

Council Assembly

(Ordinary/Council Tax Base Meeting)

MINUTES of the Council Assembly (Ordinary/Council Tax Base Meeting) held on Wednesday 21 January 2015 at 7.00 pm at Harris Academy Peckham, 112 Peckham Road, London SE15 5DZ

PRESENT:

The Worshipful the Mayor for 2014/15, Councillor Sunil Chopra

Councillor Evelyn Akoto
Councillor Anood Al-Samerai
Councillor Jasmine Ali
Councillor Maisie Anderson
Councillor James Barber
Councillor Radha Burgess
Councillor Sunil Chopra
Councillor Fiona Colley
Councillor Neil Coyle
Councillor Stephanie Cryan
Councillor Catherine Dale
Councillor Dora Dixon-Fyle MBE
Councillor Nick Dolezal
Councillor Karl Eastham
Councillor Gavin Edwards
Councillor Paul Fleming
Councillor Tom Flynn
Councillor Dan Garfield
Councillor Chris Gonde
Councillor Lucas Green
Councillor Renata Hamvas
Councillor Barrie Hargrove
Councillor Jon Hartley
Councillor Helen Hayes
Councillor David Hubber
Councillor Peter John
Councillor Ben Johnson
Councillor Sarah King
Councillor Anne Kirby
Councillor Sunny Lambe
Councillor Maria Linforth-Hall

Councillor Richard Livingstone
Councillor Rebecca Lury
Councillor Vijay Luthra
Councillor Jane Lyons
Councillor Eliza Mann
Councillor Claire Maugham
Councillor Hamish McCallum
Councillor Darren Merrill
Councillor Victoria Mills
Councillor Michael Mitchell
Councillor Jamille Mohammed
Councillor Adele Morris
Councillor David Noakes
Councillor Damian O'Brien
Councillor James Okosun
Councillor Leo Pollak
Councillor Lisa Rajan
Councillor Sandra Rhule
Councillor Martin Seaton
Councillor Rosie Shimell
Councillor Andy Simmons
Councillor Johnson Situ
Councillor Michael Situ
Councillor Charlie Smith
Councillor Cleo Soanes
Councillor Kath Whittam
Councillor Bill Williams
Councillor Kieron Williams
Councillor Mark Williams
Councillor Ian Wingfield

1. PRELIMINARY BUSINESS

1.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

The Mayor welcomed everyone to the meeting and thanked Harris Academy Peckham for allowing the council to use their school.

The Mayor advised that Councillor Lorraine Lauder MBE had an operation over the holiday period and wished her well with her recovery.

1.2 NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

The Mayor explained that the group whips had agreed the format of the meeting. The Mayor advised that this was set out in the programme motion which had been tabled at the meeting. The motion explained how the business of the meeting would be conducted.

PROGRAMME MOTION (*See white paper circulated at the meeting*)

The programme motion was put to the vote and declared to be carried.

RESOLVED:

That the meeting be conducted as follows:

Item 3 - Themed debate - add an extra 30 minutes to hear community evidence as follows:

Presentations from the public (30 minutes)

1. Five minutes - Submission from Dulwich Helpline and question to the cabinet member.

Questions from members (Note: Limit of three questions (one from each group), subject to time limit).

2. Five minutes - Submission from ex-members of the Westminster House Youth Club in Nunhead and question to the cabinet member.

Questions from members - (Note: Limit of three questions (one from each group), subject to time limit).

3. Five minutes - Submission from the Terrence Higgins Trust and question to the cabinet member.

Questions from members - (Note: Limit of three questions (one from each group), subject to time limit).

4. Five minutes - Submission from the London City Athletics Club Committee and question to the cabinet member.

Questions from members - (Note: Limit of three questions (one from each group), subject to time limit).

Themed debate (60 minutes)

1. Late Motion – HIV Testing (Formally moved and seconded).
2. Councillor Barrie Hargrove, cabinet member for public health, parks and leisure (7 minutes).
3. Councillor David Noakes, opposition spokesperson to speak and move amendment (5 minutes) (Agree to change of mover).
4. Theme open to debate by all other councillors (45 minutes).
5. Councillor Barrie Hargrove right of reply to the debate (3 minutes).

Item 5.2 - General motions

- To be taken in order set out in agenda.
- To agree to an alteration to Motion 1: Tackling empty homes in Southwark, page 10 – delete paragraph 3(4).
- Late motion on HIV testing (considered as part of the themed debate).

