

Item No. 5.2	Classification: Open	Date: 13 July 2022	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 VICTOR CHAMBERLAIN (Seconded by Councillor Emily Tester)

Saving South London Buses

1. Council assembly notes that:
 - a. Transport for London's (TfL) proposal to cut bus services by up to a fifth will have profoundly negative impacts on the residents of Southwark.
 - b. At a time where the use of buses is actually increasing in the UK², Investment in affordable and sustainable public transport is more important than ever:
 - i. Buses offer an affordable means of transport for vulnerable residents struggling with the cost of living crisis.
 - ii. Petrol has risen to over an average of £100 a tank meaning driving is no longer an affordable option for residents.
 - iii. Public transport offers a sustainable transport option for residents as we continue to tackle the climate emergency.
 - c. Reductions in bus services will increase the need for interchanges, making journeys more difficult for those with mobility issues, who heavily rely on direct routes for travel.
 - d. The reduction of night bus routes will adversely affect key workers across London and will have a negative impact on people's safety.
2. Council assembly further notes that:
 - a. Southwark is already poorly served by public transport, with much of the borough relying purely on buses for travel.
 - b. By May 2022, bus use had returned to 81% of pre-pandemic levels in Southwark, showing investment in our bus network is vital as we continue to recover.
 - c. 25% of the routes being cut entirely are routes that serve Southwark.
 - d. These cuts will completely withdraw four routes currently serving Southwark residents: routes 12, 45, 78 and 521.
 - e. The four routes set for withdrawal connect residents to London Bridge Hospital, Guy's Hospital, St Thomas's Hospital, Evelina Children's Hospital and King's College Hospital. The withdrawal of

these routes will make it harder for people to access healthcare services.

- f. A further 17 routes serving Southwark residents will be affected by the proposed cuts, which will lead to a reduced service across a borough already inadequately served by public transport.

3. Council assembly calls on the cabinet to:

- a. Commission an independently-led expert investigation on impacts of bus cuts in Southwark, the findings of which will form the basis of a Southwark response to TfL's proposals.
- b. Lobby TfL and the Labour London Mayor Sadiq Khan to:
 - i. Immediately halt any plans to reduce bus services in London.
 - ii. Scrap the environmentally damaging and widely unpopular Silvertown tunnel, investing instead in maintaining and enhancing the existing public transport options, such as buses, that Londoners need.
 - iii. Invest in alternative public transport options for South London including the Bakerloo Line extension.
 - iv. Hold public meetings before reducing the frequency of any bus routes.
 - v. Extend the length of the consultation until the end of the summer to reflect the potential severity of the proposed cuts and ensure as many voices are heard as possible.
- c. Campaign for the Conservative government to:
 - i. Provide TfL with the funding necessary to maintain the current bus routes.
 - ii. Reach a funding settlement with TfL that ensures there can be continued investment in sustainable and affordable public transport in London.

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

2. MOTION FROM COUNCILLOR JON HARTLEY (Seconded by Councillor Sandra Rhule)

Save Southwark Buses

- 1. The Council notes that:

- a. Southwark is facing unprecedented and damaging cuts to its public transport. Across the city, seventy eight of London's bus routes will be affected by recent proposals, with seventeen of the affected routes serving our borough, representing 22% of the changes across the capital.
 - b. Of the sixteen routes to be cut in their entirety, four are in Southwark, representing one in four bus routes. These routes included the 12 bus, a much-loved bus route which many Southwark residents use to get to and from the West End.
 - c. These cuts to services make it harder for our residents to get around the city, make journeys longer and often more expensive.
 - d. Transport for London (TfL) is still recovering from the huge financial damage caused by the pandemic. It reports that, in the latest funding settlement, the Government is asking TfL to cut the bus network by 4% by 2025.
 - e. These cuts are a political choice, forced on TfL by a government making an active decision to level down our city. London is one of the only transport systems in the world that does not receive any significant regular subsidy from its national government. Moreover, London generates £500m of vehicle licensing excise money that goes straight to Government. This means that in recent years, over 70% of TfL costs have been paid for by fares.
 - f. These regressive cuts will affect many of our lowest income residents during the cost of living crisis, impacting shift workers, keyworkers and those who need to travel early or late in order to get to work. Hard working people who keep the city running will now need to break their journey and wait for multiple buses as they try to get to work, making their working day even longer.
 - g. Southeast London's public transport is already less well-served than other parts of London and has weathered previous cuts. Our small number of tube stations means buses are the backbone of our transport network. If we are to build the homes and town centres people want and need, we have to have a public transport system that can serve them.
 - h. Southwark Labour councillors have made a difference by creating pop up street stalls and supporting a local petition to Save Southwark Buses, however more can be done to put pressure on the Government to provide TfL with an adequate settlement that London needs in order to run an efficient public transport system, in line with other major cities across the world.
2. Council Assembly further notes the impact on key resident groups, including:

