

<b>Item No.</b> 18.	<b>Classification:</b> Open	<b>Date:</b> 28 January 2014	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Motions Referred from Council Assembly	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Council Assembly	

## 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 27 November 2013 agreed several 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
Council agenda	Report on the council's website	Lesley John Constitutional Team 020 7525 7228
<b>Link</b> <a href="http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=132&amp;MId=4576&amp;Ver=4">http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=132&amp;MId=4576&amp;Ver=4</a>		

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## AUDIT TRAIL

<b>Lead Officer</b>	Alexa Coates, Principal Constitutional Officer	
<b>Report Author</b>	Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	17 January 2014	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Chief Executive	Yes	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	No
<b>Cabinet Member</b>		
<b>Date final report sent to Constitutional Team</b>	17 January 2014	

**LOCAL BUSINESS AND ENTERPRISE**

At council assembly on Wednesday 27 November 2013 a motion entitled 'Local business and enterprise' was moved by Councillor Sunil Chopra and formally seconded by Councillor Mark Glover. The motion was agreed and stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

1. That council assembly welcomes this administration's commitment to supporting our residents and businesses in tough economic times and the difference this administration is making to jobs and growth across our borough.
2. That council assembly notes the council's recent economic wellbeing strategy and its important commitment to:
  - Narrow the gap between the Southwark and London employment rate
  - Make Southwark the place of choice to start and grow a business
  - Get our town centres and high streets thriving
  - Promote financial independence and resilience.
3. That council assembly welcomes the steps that the council has already taken to progress these ambitions. Council assembly further warmly welcomes the £1 million business support fund, the £1 million of youth fund a year through to 2016/17, focused on employment and assisting young people to remain in education and training and the council's ongoing commitment to securing jobs, training and employment support through section 106 and community infrastructure levy agreements with developers.
4. That council assembly recognises the progress this administration has made including:
  - Over 1000 Southwark residents finding work as a direct result of the council's employment programmes in the last 18 months
  - Over £440,000 of investment in five of our town centres through the community restoration fund
  - A £100,000 emergency fund for Herne Hill businesses affected by the August 2013 flood,
  - Supporting Southwark businesses over the course of this year to secure public and private sector contracts worth £1.2 million through our supply Southwark project.

5. That council assembly warmly welcomes the commitment of this administration to keep making a difference, including by:
  - Supporting 200 Southwark start-ups and small to medium enterprises (SMEs) to get investment-ready, helping to secure over £2 million worth of finance for Southwark businesses and making sure it is Southwark residents that get the job opportunities arising from this business growth
  - Supporting Southwark businesses to be 'fit to compete' for public and private sector contract opportunities, securing contracts with a value of £1.2 million this year and £3 million by the end of 2015
  - A £600,000 town centre growth initiative to help business-led groups to reinvigorate their local high streets.
6. That council assembly regrets the abject failure of the Tory Liberal Democrat government to introduce policies that would maximise the huge opportunities of regeneration in Southwark and the huge talent and potential of our residents and to instead oversee three years of austerity-induced stagnation and continuously failing living standards across the UK. Council assembly further regrets the decision of the Tory Liberal Democrat government to scrap Labour-backed schemes such as the future jobs fund which helped to get unemployed people into work, and which was scrapped by the government despite a report from the Department for Work and Pensions which showed it produced a net benefit to society of approximately £7,750 per participant.
7. That council assembly welcomes the cabinet's commitment to prioritise delivering jobs and growth across Southwark and urges them to continue to prioritise these efforts so that Southwark is a place where residents can get on and where businesses and high streets can continue to thrive.

**SMALL BUSINESS SATURDAY**

At council assembly on Wednesday 27 November 2013 a motion entitled 'small business Saturday' was moved by Councillor Michael Mitchell and formally 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 commends the council's efforts to encourage people to shop locally and assist small businesses in their communities by supporting the Small Business Saturday campaign.
2. That council assembly resolves to call on cabinet to back local businesses throughout the borough, to do all they can to ensure the East Dulwich Cracker, taking place on Small Business Saturday, is a roaring success and continue to support the Herne Hill Christmas re-launch of those businesses affected by the August floods, taking place on 14 December, to help bring back much needed foot fall to Herne Hill.