Item 6 – Other Reports

- Item 6.1 the council tax base for 2015/16, pages 12 and 13, paragraphs 5 and 14 should read 2015/16.
- Single debate.

Note: Relevant procedure rules will be suspended:

- CAPR 2.10(2) Deadline for receipt of motions
- CAPR 2.7 (2) Time limit of themed debate
- CAPR 1.14 (15) Alternation of motion or amendment
- CAPR 1.14(4) Single debate.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Lorraine Lauder MBE, Eleanor Kerslake, Helen Hayes and Claire Maugham.

1.5 MINUTES

(See pages 1 - 56 of supplemental agenda 1)

RESOLVED:

That the minutes of the meeting held on 26 November 2014 be agreed and signed as a correct record.

2. ISSUES RAISED BY THE PUBLIC

2.1 PETITIONS

There were none.

2.2 PUBLIC QUESTION TIME

There were no public questions.

3. THEMED DEBATE - HEALTHY AND ACTIVE COMMUNITIES INCLUDING SPORT, LEISURE AND VOLUNTEERING

3.1 COMMUNITY EVIDENCE

(See pages 2 - 5 of supplemental agenda 2)

Community evidence submissions

Dulwich Helpline

Council assembly heard community evidence from Dulwich Helpline who had a question for the cabinet member for environment, recycling, community safety and volunteering. The cabinet member for adult care, arts and culture also responded to the community evidence submission. Following the cabinet member's response, the following members had questions of the submission: Councillors Michael Mitchell, Anood Al-Samerai and Cleo Soanes.

At the close of the questioning, the Mayor then thanked Dulwich Helpline for their submission.

Ex-members of Westminster House Youth Club in Nunhead

Council assembly heard community evidence from ex-members of Westminster House Youth Club in Nunhead who had a question for the cabinet member for public health, parks and leisure. Following the cabinet member's response, the following members had questions of the submission: Councillors Peter John, Neil Colyle, Dora Dixon-Fyle and James Okosun.

At the close of the questioning, the Mayor thanked ex-members of Westminster House Youth Club in Nunhead for their submission.

Terrence Higgins Trust

Council assembly heard community evidence from the Terrence Higgins Trust who had a question for the leader of the council. Following the leader's response, the following members had questions of the submission: Councillors David Noakes and Barrie Hargrove.

At the close of the questioning, the Mayor thanked the Terrence Higgins Trust for their submission.

London City Athletics Club Committee

Council assembly heard community evidence from the London City Athletics Club Committee. The following members had questions of the submission: Councillors Kath Whittam, Neil Coyle and Maisie Anderson.

At the close of the questioning, the Mayor thanked the London City Athletics Club Committee for their submission.

3.2 MOTION ON THE THEME: HEALTHY AND ACTIVE COMMUNITIES

(see pages 1 - 3 of the main agenda and page 6 of supplemental agenda 2)

The Mayor advised that the late motion on HIV testing had been formally moved and seconded and that members could refer to its content in the open debate (see item 5.2.3 for the decision on the late motion).

The cabinet member for public health, parks and leisure, Councillor Barrie Hargrove, presented the motion on the themed debate.

Councillor David Noakes, the lead opposition spokesperson for health, responded to the cabinet member's motion and proposed Amendment A.

Following debate (Councillors Gavin Edwards, Michael Situ, Karl Eastham, Jane Lyons, Anood Al-Samerai, Sunny Lambe, Paul Flemming, Kieron Williams, Eliza Mann, Lucas Green, Stephanie Cryan, Renata Hamvas, Maria Linforth-Hall, Mark Williams and Jasmine Ali), Councillor Neil Coyle made a point of personal explanation.

The cabinet member for public health, parks and leisure responded to the debate.