- a. Users with mobility issues who may struggle to use other forms of transport or may not have access to alternatives locally.
- b. School communities, parents and carers who may struggle to get children to school without adequate local buses.
- c. Women, as transport hubs have been highlighted as a potential risk of increased violence against women and girls, therefore increased interchanges pose greater risks.
- d. Worsening health inequalities by making it more challenging for people without access to either a car or alternative forms of transport to and from hospital or doctor appointments. This is also likely to disproportionately affect older people for the same reasons.
- e. People living in social housing or those in private rented accommodation already dealing with fuel poverty who are far less likely to be able to absorb any additional costs of having to take alternative routes.
- f. Local businesses who heavily rely upon people getting across the borough to increase footfall on our high streets.

3. Council Assembly therefore resolves to:

- a. Continue to make the case to the Department for Transport for a better funding settlement for TfL on behalf of all Southwark residents, particularly those disadvantaged most by these changes.
- b. Work with TfL to mitigate any changes to the Southwark bus network to ensure that disadvantaged groups in Southwark can still travel to and from work, school, town centres and key services.
- c. Call for further engagement and meetings with key community groups in Southwark so TfL better understands the impact of the proposals put forward in Southwark.

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

3. MOTION FROM COUNCILLOR EMILY TESTER (Seconded by Councillor Graham Neale)

Fixing Southwark's Housing Disrepair Crisis

1. Council Assembly notes that:

- a. Residents voiced their displeasure at inadequate and unresponsive council services on the 2022 election campaign trail.

- b. There is a well-documented housing disrepair crisis in Southwark.
 - c. The housing ombudsman ranked Southwark Council as one of the worst landlords in England for dealing with mould and damp.
 - d. The council's repair contact centre missed its target to answer 70% of its calls within two minutes in four of five years between 2016-2020.
 - e. Southwark spent £10.1m on legal disrepair claims between 2017 and 2021. Lawyers have moved from tackling personal injury claims to chasing disrepair cases due to the higher success fees they can provide.
 - f. Southwark Council tenants, on average, faced almost 10 heating breakdowns a week between 2018 and 2021. Some leaseholders were told they would have to pay £30,000 to fix boilers on their estates.
2. Given the disrepair problems across the borough, Council Assembly calls on cabinet to:
- a. Introduce a dedicated complex repairs team to deal with disrepair, mould and damp in the borough.
 - b. Open new customer service hubs to give residents access to face-to-face meetings with staff.
 - c. Invest into hiring more call centre staff in order to improve response times to housing disrepair phone enquiries.
 - d. Perform an immediate survey of all council estate tenants and leaseholders to ascertain the depth of mould, damp and disrepair across Southwark's stock. Commit to investing in repairing these estates before constructing any developments on them.
 - e. Ensure there is opportunity for resident participation when awarding bespoke or framework contracts for works on estates
 - f. Perform an immediate review of council policy regarding refunds and caps on service charges to leaseholders. The review should investigate whether the council should pro-actively offer more refunds to its leaseholders for repeated, inadequate repairs and whether it should widely offer lower, discretionary caps on service charges.
 - g. Widen its district heating investment plan to include all estates, where appropriate, and bring forward the start date for all works.

