

Council Assembly

Ordinary meeting

Wednesday 14 July 2021
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

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Contact

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Date: 2 July 2021



Council Assembly

Ordinary meeting

Wednesday 14 July 2021
7.00 pm
Council Offices, 160 Tooley Street, London SE1 2QH

Order of Business

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	PART A - OPEN BUSINESS	
1.	PRELIMINARY BUSINESS	
	1.1. APOLOGIES FOR ABSENCE	
	To receive any apologies for absence.	
	1.2. 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.	
	1.3. 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.	
	1.4. 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.	
	1.5. MINUTES	1 - 15
	To approve as a correct record the open minutes of the annual council assembly meeting and the extraordinary council assembly meeting held on 24 May 2021.	

2. ISSUES RAISED BY THE PUBLIC

2.1. PETITIONS

There are no petitions.

2.2. PUBLIC QUESTION TIME

The deadline for public questions is 11.59pm Thursday 8 July 2021. Questions can be emailed to constitutional.team@southwark.gov.uk.

Questions from the public will be distributed in a supplemental agenda.

3. THEMED DEBATE

3.1. COMMUNITY EVIDENCE

The deadline for community evidence on the theme is 11.59pm, Thursday 8 July 2021. Submissions can be emailed to constitutional.team@southwark.gov.uk.

Submissions from the public will be distributed in a supplemental agenda.

3.2. MOTION ON THE THEME

16 - 20

The deputy leader and cabinet member for children, young people and education to present the theme for the meeting.

4. DEPUTATIONS

The deadline for deputation requests is 11.59pm, Thursday 8 July 2021. Deputations can be emailed to constitutional.team@southwark.gov.uk.

Deputation requests will be distributed in a supplemental agenda.

5. ISSUES RAISED BY MEMBERS

5.1. MEMBERS' QUESTION TIME

To receive any questions from members of the council.

5.2. MEMBERS' MOTIONS

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To consider the following motions:

- Recognising single parent rights
- Protecting green spaces for our future generations
- Covid-19 education recovery

6. OTHER REPORTS

6.1. CONSTITUTIONAL CHANGES: CLIMATE EMERGENCY AND EQUALITY, COUNCIL ASSEMBLY ROLE AND FUNCTIONS

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7. 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

Date: 2 July 2021



Council Assembly (Annual Meeting)

MINUTES of the Council Assembly (Annual Meeting) held on Monday 24 May 2021 at 7.00 pm at Southwark Cathedral

PRESENT:

The Worshipful the Mayor for 2020-21 and 2021-22, Councillor Barrie Hargrove (Chair)

Councillor Evelyn Akoto	Councillor Richard Livingstone
Councillor Jasmine Ali	Councillor Alice Macdonald
Councillor Humaira Ali	Councillor James McAsh
Councillor Peter Babudu	Councillor Hamish McCallum
Councillor Maggie Browning	Councillor Darren Merrill
Councillor Jack Buck	Councillor Victoria Mills
Councillor Radha Burgess	Councillor Adele Morris
Councillor Victor Chamberlain	Councillor Graham Neale
Councillor Sunil Chopra	Councillor Margy Newens
Councillor James Coldwell	Councillor David Noakes
Councillor Stephanie Cryan	Councillor Damian O'Brien
Councillor Helen Dennis	Councillor Jason Ochere
Councillor Dora Dixon-Fyle MBE	Councillor Victoria Olisa
Councillor Nick Dolezal	Councillor Leo Pollak
Councillor Karl Eastham	Councillor Sandra Rhule
Councillor Gavin Edwards	Councillor Catherine Rose
Councillor Paul Fleming	Councillor Jane Salmon
Councillor Renata Hamvas	Councillor Martin Seaton
Councillor Jon Hartley	Councillor Andy Simmons
Councillor William Hougbo	Councillor Johnson Situ
Councillor Sirajul Islam	Councillor Michael Situ
Councillor Peter John OBE	Councillor Charlie Smith
Councillor Nick Johnson	Councillor Cleo Soanes
Councillor Sarah King	Councillor Leanne Werner
Councillor Sunny Lambe	Councillor Kath Whittam
Councillor Lorraine Lauder MBE	Councillor Bill Williams
Councillor Richard Leeming	Councillor Kieron Williams
Councillor Maria Linforth-Hall	Councillor Ian Wingfield

1. ELECTION OF THE MAYOR

The Mayor of Southwark, Councillor Barrie Hargrove, welcomed everyone to the meeting.

The clerk announced that the leaders of each political group wished to make a statement.

Thereafter, Councillors Kieron Williams and Hamish McCallum paid tribute to the Mayor and to Southwark's resilience over the last year.

The clerk asked for nominations for Mayor for the ensuing municipal year 2021-22.

Councillor Kieron Williams, seconded by Councillor Jasmine Ali, moved that Councillor Barrie Hargrove be elected Mayor of the London Borough of Southwark for the municipal year 2021-22.

The nomination was put to the vote and it was:

RESOLVED: That Councillor Barrie Hargrove be elected Mayor for the 2021-22 municipal year.

Councillor Barrie Hargrove accepted the office of Mayor. The clerk declared that Councillor Barrie Hargrove was duly elected Mayor of Southwark for 2021-22.

The new Mayor signed the declaration of acceptance of office and took the chair.

The new Mayor stated that he appointed Mary Doherty as his Mayoress.

The new Mayor appointed Councillor Sunil Chopra as Deputy Mayor.

The new Mayor gave his incoming speech and announced that his chosen charity would be the Southwark Day Centre for Asylum Seekers.

2. PRELIMINARY BUSINESS

2.1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Anood Al-Samerai, Tom Flynn, Eleanor Kerlake, Rebecca Lury, Eliza Mann, Charlie Smith and Dan Whitehead.

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

The Mayor announced the sad death of former councillor Ian Ritchie. Councillors Richard Livingstone and Graham Neale gave tribute. The meeting held a minute's silence in his memory. The Mayor asked the meeting to pay its respects to Folajimi Olubunmi-Adewole, who died trying to save another's life. The meeting held a minute's silence in his memory.

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

There were none.

2.4 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

2.5 MINUTES

The minutes of the ordinary meeting of council assembly on 24 March 2021 were agreed as a correct record.

3. REPORTS

3.1 EXECUTIVE FUNCTIONS 2021-22

RESOLVED:

1. That council assembly received a report from the leader on the following executive issues for the coming municipal year 2021-22:
 - Noted the appointment by the leader of cabinet members
 - Noted the appointment of any deputy cabinet members
 - Noted the establishment and appointment of any cabinet committees
 - Noted the leader's report on the delegation of executive functions to the full cabinet, cabinet committees, individual cabinet members, chief officers and any other delegations.

Appointment of the cabinet

2. That the leader reported to council assembly on the appointment of members of the cabinet and determination of their executive functions.

Cabinet portfolio	Cabinet member
Leader of the Council	Councillor Kieron Williams
Deputy Leader and Cabinet Member for Children, Young People and Education	Councillor Jasmine Ali
Cabinet Member for Health and Wellbeing	Councillor Evelyn Akoto
Cabinet Member for Council Homes and Homelessness	Councillor Stephanie Cryan
Cabinet Member for the Climate Emergency and Sustainable Development	Councillor Helen Dennis
Cabinet Member for Finance, Performance and Democracy	Councillor Rebecca Lury

Cabinet Member for Equalities, Neighbourhoods and Leisure	Councillor Alice Macdonald
Cabinet Member for a Safer, Cleaner Borough	Councillor Darren Merrill
Cabinet Member for Jobs, Business and Town Centres	Councillor Jason Ochere
Cabinet Member for Transport, Parks and Sport	Councillor Catherine Rose

Appointment of deputy cabinet members

- That the leader reports to council assembly on the appointment of deputy cabinet members and determination of their duties and responsibilities.

Deputy Cabinet Members

Councillor Radha Burgess - Deputy Cabinet Member for Clean Air and Active Travel

Councillor Leanne Werner - Deputy Cabinet Member for Domestic Abuse

Establishment and appointment of cabinet committees

- That the leader reports on the establishment of any cabinet committees.
 - Cabinet (Livesey Trust) Committee,
 - Better Placed Joint Committee
 - Joint IT Committee (Brent, Lewisham and Southwark).

