

Item No. 19.	Classification: Open	Date: 25 January 2011	Meeting Name: Cabinet
Report title:		Motions Referred from Council Assembly	
Ward(s) or groups affected:		All	
From:		Strategic Director of Law, Communities & Governance	

RECOMMENDATION

1. That the cabinet considers the motions set out in the appendices attached to the report.

BACKGROUND INFORMATION

2. Council assembly at its meeting on Wednesday, 1 December 2010 agreed a number of motions and these stand referred to the cabinet for consideration.
3. The cabinet is requested to consider the motions referred to it. Any proposals in a motion are treated as a recommendation only. The final decisions of the cabinet will be reported back to the next meeting of council assembly. When considering a motion, cabinet can decide to:
 - Note the motion; *or*
 - Agree the motion in its entirety, *or*
 - Amend the motion; *or*
 - Reject the motion.

KEY ISSUES FOR CONSIDERATION

4. In accordance with council assembly procedure rule 2.10(6), the attached motions were referred to the cabinet. The cabinet will report on the outcome of its deliberations upon the motions to a subsequent meeting of council assembly.
5. The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and to the cabinet for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis.
6. Any key issues, such as policy, community impact or funding implications are included in the advice from the relevant chief officer.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Motions submitted in accordance with council assembly procedure rule 2.10 (6).	160 Tooley Street London SE1 5LX	Lesley John Constitutional Team 020 7525 7228

APPENDICES

No.	Title
Appendix 1	Housing solutions for Southwark
Appendix 2	Southwark Life
Appendix 3	Committing to localism
Appendix 4	Withdrawal of private finance initiative (pfi) funding for regenerating the Aylesbury Estate
Appendix 5	King's Stairs Gardens site of importance for nature conservation (SINC) status

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Lesley John, Constitutional Officer	
Version	Final	
Dated	17 January 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Finance Director	Yes	Yes
Deputy Chief Executive	Yes	Yes
Strategic Director of Communities, Law & Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	17 January 2011	

Housing solutions for Southwark

At council assembly on Wednesday 1 December 2010 a motion on housing solutions for Southwark was proposed by Councillor Anood Al-Samerai and seconded by Councillor Linda Manchester. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

1. That council assembly regrets that too many families have been forced into often poor quality private rented accommodation by the failure over the past 25 years to build sufficient affordable social housing.
2. That council assembly notes the ever increasing and unsustainable housing benefit bill and the notes government's plans to tackle this.
3. That council assembly notes that plans to reform housing benefit were also in the Labour manifesto and notes the Mayor of London's comments that this would lead to "Kosovo style social cleansing".
4. That council assembly notes the concern of many residents about the proposed changes to social housing tenures and to some of the proposed changes to housing benefit.
5. That council assembly notes the impact on Southwark of these changes are likely that:
 - The reduction of the local housing allowance in October 2011 leads to households losing as much as £57.53 a week, and this could lead to nearly 5,000 private sector tenants looking for council accommodation
 - This reduction widens over following years as the indexation of housing benefit shifts from the retail price index to the typically lower consumer price index
 - The reduction is further compounded by the penalisation of those who have been unable to find employment for a year
 - This reduction is further compounded by deductions for non-dependents who still live in the home, the deductions being introduced despite increasing barriers to entry to the housing market for young people
 - Demand for housing in Southwark increases markedly as housing benefit claimants are forced to leave even more expensive parts of London like Westminster and Camden.
6. That council assembly believes that it is inconceivable that these changes will not lead to repossessions, homelessness and enforced home moves in Southwark, as the number of homes that are affordable for residents living on housing benefits decreases and the number of people competing for those homes increases.

7. That council assembly expresses particular concern that new tenants will not be offered traditional secure tenancies which provide stability, support family networks and can improve social cohesion.
8. That council also expresses its concern that the government grants to build future affordable homes are to be cut by some 50%.
9. That council assembly fully supports the rights of secure tenants to live in their council home for as long as they wish, but believes the council should look at new ways of tackling under-occupancy of homes to make better use of existing council stock.
10. That council assembly believes that government's aims to tackle high rents charged by private landlords through a reduction in the local housing allowance may harm families rather than unscrupulous landlords.
11. That council assembly calls on the cabinet to investigate whether rent capping in the private rented sector could be a positive way of achieving the government's aim of reducing the overall housing benefit bill.
12. That whilst council assembly supports the principle that people should work if they are able, members are concerned that in light of the current economic climate and employment market the government should rethink plans to reduce by 10% housing benefit for those claiming jobseekers allowance for more than 12 months
13. That council assembly calls on the cabinet to write to government to:
 - oppose the changes to secure tenancies
 - oppose plans to measure local housing allowance at the 30th percentile rather than the median
 - oppose plans to remove 10% of housing benefit from those who have been claiming jobseekers allowance for more than 12 months given the current state of the employment market
 - support a housing benefit solution for London, as suggested by Simon Hughes MP, which understands the particular needs and market in London
 - investigate the possibility of land value taxation or introducing rent control in some parts of the private rented sector
 - fulfil promises of allowing local authorities to make their own decisions about new housing and rents for new and existing tenancies
 - co-ordinate a cross party response to the government's housing consultation.
14. That council assembly calls upon all of Southwark's MPs to oppose the proposed changes to secure tenancies, the change in the local housing allowance measure and to specifically vote against the proposal to cut housing benefit by 10% after a year of unemployment when the Bill comes before the House of Commons

Comments of the Deputy Chief Executive / Finance Director

Southwark will be submitting a response to the Government's consultation on the future of social housing 'Local decisions: a fairer future for social housing'. This will express concerns about several of the proposed changes, including the proposal to introduce a new form of tenure for new tenants of social housing known as flexible tenancies. Our concern is that these would not offer stability on estates or the stability that families need. Our response will also express concern about the new 'affordable rent' funding model for housing association new build homes and a proportion of relets as the rent levels for larger family homes will generally only be affordable to those on HB, and with the planned further reductions in welfare benefits from 2013 onwards many tenants would struggle to meet the shortfall in rent, with the risk of increased homelessness.