Amendment A was put to the vote and declared to be lost.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That everyone in our borough should have the opportunity to lead a healthy and

active life. As a local authority Southwark Council is supporting local residents to be healthy and active by:

- 1) Committing to make swim and gym use free for all Southwark residents in council leisure centres to ensure that that cost is not a barrier preventing people in Southwark from getting fit and healthy. This groundbreaking initiative will be particularly targeted at those who would benefit most from free swimming and gyms, including residents with ill health, children and young people, older people, and those with disabilities.
 - 2) Giving free healthy school meals to all primary school children in Southwark, despite four years of opposition from Liberal Democrat councillors, saving parents £340 a year for each of child, and extending free fruit to all primary school pupils as a healthy morning snack.
 - 3) Investing in our parks and open spaces and bringing even more of our parks up to green flag standards.
 - 4) Delivering a cycling strategy to improve cycle take up and safety in the borough.
 - 5) Doubling the number of free NHS health checks to catch problems like heart disease and diabetes.
 - 6) Providing a wide range of sports provision, including:
 - Free accredited training for Southwark residents
 - Equipment grants for clubs and coaching courses to increase sport participation for young people
 - A wide range of disability sport opportunities and sportability grants to increase opportunities for disabled people in sport and physical activity
 - A large programme of older adult classes
 - Sports activities for women and girls
 - Free community sport hours at leisure centres and parks across the borough.
 - 7) Investing in sports infrastructure, including the state of the art BMX track in Burgess Park, reinstating Southwark Park athletics track, and new leisure centres at Elephant and Castle and Canada Water.
 - 8) Helping residents in Southwark to support each other to lead healthy and active lives, by working with partner organisations, including Volunteer Centre Southwark, Community Action Southwark and Southwark Arts Forum, to make it easier to volunteer and to encourage more people in Southwark to volunteer.
2. That there are a number of barriers that can prevent people from being healthy and active, including finance, time, work, ill health, disability or access to health, sport and leisure services. Council assembly welcomes this administration's work to remove these barriers and support our residents to become healthy and active. However, council assembly is concerned that the government is making it harder for

people to be healthy and active by:

- 1) Overseeing an increase in GP waiting times, cancelled operations and delays in treatments.
 - 2) Hitting 3,500 families in the borough with the bedroom tax, making it harder to make ends meet and forcing people into debt for the first time.
 - 3) Imposing harsh welfare cuts and forcing huge increases in the number of families in Southwark relying on food banks.
3. That council assembly calls on the cabinet to continue doing everything possible to support local residents to be healthy and active members of the community and to remove the barriers currently preventing some residents from leading healthy and active lives.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

4. OTHER DEPUTATIONS

There were none.

5. ISSUES RAISED BY MEMBERS

5.1 MEMBERS' QUESTION TIME

(See pages 4 - 8 of the main agenda and the blue and yellow papers circulated at the meeting)

There was one urgent question to the leader, the written response to which was circulated on blue paper at the meeting. Two supplemental questions were asked of the leader. All questions and written responses are attached as Appendix 1 to the minutes.

There were 33 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 12 supplemental questions, all questions and written responses are attached as Appendix 2 to the minutes.

5.2 MEMBERS' MOTIONS

MOTION 1 – TACKLING EMPTY HOMES IN SOUTHWARK *(See page 10 of the main agenda and page 8 of supplemental agenda 2)*

This motion was considered prior to the guillotine having fallen.

Councillor Adele Morris, seconded by Councillor Ben Johnson, moved the amended motion.

Councillors Tom Flynn and Leo Pollak moved and seconded Amendment B.

Following debate (Councillors Mark Williams, Hamish McCallum, Richard Livingstone and Neil Coyle), at 10.05pm the Mayor announced that the guillotine had fallen.

Amendment B was put to the vote and declared to be carried.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly:
 - 1) Notes the projected rise in the borough's population within the next twenty years and the need to ensure sufficient housing as part of the borough's housing strategy and the new Southwark Plan.
 - 2) Notes that Southwark has one of the strongest records in London for delivering new homes, with more affordable homes being delivered over the last 3 years than any other London borough.
 - 3) Welcomes the administration's commitment to build 11,000 new council homes, with the first 1,500 to be delivered by 2018.
2. That council assembly also:
 - 1) Agrees that minimising the number of empty homes in the borough will also be a key way of ensuring the maximum number of homes for Southwark residents.
 - 2) Notes recent media reports of some other inner London boroughs where up to one third of new developments are said to be left empty as 'buy to leave' investment opportunities.
 - 3) Welcomes the new powers given to local authorities by the government to charge additional council tax for second and long-term empty homes and notes that Southwark was one of the first local authorities to use these powers.
 - 4) Notes, however, that minimising the number of empty homes in the borough on its own will not meet the growing demand for housing, which will require more homes to be built across the borough, particularly affordable homes.
3. That council assembly therefore calls on the cabinet to:
 - 1) Identify ways the council's planning powers could be used to ensure future new homes in Southwark do not stay empty for more than three months.
 - 2) Increase the number of existing empty homes in the borough that are charged council tax by reviewing the current council tax exemptions on empty homes.
 - 3) Support calls for the qualifying period for charging the empty home premium to be reduced from two years to one and for the amount to be increased from 150% to 200% council tax.