**INTRODUCING A SUPERMARKET LEVY**

At council assembly on Wednesday 27 November 2013 a motion entitled 'introducing a supermarket levy' was moved by Councillor Tim McNally and formally seconded by Councillor James Barber. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Welcomes Labour's commitment to reverse the Tory - Liberal Democrats' government cut in corporation tax from 21 per cent to 20 per cent.
2. Welcomes the £1 billion this policy would save over two year's and Labour's commitment to use this revenue to reduce business rates on properties and commercial premises with an annual rental value of £50,000 or less, providing a much needed boost to small businesses across Southwark
3. Notes the Local Works campaign for a levy on large supermarkets and the use of such a scheme across the entirety of Northern Ireland.
4. Believes that to minimise any risk to Southwark residents, many of whom work and shop in large retail outlets in the borough, the best approach to a supermarket levy would be a pan-London one.
5. Therefore call on cabinet to:
  - Approach the Mayor of London to bring together all London boroughs to consult on introducing a supermarket levy
  - Discuss this proposal with neighbouring councils to ensure a joined up approach to local business in South London.

**PAY DAY LENDERS**

At council assembly on Wednesday 27 November 2013 a motion entitled 'pay day lenders' was moved by Councillor Neil Coyle and formally seconded by Councillor Martin Seaton. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Notes with concern the increase in "payday loan" outfits in our high streets, particularly in Peckham, the Walworth Road, Southwark Park Road and Tower Bridge Road.
2. Recognises the negative effect these lenders can have on people on low incomes, particularly given the very high interest rates that are often charged, and the tactics used by many lenders to encourage borrowing while failing to disclose the true cost of loans.
3. Believes lending of this kind is both socially and financially irresponsible and calls for all political parties in Southwark to support and prioritise alternative affordable models of lending.
4. Welcomes the cabinet's announcement that Southwark residents will face less exposure to payday lenders following the agreement from two of the council's billboard advertising contractors not to display payday loan adverts. Council assembly urges the council's other contractor, JC Decaux, to follow this example and end payday loan advertising in Southwark.
5. Recognises the importance of small businesses for the local economy and acknowledges that these businesses are often 'priced out' of our high streets, allowing an increased number of payday lenders to open shops.
6. Praises the work of the London Mutual Credit Union for their commitment to responsible lending in the borough and encourages the council to further promote credit unions as an alternative to irresponsible payday lenders.
7. Welcomes the commitment of the cabinet member for communities and economic wellbeing to work with officers to make it more difficult for payday lenders to open on our high streets, including tackling payday loan shops through planning powers.
8. Welcomes the council's groundbreaking approval to bring into force Article 4 planning directions on change of use to help protect our high streets. This makes Southwark the first authority nationally to make such a change.
9. Urges cabinet to call on government to follow Southwark's lead in finding new ways of tackling the scourge of payday lenders on our high streets and better supporting local businesses.
10. Welcomes that councils are now able to vary business rates under the Localism Act (2011), and calls on cabinet, in consultation with community councils, to introduce relevant local business rates discounts and exemptions to encourage mixed high streets.

**BERMONDSEY BUSINESS IMPROVEMENT DISTRICT**

At council assembly on Wednesday 27 November 2013 a motion entitled 'Bermondsey business improvement district' was moved by Councillor The Right Rev Emmanuel Oyewole and seconded by Councillor Claire Hickson. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Congratulates the Bermondsey Business Association on the work they have done on supporting local businesses in Bermondsey and improving the local economy.
2. Supports the Bermondsey Business Association in their bid to create a business improvement district (BID) in Bermondsey.
3. Welcomes the council's £30,000 investment in Bermondsey through the community restoration fund which allowed the Bermondsey Business Association to start a full BID proposal and the council's continuing support to help make sure the BID becomes a reality.
4. Recognises the economic benefits that the creation of a BID will bring to the area, including marketing The Blue as a new and alternative shopping destination, partnering with existing and successful business districts such as Bankside and Borough Market, promoting the interests of The Blue and exploring opportunities for managing retail units as well as other initiatives to increase footfall, attract new businesses and further revitalise the town centre.
5. Also recognises the spate of burglaries which have occurred recently in and around The Blue, and commits to working with the police and other relevant partners to ensure the issue is tackled swiftly.
6. Welcomes Simon Bell opening the new butchers' shop in the Blue
7. Thanks Russell Dryden as the chair of the BBA and the work of the South Bermondsey Partnership in getting the Blue to a place where it is today.
8. Recognises that some shops in the area have been empty for many months, and calls on council to ensure that any prospective new businesses will add benefit to the area and its shopping mix.
9. Calls on the cabinet member for communities and economic development to continue to work with the Bermondsey Business Association to ensure that Bermondsey businesses have the support they need to thrive.



## WHITWORTH HOUSE

At council assembly on Wednesday 27 November 2013 a motion entitled 'Whitworth House' was proposed by Councillor Poddy Clark and seconded by Councillor Tim McNally. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

1. That council assembly welcomes the £130 million plus which has been spent (excluding the Leathermarket JMB) on this council's flagship warm, dry and safe (WDS) housing investment programme, which is on course to be fully complete by 2015/16. Through the WDS programme, funding to address the highest risk high rise blocks identified through fire risk assessments has been done, with over 5,000 individual boilers replaced and over 100 lifts refurbished. The major works programme continues to deliver for residents through a mixture of partnering contractors and traditional procurement. All of the original two year programme will complete this year (except for the Hawkstone). The 2012/13 programme is on site or completed and most of the 2013/14 is due on site this year. In addition the popularity and success of the WDS programme has allowed an estimated nearly £15 million of works to be brought forward from 2014/15 and another £13 million works from 2015/16 to commit in 2014/15.
2. That in addition the council assembly welcomes the new 100% target for tenancy checks which picks up repair and damp issues irrespective of major works noting that 60% tenants have been visited to date this year.
3. That council assembly notes that through this programme residents' concerns with the partnering contractors have been acted on immediately and that the council has already terminated two poorly performing contracts and installed a new framework for contractors to provide more choice than the current partnering arrangements. An example of this is Whitworth House, Falmouth Road on the Rockingham Estate, where in response to residents' concerns the council has tried to end the on-going relationship with the contractor on a mutually agreeable basis.
4. That in order to achieve this council assembly calls on the cabinet to:
  - Ensure all residents are visited to individually assess the outstanding issues relating to damp, repairs and door and window replacement as part of the major works and completions and through the 6 months and 12 months defects periods before any payment is made.
  - Agree with each resident a plan and timetable for resolving each issue by December before full and final payment is made.
  - Arrange for close supervision of the replacement contractor to ensure completion of the outstanding issues.
  - Provide compensation to the residents for the missed appointments and disruption for missed appointments
  - Review the management and oversight of major works and ensure that the WDS programme is subject to ongoing scrutiny through the major works core group composed of contractors, residents and officers and chaired by the cabinet member for housing management.

## **Comments of the Strategic Director of Housing and Community Services**

- (1) The contracts manager and customer relationship officer carried out door knocking over 4 days in December 2013 and compiled a list of issues from those residents who were at home. These have been tabulated and those relevant to major works have been passed on to Breyer who have been attending to and remedying these issues. Those relating to repairs were passed to the repairs team. The customer relationship officer will be door knocking again at the end of January 2014 to carry out the customer satisfaction surveys. Any defects collected will be passed onto the contractor to be dealt with under the defects liability period.
- (2) Appointments have been made directly with the residents to attend to the defects that have been reported. The contract Manager is monitoring this process and the tabulated sheet is being updated. No further payment will be made to Breyers until all works had been completed and the completion certificate has been issued
- (3) There is no replacement contractor. Breyer have remained on site to complete the work as agreed in the settlement agreement with Breyer when concluding the partnering contract with Southwark. The works are virtually complete apart from a few snagging items and a few front entrance door replacements which are still outstanding due to residents not providing access. The project management team will be meeting the contractor on a weekly basis to ensure all remaining items are dealt with swiftly.
- (4) Missed appointments have been paid as and when they have been reported to the project management team.
- (5) The major works teams are responsible for setting the standards and ensuring our contractors maintain these standards throughout the project. We hold a number of meetings with our contracting partners where items of quality and delivery are included on the agenda. These meeting include.
  - Weekly site operational meetings
  - Monthly site progress meetings
  - Bi-monthly operational core group meetings
- (6) There is also a major works monitoring group chaired by the strategic director for housing and community service that meets monthly and rigorously monitors the delivery of the housing capital programme.
- (7) The major works team have in place a project management system which tracks cost fluctuations, forecasting and comparisons in meeting agreed milestone, this information is used and scrutinised through the major works core group, chaired by the cabinet member for housing and deputy leader of the council, where the partner contractors report back on their performance.
- (8) Meetings of the major works core group have been booked for the next twelve months. The next meeting will be held on the 31 January 2014.

**POP UP SHOPS ON CANADA WATER PLAZA**

At council assembly on Wednesday 27 November 2013 a motion entitled 'pop up shops on Canada Water Plaza' was proposed by Councillor Michael Situ and seconded by Councillor Nick Dolezal. The motion was agreed and stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Notes that several of the units for let on Canada Water Plaza, which are part of the new development, are currently empty.
2. Notes the success of temporary 'pop up shops' in vacant retail units in East Street and Nunhead and considers this a good use of otherwise empty units to promote local business, develop the local economy and improve our high streets.
3. Calls on cabinet to:
  - Explore the possibility of the council taking a one year lease for the empty units on Canada Water Plaza
  - Work with the owners of the shops on Canada Water Plaza to use these empty units as 'pop up shops', similar to those in East Street and Nunhead.

**ENDING COUNCIL INVESTMENT IN TOBACCO AND ARMS**

At council assembly on Wednesday 27 November 2013 a motion entitled 'ending council investment in tobacco and arms' was moved by Councillor David Noakes and seconded by Councillor Poddy Clark. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Welcomes the commitment of the leader of the council to undertake a survey of current and former staff who are members of the borough's pension scheme to understand their views on investment into Southwark's pension scheme, including issues around ethical investment.
2. Recognises that decisions on individual investments in the pension fund are made by the strategic director of finance and corporate services, on the advice of our cross-party pensions advisory panel, which has equal representation from each of the three main political parties.
3. Acknowledges that the council's pension fund has a legal duty to put the financial wellbeing of members of the pension scheme as its foremost concern.
4. Further acknowledges that a £200 million funding gap already exists in the council's pension fund, which could become even larger if the council chose to invest in areas that do not provide a substantial return. Council assembly notes that this could open up the prospect of law suits from members on the basis that the council was not investing in their best interests. It also notes that riskier investments would impact on future actuarial reviews of the fund, resulting in a need for larger contributions to the fund from the council and other members of the scheme. This in turn would require new savings from elsewhere in the council budget to fund.
5. Notes that investments in the council's pension fund have remained largely unchanged since the previous administration and welcomes the fact that, after years of inaction from the Liberal Democrats, Labour is now working with the cross-party pension advisory group to find more ethical ways of investing in the pension fund.
6. Welcomes the agreement at the most recent pensions advisory panel meeting in September to further explore the adoption of ethical investment principles and further welcomes the commitment from the leader of the council that, subject to ensuring the best return for members, investment in some firms could be stopped. Council assembly calls on the pensions advisory panel to carefully consider how this can be done without negatively impacting the ability to pay employees who have invested in the fund in good faith during their working lives.