Delegation of executive functions

- That the leader reported on the delegation of executive functions between full cabinet, individual decision makers, chief officers and any other delegations.
- That council assembly noted the leader's report on any changes to the delegation of executive functions to the full cabinet, cabinet committees, individual cabinet members, chief officers and any other delegations.
- That council assembly noted that as a consequence of recommendation 6, the proper constitutional officer will update Part 3 of the constitution in accordance with the leader's report on the delegation of executive functions.

3.2 ESTABLISHMENT OF COMMITTEES, PANELS AND RELATED MATTERS 2021-22

The nominations for chairs and vice chairs of committees and the nominations to the Local Government Association General Assembly were circulated.

There were two contested positions.

The position of chair of overview and scrutiny committee was put to the vote, and it was agreed that Councillor Ian Wingfield be appointed chair of overview and scrutiny

committee.

The position of community champion for North-east multi-ward area was put to the vote, and it was agreed that Councillor Sunny Lambe be appointed community champion for North-east multi-ward area.

The substantive motion was carried.

RESOLVED:

1. That council assembly noted the appointment of political group leaders, deputies and whips.

LABOUR GROUP

Leader	Councillor Kieron Williams
Deputy Leader	Councillor Jasmine Ali
Chief Whip	Councillor Maggie Browning

LIBERAL DEMOCRAT GROUP

Leader	Councillor Hamish McCallum
Deputy Leader	Councillor William Hougbo
Chief Whip	Councillor Adele Morris

2. That council assembly noted the political balance of the council as follows:

Table 1: Political balance

Group	Members	%
Labour	48	76.19
Liberal Democrat	14	22.22
Independent (not a group)	1	1.59
Total	63	100.00

3. That council assembly noted that there is no change to proportionality and the allocation of seats on committees and panels as agreed by council assembly on 16 September 2020 remains the same as set out below.
4. That council assembly established the following committees for the coming municipal year 2021-22:

Table 2: Ordinary Committees - Total number of seats 29

Committee	Total	Lab	Lib Dem
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Committee 1 Appointments Committee	7	6	1
Committee 2 Planning Committee	8	6	2
Committee 3 Audit, Governance and Standards Committee	7	5	2
Committee 4 Corporate Parenting Committee	7	6	1
Total	29	23	6

Table 3: Other committees - Total number of seats 26

Committee	Total	Lab	Lib Dem
Overview and Scrutiny Committee	11	8	3
Licensing Committee	15	12	3
Total	26	20	6

Note: The political balance rules require that the political groups represented on council have proportionate representation on council committees. A political group must comprise at least two members, so the one Independent member does not constitute a political group. Councils can allocate seats on committees to members not aligned to a group, but are under no statutory obligation to do so.

Table 4: Multi-ward areas

1.	North-west
2.	North-east
3.	West-central
4.	East-central
5.	South

Note: The composition of multi-ward areas is set out in Article 8 of the constitution (see paragraph 42 of this report).

Health and wellbeing board

5. That the health and wellbeing board be established as a committee of the council under the Health and Social Care Act 2012 with the membership set out below:
 - Leader of the Council
 - Deputy Leader and Cabinet Member for Children, Young People and Education
 - Cabinet Member for Health and Wellbeing
 - Opposition Spokesperson for Health (Southwark Councillor)
 - Chief Executive Officer of Southwark Council
 - Strategic Director of Children's and Adults' Services
 - Director of Public Health of Southwark Council

- NHS South East London Clinical Commissioning Group representatives x2
 - Guy's and St Thomas' NHS Foundation Trust representative
 - Community Southwark representative (Voluntary Sector)
 - King's College Hospital NHS Foundation Trust (Kings Health Partners) Representative
 - Independent Chair of Partnership Southwark (Partnership Southwark representative)
 - South London and Maudsley (SLAM) NHS Foundation Trust (King's Health Partners) Representative
 - Healthwatch Southwark Representative
 - Southwark Headteachers Representative
 - Voluntary Sector Representative
6. That it be noted that the leader of the council nominates the local authority membership. In accordance with committee procedure rules, the leader chairs the board.

Appointment of chairs and vice chairs

7. That council assembly appointed chairs and vice chairs for the following committees:

Committees

- Appointments committee
Chair: Councillor Kieron Williams
Vice-chair: Councillor Jasmine Ali
- Planning committee
Chair: Councillor Martin Seaton
Vice-chair: Councillor Kath Whittam
- Audit, governance and standards committee
Chair: Councillor James McAsh
Vice-chair: Councillor Graham Neale
- Corporate parenting committee [see note 1 below]
Chair: Councillor Jasmine Ali (Appointment of cabinet member with the responsibility for children and schools formally noted)
Vice-chair: Vacant
- Overview and scrutiny committee
Chair: Councillor Ian Wingfield
Vice-Chair: Councillor Victor Chamberlain
- Licensing committee
Chair: Councillor Renata Hamvas
Vice-chair: Councillor Adele Morris

Notes:

1. In 2021-22, the cabinet member responsible for children's services chaired the corporate parenting committee. Council assembly is asked to formally approve this appointment in 2021-22.
2. All outstanding appointments will be referred to the first meeting of the respective committee in the 2021-22 municipal year.

Appointment of community champions

8. That council assembly appointed community champions for the following multi-ward areas:

Multi-ward areas

	Councillor	Multi-ward area
1.	Maria Linforth-Hall	North-west
2.	Sunny Lambe	North-east
3.	Dora Dixon-Fyle	West-central
4.	Vikki Mills	East-central
5.	Andy Simmons	South

Multi-ward areas: Deputy Community Champions

	Councillor	Multi-ward area
1.	Sirajul Islam	North-west
2.	Leanne Werner	North-east
3.	Eleanor Kerlake	West-central
4.	Cleo Soanes	East-central
5.	Richard Leeming	South

Establishment of the council's panels

9. That council assembly established the following council panels (see paragraph 53 of the report):

Table 5: Panels - Total number of seats 16

Panel	Total	Lab	Lib Dem
Council assembly business panel	4	3	1
Constitutional steering panel	4	3	1
Pensions advisory panel	3	2	1
Voluntary bodies appointments panel	5	4	1
Total	16	12	4

Note: This table is based on the panels established in 2020-21.

Appointments of chair to constitutional steering panel and voluntary bodies appointments panel

10. That council assembly appointed a chair to the following panels:

- Constitutional steering panel [see note 1 below]
- Voluntary bodies appointments panel.

Notes:

1. The group whip of the majority group chaired the constitutional steering panel in 2020-21. Council assembly is asked to formally approve this appointment in 2021-22.
2. That it be noted that the Mayor chairs the council assembly business panel.

Urgency committee

11. That the role of the urgency committee between a municipal election and the annual meeting of council assembly, as agreed by council assembly on 26 March 2014, be noted as set out in paragraphs 55 and 56 of the report.

3.3 NOMINATIONS TO LONDON COUNCILS COMMITTEES, GREATER LONDON EMPLOYMENT FORUM, BOROUGH LEAD MEMBERS, LONDON LOCAL GOVERNMENT PENSION SCHEME (LGPS) COMMON INVESTMENT VEHICLE (CIV) LTD AND LONDON COUNCILS LIMITED 2021-22

RESOLVED:

1. LONDON COUNCILS LEADERS' COMMITTEE (S101 JOINT COMMITTEE)

Note: Council Assembly may only nominate cabinet members as representatives or deputies to this joint committee.

1 representative and up to 2 deputies

Labour nomination

Councillor Kieron Williams

Deputies

Labour nominations

Councillor Jasmine Ali

2. LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE (S101 ASSOCIATED JOINT COMMITTEE)

Note: Council Assembly may only nominate cabinet members as representatives or deputies to this joint committee.

