

Item No. 5.2	Classification: Open	Date: 13 July 2016	Meeting Name: Council Assembly
Report title:		Late Motion	
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 and 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

6. **MOTION FROM COUNCILLOR JAMES BARBER** (Seconded by Councillor Renata Hamvas)

Rights of EU Citizens

1. Council assembly notes the 52% rise in hate crime and racial abuse in London reported to the Metropolitan Police since the EU referendum and the need to reassure EU residents in Southwark that the council stands with them against such incidents.
2. Council assembly further notes the level of unease and insecurity expressed by many EU residents about the lack of information about their future residency and working rights in the United Kingdom following the referendum result and how this impacts on the 21,977 registered European Union voters in Southwark and council employees who are EU voters.
3. Council assembly believes the government has so far failed to provide any assurances to EU citizens resident in the United Kingdom that they will have the right to remain in this country and supports calls that this issue should not be used as a bargaining chip in the Government's negotiations on leaving the European Union.
4. Council assembly acknowledges the growing calls for action with over 50,000 people signing a petition nationally calling on the Prime Minister to guarantee the rights of EU citizens in the United Kingdom.
5. Council assembly calls on cabinet to urge the government and the borough's Members of Parliament to support all measures to secure the right to remain for EU citizens in Southwark.

Notes:

1. This late motion was received after the deadline for receipt of motions had passed. The reasons for urgency and lateness are:
 - the issue has become urgent since the result of the EU referendum on 23 June and after the deadline for motions had passed for July council assembly.
 - there are a large number of concerned EU citizens living in Southwark and council employees who are contacting their elected representatives urging action
 - there are currently parliamentary debates and actions that Southwark's MPs will be involved in and they should hear the council's views on the issue.
2. 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	Virginia Wynn-Jones 020 7525 7055

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Virginia Wynn-Jones, Constitutional Officer
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