

Item No. 5.2	Classification: Open	Date: 12 July 2023	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 NAIMA ALI (Seconded by Councillor Irina von Wiese)

Support the #LiftTheBan Campaign

1. Council assembly notes that:
 - a. in Southwark there are 1,002 people seeking asylum in receipt of Section 98 support and 1,273 people in receipt of Section 95 support.
 - b. since 2002, people seeking asylum have only able to apply for the right to work
 - c. after they have been waiting for a decision on their asylum claim for over a year, and only if they can be employed into one of the narrow, highly-skilled professions included on the Government's Shortage Occupation List.
 - d. people seeking asylum are left to live on £5.84 per day, struggling to support themselves and their families, and left vulnerable to destitution, isolation, and exploitation.
 - e. the potential foregone economic gain for the UK economy of allowing people to work is estimated to be £97.8 million via increased taxable income and reduced payments of accommodation/ subsistence support.
 - f. 71% of people polled agreed with the statement: "when people come to the UK seeking asylum it is important they integrate, learn English and get to know people. It would help integration if asylum-seekers were allowed to work if their claim takes more than six months to process."
2. Council assembly believes that:
 - a. people seeking asylum want to be able to work so that they can use their skills and make the most of their potential, integrate into their communities, and provide for themselves and their families.
 - b. restrictions on right to work can lead to extremely poor mental health outcomes, and a waste of potentially invaluable talents and skills both for the economy of Southwark and the UK.
 - c. allowing people seeking asylum the right to work would therefore lead to positive outcomes for those seeking asylum in Southwark and for the local and national economy.

3. Council assembly resolves to:
 - a. join the Lift the Ban Coalition, which is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim.
 - b. call on the UK Government to give people seeking asylum the right to work unconstrained by the shortage occupation list after they have waited six months for a decision on their initial asylum claim or further submission.

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

2. MOTION FROM COUNCILLOR RACHEL BENTLEY (Seconded by Councillor David Watson)

Clean Up Southwark

1. Council Assembly notes:
 - a. That fly-tipping and litter have increased across the country after the pandemic, and nationally costs councils millions to address.
 - b. Many residents in Southwark have reported a general worsening state of rubbish, including household waste and street litter.
 - c. Waste on the streets causes significant environmental and health hazards, and worsens the aesthetics of where we live.
 - d. Whilst changes in national legislation would help to tackle the issue, there is room for councils to act within the current framework.
 - e. The bulky waste collection charge increase earlier this year, which the Liberal Democrat group opposed, which has not helped the situation with fly-tipping on estates a regular feature.
2. Council Assembly notes with concern:
 - a. That Southwark ranks particularly poorly, being the seventh most fly-tipped borough in London - compared to Richmond, Sutton, and Kingston which rank much more favourably, as well as our neighbouring borough of Lambeth.
 - b. That fly-tipping in Southwark has exploded post-pandemic, with a 56% increase in incidents 2021-2022 compared to 2018-2019.
 - c. Clinical fly-tipping is a particular concern – ranking the joint second highest in London, and has skyrocketed since covid.

- d. That enforcement of existing powers is negligible, with just 2% of reported cases of fly-tipping being followed up by Fixed Penalty Notices (FPN).
- e. This issue represents a significant area of spend by the council - with £983,000 being spent on the disposal of fly-tipped waste last year alone.
- f. That the street cleaning rota will move from 4 weekly to 5 weekly, which will only exacerbate the existing problem.
- g. That street waste contributes to the rat problem, which recent reports have highlighted has increased by 90% in Southwark, making it the second worst council area in the country.
- h. That in the same period inspection fees for pests also doubled, meaning the 'rat tax' that the Liberal Democrats campaigned against at the time will be hitting even more people during a cost of living crisis.

3. Council Assembly recognises:

- a. The extraordinary work that Kingston Council have done on this issue, which has seen impressive results to see fly-tippers cracked down on and cleaner streets as a result.
- b. The research and recommendations of Keep Britain Tidy, which have worked with councils in London and across the country to drastically reduce fly-tipping, including Newham Council which reduced fly-tipping in targeted areas by 64%.