1 representative and up to 4 deputies

Labour nomination Councillor Catherine Rose

Deputies

Labour nominations -

3. LONDON COUNCILS GRANTS COMMITTEE (ASSOCIATED JOINT COMMITTEE)

Note: Council Assembly may only nominate cabinet members as representatives or deputies to this joint committee

1 representative and up to 4 deputies

Labour nomination Councillor Alice Macdonald

Deputies

Labour nominations -

4. LONDON LGBS COMMON INVESTMENT VEHICLE (CIV) LIMITED

1 representative and up to 2 deputies

Labour nomination Councillor Rebecca Lury

Deputy

Labour nomination -

5. GREATER LONDON EMPLOYMENT FORUM

1 representative and 1 deputy

Labour nomination Councillor Rebecca Lury

Deputy

Labour nomination -

6. LONDON COUNCILS BOROUGH LEAD MEMBER – ARTS/CULTURE, TOURISM, SPORT AND LEISURE

Labour nomination Councillor Alice Macdonald

7. LONDON COUNCILS BOROUGH LEAD MEMBER – CHILDREN AND YOUNG PEOPLE/SAFEGUARDING AND SCHOOLS

- Labour nomination Councillor Jasmine Ali
8. LONDON COUNCILS BOROUGH LEAD MEMBER – CRIME AND PUBLIC PROTECTION
- Labour nomination Councillor Darren Merrill
9. LONDON COUNCILS BOROUGH LEAD MEMBER – ECONOMIC DEVELOPMENT/BUSINESS
- Labour nomination Councillor Jason Ochere
10. LONDON COUNCILS BOROUGH LEAD MEMBER – FINANCE AND CORPORATE SERVICES
- Labour nomination Councillor Rebecca Lury
11. LONDON COUNCILS BOROUGH LEAD MEMBER – HEALTH AND SOCIAL CARE INCLUDING ADULT SERVICES
- Labour nomination Councillor Evelyn Akoto
12. LONDON COUNCILS BOROUGH LEAD MEMBER – HOUSING AND REGENERATION
- Labour nomination Councillor Stephanie Cryan
13. LONDON COUNCILS BOROUGH LEAD MEMBER – PLANNING/ INFRASTRUCTURE/DEVELOPMENT
- Labour nomination Councillor Helen Dennis
14. LONDON COUNCILS BOROUGH LEAD MEMBER – SKILLS AND EMPLOYMENT
- Labour nomination Councillor Jason Ochere
15. LONDON COUNCILS LIMITED
- 1 representative
- Labour nomination Councillor Kieron Williams

3.4 CONSTITUTIONAL CHANGES 2021: COMMUNITY CHAMPIONS, FUTURE AMENDMENTS - CLIMATE EMERGENCY AND EQUALITIES

Councillor Helen Dennis and Councillor Adele Morris spoke to the report.

RESOLVED:

1. That council assembly agreed the proposed change to the constitution as outlined in Appendix 1 of the report.

Article 8: Community Champions

2. That Article 8.2 of the constitution be amended to include the fact that the community champion acts as the lead councillor for the relevant local area forum.

Future constitutional amendments – climate emergency and equalities

3. That council assembly noted planned amendments to the constitution, which will be brought to the July 2021 meeting.

3.5 SPECIAL URGENCY AND URGENT IMPLEMENTATION DECISIONS - ANNUAL REPORT

RESOLVED:

That council assembly noted the schedule of special urgency and urgent implementation decisions (set out in Appendix 1 of the report) taken in accordance with access to information procedure rules 19 and 20.

3.6 OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2020/21

Councillor Ian Wingfield, chair of overview and scrutiny committee, presented the report.

RESOLVED:

1. That council assembly noted the scrutiny activity for the 2020/21 municipal year as detailed in the report.

4. AMENDMENTS

There were no amendments.

The meeting closed at 8.15 pm.

CHAIR:

DATED:



Council Assembly (Extraordinary meeting)

MINUTES of the Council Assembly (Extraordinary meeting) held on Monday 24 May 2021 at 8.00 pm at Southwark Cathedral

PRESENT:

The Worshipful the Mayor for 2021-22, Councillor Barrie Hargrove

Councillor Evelyn Akoto	Councillor Maria Linforth-Hall
Councillor Humaira Ali	Councillor Richard Livingstone
Councillor Jasmine Ali	Councillor Alice Macdonald
Councillor Peter Babudu	Councillor James McAsh
Councillor Maggie Browning	Councillor Hamish McCallum
Councillor Jack Buck	Councillor Darren Merrill
Councillor Radha Burgess	Councillor Victoria Mills
Councillor Victor Chamberlain	Councillor Adele Morris
Councillor Sunil Chopra	Councillor Graham Neale
Councillor James Coldwell	Councillor Margy Newens
Councillor Stephanie Cryan	Councillor David Noakes
Councillor Helen Dennis	Councillor Damian O'Brien
Councillor Dora Dixon-Fyle MBE	Councillor Jason Ochere
Councillor Nick Dolezal	Councillor Victoria Olisa
Councillor Karl Eastham	Councillor Leo Pollak
Councillor Gavin Edwards	Councillor Sandra Rhule
Councillor Paul Fleming	Councillor Catherine Rose
Councillor Renata Hamvas	Councillor Jane Salmon
Councillor Jon Hartley	Councillor Martin Seaton
Councillor William Hougbo	Councillor Andy Simmons
Councillor Sirajul Islam	Councillor Johnson Situ
Councillor Peter John OBE	Councillor Michael Situ
Councillor Nick Johnson	Councillor Cleo Soanes
Councillor Sarah King	Councillor Leanne Werner
Councillor Sunny Lambe	Councillor Kath Whittam
Councillor Lorraine Lauder MBE	Councillor Bill Williams
Councillor Richard Leeming	Councillor Kieron Williams
	Councillor Ian Wingfield

1. PRELIMINARY BUSINESS

1.1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Anood Al-Samerai, Tom Flynn, Eleanor Kerslake, Rebecca Lury, Eliza Mann, Charlie Smith and Dan Whitehead.

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

There were none.

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

There were none.

1.4 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

2. REPORT(S) FOR DECISION FROM THE CABINET

2.1 HONORARY ALDERMAN/ALDERWOMAN NOMINATIONS

RESOLVED:

1. That the proposed recipients for the title of Honorary Alderman/Alderwoman set out below be agreed:

- James Barber
- Fiona Colley
- David Hubber
- Michael Mitchell
- Lisa Rajan
- Rosie Shimell
- Mark Williams.

The Mayor confirmed that the arrangements to confer the title will be communicated to recipients by the Mayor's office. A ceremony of investiture will be arranged later in the year.

3. AMENDMENTS

There were none.

4. HONORARY ALDERMAN/ALDERWOMAN NOMINATIONS

The meeting closed at 8.15 pm.

CHAIR:

DATED:

Item No. 3.2	Classification: Open	Date: 14 July 2021	Meeting Name: Council Assembly
Report title:		Motion on the Theme: Young People in Southwark: a Youth New Deal	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The theme for this meeting is Young People in Southwark: a Youth New Deal.

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, if any. 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 Jasmine Ali, Deputy Leader of the Council and Cabinet Member for Children, Young People and Education

The Southwark Youth New Deal

1. Council Assembly notes:
 - a. That under this Labour administration, Southwark is committed to working with young people to deliver the best possible services through a £15 million youth investment. This investment is geared towards improving all outcomes for young people including their health, wellbeing, social, education and employment opportunities. This includes three council managed youth centres and 29 organisations that deliver youth activities in great spaces across the borough, including the reopening and refurbishment of spaces like the Blue Youth Club.
 - b. The council has won an international award for its ethnographic engagement of young people in the design of its services. Young people are currently working with urban creatives *We Made That* to film spaces on the Brandon which will bring about a youth-led transformation of relevant spaces.
 - c. The new Youth Parliament selection is underway – with every secondary school, special education school, pupil referral unit,

college, and youth centre currently engaged in canvassing and voting so that the new Youth Parliament can sit in the autumn.

- d. This Labour administration has revolutionised young people's mental health services. Southwark is now a beacon of mental health support by delivering its commitment to support 100% of children and young people with mental health needs, through its launch of the free open access mental health drop in The Nest and the £2m investment in schools for mental health prevention.
- e. The council has delivered on training and employment for its young residents whilst the government's implementation of Kickstart made it difficult for employers to navigate, and challenging for young people to participate. Since July 2019, Southwark Works has supported 570 young people; helping 104 of them into secure and good quality jobs and apprenticeships, and 142 into other outcomes including training and work experience. A further 114 young people have been supported into well-paid internships.
- f. Under this Labour administration, Southwark is committed to great outcomes for its young people, with no young person left behind. 199 young people who were previously not in education, training or employment have received training through the Southwark Construction Skills Centre, and a further 961 Southwark school children are engaged with the programme.
- g. Southwark's Special Educational Needs and Disability (SEND) Services include great education and post sixteen offers for our young people. We are exemplars, with other local authorities turning to Southwark for guidance on their SEND services. Our Youth Offending Service (YOS) is now a national exemplar, and was praised by Ofsted and HM Inspectorate of Probation for carrying out essential work supporting young people. This Labour administration has protected funding for YOS and will continue to do so in the face of Conservative cuts.

2. Council Assembly further notes:

- a. Even before the pandemic, children and young people have been stunted and pulled down by 11 years of Conservative austerity. We recognise that cuts to council budgets, attacks on welfare and benefits, a national crisis in care, and the London housing crisis have all impacted on young people in the Southwark.
- b. According to the YMCA over 760 youth centres have closed since the Conservative-Liberal Democrat coalition in 2010, widely condemned by experts as pushing young people into violence and exploitation. The list goes on; university tuition fees trebled, arts provision cut, Educational Maintenance Allowance scrapped. In this time, investigations where a young person is believed to be at risk of significant harm have more than doubled.

- c. Children and young people have lost over half a year of face to face learning, and this, combined with unequal access to home learning, has exacerbated existing attainment gaps. Worryingly, in June the government's schools recovery chief, Sir Kevan Collins, resigned in disbelief over the lack of funding offered - £1.4bn against the £15bn recommended – to help children catch up.
 - d. The growing mental health crisis for young people has been magnified by repeated lockdowns, whilst provision remains woefully inadequate. According to the charity Young Minds, 67% of young people believe that the pandemic will have a long-term negative effect on their mental health, whilst 40% said that their school had no school counsellor. Devastatingly, data from the Millenium Cohort Study has shown that 7% of children have attempted suicide by the age of 17.
 - e. Covid-19 has wreaked havoc on the sectors where young people make up the bulk of employees, such as leisure, hospitality and tourism – according to a London School of Economics (LSE) study, if you are under 25 you are more than twice as likely to have lost your job than an older adult.
3. Council assembly therefore calls on cabinet:
- a. To deliver the Youth New Deal at pace:
 - i. To put all young people at the heart of service design for young people.
 - ii. To make sure that the new Youth Parliament is inclusive and accessible with co-opted young members with care experience, experience of the youth justice system and school exclusion.
 - iii. To recommission its youth service programmes, ('Positive futures for young people fund') to reflect young people's voices, by directly involving young people in the selection of providers with new programmes, to commence in April 2022.
 - iv. To build on the vision to support 100% of child and adolescent mental health need and the success of the council's child and adolescent free mental health drop-in service by continuing to provide its outreach service to schools and including pop-up drop-in services throughout school holidays, in order to increase accessibility and profile of and young people's mental health support.
 - v. To recession-proof youth opportunity and ensure that every school leaver has an education, training or employment opportunity, by delivering ongoing support for vulnerable young people into jobs and apprenticeships through programmes such as Southwark Works.

- vi. To ensure that, aligned to the emerging digital hub, the Youth Opportunities Campaign will continue to promote job and training opportunities directly to young people and their guardians via a monthly bulletin. The £2m Southwark Pioneers Fund will also support young entrepreneurs to start and sustain their own businesses.
 - vii. Launch a new Sure Start for Teenagers to establish a new cross council and cross partnership initiative to support teenagers and their families where needed.
 - viii. To develop a new youth digital information hub and establish a new youth services portal/website as the cornerstone of the Youth New Deal. To ensure the rapid provision of comprehensive, up to date and accessible information about activities and services for young people and their families.
- b. To lobby the government to invest in young people's futures by:
- i. Putting forward a comprehensive schools plan that will allow our young people to catch up on their lost education, coupled with a funding package which means this can actually be delivered.
 - ii. Funding our schools in Southwark properly and finding a fairer funding formula that will allow our schools to stay open despite falling pupil admission numbers, so that smaller class sizes can help our young people catch up on lost learning.
 - iii. Ensuring there is good quality mental health support in every school and Higher Education facility, and follow the lead of the Labour-led Welsh Government which has legislated to make counselling support for pupils age 10 -18 mandatory.
 - iv. Address the administrative issues and technical difficulties which are stopping businesses and young people alike from benefitting from the Kickstart scheme.
 - v. Reinstating and ring-fencing youth services funding to 2010/11 real terms levels.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet members Motion	Constitutional Team 160 Tooley Street London SE1 2QH	Constitutional Team 020 7525 7222

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
Version	Final
Dated	29 June 2021

Item No. 5.2	Classification: Open	Date: 14 July 2021	Meeting Name: Council Assembly
Report title:		Members' Motions	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes¹. A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then debate the issue and any amendments on the motion will be dealt with. At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore, any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc.) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

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

Note: In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

¹ Council assembly procedure rule 1.14 (9)

1. MOTION FROM COUNCILLOR STEPHANIE CRYAN (Seconded by Councillor Margy Newens)

Recognising Single Parent Rights

1. Council assembly notes:
 - a. There are 2.9 million single parents in the UK, accounting for one in four parents. Around one third of parents experience some period of single parenting. Although almost 70% of single parents are employed, a third of children in working single parent homes live in poverty and almost 30% (double that of coupled parents) report mental health concerns. Single parents face discrimination throughout their daily lives, from the workplace to accessing housing. This has knock on effects for them, their children and society as a whole.
 - b. Many single parents face multiple discrimination given 90% are women, around 27% live with a disability (compared with 21% of couple parent households), and black and mixed ethnicity communities have higher numbers of single parents compared with white communities. In London there are over 260,000 single parents; according to the 2011 census Southwark has 40% rate of single parent households and these figures are likely under-reported.
2. Council assembly further notes that discrimination towards single parents occurs in:
 - a. the workplace when it comes to recruitment, professional development and promotion
 - b. housing, specifically accessing private rentals properties especially for those reliant on housing benefit
 - c. child benefit calculations: a couple earning £98,000 combined will receive full child benefit for one child, whilst a single parent on £60,000 will receive no child benefit for two children;
 - d. childcare vouchers with couples able to access double the amount of vouchers where both are working, regardless of the actual amount they spend on childcare;
 - e. universal credit childcare payments;
 - f. support and adaptations required for a disabled child to live safely in both homes where parents share care.
 - g. entrance fees at tourist attractions are often higher per person for single parent families than couple families. At the National Trust single parents pay 25% more per adult;
 - h. membership fees e.g. for birthing/ parenting classes where the second parent in a couple is often 'free';

- i. inheritance tax with the child(ren) of a couple essentially have double the threshold compared to the child(ren) of a single parent;
 - j. the cost of holidays, and
 - k. government and business policies and rules during the Coronavirus lockdown 2020.
- 3. Council assembly recognises:
 - a. That Southwark Council is committed to promoting equality irrespective of marital or civil partnership status and valuing the contribution made by all citizens. At a national level, however, the legislative oversight in respect of single parents is a chasm which needs to be addressed. Single parents are often subject to systematic discrimination across every aspect of life, and it is unconscionable that these circumstances have been permitted to exist for so long, all the while doing so much harm.
- 4. Council assembly therefore resolves to:
 - a. Be at the forefront of ensuring that equality for all is embedded in our practices and employment policies.
 - b. Actively support the campaign for single parents' rights, working with the government, campaign groups, community organisations and other partners to ensure that single parents have the parity they deserve.
 - c. Lobby the Government to enshrine single parent rights in law including:
 - 1. The right for employees to request part-time or flexible working from their first day in a job.
 - 2. Commissioning an independent review into the funding and affordability of childcare, particularly in regards to single parents, and to accept its recommendations.
 - 3. Better access to financial support for single parents who have to take time off work to care for children sent home from school or childcare settings due to Covid-19. The single parents' charity Gingerbread is calling for the Government's £500 Test and Trace Isolation Grant to be extended to parents in low-income households who have to take unpaid time off work when their children are sent home from school or childcare settings due to Covid-19.
 - 4. End the 5 week wait for Universal Credit and create a faster process for single parents to receive their first Universal Credit payment.
 - 5. Make the £20 Universal Credit uplift permanent, as according to Save the Children two thirds of claimants are single parents.

5. Council assembly recognises that making these law changes would have a number of benefits, including:
 - a. greater single parent employment;
 - b. reduced reliance on government benefits;
 - c. greater disposable income for single parents to spend in society;
 - d. more stable and decent housing for single parent families;
 - e. better mental health for single parents;
 - f. lower poverty levels for children of single parents; and
 - g. better outcomes for the children of single parents.

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

2. **MOTION FROM COUNCILLOR ANOOD AL-SAMERAI (Seconded by Councillor Hamish McCallum)**

Protecting Green Spaces for Our Future Generations

1. Council Assembly notes that:
 - a. Green spaces in London are under threat even though they are of significant benefit and popularity to the population surrounding them.
 - b. There is a risk that green spaces are becoming more and more of a luxury only accessible to the well off. A report by the National Children's Bureau in 2013 found that better-off children were nine times more likely to have access to green spaces than those in the most deprived areas.
 - c. Our green spaces aid wellbeing. A London Green Spaces Commission report last year estimated that green spaces save London £950m per year in avoided health costs. A Public Health England report in 2020 stated, "£2.1 billion per year could be saved in health costs if everyone in England had good access to greenspace."
 - d. After a year of lockdowns, Londoners want to see green spaces protected. A May 2020 poll by CPRE, the countryside charity, and the National Federation of Women's Institutes (WI), found that nearly two-thirds of Londoners (62%) felt that protecting nearby green spaces should be a higher priority for the government when lockdown ends.
 - e. London is facing increased urbanisation. A 2020 report by the London Green Spaces Commission discovered that, in the previous ten years, spending on public green space fell by over 30% to £159m. However, London's population in that time grew by 11.2%.
 - f. Losing our green spaces would adversely affect the climate emergency. For instance, the ONS found that UK vegetation

removed enough dangerous air pollution in 2017 to equate to a saving of £1.3bn in health costs.

- g. Therefore, it is our duty as councillors to ensure that we protect our green spaces so that future generations can enjoy them equally and gain from them as fruitfully as we have done.

2. Council assembly highlights that:

- a. Southwark Council is contemplating or proposing to build on green spaces that would be lost permanently to eventual constructions.
- b. Developing those sites would guarantee that future generations lose out on the health, climate, and copious other benefits that green spaces provide.
- c. Multiple projects (the 'Peckham Green' site and 'Bells Gardens', to name a few) have met resistance from campaigners living on or near the proposed site of construction. These campaigners want new homes, but not at the cost of their green spaces. There is real concern that more green spaces across Southwark could face similar proposals.
- d. Southwark has a green space problem that is likely to disproportionately affect its residents. A Friends of the Earth report last year ranked Southwark as one of the worst local authorities in England for residents' access to green spaces. It also noted, "42% of England's Black, Asian and Minority Ethnic (BAME) communities live in the most green-space deprived neighbourhoods."
- e. The New Southwark Plan acknowledges the 'deficit in parks and other green space' in many parts of the borough.
- f. Although there is a dire need to meet Southwark's 15,000-strong waiting list for housing, there is a concern that the council's current approach to site-selection will cost its scarce green spaces.
- g. The Labour-led Southwark Council has, since 2010, sold or demolished over 3,000 council homes.
- h. Over the same period, the number of empty homes in Southwark has soared to over 6000² – the borough now has over 2,300 long-term empty homes including 1000 of which are empty council homes, which is the highest in London.
- i. Better planning in its house building would have helped the council avoid reaching a point where it has to even consider building on green spaces.

3. Council assembly calls on the cabinet to:

² As at 5 October 2020, 3720 vacant plus second homes which is now 3630 from 523 in 2019, <https://www.gov.uk/government/collections/council-taxbase-statistics>

- a. Conduct an audit of all green spaces across Southwark to ensure that they are recognised and protected for residents' amenity.
- b. Urgently review the site-selection criteria for council-led developments, to ensure they are not being built on scarce green spaces.
- c. Give some form of formal protection for the borough's green spaces — including Peckham Green and Bells Gardens — to ensure that they are not needlessly lost to developments.
- d. Not only protect green spaces, but also look at enhancing them.
- e. Focus on building new council homes on sites better suited for development — such as former industrial/commercial sites across the borough and on car parks and infill sites on our existing estates and publicly owned land.
- f. Be more creative in finding ways to deliver more council homes, including buying new sites and homes and securing more social housing in new developments.

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

3. MOTION FROM COUNCILLOR JAMES McASH (Seconded by Councillor Maggie Browning)

Covid-19 Education Recovery

1. Council assembly notes that:
 - a. The Government published its plans for education recovery after the pandemic on 2 June 2021.
 - b. Sir Kevan Collins, appointed by the Prime Minister as the Government's Education Recovery Commissioner, had judged that some £15bn was needed to repair the damage done to the nation's pupils because of Covid-19. The Government's subsequent offer of £1.4bn falls far short and is severely inadequate. The Education Policy Institute have calculated that this amounts to £50 per pupil per year.
 - c. This contrasts with the offer of £1,600 per pupil in the USA and £2,500 per pupil in the Netherlands. There are no quick or cheap fixes if we are to build back better from the pandemic and have an education system that supports high standards and strong mental health for everyone.
2. Council assembly also notes that:
 - a. The Department for Education has changed the census used to calculate Pupil Premium funding for the most disadvantaged pupils. This means that £150 million is being taken away from

young people and schools most in need, including £1.2m in Southwark – the equivalent of 892 Southwark primary school children not receiving their Pupil Premium.

3. Council assembly therefore resolves:
- a. To lobby the Government to value and invest in all our children, so they are supported to learn, succeed, and go on to have bright futures.
 - b. To write to the Prime Minister and call on the Government to scale up its ambition for our children and young people and give our education system the resources they need to ensure that no child is left behind. The Government should show it is serious about levelling up by putting in the investment called for by its own former Education Recovery Commissioner.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7222

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer
Version	Final
Dated	29 June 2021

Item No.	Classification: Open	Date: 14 July 2021	Meeting Name: Council Assembly
Report title:		Constitutional Changes: <ul style="list-style-type: none"> • Climate Emergency and Equality • Council assembly role and functions 	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

RECOMMENDATIONS

1. That council assembly agree the proposed changes to the constitution as outlined in paragraphs 11 to 14 and appendices 1 to 4 of this report.

BACKGROUND INFORMATION

1. The COVID-19 pandemic and the clear impacts of the ongoing climate emergency reaffirm the importance of the commitments laid out in the Borough Plan for the Council to keep minimising environmental and socio-economic impacts on all of our residents, central to all of our decision making.
2. This report puts forward proposals to amend the constitution to reflect new and emerging policy. The proposed amendments will support commitments detailed in the Borough Plan and make specific reference to the following areas:
 - Climate emergency and environmental impact
 - Equality, including socio-economic disadvantage and health inequality impacts

Climate emergency

3. The council declared a climate emergency in March 2019 and committed to doing everything it can to make the borough carbon neutral by 2030. The council is responsible for approximately 14% of carbon emissions in the borough directly, and has influence over other activities that also cause emissions. The council therefore has a central role in tackling the climate emergency.
4. The council makes formal decisions on a huge range of matters, but currently there is no requirement to consider the carbon impact of the decisions that are taken. This means that the decision maker is not routinely given advice on the climate change impact of a decision and therefore does not routinely consider this when making a decision.

5. Officers are proposing an amendment to the constitution to require all reports for decision to include information about the climate impact of that decision so that decision makers are able to consider it alongside other considerations when making a decision.

Equality, including socio-economic disadvantage and health inequalities

6. The socio-economic duty in Section 1 of the Equality Act 2010 was designed to reduce inequalities of outcome because of socio-economic disadvantage, and to have the greatest impact on those groups who suffer socio-economic disadvantage. It sets out that an authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.

Council assembly – role and functions (Part 3A of the constitution)

7. Council assembly agrees the policy framework of the council comprising a number of plans and strategies. Southwark council no longer has some of the plans and strategies currently listed in Part 3A. For example, there is no legal requirement to have a Children and Young People's Plan. The Borough Plan includes children and young people.

KEY ISSUES FOR CONSIDERATION

8. The council makes formal decisions on a huge range of matters, but currently carbon or socio-economic impacts of the decisions are not routinely considered when decisions are taken. This means that the decision maker is not always analysing or being advised on the potential environmental or socio-economic impacts of a decision and therefore do not routinely consider these when making a decision.
9. To strengthen the council's existing commitments, including within our decision-making processes, the constitution can be updated with regards equality, including socio-economic disadvantage and health inequality impacts. Current statutory and policy commitments to the Public Sector Equality Duty 2011 (and as amended 2017) to promote equality and pay due regard to the Duty continues.
10. Given the impact these changes will have in terms of decision-making considerations and scrutiny of those decisions, as well as the council's operation, it is important that care be given to the wording, as it will affect the related advice given to officers in terms of report writing. The constitution however is a living document and the changes can be reviewed in the future, as the practical implications of them are assessed.
11. It is recommended that Article 1.3 of the constitution - principles of decision

making, be amended to require all reports for decision to include information about the climate change and equality (including socio-economic and health) impacts of that decision, so that decision makers are able to consider and balance them alongside other considerations when making a decision (Appendix 1).

12. It is recommended that the Introduction to the constitution be updated to include the council's commitment to climate change impact and equality (Appendix 2).
13. It is recommended that Cabinet's roles and responsibilities as set out in part 3B of the constitution be amended to update the current wording of the equality statement to adequately reflect the Equality Act 2010 and Public Sector Equality Duty 2011 (Appendix 3).
14. It is recommended that Part 3A of the constitution be amended to reflect the current plans and strategies that are agreed by council assembly (Appendix 4).

Policy implications

15. If approved by council assembly, the constitutional change will be enforceable immediately. This will require advice to be issued to officers and for all decisions to consider carbon impact.

Community impact statement

16. Climate change impacts the whole of Southwark, but does not impact everyone equally. Those on lower incomes and who are more vulnerable are disproportionately affected by the impacts of climate change. This change in decision making will mean that the council can consider the impact on these communities when making decisions which help tackle inequality in the borough.
17. The proposal in this report includes the Council's commitment to implement fully its responsibilities under the Equality Act 2010 and Public Sector Equality Duty 2011 (and as amended 2017) and Socio-Economic Duty as outlined in part one of the Equality Act 2010. Of particular note is the Council's responsibility to pay due regard to the Public Sector Equality Duty 2011 and Socio Economic Duty (part one of the Equality Act 2010) in all relevant areas in a proportionate way. This includes strategic decision making, all decision making, services, functions, policies and practices.
18. The proposal in this report provides additional benefits to the public and local community and enhance the council's commitment to equality, diversity and fairness.

Resource implications

19. The council is not providing additional resource for this change to be

implemented. When implemented, the climate change team will need to provide advice to officers across the council on preparing reports. This work will be monitored and advice given to officers to enable report authors to provide advice without the need for a specialist team.

20. 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.

Legal implications

21. Legal comments are incorporated within the report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

22. Section 1 of the Localism Act 2011 gives a local authority the power to do anything that individuals generally may do. The proposals to amend the constitution to reflect new and emerging policy is within the scope of this general power.
23. The decision maker should consider the duty placed on the council by section 149 Equality Act 2010, to have due regard in the exercise of any council function to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The decision maker should note the policy implications and community impact statement [paragraphs 13 to 16] in the body of the report.
24. The socio-economic duty in Section 1 of the Equality Act 2010 detailed in paragraph 7 and paragraph 16 is not in force.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Constitution: http://moderngov.southwark.gov.uk/ieListMeetings.aspx?CId=425&Year=0	Council Offices, 160 Tooley Street, London SE1 2QH	Constitutional Team Email: constitutional.team@southwark.gov.uk

APPENDICES

Appendix	Title
Appendix 1	Article 1.3 of the constitution, with amendments
Appendix 2	Introduction to the constitution, with amendments
Appendix 3	Part 3B of the constitution – excerpt from Cabinet's roles and responsibilities, with amendments
Appendix 4	Part 3A of the constitution – excerpt for Council assembly role and functions, with amendments

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services/Proper Constitutional Officer	
Report Author	Chidilim Agada, Head of Constitutional Services Chris Page, Climate Change Director Suganya Naveenan, Equality and Inclusion Lead Officer	
Version	Final	
Dated	9 June 2021	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes (Included in the body of the report)
Strategic Director of Finance and Governance	No	No
Cabinet Members	Yes	Yes
Date final report sent to Constitutional Team		9 June 2021

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
 - Deletions (shown with a ~~strike through~~)
-



PART 2 – ARTICLES

Article 1 – The constitution

1.1 Powers of the council

The council will exercise all its powers and duties in accordance with the law and this constitution.

1.2 Purpose of the constitution

The purpose of the constitution is to:

- enable the council to provide clear leadership to the community in partnership with citizens, businesses and other organisations
- support the active involvement of citizens in the process of local authority decision making
- help councillors represent their constituents more effectively
- enable decisions to be taken efficiently and effectively
- create a powerful and effective means of holding decision makers to public account
- ensure that no one will review or scrutinise a decision in which they were directly involved
- ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions

- h) provide a means of improving the delivery of services to the community.

1.3 Principles of decision making

All decisions of the council will be made in accordance with the following principles:²

- a) the link between strategy and implementation must be maintained
- b) decision making generally, whether by individual officers, individual cabinet members or the cabinet collectively, should have reference to the policy framework
- c) respect for human rights, law and probity
- d) due consultation and the taking of professional advice from officers
- e) proportionality (i.e. the action must be proportionate to the desired outcome)
- f) a presumption in favour of openness
- g) clarity of aims and desired outcomes
- h) consideration of the likely climate consequences and the likely equality (including socio-economic disadvantage and health inequality) consequences of the relevant decision and therefore reports for decision should include advice from officers of the likely climate and equality impacts of that decision.



Southwark's constitution – introduction

The council

Council composition

Southwark is made up of 23 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.

The council assembly is responsible for approving the budget, developing policies, making constitutional decisions and deciding on local legislation.

Two political parties are represented on the council. The Labour party holds 48 seats, the Liberal Democrat party 14 seats and there is one independent member. The council is controlled by the Labour party.

A cabinet, which is a senior group of councillors working in a similar way to the government's cabinet, is headed by the leader. The leader is elected by council assembly for a term of four years. The leader appoints a cabinet made up of up to ten councillors, each holding a special 'portfolio' of responsibility. The cabinet is responsible for leading the community planning and consultation process, searching for best value, drafting the budget, deciding on policies, and taking decisions on resources and priorities. The portfolio responsibilities are currently:

Cabinet member	Cabinet portfolio
Cllr Kieron Williams	Leader of the Council
Cllr Jasmine Ali	Deputy Leader and Cabinet Member for Children, Young People and Education
Cllr Evelyn Akoto	Cabinet Member for Health and Wellbeing
Cllr Stephanie Cryan	Cabinet Member for Council Homes and Homelessness
Cllr Helen Dennis	Cabinet Member for the Climate Emergency and Sustainable Development
Cllr Rebecca Lury	Cabinet Member for Finance, Performance and Democracy
Cllr Alice Macdonald	Cabinet Member for Equalities, Neighbourhoods and Leisure
Cllr Darren Merrill	Cabinet Member for a Safer, Cleaner Borough
Cllr Jason Ochere	Cabinet Member for Jobs, Business and Town Centres
Cllr Catherine Rose	Cabinet Member for Transport, Parks and Sport

The majority opposition party in Southwark Council is the Liberal Democrat party who have spokespeople for each portfolio within the cabinet.

What is the constitution?

The constitution is a written legal document that guides the council on its decision making processes. The legal framework for the constitution is agreed by central government. It provides a basis and framework for the councillors and officers to work within, and ensures honesty, accountability and lawful decision making.

Southwark Council has agreed a constitution which sets out how the council operates, how decisions are made and the procedures which are followed to ensure that the decisions are efficient, open, and accountable to local people. Some of these procedures are required by law; others are a matter for the council to choose. The constitution may be amended from time to time according to the law and the opportunities contained in the constitution for making such changes.

What is contained within the constitution?

Article 1 of the constitution commits the council to clear, open and accountable decision making, which is inclusive and provides an opportunity for community involvement whilst ensuring effective and efficient use of resources. The rights of residents in relation to the constitution are set out in this introduction.

The constitution is divided into a number of sections: Part 2 contains the 12 articles describing the key individual components involved in council business including how the council operates, its committees and the functions of chief officers; Part 3 sets out who is responsible for taking decisions, including council assembly, cabinet, committees, individual members, and officers; Part 4 sets out the procedure rules governing how the council takes decisions. The access to information procedure rules set out the requirements placed on the council to make information easily available. Reports and decisions are published and available to the community. The constitution includes the financial standing orders and contract standing orders. More detailed ways of working are set out in the member and officer protocol and the communication protocol at the end of the constitution.

Equality

Southwark is a unique and vibrant borough and our residents and communities are our greatest asset. We are committed to making Southwark more just and fair, and taking positive action to tackle inequalities, which affect too many people. We will strengthen our approach to equalities, embedding it further in everything we do as a council.

The Council is fully committed to implementing the Equality Act 2010 and the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

The Public Sector Equality Duty requires us to find out about and give due consideration to the needs of different protected characteristics in relation to the three parts of the duty.

The different protected characteristics include: all those who experience discrimination, disadvantage or harassment by virtue of their age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex or sexual orientation. In addition, the Council has also chosen to include socio-economic status.

Climate emergency

Southwark Council has declared a Climate Emergency and committed to do all it can to make the borough carbon neutral by 2030. The council will protect our environment for the benefit of our residents and take steps to reduce the borough's carbon emissions in recognition of the climate emergency.

How the council decision making process operates

Council assembly

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework. The policy framework will include the approval of strategies as defined in the constitution, like the Borough plan and the development plan documents. These are set out in part 3A, paragraph 10 of the constitution.

In addition to the policy framework plans and strategies listed above, Cabinet, in accordance with the constitution, also plays a role in agreeing the framework for plans and strategies that sit below the Borough Plan. The key policies and strategies agreed by Cabinet include (this list is not exhaustive):

- Climate change strategy
- Equality framework
- Economic strategy
- Health and wellbeing strategy
- Movement plan

The council has the power to delegate any of its functions, within certain limitations set by law, e.g. there are some decisions the council assembly must take itself, such as setting the level of council tax. By law, the cabinet has responsibility for the executive functions of the council, which have to be discharged by the leader or delegated by him to another decision maker. Council assembly will delegate the non-executive responsibilities of the council to its committees. Each meeting of the council and decision makers is listed in Part 3 of the constitution. This also sets out:

- the roles and functions of the meeting or decision maker – this is a broad description of the areas of responsibility, sometimes known as the “terms of reference”
- the matters reserved for decision by the meeting or decision maker.

Any area of responsibility that is not specifically listed under the matters reserved for a meeting or individual decision maker is deemed to be delegated to the senior officers in the relevant department (the most senior officers are the chief officers and the heads of service who report to them).

Executive functions

The cabinet is responsible for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. These are called “executive functions”. A decision on an executive function can be taken by the leader, the full cabinet, cabinet committees, individual cabinet members, individual members or officers. Part 3 of the constitution defines who should take these decisions in the absence of any particular delegation by the leader.

Full cabinet

The role of the full cabinet is to:

- lead the community planning process and search for best value, with advice from overview and scrutiny committees, and any other appropriate people or organisations
- draft the budget and policy framework to be approved by council assembly
- take decisions on resources and priorities, together with local people and agencies in the community, to deliver the budget and policies as approved by council assembly
- oversee the services delivered by the council
- make sure that consultation on the development of the council's policy framework, other important documents and key decisions is carried out
- be the means of forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

The full cabinet meets every six weeks, normally at 4.00pm. The cabinet procedure rules govern the way it takes decisions.

Individual decision making. This means that an individual cabinet member will make decisions on their area of responsibility.

Chief officer decisions. Matters kept for chief officers normally relate to the day to day running of departments and major decisions that chief officers are able to take.

Forward plan

One essential part of the decision making process is a statutory document called the 'forward plan'.

This document is published by the council and sets out all forthcoming **key decisions** that the cabinet, individual cabinet members and officers intend to decide in the next eight months. It also includes budget and policy framework decisions where the full cabinet is scheduled to make a recommendation to council assembly. Not all decisions will be set out in this document; routine and day to day decisions will be delegated to officers in the course of daily duties and work. Key decisions are defined as:

1. Those which are above a general financial level

Key decisions are those which result in the council incurring spending or savings of £500,000 or more.

2. Those which have a significant impact on communities

Key decisions are those which are likely to be significant in terms of their impact on communities and specifically in one ward or more.

A fuller explanation is set out in the protocol on key decisions in the constitution.

Regulatory and other committees

The council assembly delegates responsibility to undertake the non-executive functions of the council to the following committees:

- **Planning committee** – to decide on large planning applications.
- **Planning sub-committee** – to decide on other planning applications at a certain level.
- **Licensing committee** – to approve the council's policies in relation to all licensing and registration matters.
- **Licensing sub-committee** – to consider licensing applications.
- **Appointments committee** – to appoint senior officer posts within the council's structure.
- **Corporate parenting committee** – responsible for overseeing and monitoring services provided to looked after children in the borough.
- **Audit, governance and standards committee** – to consider the internal audit annual report, risk management and governance, including

approving the statement of accounts on an annual basis, to maintain high standards of conduct among elected councillors and co-opted members and investigate complaints against those who have contravened the code of conduct.

- **Health and wellbeing board** – to prepare and publish a joint strategic needs assessment (JSNA) and a joint health and wellbeing strategy to meet the needs identified in the JSNA in relation to the local authority's area.

Community champions and multi-ward areas

There are five multi-ward areas within Southwark, each with a community champion and a deputy. Multi-ward areas are divided by geographical areas as follows:

- North-west
- North-east
- West-central
- East-central
- South

The main function of the community champions is to scrutinise funding applications to the Democracy Fund and to provide overview and guidance for meetings organised through the Ward Fund. They also support residents in discussing issues relevant to the local area.

The multi-ward area forums have responsibility for agreeing the allocation of neighbourhood funds, cleaner, greener, safer and devolved highway capital schemes of a local nature using the resources and criteria identified by the cabinet.

Public participation and involvement in the constitutional process

The council welcomes the public and community views as part of the constitutional process. The ways within the council for these views to be considered are through consultation processes, attendance at local meetings (e.g. any area based meetings) or contact with a local ward councillor.

There are various ways to achieve this involvement and these are set out below. In case of deputation requests, it is normally expected that there has been some initial contact with council officers, prior to this request, to resolve the issue at a local level. When this has not been possible, the opportunity exists for members of the community to contact members at the public meeting to tell them of their concerns and suggestions for improvement.

General

- **Consultation** – the council will ask local people what they think about how we are developing and delivering services and what they think our policies should be.

- **Contact** the appropriate department within the council.
- **Local meetings** – residents meeting, area forums or any other local meeting are available.
- **Complaint procedure** if early contact has not solved the query/problem.
- **Complain to the Local Ombudsman** if council procedures have not been followed and if the council's complaints procedure has not worked.
- Contact with a **local ward councillor**.
- **Complain about a local ward councillor** if someone believes that a councillor's behaviour has breached the members' code of conduct: https://www.southwark.gov.uk/downloads/download/140/complaint_form-breach_of_the_member_code_of_conduct.
- **Freedom of information requests.** The Freedom of Information Act 2000 (FOI) gives the public a general right to obtain information held by the council. Further information can be obtained via the following link on the council's website which also gives advice on how these requests can be made:
<http://www.southwark.gov.uk/foi>

Meetings

- **Attend a council meeting.** All meetings are open to the public except when the meeting will discuss a confidential report. Dates of meetings can be found in the council's diary:
<http://moderngov.southwarksites.com/mgCalendarMonthView.aspx?GL=1andbcr=1>
- **Looking at public council meeting documents.** Most meeting papers and decisions are published on the council's website:
<http://moderngov.southwarksites.com/uuCoverPage.aspx?bcr=1>.
Some information may not be open to the public because of the nature of the business transacted or the nature of the proceedings. This must meet legal requirements that are set out in the access to information procedure rules in the constitution.
- **Deputations.** A deputation is a request to speak at a council meeting from a group of people resident or working in the borough about an issue of local concern. There are several places for requests to be heard including council assembly or cabinet meetings.
- **Petitions.** A petition is a statement about a local issue, supported by the signatures of local residents or those directly affected. A petition can be submitted by a person of any age who lives, works or studies in Southwark. A member of the public or a councillor can present a petition at the cabinet, to other council committees or council assembly. For more information about presenting a petition to the council please refer to the Southwark Council's petition scheme document at
<http://moderngov.southwarksites.com/Published/StdDataDocs/3/3/3/0/SD0000333/PetitionScheme.pdf>.
- **Public questions** can be raised at cabinet or council assembly.