**FAIRTRADE**

At council assembly on Wednesday 27 November 2013 a motion entitled 'Fairtrade' was proposed by Councillor Andy Simmons and seconded by Councillor Helen Hayes. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

1. That Southwark Council achieved Fairtrade borough status in July 2007 with cross-party support. Council assembly recognises the work of the whole community in achieving this.
2. That given the council's proactive role in supporting Fairtrade, council assembly reconfirms its commitment to Fairtrade and expresses its support for the use, expansion and promotion of the range of Fairtrade products in the council's office and other establishments.
3. That council assembly calls on cabinet to continue to work with its catering contractors, staff, residents, visitors, businesses, the public and the voluntary sector to increase the availability and take up of 'Fairtrade' marked food, drink and clothing options.

**STOP THE DELAY ON SOUTHWARK PARK ATHLETICS TRACK**

At council assembly on Wednesday 27 November 2013 a motion entitled 'stop the delay on Southwark Park athletics track' was proposed by Councillor Jeff Hook and seconded by Councillor Eliza Mann. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Notes with sadness the state of disrepair into which Southwark Park athletics track has fallen after 8 years of inaction, and welcomes the allocation of £1.09 million from various funding streams to redevelop the facility.
2. Further notes that the £1.09 million raised includes Olympic Legacy Funding for renewal work on the track and field. A capital bid will be made for 2014/15 for the remainder of the funding required to realise plans for a full development of the site, including re-modelling of the building and changing facilities.
3. Council assembly welcomes the current administration's commitment to the completion of all the projects funded by the Olympic Legacy Fund'.

**Comments of the Strategic Director of Environment and Leisure**

- (1) In addition to an award of £370,000 from the Council's Olympic Legacy Fund, officers have secured £682,000 from external sources, making a total of £1,052,000 already available for the Southwark Park track project.
- (2) In anticipation of securing further funding, officers have also completed the following works.
  - Design of athletics facilities
  - Preparation of planning documentation for phase one of the works for submission in February 2014
  - Produced required Gateway procurement reports in order to commence works
  - Submitted a formal capital bid for the remaining required funds for consideration as part of the forthcoming capital programme refresh

**SUPPORT FOR THE BRITISH NUCLEAR TEST VETERANS' ASSOCIATION**

At council assembly on Wednesday 27 November 2013 a motion entitled 'support for the British Nuclear Test Veteran's Association' was proposed by Councillor Ian Wingfield and seconded by Councillor Dan Garfield. The motion was agreed and stands referred to the cabinet as a recommendation.

**RECOMMENDATION**

That council assembly:

1. Notes that its commitment to the Armed Forces Community Covenant ensures the need of those residents of Southwark who serve, of have served, the country are recognised and supported at a local level.
2. Further notes that many other residents have, through a range of professions, served the country in equally significant measure, such as in national security and defence – including those who participated in the testing of Britain's nuclear weapons in the 1950s and 1960s.
3. Welcomes that, following a Ministry of Defence commissioned Health Needs Analysis in 2011 of British nuclear test veterans, the NHS have introduced a number of practical measures to support them.
4. Believes that other parts of the public and voluntary sector should seek to introduce similar measures to support nuclear test veterans – and that the council should lead this at a local level by extending the provisions of the Armed Forces Community Covenant to those veterans who live in Southwark.
5. Urges the government to support the campaign of the British Nuclear Test Veterans Association by:
  - officially recognising the unique service of these veterans and acknowledge the nation's continuing debt to them; and
  - supporting the intention to establish a benevolent fund of £25 million to provide assistance for those veterans and their descendants in need.
6. Calls on Southwark's Members of Parliament to back this campaign and join the council in urging the government to support the requests outlined in this motion.