4. This Council resolves to:

- a. Increase the number of public bins available.
- b. Produce a publicly available map of bins to better identify need.
- c. Implement similar strategies to Kingston Council such as:
 - i. Create a dedicated fly-tipping taskforce
 - ii. Appoint enforcement officers solely to enforce existing powers
 - iii. Use reported incident data to identify hotspots
- d. Maintain the existing street cleaning rota and improve services.
- e. Work with Keep Britain Tidy to develop further action plans based on case studies elsewhere in London.
- f. Call on MPs and Ministers to give local councils more powers and stricter fines to deter fly-tipping.

- g. Expand the existing discount for rat treatment and inspection to all residents during the cost of living crisis and rat epidemic.
- h. Remove the bulky waste collection charge altogether.
- i. Launch “bulky waste collection days” to be held on a regular basis, providing an active incentive for people to dispose of their furniture and white goods responsibly.
- j. Encourage and invite officers from the waste and recycling team to participate in ward forum meetings to encourage greater awareness and engagement between residents, the council, and officers.
- k. Require at minimum that officers compile annual reports to be considered at multi-ward forums, to update residents on the Council's waste and recycling strategy, key statistics and measures, and seek community feedback.

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

3. MOTION FROM COUNCILLOR VICTOR CHAMBERLAIN (Seconded by Councillor Adam Hood)

Tackling Damp and Mould

1. Council assembly notes that:
 - a. Damp and mould is a blight on housing in the UK and is putting lives at risk.
 - b. The tragic death of Awaab Ishak resulting from toxic mould has rightfully made damp and mould a top priority when tackling housing disrepair.
 - c. This increased attention has highlighted Southwark’s appalling record on tackling damp and mould:
 - i. In May 2023, the Housing Ombudsman ordered Southwark Council to pay £7,500 for “severe maladministration” after a family was left with “extensive damp and mould” for 17 months.
 - ii. In January this year, a resident was tragically found dead in her council flat which was in “swamp-like” conditions. Neighbours had alerted the council nine months prior, but the council took no action.
 - iii. An FOI revealed that in 2022 the council received 498 formal complaints regarding damp and mould issues.

- iv. An October 2021 report from the Housing Ombudsman, titled 'it's not lifestyle', ranked Southwark as one of the worst landlords nationally for dealing with damp and mould.
 - v. Despite this, as recently November 2022, Southwark's website stated that it is the responsibility of the resident "to reduce condensation and mould".
- d. A reactive service is not sufficient in tackling damp and mould. To guarantee all residents a safe home the council must undertake proactive improvement works to ensure the root causes of damp and mould are addressed.
2. Council assembly welcomes:
- a. The creation of the Southwark damp and mould taskforce and hopes this team can be put to effective use in improving Southwark's response to damp and mould in the borough.
 - b. The success of the repairs action days held throughout the borough that facilitated direct engagement between council officers and residents and saw proactive repairs carried out with effective follow-ups from the repairs team.
3. Council assembly resolves to:
- a. Improve intelligence sharing between repairs and major works teams in order to identify estates and buildings with consistent damp and mould issues to facilitate proactive and long-term repairs to the root causes of damp and mould.
 - b. Create a strategy for repairs actions days including a full calendar of events based on need and priority of different estates. The strategy should ensure every ward benefits from an action day within the year.
 - c. Improve response times by requiring each housing association to provide an action plan on how they resolve damp and mould problems (step by step), including service standards to the tenant and response times to the authority regarding casework.
 - d. Improve monitoring by requiring housing associations to provide the following data to the council every quarter:
 - i. The number of damp and mould cases that have been reported in their housing stock.
 - ii. The response time to each reported case of damp and mould and the outcome of each intervention.

- e. Consider how best to use Council powers under the Housing Act 2004 to act against housing providers that do not resolve damp and mould issues without delay.
- f. Report back regularly on the actual use or threat of use to the Overview and Scrutiny Committee.

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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