It should be noted that the Government has brought forward the reduction of the local housing allowance (LHA) from the 50th to the 30th percentile to April 2011 for new applicants. Existing claimants will then have up to nine months of transitional protection after the date of their annual housing benefit (HB) review before the new lower rate of HB is introduced, subject to there being no change in the applicant's circumstances in the intervening period when the reduction may be brought in sooner. This means that many existing claimants will not be affected until after January 2012.

Southwark operates a successful under-occupation scheme called Smart Move which provides financial and practical assistance to tenants to move to a smaller home, freeing up larger homes for those in need. Around 160 tenants are currently assisted through this scheme each year but any further expansion of the scheme would require more resources.

Southwark Life

At council assembly on Wednesday 1 December 2010 a motion on Southwark Life was proposed by Councillor Michael Mitchell and seconded by Councillor Lewis Robinson. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

1. That council assembly notes that the current format of Southwark Life was determined by the previous Liberal Democrat/Tory coalition.
2. That council assembly notes that the format and frequency of Southwark Life is under review as part of the budgeting process with all other communications services.

Comments of the Deputy Chief Executive

To follow.

Committing to localism

At council assembly on Wednesday 1 December 2010 a motion on committing to localism was proposed by Councillor Adele Morris and seconded by Councillor Graham Neale. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

1. That council assembly notes that the Localism Bill has not yet been published and believes that the coalition's proposals are as yet unclear.
2. That council assembly calls on the cabinet to fully investigate any new powers that the local authority is afforded as part of the bill and implement them as appropriate.

Comments of the Strategic Director of Communities, Law & Governance

The Localism Bill has its 2nd reading scheduled for 17 January. Officers have identified the key provisions of the Bill and allocated initial work streams in readiness for drafting further briefings and reports to cabinet and council assembly. The Parliamentary timetable has not been set yet but the Department for Communities and Local Government is the lead department, and its business plan provides for some secondary legislative changes as late as April 2012. We can therefore expect both many months before we know precisely what shape the final legislation will be in and before it is implemented.

Withdrawal of private finance initiative (PFI) funding for regenerating the Aylesbury Estate

At council assembly on Wednesday 1 December 2010 a motion on the withdrawal of private finance initiative funding for regenerating the Aylesbury Estate was moved by Councillor Fiona Colley and seconded by Councillor Lorraine Lauder. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

1. That council assembly notes the bitterly disappointing news that the coalition government has decided to withdraw £181 million of private finance initiative (PFI) funding for building new homes for Aylesbury Estate residents.
2. That council assembly notes the continued cross-party support for the regeneration of the Aylesbury Estate.
3. That council assembly notes that the leader has written to the Prime Minister and Secretary of State for Communities and Local Government inviting them to the Aylesbury Estate to see the impact the withdrawal of funding will have.
4. That council assembly notes that the first new homes on site 1a (formerly Red Lion Close and Little Bradenham) will be complete early in the new year and that the continued development of this site and the plans to redevelop sites 7 and 10 (Amersham and North Wolverton) are unaffected by the withdrawal of PFI funding.
5. That council assembly is determined that the withdrawal of the PFI funding will not mean the end of the regeneration of the Aylesbury Estate, and reaffirms its commitment to work with local residents and Creation Trust to transform the area.
6. That council assembly requests that the cabinet calls on the government to change its decision or to provide an alternative funding mechanism.
7. That council assembly calls on the cabinet to continue to rehouse residents from sites 1b and 1c (Bradenham, Chartridge, Arlow and Chiltern) and to explore all possible alternative options for taking the regeneration of the Aylesbury forward.

Comments of the Deputy Chief Executive

To follow.

King's Stairs Gardens site of importance for nature conservation (SINC) status

At council assembly on Wednesday 1 December 2010 a motion on King's Stairs Gardens site of importance for nature conservation status was proposed by Councillor Fiona Colley and seconded by Councillor Nick Dolezal. The motion was agreed and stands referred to the cabinet as a recommendation.

Recommendation

1. That on 4 November 2009 council assembly agreed the submission version of the core strategy which included a new designation of King's Stairs Gardens as a Site of Importance for Nature Conservation (SINC). This version of the core strategy was then submitted to the planning inspector and subject to examination in public. Following this, on 27 January 2010 council assembly agreed the submission version of the Canada Water Area Action Plan for examination by a planning inspector.
2. That council assembly notes that the inspector's report and final version of the core strategy is still to be received and that there have been some indications that the inspector may not approve new site specific designations as being appropriate for inclusion in the core strategy. It has been indicated that he may be decided that such designations would be more appropriately made in development plan documents (DPDs).
3. That council assembly notes that the submission version of the Canada Water Area Action Plan (a DPD) is due to undergo examination in public in the new year after the inspector's report on the core strategy is received.
4. That it was anticipated at the time of the submission of the Canada Water Area Action Plan that the designation of King's Stairs Gardens as a SINC would be accepted by the inspector of the core strategy. In the eventuality of King's Stairs Gardens not being designated as a SINC in the inspector's report, council assembly calls on the cabinet member for regeneration and corporate strategy to write to the planning inspector asking for King's Stairs Gardens to be designated as a SINC within the Canada Water Area Action Plan and to make similar representations for the inclusion of any other new and amended site designations within the Canada Water AAP area which were agreed by council assembly in the submission version of the core strategy.

Comments of the Deputy Chief Executive

To follow.