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

4. MOTION FROM COUNCILLOR KIMBERLY McINTOSH (Seconded by Councillor Kath Whittam)

Standing Up for Responsible Tax Conduct

1. Council Assembly notes that:
 - a. The pressure on organisations to pay their fair share of tax has never been stronger.
 - b. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
 - c. Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
 - d. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
 - e. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
 - f. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.
 - g. That Southwark Labour have a nationally recognised track record on procurement which builds on the aims of this motion. Our Fairer Future Procurement policy ensures that companies must demonstrate social value through a range of measures including requiring companies to pay London Living Wage and excluding companies who break the law by blacklisting.
2. Council Assembly believes that:
 - a. Paying tax is often presented as a burden, but it shouldn’t be.
 - b. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

- c. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
- d. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
- e. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.
- f. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

3. Council Assembly resolves to:

- a. Approve the Councils for Fair Tax Declaration.
- b. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
- c. Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
- d. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
- e. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
- f. Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
- g. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
- h. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.

- i. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

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

5. MOTION FROM COUNCILLOR IRINA VON WIESE (Seconded by Councillor David Watson)

Make Cycle Storage Accessible for All

1. Council assembly notes that:
 - a. Southwark urgently needs more cycle storage:
 - i. FOIs from the Clean Cities Campaign revealed Southwark had the highest waiting list for cycle hangar spaces of any borough in London.
 - ii. From March 2021 to April 2022 1,918 bikes were stolen in Southwark, the second highest figure of any London borough.
 - iii. London Bridge and West Bermondsey had the highest number of bike thefts out of all 'safer neighbourhood areas' in London with 317.
 - b. The Labour council promised to build 500 cycle hangar across Southwark by March 2022.
 - c. By the end April 2022 it had still only built 436, having missed its own monthly targets for 8 months.
 - d. The waiting list currently stands at over 9,000 residents, while Southwark has only built enough hangars for 2,406 bikes.
 - e. As we tackle the cost of living crisis and the climate emergency it is vital that we ensure cycling is accessible and affordable for all residents.
2. Council assembly calls on cabinet to:
 - a. Dramatically increase the scale of ambition for cycle storage provisions in the borough and commit to building 500 cycle hangars per financial year to tackle the waiting list.
 - b. Identify and collaborate with local and London-wide organisations (such as Transport for London and Business Improvement Districts) to improve cycle storage provisions.

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

6. MOTION FROM COUNCILLOR ESME DOBSON (Seconded by Councillor Charlie Smith)

Equal Pavements Pledge

1. This Council notes:
 - a. the campaign of Transport for All calling on councils and transport authorities to sign an Equal Pavements Pledge (appended below)
 - b. 95 per cent of roads are the responsibility of London boroughs and only 5 per cent belong to the TfL network.
 - c. the majority of disabled people polled recently by Transport for All are worried that streets remain inaccessible with many streets still lacking even dropped kerbs to enable level access along pavements or to cross the street.
 - d. disabled people are concerned at the risk of further barriers being presented – either from the way in which changes to streets are delivered, or from al-fresco dining being delivered without consideration for the need for clear access on pavements.
 - e. Islington’s people-friendly pavements programme, created following feedback from local people and engagement with a range of organisations representing disabled people in Islington, including Disability Action in Islington and Transport for All
 - f. That people-friendly pavements is a key element of the people-friendly streets programme and will help the Council make Islington a better place for all
 - g. The programme will include measures such as footway repaving, additional dropped kerbs and street clutter removal, and more
 - h. That our borough continues to need investment and progress in making pavements fully accessible.

2. This Council notes that the Transport for All Equal Pavements Pledge outlines a need to:
 - a. Listen to disabled people, and act
 - b. Keep pavements clear
 - c. Cut pavement clutter
 - d. Reduce the impact of waste removal
 - e. Audit pavements and install dropped kerbs where they are missing
 - f. Protect blue badge parking, with relocation kept to a minimum
 - g. Work with disabled experts, committing to co-production of schemes.

3. This Council resolves to:
 - a. support the Transport for All Equal Pavements Pledge
 - b. engage directly with organisations representing people with specific accessibility requirements
 - c. call upon the Mayor of London through Transport for London (TfL) to respond to the Equal Pavements pledge with a comprehensive

- programme of support to boroughs to be delivered in this current term
- d. Call on central Government to fully fund TfL to support London Boroughs to deliver people-friendly Equal Pavements.

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

7. MOTION FROM COUNCILLOR PORTIA MWANGANGYE (Seconded by Councillor Naima Ali)

Patients not Passports

1. Council Assembly notes that:
 - a. The NHS was established after the Second World War at a time when there were high numbers of refugees and displaced people and general social chaos. It was founded on the principle of being free to everyone who needed it, regardless of their ability to pay, but has now become part of the Hostile Environment.
 - b. The Government is demanding that NHS Trusts check patients' ID before giving them treatment. If they don't have the right documents, they are forced to pay. If patients get into debt their details are sent by the Trust to the Home Office, creating fears about visa status or immigration claims and deterring many people from accessing healthcare.
 - c. This policy has had a devastating impact on those who are unable to pay, such as those from the Windrush generation. The impact of the hostile environment on migrants has become even more acute during the Covid-19 pandemic, particularly as it is known there is a higher mortality rate in Black, Asian and Minority Ethnic communities.
2. Council Assembly notes the impact of this system which:
 - a. embeds racial profiling because people have their entitlement to care challenged on the basis of their appearance, their name or their accent;
 - b. discourages those who are often already vulnerable from seeking help, including women needing maternity care, and their children;
 - c. normalises discrimination in institutions that are set up to care for the most vulnerable.
3. Council Assembly resolves to:

- a. Work with Lambeth and Southwark Patients Not Passports campaign to raise awareness of migrant charging in the NHS and the climate of fear that surrounds it
- b. Write to every GP surgery in Southwark to ask them to become a Safe Surgery to improve migrants' access to healthcare
- c. Work with our hospitals to support migrant rights and access to healthcare.

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

8. MOTION FROM COUNCILLOR VIKKI MILLS (Seconded by Councillor Renata Hamvas)

The closure of St Francesca Cabrini Primary School

1. Council Assembly notes:
 - a. That St Francesca Cabrini Primary School is a brilliant local school in Peckham Rye ward which has served our local community for over 100 years.
 - b. That the Missionary Sisters of the Sacred Heart of Jesus have made the decision to leave London and the UK and as a result are withdrawing their sponsorship of the school from September 2023.
 - c. That like many Southwark and London schools, the school has seen declining pupil numbers in recent years. This means the school's financial viability is increasingly difficult.
 - d. That the school's governing body has explored with both the London Borough of Southwark and the Archdiocese of Southwark merging with another school on the school site. However, this proved not to be possible as the land and buildings are not owned by the Archdiocese or Southwark Council and the nearest other Roman Catholic School is some distance away.
 - e. That ward councillors, parents and the wider community were therefore saddened to learn the governing body is now consulting on a proposal to close the school from September 2023.
2. Council Assembly recognises the excellent support that council officers and the Cabinet Member for Children and Schools have already offered to the school and school community as they navigate this very difficult process.
3. Council Assembly calls on the Council to:

- a. Continue to work closely with the school and governing body to explore all possible options that might allow the school to stay open and ensure its future financial viability.
- b. Continue to explore with the Archdiocese of Southwark all possible options for amalgamation with other schools across the area including exploring whether any Catholic secondary or specialised provision could be offered at the site.
- c. Ensure that the children at the school remain the absolute priority during this unsettling time and, if the proposal to close moves forward, ensure that the Council offers all possible support to children and families as they transition to other schools.
- d. Additionally ensure that the pre-school children and families that have been allocated Reception places at the school for September 2022 have all information available to them as they make decisions about what might be best for their children given the school's uncertain future.
- e. That should the proposal move forward, to work closely with the Archdiocese to offer support and assistance to staff to find new employment. Given the location of the school this should include working with neighbouring local authorities to ensure all staff are fully aware of vacancies within local schools.

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	Constitutional Team Constitutional.Team@southwark.gov.uk

AUDIT TRAIL

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