



# Council Assembly (Council Tax Setting Meeting)

MINUTES of the Council Assembly (Council Tax Setting Meeting) held on Wednesday 25 February 2015 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

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## PRESENT:

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

Councillor Evelyn Akoto	Councillor Maria Linforth-Hall
Councillor Anood Al-Samerai	Councillor Richard Livingstone
Councillor Jasmine Ali	Councillor Rebecca Lury
Councillor Maisie Anderson	Councillor Vijay Luthra
Councillor James Barber	Councillor Jane Lyons
Councillor Radha Burgess	Councillor Eliza Mann
Councillor Fiona Colley	Councillor Claire Maugham
Councillor Neil Coyle	Councillor Hamish McCallum
Councillor Stephanie Cryan	Councillor Darren Merrill
Councillor Catherine Dale	Councillor Victoria Mills
Councillor Dora Dixon-Fyle MBE	Councillor Michael Mitchell
Councillor Nick Dolezal	Councillor Jamille Mohammed
Councillor Karl Eastham	Councillor Adele Morris
Councillor Gavin Edwards	Councillor David Noakes
Councillor Paul Fleming	Councillor Damian O'Brien
Councillor Tom Flynn	Councillor James Okosun
Councillor Dan Garfield	Councillor Leo Pollak
Councillor Chris Gonde	Councillor Lisa Rajan
Councillor Lucas Green	Councillor Sandra Rhule
Councillor Renata Hamvas	Councillor Martin Seaton
Councillor Barrie Hargrove	Councillor Rosie Shimell
Councillor Jon Hartley	Councillor Andy Simmons
Councillor Helen Hayes	Councillor Johnson Situ
Councillor David Hubber	Councillor Michael Situ
Councillor Peter John	Councillor Charlie Smith
Councillor Ben Johnson	Councillor Cleo Soanes
Councillor Eleanor Kerslake	Councillor Kath Whittam
Councillor Sarah King	Councillor Bill Williams
Councillor Anne Kirby	Councillor Kieron Williams
Councillor Sunny Lambe	Councillor Mark Williams
Councillor Lorraine Lauder MBE	Councillor Ian Wingfield

## 1. PRELIMINARY BUSINESS

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

The Mayor encouraged all councillors and members of the public to support the following mayoral events:

- Southwark civic service at Southwark Cathedral on Saturday 7 March 2015 at 11am, celebrating one thousand years of Borough Market in Southwark.
- A fundraising evening at Dulwich College on Friday 13 March 2015. "Celebrating Diversity", which will raise funds for the Mayor's charities, helping the homeless - UK Homes4Heroes and The Robes Project. Bookings can be made with the Mayor's office.

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

There were no late items of business.

At this juncture the Mayor announced that he wished to bring to everyone's attention the Secretary of State for Communities and Local Government's requirement that the votes on key budget decisions by local authorities should be recorded. This requirement would apply to the final substantive votes on items 2.2 and 3.1.

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 was declared to be carried.

#### **RESOLVED:**

That the meeting be conducted as follows:

#### **Item 2.1: Council Plan - Time limit for item - Up to 60 minutes**

Debate to include the following business:

- Questions on report
- Leader of the Council to present recommendations
- Amendment A moved and seconded
- Report and Amendment to be debated as a single debate
- Debate to hear six other speakers: Labour 3, Liberal Democrat 2 and Conservatives 1
- The leader's right of reply will then be heard and the votes taken.

## **Item 2.2 Policy and Resources Strategy**

Item to be debated until 9.30pm at the latest, at which time the right of reply will be heard and votes taken.

Debate to include:

- Questions on reports
- Councillor Fiona Colley to present recommendations
- Councillor Anood Al-Samerai to reply on behalf of opposition
- Three amendments to be moved and seconded
- Report and Amendments to be debated as a single debate
- Separate vote on each Amendment
- Recorded vote on substantive motion.

## **Item 3.1 Setting the Council Tax**

To be considered as normal but with the legal requirement to take a recorded vote on the substantive motion.

### **Other reports**

To be considered as normal.

**Note:** relevant procedure rules:

- CAPR 1.16(4) Recorded vote by roll call (Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014)
- CAPR 1.14(4) Order of debate – single debate.

## **1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS**

The Mayor announced that all councillors had been granted a dispensation by the monitoring officer to vote on the council tax report.

There were no disclosures of interest.

## **1.4 APOLOGIES FOR ABSENCE**

Apologies for lateness were received on behalf of Councillor Lisa Rajan.

## **2. REPORTS FROM THE CABINET FOR DECISION**

### **2.1 COUNCIL PLAN 2014/2015 - 2017/2018**

*(See pages 1 – 46 of the main agenda and pages 1 – 2 of supplemental pages 1)*

There were seven question from members, the answers to which had been circulated on lilac paper at the meeting. Seven supplemental question were asked of the leader of the council. The questions and written responses are attached as appendix 1 to the minutes.

In accordance with council assembly procedure rule 2.11 (1), Councillor Peter John, leader of the council, moved the report.

Councillor James Barber, seconded by Councillor Rosie Shimell, moved Amendment A.

Following debate (Councillors Michael Situ, Gavin Edwards, David Noakes, Michael Mitchell, Ben Johnson and Nick Dolezal), Councillor Peter John exercised his right of reply.

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:**

That the proposed Council Plan 2014/15, as set out in Appendices 1 and 2 of the report, be agreed.

**Note:** The cabinet recommendation had not been amended, therefore in accordance with the budget and policy framework procedure rule 2 (e), the decision was implementable with immediate effect.

**2.2 POLICY AND RESOURCES STRATEGY 2015/16 TO 2017/18 - REVENUE BUDGET**

*(See pages 47 - 172 of the main agenda and pages 3 - 4 of the supplemental agenda)*

There were seven question from members, the answers to which had been circulated on lilac paper at the meeting. Seven supplemental questions were asked of the cabinet member for finance, resources and corporate strategy. The questions and written responses are attached as appendix 2 to the minutes.

The Mayor reminded everyone that the meeting had earlier agreed that there would be a single debate on the report and Amendments B, C and D.

In accordance with council assembly procedure rule 1.14 (9), Councillor Fiona Colley, cabinet member for finance, strategy and performance, moved the report.

In accordance with council assembly procedure rule 1.14 (9), Councillor Anood Al-Samerai, leader of the majority opposition and shadow cabinet member for finance, responded to the cabinet member's statement.

Councillor Neil Coyle, seconded by Councillor Helen Hayes, moved Amendment B.

Councillor Michael Mitchell seconded by Councillor Jane Lyons, moved Amendment C.

Councillor Adele Morris, seconded by Councillor David Hubber, moved Amendment D.

Following debate (Councillors Bill Williams, Tom Flynn, Lisa Rajan, Paul Fleming, Jasmine Ali, Richard Livingstone, Rosie Shimell, Rebecca Lury, Victoria Mills, Darren O'Brien, Stephanie Cryan, Johnson Situ, Darren Merrill, James Okosun, Evelyn Akoto, Kieron Williams, Mark Williams, James Barber, Masie Anderson, Lucas Green, Ian Wingfield and Jon Hartley), Councillor Fiona Colley exercised her right of reply.

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

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

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

At this juncture the clerk explained that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which had come into force on 25 February 2014, required a recorded vote on key budget decisions by local authorities. The regulations required a recorded vote on decisions only. Therefore in accordance with council assembly procedure rule 1.16(4) (a roll call recorded vote), the bell was rung for one minute after which time the doors to the room were closed.

The substantive motion was put to the vote, and the votes having been recorded, the Mayor declared the result as follows:

In favour of the substantive motion (48):

Councillors Evelyn Akoto, Jasmine Ali, Maisie Anderson, Radha Burgess, Sunil Chopra, Fiona Colley, Neil Coyle, Stephanie Cryan, Catherine Dale, Dora Dixon-Fyle, Nick Dolezal, Karl Eastham, Gavin Edwards, Paul Fleming, Tom Flynn, Dan Garfield, Chris Gonde, Lucas Green, Renata Hamvas, Barrie Hargrove, Jon Hartley, Helen Hayes, Peter John, Eleanor Kerlake, Sarah King, Anne Kirby, Sunny Lambe, Lorraine Lauder, Richard Livingstone, Rebecca Lury, Vijay Luthra, Claire Maugham, Darren Merrill, Victoria Mills, Jamille Mohammed, Leo Pollak, Sandra Rhule, Martin Seaton, Andy Simmons, Johnson Situ, Michael Situ, Charlie Smith Cleo Soanes, Kath Whittam, Bill Williams, Kieron Williams, Mark Williams, Ian Wingfield.

Against the substantive motion (15):

Councillors Anood Al-Samerai, James Barber, David Hubber, Ben Johnson, Maria Linforth-Hall, Jane Lyons, Eliza Mann, Hamish McCallum, Michael Mitchell, Adele Morris, David Noakes, Damien O'Brien, James Okosun, Lisa Rajan and Rosie Shimell.

Absent (Nil)

The Mayor declared that the substantive motion was carried.

**RESOLVED:**

1. That 10 February 2015 cabinet recommendations for a general fund budget requirement (after use of reserves) for 2015/16 of £282.3m and a nil council tax increase for 2015/16, attached as Appendix 1 of the report, be agreed.

2. That it be noted that the Mayor's 2015-16 final draft budget was approved unamended by the London Assembly on 23 February 2015. The Mayor's band D precept is therefore confirmed as £295.00 for the 32 boroughs.
3. That the 2015/16 – 2017/18 Medium Term Resources Strategy, included as Appendix L of 10 February 2015 cabinet report, be agreed.
4. That council assembly notes the reduction in government funding to local authorities for Discretionary Housing Payments of £40 million in 2015/16 and expresses concern that in Southwark the cut of 20% could risk more people becoming homeless. Council assembly notes that the council is already facing significant pressure on temporary accommodation.
5. That council assembly notes the continuing pressure on residents resulting from central government's welfare reforms and notes that in Southwark, discretionary housing payments have been used to provide short-term assistance to people affected by the bedroom tax, the benefit cap and other welfare changes.
6. That council assembly therefore calls on the cabinet to review the criteria of the council's Welfare Hardship Fund to include homelessness prevention, in order to mitigate the government cuts to Discretionary Housing Payments and to support our most vulnerable residents facing the threat of homelessness.
7. That council assembly also notes the popularity of the new Neighbourhoods Fund providing a flexible opportunity for truly local decision making by ward councillors and community councils.
8. That the Neighbourhood Fund be increased from £542,000 to £630,000 (total £30,000 per ward) and council assembly instructs the strategic director of finance and corporate strategy to make appropriate allocations to fund this from reserves in 2015/16 (£88,000) and to ensure that provision is made in the General Fund budget in future years.

**Note:** The cabinet recommendation had been amended, therefore in accordance with the budget and policy framework procedure rule 2 (g), the leader gave his consent to the amendment and the decision was implementable with immediate effect.

### **3. OTHER REPORTS**

#### **3.1 SETTING THE COUNCIL TAX 2015/16**

*(See pages 173 - 185 of the main agenda)*

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

Councillor Fiona Colley, seconded by Councillor Jasmine Ali, moved Amendment E.

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

At this juncture the clerk explained that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which had come into force on 25 February 2014, required a recorded vote on key budget decisions by local authorities. The regulations required a recorded vote on decisions only. Therefore in accordance with council assembly procedure rule 1.16(4) (a roll call recorded vote), the bell was rung for one minute after which time the doors to the room were closed.

The substantive motion was put to the vote, and the votes having been recorded, the Mayor declared the result as follows:

In favour of the substantive motion (61):

Councillors Evelyn Akoto, Jasmine Ali, Anood al-Samerai, Maisie Anderson, James Barber, Radha Burgess, Sunil Chopra, Fiona Colley, Neil Coyle, Stephanie Cryan, Catherine Dale, Dora Dixon-Fyle, Nick Dolezal, Karl Eastham, Gavin Edwards, Paul Fleming, Tom Flynn, Dan Garfield, Chris Gonde, Lucas Green, Renata Hamvas, Barrie Hargrove, Jon Hartley, Helen Hayes, David Hubber, Peter John, Ben Johnson, Eleanor Kerlake, Sarah King, Anne Kirby, Sunny Lambe, Lorraine Lauder, Maria Linforth-Hall, Richard Livingstone, Rebecca Lury, Vijay Luthra, Eliza Mann, Claire Maugham, hamish McCallum, Darren Merrill, Victoria Mills, Jamille Mohammed, Adele Morris, David Noakes, Damian O'brien, James Okosun, Leo Pollak, Lisa Rajan, Sandra Rhule, Martin Seaton, Rosie Shimell, Andy Simmons, Johnson Situ, Michael Situ, Charlie Smith Cleo Soanes, Kath Whittam, Bill Williams, Kieron Williams, Mark Williams, Ian Wingfield.

Against the substantive motion (2):

Councillors Jane Lyons and Michael Mitchell.

Absent (Nil)

The Mayor declared that the substantive motion was carried.

**RESOLVED:**

1. That the proposed Greater London Authority precept of £295.00 at Band D be noted.
2. That the Southwark element of the council tax for band D properties in Southwark be set at £912.14.
3. That a discount of £1.68 be applied to properties in the former parish of St Mary Newington.
4. That no discount be applied to properties in the former parish of St Saviours.
5. That the council tax for band D properties in Southwark be set for:

Band D council tax	Discount	Net band D for the area
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	<u>£</u>	<u>£</u>	<u>£</u>
the former parish of St Mary Newington	1,207.14	(1.68)	1,205.46
the former parish of St Saviours	1,207.14	0	1,207.14
the remainder of the Borough	1,207.14	0	1,207.14

6. That the formal resolution for council taxes in 2015/16 (shown in Appendix A of the report) be approved.
7. That the existing local war disability and war widow's schemes for housing benefit be continued in 2015/16.
8. That it be noted that under delegated authority the strategic director for finance and corporate services will amend the council's Section 13A Discretionary relief policy to include a 100% exemption from Council Tax for those classed as having 'personal circumstances' as Southwark registered foster carers fostering Southwark children.

**Note:** The cabinet recommendation had been amended, therefore in accordance with the budget and policy framework procedure rule 2 (g), the leader gave his consent to the amendment and the decision was implementable with immediate effect.

### **3.2 TREASURY MANAGEMENT STRATEGY 2015/16 INCLUDING: ANNUAL INVESTMENT STRATEGY, PRUDENTIAL INDICATORS AND ANNUAL MINIMUM REVENUE PROVISION STATEMENT**

*(See pages 186 – 205)*

In accordance with council assembly procedure rule 2.11 (1), Councillor Fiona Colley, cabinet member for finance, strategy and performance, moved the report.

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

#### **RESOLVED:**

1. That council assembly notes the treasury management strategy 2015/16 to be managed by the strategic director of finance and corporate services under financial delegation.
2. That the treasury management policy set out in paragraph 9 of the report be noted.
3. That the annual investment strategy 2015/16 referred to in paragraphs 14 to 17 of the report and set out at Appendix A of the report be agreed.
4. That the prudential indicators covering capital finance and treasury management for the years 2015/16 to 2017/18 referred to in paragraph 25 of the report and set out in Appendix B of the report be agreed.



5. That the minimum revenue provision statement, setting aside prudent sums to reduce debt and long term liabilities, referred to in paragraphs 26 to 27 of the report and set out in Appendix C of the report be agreed.

**Note:** The cabinet recommendation had not been amended, therefore in accordance with the budget and policy framework procedure rule 2 (e), the decision was implementable with immediate effect.

### **3.3 ESTABLISHMENT OF A LOCAL PENSION BOARD**

*(See pages 206 – 211 of the main agenda)*

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 the statutory requirement for Southwark Council to establish a local pension board in accordance with the local government pension scheme regulations 2015 (the regulations), be noted.
2. That a local pension board be established.
3. That the role and function and constitution of the local pension board be as set out in Appendix A of the report, in conjunction with the requirements of the regulations.
4. That the council's constitution be amended to include the local pension board.
5. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

### **3.4 CONSTITUTIONAL ISSUES 2014/15 - ELECTRONIC SUMMONSES**

*(See pages 212 – 215 of the main agenda)*

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 the constitution be updated to allow the implementation of the Local Government (Electronic Communications) (England) Order 2015.

2. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

### 3.5 COUNCIL ASSEMBLY DATES 2015/16

*(See pages 216 – 218 of the main agenda)*

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:**

That the following dates for meetings of council assembly be agreed and that these dates be fixed in the council calendar for the 2015/16 municipal year:

<b>Council Assembly Meetings 2015/16</b>	<b>Type of Meeting</b>
Saturday 16 May 2015  (As agreed by 26 November 2014 council assembly)	Annual Meeting  Note: To be held jointly with Civic Association's Civic Awards Ceremony.
Wednesday 8 July 2015	Ordinary Meeting
Wednesday 14 October 2015	Provisional date for an Ordinary Meeting, subject to formal agreement on whether to hold a Leader's Public Question Time in 2015
Wednesday 25 November 2015	Ordinary Meeting
Wednesday 20 January 2016	Ordinary/Council Tax Base Meeting
Wednesday 24 February 2016	Budget and Council Tax Setting
Wednesday 23 March 2016	Ordinary Meeting
Saturday 14 or 21 May 2016  (Note: 21 May 2015 is preferred date but at this stage this is subject to venue availability and civic diary)	Annual Meeting

#### **4. AMENDMENTS**

Amendments were set out in the supplemental agenda, pages 5 – 13.

The meeting closed at 9.57pm.

**CHAIR:**

**DATED:**