

Item No. 5.2	Classification: Open	Date: 26 November 2014	Meeting Name: Council Assembly
Report title:		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 COUNCILLOR HAMISH McCALLUM** (Seconded by Councillor James Okosun)

A fair deal for tenants and leaseholders

Council assembly:

1. Notes that when tenants or leaseholders breach the terms of their contract with the council by failing to provide rent or service charge payments in full and on time, the council has well-developed and strictly enforced procedures to ensure that any money owed to it is recovered.
2. Further notes that although instances in which basic services like cleaning and refuse collection are not adequately provided amount to a failure of the council to fulfil its requirements under the same contracts, many residents feel powerless to seek redress from the council.
3. Therefore calls on the cabinet to provide a fair deal for leaseholders and tenants by introducing a system of rent reductions and service charge rebates as compensation to residents when the basic services they are entitled to expect from their landlord are not delivered.

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

2. **MOTION FROM COUNCILLOR NEIL COYLE** (Seconded by Councillor Stephanie Cryan)

Campaign against high stake gambling machines

1. Council assembly reiterates its concern about the proliferation of high street betting outlets in Southwark which, like for many other London boroughs, is an issue of grave concern to the council and local residents.
2. Council assembly notes that there are more than twice as many betting shops in the poorest 55 boroughs compared with the most affluent 115, equivalent by population. Council assembly also notes the concerns of the Gambling Commission that fixed odds betting terminals (FOBTs) present a high inherent money laundering risk.
3. Council assembly regrets that despite this evidence that the most vulnerable are being targeted, the government has refused to act.
4. Council assembly condemns Liberal Democrat and Tory MPs, including government minister and local MP Simon Hughes, for voting against Labour's motion calling for local authorities to be given new powers to restrict the growth of FOBTs, despite publicly backing campaigns to curb high stakes gambling machines.
5. Council assembly notes that Labour's proposal have been welcomed by the Campaign for Fairer Gambling, which praised Labour for 'putting pressure on the government to take action sooner rather than later'.

6. Council assembly calls on the government to back Labour's proposals to enable local authorities to curb the growth of FOBTs and to establish a separate planning class for betting shops.
7. Council assembly calls on cabinet to work with The London Borough of Newham and other London councils to make a submission to the government under the Sustainable Communities Act 2007 to reduce the maximum bet per spin on FOBTs in on street betting shops from £100 to £2, bringing them in line with other gambling machines.
8. Council assembly calls on Liberal Democrat MPs and government ministers, including Simon Hughes MP, to demonstrate their support for the campaign against high stake gambling machines by backing Labour councils' submission to reduce the maximum bet per spin on FOBTs and to introduce a separate use class for betting shops, instead of simply voting on the issue at an party conference that no one cares about.

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

3. MOTION FROM COUNCILLOR KARL EASTHAM (Seconded by Councillor Sarah King)

Towns against tax dodging

1. Council assembly believes
 - i. Southwark as a local authority has a duty to provide the best possible public services.
 - ii. The council's ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
 - iii. All who benefit from public spending should contribute their fair share.
 - iv. The UK must take a lead role in creating a fairer tax system and combating tax dodging
2. Council assembly notes:
 - i. It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose three times more to tax dodging than they receive in aid each year - enough to give a basic education to the 57 million children currently missing out.
 - ii. The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.
 - iii. The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.

- iv. Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.
3. Therefore council assembly calls on cabinet to support ActionAid's Towns Against Tax Dodging campaign and to support the motion:

“While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies, in developing countries and the UK.”

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	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Andrew Weir, Constitutional Officer
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