- 4) Continue to build more homes of every type in Southwark, including council homes at council rents.

Note: This motion will be referred as a recommendation to the cabinet for consideration

MOTION 2 – LOCAL GOVERNMENT DEVOLUTION (See pages 10 - 11 of the main agenda and page 10 of supplemental agenda 2)

The guillotine having fallen, Councillors Rebecca Lury and Kieron Williams formally moved and seconded the motion.

Councillors David Hubber and Rosie Shimell formally moved and seconded Amendment C.

Amendment C was put to the vote and declared to be lost.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly believes that local government has significant potential to shape outcomes for residents and to positively change the lives of people in our borough. Therefore, council assembly believes that local government is best placed to deliver services to residents to meet local need.
2. That local government has proved itself as the most efficient part of government. Local authorities are continuing to delivering services, balance budgets and grow local economies while at the same time making huge savings, following government cuts of up to 30% of councils' budgets.
3. That the devolution of public health to local authorities has been a welcome first step towards delivering better health outcomes and a more joined up approach to health and social care. Council assembly notes the efforts of this administration to put public health in Southwark at the front and centre of the council's priorities in every area, including transport, housing, leisure and environment.
4. That council assembly believes giving local government greater control over health and welfare spending has the potential to tackle health inequalities locally, to deliver better services and to save taxpayers money.
5. That council assembly calls on cabinet to work with other London boroughs and the Mayor of London to lobby government to be less centralist and to introduce greater devolution to local authorities in London. Council assembly further calls on cabinet to write to the Secretary of State for Health and the Secretary of State for Work and Pensions to call for the devolution of greater health and welfare powers to local government, in order to improve service delivery and local accountability.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

MOTION 3 - LATE MOTION ON HIV TESTING *(See white paper circulated at the meeting)*

This motion was considered as part of the themed debate.

Councillors David Noakes and Dan Garfield formally moved and seconded the motion.

The motion was put to the vote and declared to be carried.

RESOLVED:

1. That Southwark Council:
 - 1) Recognises the importance of local action in coordinating and commissioning accessible and effective HIV testing to reach the undiagnosed and reduce late HIV diagnosis.
 - 2) Recognises that Southwark has a high prevalence of HIV (over 2 diagnosed per 1,000 residents) and commits to strengthening its own provision of HIV testing services through working with local NHS partners, HIV charities and patient groups.
 - 3) Recognises that late HIV diagnosis is a Public Health Outcomes Indicator in the Public Health Outcomes Framework.
 - 4) Recognises the volume and quality of public health and local government guidelines and performance indicators designed to support local authority implementation and monitoring of appropriate and effective testing guidelines.
2. That the council further notes:
 - 1) That an estimated 100,000 people were living in England with HIV in 2012; 22% were unaware of their status.
 - 2) That there is an impact of late diagnosis on individual health, public health and health budgets. Late diagnosis increases the likelihood of the need for complex and expensive treatment and the risk of onward transmission to others. 47% of people diagnosed with HIV in 2012 were diagnosed late (with a CD4 count <350mm³).
 - 3) That if diagnosed early, put on a clear treatment pathway and guaranteed access to antiretroviral therapy (ART), people living with HIV can expect to have a near-normal life expectancy and live healthy and active lives.
3. That recognising the weight of evidence in favour of expanding local HIV testing services, Southwark Council:
 - 1) Resolves to:
 - Act to halve the proportion of people diagnosed late with HIV (CD4 count <350mm³) in Southwark by 2020.

- Act to halve the proportion of people living with undiagnosed HIV in Southwark by 2020.

2) Further resolves to:

- Ensure that rates of late diagnosed HIV are included as an indicator in its Joint Strategic Needs Assessment (JSNA).
- Ask the Director of Public Health to provide a report outlining what needs to be done locally in commissioning and provision of services in order to halve late diagnosed and undiagnosed HIV by 2020.
- Become a supporter of the Halve It Coalition by contacting the Halve It secretariat (info@halveit.org.uk) informing them of this resolution and by agreeing to be listed as a Halve It coalition supporter.