- **Themed debate.** At most council assemblies, councillors discuss themes or issues. Members of the public can contribute in a number of ways, including getting involved in discussions at local forums, or by submitting community evidence on the theme.

Maintaining high standards

The standards of conduct or behaviour for councillors are set out in the code of conduct for members in Part 5 of the constitution. The code includes a number of duties and responsibilities including the need to:

- champion the needs of residents
- exercise independent judgement
- make the decision-making process open and transparent
- behave in accordance with legal obligations
- treat people with respect.

Members are required to disclose their interests and register these by notifying the council of any changes. A ‘disclosable pecuniary interest’ is an interest of the member or their partner (which means spouse or civil partner, a person with whom the member is living as husband or wife, or a person with whom the member is living as if they are civil partners).

Southwark council has formed an audit, governance and standards committee to help maintain high standards of conduct. The committee will establish a sub-committee to consider complaints of misconduct against elected councillors and co-opted members who have contravened the code of conduct.

The relationship between members and officers is governed by the rules set out in the member and officer protocol. The way that the council uses publicity is governed by the communication protocol.

Scrutiny of decisions

The council’s scrutiny function provides a critical challenge to delivery of public services in Southwark through the power to make inquiry into matters of local concern.

Scrutiny work is undertaken by the council’s overview and scrutiny committee and its commissions, and can take a number of forms:

- reviews into individual topics
- “call in” – scrutiny of decisions of the cabinet before they are implemented
- call to account of officers on receipt of a petition of 500 or more signatures (please see the petitions scheme for more information) from the general public
- interviews with individual cabinet members.

Contacts

The council's website contains contact details for staff who deal with council meetings, including the constitutional team and the scrutiny team. You can contact the teams at:

- Constitutional team: 020 7525 7055 or constitutional.team@southwark.gov.uk
- Scrutiny team: 020 7525 4350 or scrutiny@southwark.gov.uk

You can also write to these teams at: Southwark Council, PO Box 64529, London SE1 5LX.

Other contacts within the council can be found at:

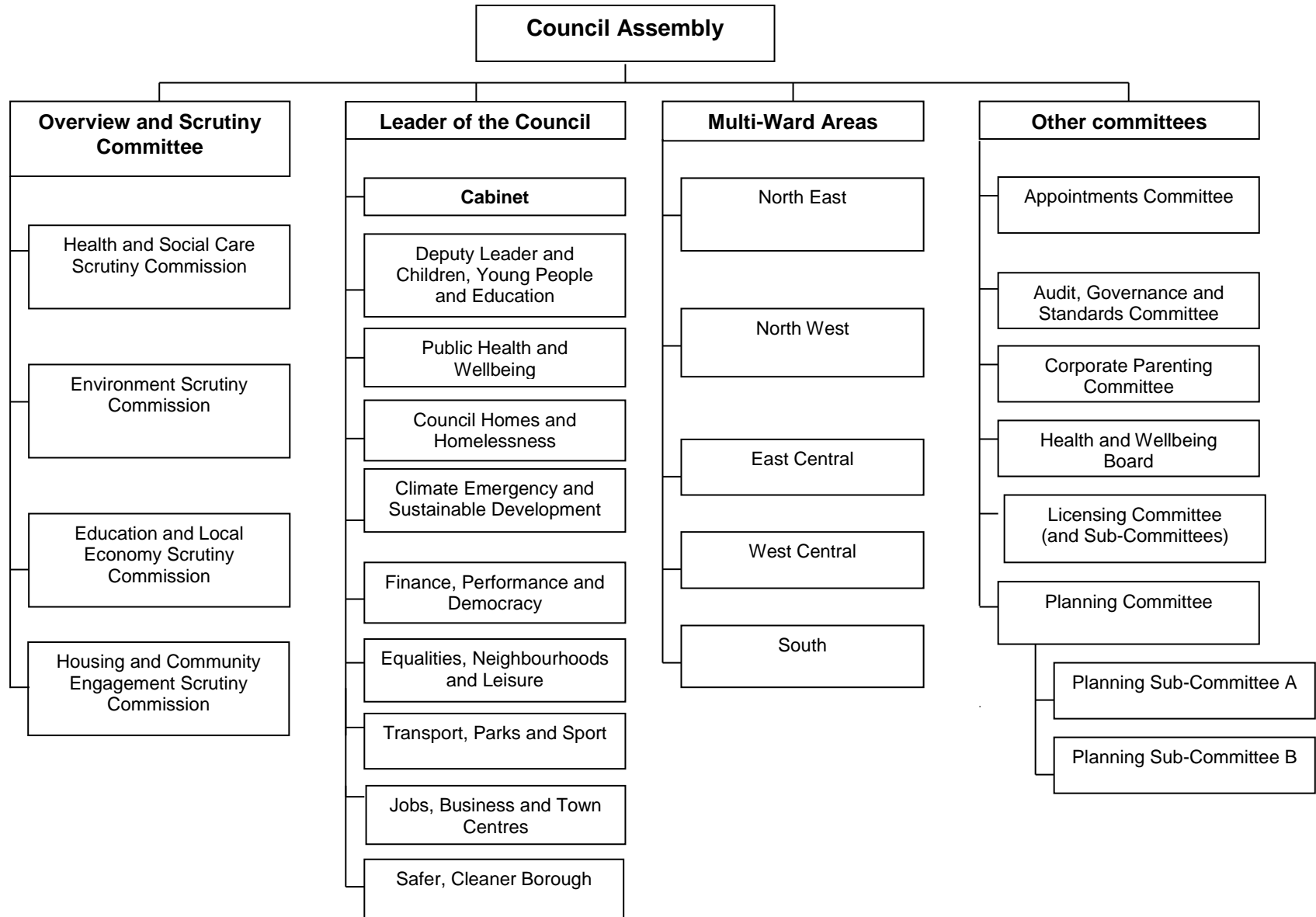
- <http://www.southwark.gov.uk/Public/Home.aspx>

Useful links

A copy of the council's constitution can be accessed via the following link on the council's website:

<https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeeld=425&Info=1&bcr=1>

COUNCIL DECISION MAKING STRUCTURE



PART 3B: CABINET

ROLE AND FUNCTIONS

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

Policy**Current**

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.

Amendment

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 age, disability, gender re-assignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex or sexual orientation and socio-economic status as set out in the Equality Act 2010.

Changes to the constitution are shown as follows:

- *Additions (shown as underlined)*
 - *Deletions (shown with a ~~strike~~through)*
-

PART 3A: 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.
5. Agreeing and amending terms of reference for committees 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, 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 Borough plan~~
 - Development plan documents (which form part of the development plan framework)
 - Policy on the community champions
 - ~~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, 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.

**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)
MUNICIPAL YEAR 2021/22**

NOTE: Original held by Constitutional Team; all amendments/queries to
Virginia Wynn-Jones Tel: 020 7525 7055

ONE COPY TO ALL UNLESS OTHERWISE STATED	Copies	To	Copies
<p>Councillors (1 each) Councillor Jasmine Ali Councillor Radha Burgess Councillor Sunil Chopra Councillor Nick Dolezal Councillor Tom Flynn Councillor Renata Hamvas Councillor Lorraine Lauder Councillor Maria Linforth-Hall Councillor Eliza Mann Councillor Darren Merrill Councillor David Noakes Councillor Damian O'Brien Councillor Leo Pollak Councillor Sandra Rhule Councillor Martin Seaton Councillor Andy Simmons Councillor Cleo Soanes Councillor Kath Whittam Councillor Kieron Williams</p> <p>Electronic Versions (No hard copy) All other councillors</p>	19	<p>Press</p> <p>Southwark News 1 South London Press 1</p> <p>Group Offices</p> <p>Eleanor Mitchell, Labour Group Office 1 Paul Wendt, Liberal Democrat Group Office 1</p> <p>Officers</p> <p>Eleanor Kelly 1 Duncan Whitfield 1 Doreen Forrester-Brown 1 Chidilim Agada 1 Chief officer team by email</p> <p>Constitutional Team 5</p> <p>(Copies to Virginia Wynn-Jones, 2nd Floor, Hub 2, Tooley Street)</p> <p>Others</p> <p>Matt Dean, Grant Thornton Ground floor audit office, Tooley Street By email</p> <p>Total: 32</p> <p>Last updated: 2 July 2021</p>	