Yes - Barnet Civic Awards	Criteria: "Individuals or groups living or working within Barnet who deserve recognition for their outstanding achievements and contribution to the borough."	In house (Mayor's Office)	The nominations are scored by a panel consisting of the Mayor, Leader, Councillor for Community Engagement, Deputy Lieutenant and the Borough Commander for the Fire Brigade or Police. The top 6 are given an award, everyone nominated is invited to the ceremony and given a certificate. Website: https://www.barnet.gov.uk/citizen-home/council-and-democracy/council-and-community/civic-awards.html
Camden	Democratic Services Project Officer	No - Camden Good Citizens Awards stopped 2004.	N/A	N/A	N/A
Croydon	Voluntary Sector Officer	Yes - Croydon Community Civic Awards	Categories: - Carer of the Year - Civic Life Award - Employees of the Year - Fundraiser of the Year - Lifetime Achievement Award - Personal Achievement Award - Voluntary Group of the Year - Volunteer of the Year - Young Volunteer of the Year	In house (Voluntary Sector Team)	Website: https://www.croydon.gov.uk/community/civic-awards

Authority	Contact	Do they have civic awards?	Categories/criteria	Administrative Arrangements	Notes
Greenwich	Events & Stakeholder Relationship Manager	Yes - Royal Greenwich Civic Awards	Categories: <ul style="list-style-type: none"> - Business and Innovation - Contribution to Culture, Sport and the Arts - Contribution to Economic Prosperity - Contribution to Health in the Royal Borough - Contribution to Public Service in the Royal Borough - Contribution to the Community - Lifetime Achievement - Mayor's Special Award - Volunteer of the Year - Young Achiever of the Year 	In house (Mayor's Office)	Greenwich make a point of asking prominent members of the local community to judge the nominations, rather than local politicians/councillors. Website: http://www.royalgreenwich.gov.uk/news/article/457/winners_of_royal_greenwich_civic_awards_announced
Islington	Senior Mayor and Backbench Officer	Yes - Mayor's Civic Awards	Criteria: "Individual, family or group who has made an outstanding contribution to life in Islington and deserves recognition for their hard work."There is a separate "Ben Kinsella" award for people aged under 18.	In house (Mayor's Office)	Website: http://www.islington.gov.uk/about/council-who/whomayor/mayorscivicawards/Pages/default.aspx
Kingston	Business Support Officer	Yes - Mayor's Community Awards	Criteria: <ul style="list-style-type: none"> - Someone whose service to the Community is worthy of special recognition - Someone who deserves recognition for their supreme effort, strength, bravery or achievement - Someone who has achieved something, which benefits the neighbourhood or even the whole of our borough 	In house (Mayor's Office)	The Mayor's office write to local voluntary groups to request nominations. The Mayor, Deputy Mayor and sometimes a representative from the local voluntary sector, help to shortlist nominations. Website: http://www.kingston.gov.uk/info/200233/your_mayor/489/mayors_events_and_civic_functions/3

Authority	Contact	Do they have civic awards?	Categories/criteria	Administrative Arrangements	Notes
Lambeth	Head of Campaigns and Projects	Yes - Lambeth Community Awards	Categories: <ul style="list-style-type: none"> - Bringing your neighbourhood together award - Cleaner and greener community award - Helping people into jobs and training community award - Keeping Lambeth healthy community award - Lord Scarman award (Community award) - Making Lambeth safer community award - Voluntary or community organisation of the year award - Young person's community award 	In house (Communications)	<p>Relaunched in 2014. They were previously called the Civic Awards and handed out during the Mayor Making Ceremony. However, this meant they were somewhat overshadowed. The new format is intended to be much less formal. The council are currently trying to get sponsorship and have started by approaching local contractors.</p> <p>Website: http://love.lambeth.gov.uk/lambeth-community-awards-2014-winners-announced/</p>
Richmond	Head of Communications	Yes - Richmond Community Awards	Criteria: <ul style="list-style-type: none"> Have brought credit to the borough at a national level through, business, academic, sporting, artistic or cultural achievements. - Have given outstanding service to the community over a number of years or in connection with an exceptional event or emergency. - Improved the quality of life for local people by providing services beyond what they are paid to do. - Benefited the community through community involvement or volunteering activities. There is also a special category for young people under the age of 18, "to highlight those who have shown extraordinary ability, courage, compassion or initiative". 	External(Richmond have an external Communications team)	<p>In the two years since the awards were launched, the council has received more than 500 nominations and handed out 280 awards.</p> <p>Website: http://www.richmond.gov.uk/community_awards</p>

Authority	Contact	Do they have civic awards?	Categories/criteria	Administrative Arrangements	Notes
Sutton	Marketing Officer	Yes - Sutton Community Awards	Categories: <ul style="list-style-type: none"> - Business in the community - Community Spirit - Improving lives award - Outstanding achievement - Safer borough award 	In house (Communications)	<p>This year all 5 categories were sponsored by local businesses. Each winner received £100 worth of high street vouchers. They tend to receive very few nominations for the Business in the community award.</p> <p>Website: http://www.newsroomsutton.co.uk/?p=947</p>
Tower Hamlets	Councillor Support Team Manager	Yes - Tower Hamlets Civic Awards	Criteria: <ul style="list-style-type: none"> - Gives outstanding service to the community; - Has brought credit to the borough through sporting, artistic or cultural achievements; - Has improved the quality of life for local people by providing services, beyond what they are paid to do; - Has benefited the community through success in business and in community involvement; - Is a young achiever under 25 years old whose accomplishments are extraordinary and should be recognised. 	In house (Mayor's Office)	<p>Website: http://www.towerhamlets.gov.uk/lgs/1001-1050/1045_civic_awards.aspx</p>

APPENDIX G

PROPOSED CHANGES TO STANDARDS COMMITTEE

CHANGES TO PART 3: WHO TAKES DECISIONS?

PART 3L: STANDARDS COMMITTEE

Role and functions

1. To promote and maintain high standards of conduct by councillors, co-opted members and church and parent governor representatives.
2. To assist councillors, co-opted members and church and parent governor representatives to observe the members' code of conduct.
3. To advise the council on the adoption or revision of the members' code of conduct, the member and officer protocol and the communication protocol.
4. To monitor the operation of the members' code of conduct, the member and officer protocol and the communication protocol.
5. To advise, train or arrange to train councillors, co-opted members and church and parent governor representatives on matters relating to the members' code of conduct.
6. To deal with any complaints referred to it and any report from the monitoring officer on any matter which is referred to him or her.
7. To receive reports from the monitoring officer on unlawful expenditure and probity issues.
8. To receive reports from the statutory officers under the council's whistle blowing policy.
9. ~~To grant civic awards.~~
10. To establish the following sub-committees:
 - to consider complaints of misconduct against elected councillors and co-opted members
 - To consider civic awards.
11. To provide strategic oversight on the use of the powers regulated by the Regulation of Investigatory Powers Act 2000 and to receive reports on operational use at least once a quarter.
12. To consider the withholding of allowances from individual members (including elected members and co-opted members) in whole or in part for non-attendance at meetings, or, for elected members only, for failure to attend required training.

Matters reserved for decision by the standards committee

13. The matters reserved for decision to the committee are as set out in the roles and functions, other than those functions delegated to the relevant sub-committee.

Matters reserved for decision by the standards committee (conduct) sub-committee

14. To consider complaints of misconduct against elected councillors and co-opted members.

Matters reserved for decision by the standards committee (civic awards) sub-committee

15. To grant civic awards.
16. To consider the process by which the decisions with respect to civic awards applications are to be taken and to make recommendations to the standards committee.
17. To appoint non-voting co-opted members.

AMENDMENT TO PART 4 – RULES**COMMITTEE PROCEDURE RULES****7. ADDITIONAL RULES APPLYING TO STANDARDS COMMITTEE****Composition**

1. The committee will consist of councillors and reserve members equal to the number of places each political group has on the committee.
2. No more than one member of the cabinet or deputy may be a member of the committee, and no cabinet member may chair the committee.
3. The leader may not be a member of the standards committee.

Independent person – Attendance at meetings

4. The independent person(s) shall be entitled to attend meetings of the committee or its sub-committees. The independent person(s) may speak at the invitation of the chair.

Sub-committees to consider complaints of misconduct against members

5. The committee is empowered to establish sub-committees to consider complaints of misconduct against councillors (including co-opted members). The membership for each sub-committee will be drawn from the pool of councillors on the committee, including reserve members.
6. Sub-committees to consider complaints of misconduct against councillors (including co-opted members) shall be composed of three members. Rules 7.2, 7.3 and 7.4 shall apply to sub-committee meetings.

Item No. 7.4	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Appointment of Independent Person	
Ward(s) or groups affected:		All	
From:		Director of Legal Services	

RECOMMENDATIONS

1. That council assembly approves the appointment of the individual as independent person, as outlined in the closed report, subject to recommendation 2.
2. That the commencement date of each term of office be confirmed by the director of legal services.
3. That council assembly approves the re-appointment of the current independent person, named in the closed report, for a further period.

BACKGROUND INFORMATION

4. Section 28 of the Localism Act 2011 requires provision for the appointment of at least one independent person whose views must be sought and taken into account before the authority makes a decision on an allegation or complaint relating to a member.
5. The independent persons will advise the council prior to any decision to investigate an allegation or complaint relating to whether a member has failed to comply with the code of conduct. The independent persons may be consulted by the council's monitoring officer in respect of an allegation against a member in other circumstances. They may also be consulted by a member or co-opted member of the council against whom an allegation or complaint has been made. Additionally, the views of the independent persons will be considered by the council's standards committee or sub-committees, who are responsible for determining the outcome of any complaints and remedial action. The independent person will therefore be required to attend meetings of the standards committee.
6. These persons cannot be a current or past member or co-opted member of the authority, so could not be a member of either the old or the new standards committee.
7. The Localism Act 2011 requires that the process to appoint independent persons must be open and transparent and any appointment must be approved by a majority of members of the authority, which in effect requires approval by council assembly.

KEY ISSUES FOR CONSIDERATION

8. The standards committee agreed, at the meeting held on 5 November 2014, that three members of the standards committee, representing each political group on the committee, be included on future selection panels in respect of appointments of independent persons.
9. The standards committee nominated Councillors Chris Gonde, David Hubber and Cleo Soanes to form the selection panel and authorised the monitoring officer to undertake the agreed selection process of the independent person.
10. The selection panel met on 17 March 2015 to interview candidates and make a recommendation to council assembly for appointments.
11. Council assembly is asked to appoint the named individual as set out in the recommendations. A summary biography for the individual is set out in Appendix 1 of the closed report.
12. As with independent members in the past, references have been sought. The references are satisfactory and appointment confirmed by the selection panel. The successful outcome has been reported back to the director of legal services who is satisfied with the outcome.
13. The period of appointment is for three years, which can be extended for a further period by council assembly.

Current independent person

14. The current independent person was appointed in July 2012 by council assembly. His appointment was due to end of 11 July 2015. He has agreed to undertake the role for a further period of three years.
15. The current independent person was appointed by a similar process with an joint Southwark and Lambeth independent selection panel meeting on 27 June 2012
16. The monitoring officer is therefore asking council assembly to re-appoint him.

Community impact statement

17. The position of independent persons is required by statute and the individuals appointed play an important part in the work of the council monitoring the probity and conduct of elected councillors.

Resource implications

18. Expenditure relating to recruitment and the annual fixed allowance of £1,061 per independent person can be contained within current budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Standards Committee – previous reports and agenda – 5 November 2014	Constitutional Team, 160 Tooley Street, London SE1 2QH	Ian Millichap 020 7525 7225

APPENDICES

No.	Title
Appendix 1	Biography (see closed agenda)

AUDIT TRAIL

Lead Officer	Doreen Forrester-Brown, Director of Legal Services	
Report Author	Norman Coombe, Head of Corporate Legal Team	
Version	Final	
Dated	25 June 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Officer Title	Comments sought
	Director of Legal Services	Yes
	Strategic Director of Finance and Corporate Services	No
	Cabinet Member	No
	Date final report sent to Constitutional Team	25 June 2015

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MUNICIPAL YEAR 2015/16**

NOTE: Original held by Constitutional Team; all amendments/queries to
Lesley John Tel: 020 7525 7228

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