Note: This motion will be referred as a recommendation to the cabinet for consideration.

6. OTHER REPORTS

6.1 THE COUNCIL TAX BASE FOR 2015/16

(See pages 12 – 26 of the main agenda and page 11 of supplemental agenda 2)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

In accordance with council assembly procedure rule 2.11 (2), the report was formally moved by the Mayor.

The Mayor advised of a change to paragraphs 5 and 14 of the report, whereby 2014/15 should read 2015/16.

Councillors Fiona Colley and Tom Flynn moved and seconded Amendment D.

Councillors Anood Al-Samerai and James Barber moved and seconded Amendment E.

Following debate (Councillors Richard Livingstone and Nick Dolezal), the Mayor announced that the meeting would move to the vote on the amendments and the substantive.

Amendment D was put to the vote and declared to be carried.

Amendment E was put to the vote and declared to be lost.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

1. That council assembly notes that in accordance with the decisions of council assembly about council tax on 28 November 2012:
 - 1) That the local discretionary premium for homes counted as long-term empty (over 2 years) shall remain unchanged and be set at 150%.
 - 2) That the discount for second homes shall remain unchanged and be set at 0%.
 - 3) That the discount to replace class A exemptions shall remain unchanged and be set at 0%.
 - 4) That the discount to replace class C exemptions shall remain unchanged and be set at 100% for a maximum of two months only.
2. That the council reviews all council tax exemptions for empty homes.
3. That the council tax base for 2015/16 be set at 87,727.28 band D equivalent dwellings, as shown in paragraph 34 of the report.
4. That the assumed council tax collection level should be increased to 96.75% noting the risks outlined in paragraph 27 of the report.
5. That the council tax base for 2015/16 for St. Mary Newington be set at 10,515.90 band D equivalent dwellings.
6. That the council tax base for 2015/16 for St. Saviour's be set at 1,167.32 band D equivalent dwellings.
7. That the council tax reduction scheme (CTRS) for both working and pensionable age claimants shall remain unchanged in 2015/16, and note the consequential reduction in tax base of 21,645 band D equivalent dwellings as shown in paragraph 46 of the report.
8. That it be noted that:
 - Any minor and consequential amendments to the CTRS written policy are to remain delegated to the strategic director of finance and corporate services, in consultation with the monitoring officer.
 - No changes were made under the Strategic Director of Finance and Corporate Services' delegated authority during 2014/15.
9. That it be noted that following clarification from the Department of Communities and Local Government (DCLG), the NNDR1 return showing the national non-domestic rates base will be signed off by the council's section 151 officer (strategic director of finance and corporate services).

7. MEMBER ALLOWANCES SCHEME - LONDON COUNCILS INDEPENDENT REMUNERATION PANEL REPORT

(See agenda pages 27 – 52 of the main agenda)

This report was considered after the guillotine had fallen, therefore in accordance with council assembly procedure rule 1.12 (3) & (4), the report was afforded up to a maximum of 15 minutes.

In accordance with council assembly procedure rule 2.11 (2), the report was formally moved by the Mayor.

The recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED:

1. That council assembly adopted the recommendations of the constitutional steering panel (see recommendations 2-4 below), having regard to the advice of the London Councils independent remuneration panel report (see Appendix 1 of the report).
2. That the basic allowance and special responsibility allowances be increased in accordance with the independent remuneration panel recommendation for allowances to be adjusted in line with the local government officer pay settlement, i.e. 2.2% increase from 1 January 2015 to 31 March 2016 covering years 2014/15 and 2015/16. That the licensing sub-committee payment and co-opted member's allowance be increased on the same basis.
3. That council assembly noted the level of the childcare and dependent carers allowances for councillors has increased in line with the London Living Wage, as recommended by the London Councils independent remuneration panel report and approved in line with the Southwark member allowances scheme under delegated authority (see paragraph 24 of the report).
4. That the member allowances scheme be amended so in future years the level of the childcare and dependent carers allowances for councillors is automatically reviewed in line with changes in the London Living Wage.
5. That the proper constitutional officer be authorised to update the member allowances scheme to reflect the changes approved and to make any consequential changes necessary.

8. AMENDMENTS

(See pages 6 - 11 of supplemental agenda 2)

Amendments are set out in Supplemental Agenda No.2.

The meeting closed at 10.20 pm.

CHAIR:

DATED: