

Council Assembly

Wednesday 16 July 2014

7.00 pm

Council Offices, 160 Tooley Street, London SE1 2QH

Supplemental Agenda No.1

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Date: 11 July 2014



Council Assembly (Mayor Making)

MINUTES of the Council Assembly (Mayor Making) held on Saturday 7 June 2014 at 12.45 pm at Southwark Cathedral, Montague Close, London Bridge SE1 9DA

PRESENT:

The Worshipful the Mayor for 2013/14, Abdul Mohamed
The Worshipful the Mayor for 2014/15, Councillor Sunil Chopra

| | |
|--------------------------------|--------------------------------|
| Councillor Evelyn Akoto | Councillor Richard Livingstone |
| Councillor Anood Al-Samerai | Councillor Rebecca Lury |
| Councillor Jasmine Ali | 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 Paul Fleming | Councillor David Noakes |
| Councillor Tom Flynn | Councillor Damian O'Brien |
| Councillor Dan Garfield | Councillor James Okosun |
| Councillor Chris Gonde | Councillor Leo Pollak |
| Councillor Lucas Green | Councillor Lisa Rajan |
| Councillor Renata Hamvas | Councillor Sandra Rhule |
| Councillor Barrie Hargrove | Councillor Martin Seaton |
| Councillor Jon Hartley | Councillor Rosie Shimell |
| Councillor Helen Hayes | Councillor Andy Simmons |
| Councillor David Hubber | Councillor Johnson Situ |
| Councillor Peter John | Councillor Michael Situ |
| Councillor Ben Johnson | Councillor Charlie Smith |
| Councillor Eleanor Kerlake | Councillor Cleo Soanes |
| Councillor Sarah King | Councillor Kath Whittam |
| Councillor Anne Kirby | Councillor Bill Williams |
| Councillor Sunny Lambe | Councillor Kieron Williams |
| Councillor Lorraine Lauder MBE | Councillor Mark Williams |
| Councillor Maria Linforth-Hall | Councillor Ian Wingfield |

1. ELECTION OF MAYOR

The outgoing Mayor, Abdul Mohamed, welcomed everyone to the meeting.

The outgoing Mayor announced that the leaders of each political group wished to make a statement.

Thereafter, Councillors Peter John, Anood Al-Samerai and Michael Mitchell paid tribute to the outgoing Mayor.

The outgoing Mayor asked for nominations for Mayor for the ensuing municipal year 2014/15.

Councillor Peter John, seconded by Councillor Fiona Colley, moved that Councillor Sunil Chopra be elected Mayor of the London Borough of Southwark for the municipal year 2014/15.

Councillor Anood Al-Samerai, seconded by Councillor Adele Morris, moved that Councillor David Noakes be elected Mayor of the London Borough of Southwark for the municipal year 2014/15

The nominations were put to the vote and it was:

RESOLVED: That Councillor Sunil Chopra be elected Mayor for the 2014/15 municipal year.

Councillor Sunil Chopra accepted the office of Mayor. The outgoing Mayor declared that Councillor Sunil Chopra was duly elected Mayor of Southwark for 2014/15.

The retiring Mayor, Abdul Mohamed invested the Mayor-elect, Councillor Sunil Chopra, with the badge of office. The new Mayor signed the declaration of acceptance of office and took the chair. The new Mayor stated that his consort would be his wife, Varsha Chopra.

The Mayor appointed Councillor Neil Coyle as Deputy Mayor. The Deputy Mayor was invested with the badge of office.

The retiring Mayor, Abdul Mohamed, gave his outgoing speech. Thereafter, the retiring Mayor and his consort were presented with a replica of the Mayoral badge of the London Borough of Southwark.

The Mayor gave his incoming speech and announced that his chosen charities would be The Robes Project and Homes for Heroes.

2. PRELIMINARY BUSINESS

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

There were no announcements.

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

There were none.

2.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

2.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Gavin Edwards and Maisie Anderson.

3. OTHER REPORTS**4. ESTABLISHMENT OF THE CONSTITUTIONAL STEERING PANEL 2014/15**

(See page 1-3 of the main agenda)

The Mayor stated that in accordance with council assembly procedure rule 2.11 (2), the recommendations set out in the report were deemed to be moved and were subject to amendment only. He explained that no amendments had been received on the report.

RESOLVED:

1. That council assembly established the constitutional steering panel.
2. That Councillor Dan Garfield be elected as chair of the constitutional steering panel.

The meeting closed at 1.42pm.

CHAIR:

DATED:

Council Assembly (Constitutional Meeting)

MINUTES of the Council Assembly (Constitutional Meeting) held on Wednesday 11 June 2014 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

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

1. PRELIMINARY BUSINESS

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

The Mayor thanked members for electing him as Mayor. He also welcomed all the new councillors and congratulated re-elected members.

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

The Mayor announced that he had agreed to receive a report entitled Constitutional Changes 2014/15 as urgent business for the reasons set out in the report. The Mayor stated that one late amendment to item 2.2 had been circulated.

The meeting agreed to suspend the following council assembly procedure rule in order to consider the late amendment:

- CAPR 2.11(3) Notice required for amendments.

1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no declarations.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Victoria Mills, James Barber and Stephanie Cryan.

1.5 MINUTES

(See supplemental agenda 1, pages 1 – 24)

RESOLVED:

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

2. OTHER REPORTS

2.1 EXECUTIVE FUNCTIONS 2014/15

(See pages 1 – 4 of the main agenda and pages 1 – 4 of the leader's report on white papers circulated at the meeting)

The Mayor stated that in accordance with council assembly procedure rule 2.11(2), this being an officer report, the recommendations set out in the report were deemed to have

been moved, and were subject to amendment only. He announced that he intended to consider each recommendation where a decision was needed separately.

The Mayor stated that he had received one nomination for recommendation 3 on the election of leader, Councillor Peter John. No further nominations were forthcoming, therefore the nomination was put to the vote and it was agreed that Councillor Peter John be appointed leader of the council.

The leader of the council, Councillor Peter John, reported on the following appointment of members of the cabinet and the determination and allocation of their functions:

Councillor Peter John – Leader of the Council

Councillor Ian Wingfield – Deputy Leader and Cabinet Member for Communities, Employment and Business

Councillor Darren Merrill and Cllr Michael Situ – Cabinet Member for Environment, Recycling, Community Safety and Volunteering (job share role)

Councillor Mark Williams – Cabinet Member for Regeneration, Planning and Transport

Councillor Richard Livingstone – Cabinet Member for Housing

Councillor Barrie Hargrove – Cabinet Member for Public Health, Parks and Leisure

Councillor Dora Dixon-Fyle – Cabinet Member for Adult Care, Arts and Culture

Councillor Fiona Colley – Cabinet Member for Finance, Strategy and Performance

Councillor Victoria Mills – Cabinet Member for Children and Schools

Deputy Cabinet Members

Cllr Stephanie Cryan – Deputy Cabinet Member for Financial Inclusion

Cllr Jamille Mohammed – Deputy Cabinet Member for Inter-Faith Community Relations

Cllr Radha Burgess – Deputy Cabinet Member for Women's Safety

Cllr Leo Pollak – Deputy Cabinet Member for Excellence in Design

A copy of the cabinet portfolios was circulated at the meeting.

RESOLVED:

1. That Councillor Peter John be appointed as leader of the council.

2. That council assembly noted that the leader's term of office shall commence from 11 June 2014, and end at the start of the first annual meeting of the council following the next ordinary election¹.
3. That council assembly noted the leader's report on changes to the delegation of executive functions.
4. That council assembly noted that as a consequence of recommendation 6 the proper constitutional officer will update Part 3 of the constitution in accordance with the leader's report on the delegation of executive functions.

2.2 ESTABLISHMENT OF COMMITTEES, COMMUNITY COUNCILS, PANELS AND RELATED MATTERS 2014/15

(See pages 5 – 19 of the main agenda)

The Mayor stated that in accordance with council assembly procedure rule 2.11(2), this being an officer report, the recommendations set out in the report were deemed to have been moved, and were subject to amendment only. He announced that he intended to consider each recommendation where a decision was needed separately.

Revised recommendation 3 on the establishment of committees and allocation of seats was put to the vote and declared to be carried.

The Mayor stated that two nominations had been received for the position of chair of the overview and scrutiny committee, Councillors Gavin Edwards and Rosie Shimell. No further nominations were forthcoming, therefore the nominations were put to the vote and council assembly appointed Councillor Gavin Edwards as chair of the overview and scrutiny committee for the municipal year 2014/15.

The Mayor announced he had received one amendment to Recommendation 10 and Appendix 2 – Appointment to Local Government Association (LGA) General Assembly. Councillor Dan Garfield, seconded by Councillor Nick Dolezal, moved Amendment A. Amendment A 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 the appointment of political group leaders, deputies and whips be noted as follows:

LABOUR GROUP

| | |
|---------------|--------------------------|
| Leader | Councillor Peter John |
| Deputy Leader | Councillor Ian Wingfield |
| Chief Whip | Councillor Dan Garfield |

¹ Article 6.3 of the Constitution

LIBERAL DEMOCRAT GROUP

| | |
|---------------|-----------------------------|
| Leader | Councillor Anood Al-Samerai |
| Deputy Leader | Councillor Adele Morris |
| Chief Whip | Councillor David Hubber |

CONSERVATIVE GROUP

| | |
|---------------|-----------------------------|
| Leader | Councillor Michael Mitchell |
| Deputy Leader | Councillor Jane Lyons |
| Chief Whip | Councillor Michael Mitchell |

2. That council assembly noted the new division of seats and percentage allocation of each political group on the council as follows:

Table 1: Division of seats

| Group | Total | % |
|------------------|--------------|---------------|
| Labour | 48 | 76.19 |
| Liberal Democrat | 13 | 20.64 |
| Conservative | 2 | 3.17 |
| Total | 63 | 100.00 |

3. That council assembly established the following committees and community councils for the coming municipal year 2014/15:

Table 2: Ordinary Committees - Total number of seats 35

| Committee | Total | Lab | Lib Dem | Con |
|---|--------------|------------|----------------|------------|
| Committee 1 Appointments Committee | 7 | 6 | 1 | 0 |
| Committee 2 Planning Committee | 8 | 5 | 2 | 1 |
| Committee 3 Standards Committee | 7 | 5 | 2 | 0 |
| Committee 4 Audit and Governance Committee | 6 | 5 | 1 | 0 |
| Committee 5 Corporate Parenting | 7 | 6 | 1 | 0 |

| | | | | |
|-----------|----|----|---|---|
| Committee | | | | |
| Total | 35 | 27 | 7 | 1 |

Table 3: Other committees - Total number of seats 29

| Committee | Total | Lab | Lib Dem | Con |
|---------------------------------|-------|-----|---------|-----|
| Overview and Scrutiny committee | 11 | 8 | 3 | 0 |
| Licensing Committee | 15 | 11 | 3 | 1 |

Community councils:

- Bermondsey and Rotherhithe
- Borough, Bankside and Walworth
- Camberwell
- Dulwich
- Peckham and Nunhead.

Note: Membership as set out in Article 8 of the constitution.

Health and wellbeing board

4. That the health and wellbeing board be established as a committee of the council under the Health and Social Care Act 2012 with the membership set out in paragraph 51 of the report.
5. That council assembly noted that the membership of the board be reviewed annually at the annual meeting of the council assembly.
6. That it be noted that the local authority membership is nominated by the leader of the council. In accordance with committee procedure rules, the board is chaired by the leader.

Appointment of chairs and vice chairs

7. That the following be appointed as chairs and vice chairs for the committees and community councils outlined below:

Appointments committee

Chair – Councillor Peter John
Vice-chair – Councillor Ian Wingfield

Audit and governance committee

Chair – Councillor Jon Hartley
Vice-chair – Vacant

Corporate parenting committee

Chair – Councillor Victoria Mills
 Vice-chair – Vacant

Licensing committee

Chair – Councillor Renata Hamvas
 Vice-chair – Councillor David Hubber

Overview and scrutiny committee

Chair – Councillor Gavin Edwards
 Vice-chair – Councillor Rosie Shimell

Planning committee

Chair – Councillor Nick Dolezal
 Vice-chair – Councillor Darren Merrill

Standards committee

Chair – Councillor Chris Gonde
 Vice-chair – Vacant

Bermondsey and Rotherhithe community council

Chair – Councillor Bill Williams
 Vice-chair – Councillor Evelyn Akoto

Borough, Bankside and Walworth community council

Chair – Councillor Martin Seaton
 Vice-chair – Councillor Claire Maugham

Camberwell community council

Chair – Councillor Kieron Williams
 Vice-chair – Councillor Chris Gonde

Dulwich community council

Chair – Councillor Andy Simmons
 Vice-chair – Councillor Rosie Shimell

Peckham and Nunhead community council

Chair – Councillor Johnson Situ
 Vice-chair – Councillor Cleo Soanes

That vacant positions be referred to the first meeting of the relevant committee to

appoint.

Establishment of the council's panels

8. That council assembly established the following council panels (see paragraph 59 of the report):

Table 4: Panels - Total number of seats 18

| Committee | Total | Lab | Lib Dem | Con |
|------------------------------------|--------------|------------|----------------|------------|
| Council assembly business panel | 5 | 3 | 1 | 1 |
| Constitutional steering panel | 5 | 3 | 1 | 1 |
| Pensions advisory panel * | 3 | 2 | 1 | 0 |
| Voluntary bodies appointment panel | 5 | 4 | 1 | 0 |

* = Membership of the pensions advisory panel agreed in line with resolution 4 of the Constitutional Changes 2014/15 report (see item 4 below).

Appointments of chair to constitutional steering panel and voluntary bodies appointment panel

9. That Councillor Ian Wingfield be appointed as chair of the voluntary bodies appointments panel and it be noted that at the council assembly (mayor making) meeting on 7 June 2014, Councillor Dan Garfield was appointed as chair of the constitutional steering panel.

Appointments to Local Government Association General Assembly

10. That three representatives with an allocation of five votes be appointed to the representatives to the LGA General Assembly as follows:
- Councillor Peter John – 3 votes
 - Councillor Ian Wingfield – 1 vote
 - Councillor Adele Morris – 1 vote.

Other appointments to joint committees/outside bodies

11. That it be noted the cabinet and other committees will make appointments to all other outside committees and bodies for the municipal year 2014/15 as required by part 3S of the constitution.

Urgency committee

12. That the role of the urgency committee between a municipal election and the annual meeting of council assembly, as agreed by council assembly on 26 March 2014, be noted as set out in paragraphs 71 and 72 of the report.

2.3 NOMINATIONS TO LONDON COUNCILS COMMITTEES, GREATER LONDON EMPLOYMENT FORUM AND NOMINATIONS OF LEAD BOROUGH MEMBERS 2014/15

(See pages 20-24 of the main agenda and blue paper circulated at the meeting)

The Mayor stated that, in accordance with council assembly procedure 2.11(2), this being an officer report, the recommendations set out in the report were deemed to have been moved, and were subject to amendment only.

The nominations were circulated on blue paper. The Mayor stated that none of the nominations were contested, therefore the nominations outlined on the blue paper were put to the vote and declared to be carried.

RESOLVED:

1. LONDON COUNCILS LEADERS' COMMITTEE (S101 JOINT COMMITTEE)

Representative: Councillor Peter John

Deputies: Councillors Fiona Colley and Ian Wingfield

2. LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE (S101 ASSOCIATED JOINT COMMITTEE)

Representative: Councillor Mark Williams

Deputies: Councillors Darren Merrill and Barrie Hargrove

3. LONDON COUNCILS GRANTS COMMITTEE (ASSOCIATED JOINT COMMITTEE)

Representative: Councillor Ian Wingfield

Deputies: Councillors Dora Dixon-Fyle, Fiona Colley, Barrie Hargrove and Darren Merrill

4. GREATER LONDON EMPLOYMENT FORUM

Representative: Councillor Ian Wingfield

Deputy: Councillor Fiona Colley

5. LONDON COUNCILS BOROUGH LEAD MEMBER – CHILDREN AND YOUNG PEOPLE

Representative: Councillor Victoria Mills

6. LONDON COUNCILS BOROUGH LEAD MEMBER – CRIME AND PUBLIC PROTECTION

Representative: Councillor Michael Situ

7. LONDON COUNCILS BOROUGH LEAD MEMBER – CULTURE AND TOURISM

Representative: Councillor Dora Dixon-Fyle

8. LONDON COUNCILS BOROUGH LEAD MEMBER – ECONOMIC DEVELOPMENT/REGENERATION

Representative: Councillor Mark Williams

9. LONDON COUNCILS BOROUGH LEAD MEMBER – HEALTH AND ADULT SERVICES

Representative: Councillor Dora Dixon-Fyle

10. LONDON COUNCILS BOROUGH LEAD MEMBER – HOUSING

Representative: Councillor Richard Livingstone

11. LONDON COUNCILS BOROUGH LEAD MEMBER – PLANNING

Representative: Councillor Mark Williams

12. LONDON COUNCILS LIMITED

Representative: Councillor Peter John

3. AMENDMENTS

Late Amendment A was circulated at the meeting.

4. CONSTITUTIONAL CHANGES 2014/15

(See pages 1-14 of supplemental agenda no. 2)

In accordance with council assembly procedure rule 2.11(1), Councillor Dan Garfield moved the report. Following debate (Councillor David Hubber), the recommendations contained in the report were put to the vote and declared to be carried.

RESOLVED:

That council assembly adopted the constitutional changes set out in the report as recommended by the constitutional steering panel:

Council assembly – Programme motion and themed debate

1. That the changes identified in paragraphs 10 – 23 of the report on the introduction of a programme motion at council assembly and a change to the themed debate be agreed.

Leader’s question time

2. That the introduction of a council meeting for the consideration of questions from the public to the leader, see paragraphs 24 – 26 of the report, be agreed
3. That the constitutional steering panel be requested to consider the detailed proposals for the leader’s question time at a future meeting of the panel.

Membership of the pensions advisory panel

4. That the proposals outlined in paragraph 27 of the report to change the membership of the pensions advisory panel to two Labour and one Liberal Democrat place be agreed.

Overview and scrutiny committee – Changes to the call-in threshold and reserves procedure rules

5. That the proposals outlined in paragraphs 28 – 29 of the report to change existing procedure rules relating to the call-in threshold and the number of reserves each political group is entitled to on sub-committees be agreed.

Cabinet member portfolios – Article 6 and member allowances scheme

6. That council assembly agreed the consequential changes to the constitution clarifying the position should two councillors be appointed to fill one cabinet portfolio position in a ‘job share’, i.e. sharing a single portfolio. The changes agreed are to Article 6 and clauses 5 and 6 of the member allowances scheme, as outlined in paragraphs 30 – 34 of the report.

Consequential changes

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

The meeting closed at 7.31 pm.

CHAIR:

DATED:

Agenda Item No.4**COUNCIL ASSEMBLY****WEDNESDAY 16 JULY 2014****Including themed debate on: Children and young people****SOME YOUNG PEOPLE'S VIEWS***What do you think of Southwark's schools?*

- I think they are alright. Their teaching methods could be more varied. This is because different people learn in different ways so if there are more teaching methods more people would pass.
- They don't really care about the students only their appearance to the outside world. Either we're delusional or we're smarter than you thought. -_-
- Southwark's schools are too strict and controlling. Teachers don't listen and they over react and over exaggerate.
- Most of Southwark's schools need developing, i.e. spacing also overcrowding in amount of pupil intake.
- Lunch is too expensive!
- More multicultural teaching.
- I believe that Southwark schools are trying very hard to make equal education between people, but I think there should be less of a divide between people of say "higher" and "lower" ability pupils, because in a class of mixed ability people learn better
- Alright, could be improved.
- Lunch is too expensive that why most people steal. LOL!
- They are good, well mine is.

Agenda Item No.4

- Southwark schools are well looked after and take education seriously.
- Young people turn to crime, no solid education not engaging enough, not teachers that give enough support.

What could be done to improve education in the borough?

- Use a wider variety of teaching methods and listen to young people in the borough.
- A lot. School premises are awful. You should have a garden for troubled kids, because gardening helps prisoners in jail. It's proven mate. :)
- Teachers could be more friendly to students who deserve it. They should listen and the student should have a say.
- I think that people should be encouraged to genuinely follow their dreams and to be told to be 'realistic', also I think students should feel more free to talk about some health and mental health as well as respect for students and when they explain why they did something.
- Loosen up the educational system, give children more choice and more reward systems.
- Lunch is too expensive.
- Long hours, need a break time.
- Make the lunches and trip fares cheaper – not everybody gets a lot of lunch money.
- School therapists, teachers could refer pupils who are troublesome.
- More patient classes.
- Optional revision lessons, to catch up.

Agenda Item No.4

What role could parents/ young people play in this?

- Young people should talk to their parents more about what they want to improve.
- I don't know. Parents nag and put people off, because they are annoying and nag. Young people have no powers. What could we do?
- Give them reasons to listen by putting your point across in a good way. Also by being good.
- More parents, more influence.
- Parents should be involved with what their kids think about school, as well as encourage them to have a healthy mental health as well as focusing on getting all they can out of their education.
- Parents and young people could work closer and hand in hand with school – unless they have problems at home.
- We could start parent/ teacher meetings, not parent evenings though
- Parents can make it happen, try to force it.

| | | | |
|------------------------------------|--------------------------------|-------------------------------|--|
| Item No. 8.2 | Classification: Open | Date: 16 July 2014 | Meeting Name: Council Assembly |
| Report title: | | Constitutional Issues 2014/15 | |
| Ward(s) or groups affected: | | All | |
| From: | | Proper Constitutional Officer | |

RECOMMENDATIONS

That council assembly considers the proposal set out in this report as recommended by the constitutional steering panel:

Council Assembly – Members’ question time

1. That the changes identified in paragraphs 10 - 14 on the rotation of questions to cabinet members be agreed so that questions are taken in the following ratio for political groups i.e. Labour 3, Liberal Democrat 2 and Conservative 1.
2. That it be noted that in future two cabinet members would be moved to the bottom of the list for members’ questions (see paragraphs 15 – 16). The proper constitutional officer to write to all councillors giving notice of the change.

Leader’s question time

3. That the introduction of a council meeting for the consideration of questions from the public to the leader, see paragraphs 17 – 29, be agreed.
4. That the first leader’s question time be held on Wednesday 22 October 2014 to coincide with council assembly, which will now be summonsed as an extraordinary meeting of the council assembly to consider any business that cannot wait for decision until the next ordinary meeting in the following month of November 2014.
5. That it be noted the constitutional steering panel considered a broad outline of the event for the leader’s question time (see paragraphs 19 – 25).
6. That the constitutional change formalising this position as set out in paragraph 29 be agreed.

Consequential changes

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

BACKGROUND INFORMATION

8. All constitutional changes are considered by constitutional steering panel, which then recommends changes to council assembly. The constitutional steering panel considered the issues outline in this report on 24 June 2014 and recommended changes to the constitution as outlined above. Changes to the

constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.15.

KEY ISSUES FOR CONSIDERATION

9. This report includes a number of issues considered by the constitutional steering panel on 24 June 2014:
 1. Council assembly – Members’ question time
 2. Leader’s question time

COUNCIL ASSEMBLY – MEMBERS’ QUESTION TIME

Members’ question time – Rotation of questions to cabinet members

10. It was reported to the constitutional steering panel, that in accordance with council assembly procedure rule 2.9.9 all questions are listed in the order of receipt, except questions to the leader which rotated alternately by political group (see council assembly procedure rules 2.9.12 and 2.9.13). Within the permitted 30 minutes of question time a council assembly will deal with approximately 17 – 22 questions half of which will be to the leader and community council chairs. The time permitted for questions is non-suspendable.
11. At the request of the constitutional steering panel on 9 June 2014, officers reported on alternative ways of rotating questions to cabinet members. It was noted on the 9 June 2014 that the rotation should not be on the same basis as council assembly questions to the leader of the council, which are on a ratio of one question asked from each political group in turn as long as there are questions remaining. Instead the panel wanted to consider rotations with some element of proportionality, although it was noted that a strictly proportionate rotation might not be advantageous to the opposition groups. The constitutional steering panel considered a number of possible rotations and recommended the following rotation as offering the appropriate balance across all groups for asking questions of cabinet members:

Table 1: Recommended rotation of members’ question to cabinet members

| | Lab | Lib Dem | Con |
|----------------------|------------|----------------|------------|
| Recommended rotation | 3 | 2 | 1 |

12. The political groups would be rotated every meeting in a similar way to motions. Questions from each group would be listed in order of receipt unless the order was changed or prioritised by the relevant group whip at least four days before the meeting of council assembly.
13. This change is recommended by the constitutional steering panel to council assembly for approval. Existing council assembly procedure rules 2.9.9, 2.9.12 and 2.9.13 would require constitutional changes. The necessary changes are set out in Appendix 1.
14. The group whips indicated that the rotation should be applied informally at the July 2014 meeting by way of the programme motion and prioritisation of the order of questions by each group.

Members' question time – Rotation of cabinet members

15. The panel also considered whether the current system of rotating the order of cabinet members after every meeting, i.e. currently one cabinet member is moved from the top of the list to the bottom, should be amended so two cabinet members are moved to the bottom. The panel felt that this would increase the opportunity for back bench members and opposition councillors to ask questions of different cabinet members. Currently a cabinet member will stay close to the top of the list for several meetings before progressing to the bottom.
16. The current system of rotating cabinet members is based on council assembly procedure rule 2.9.8, which states “the order to be rotated by the proper constitutional officer”. The number of cabinet members rotated is a matter of custom and practice and does not require a constitutional change. The panel having agreed to this change this could be made with immediate effect. The proper constitutional officer will write to all councillors confirming that the change would be implemented for the next ordinary meeting.

LEADER'S QUESTION TIME

17. The council assembly (constitutional meeting) on 11 June 2014 agreed in principle to the introduction of a leader's question time. This would be held on one of the existing council assembly dates and dedicated to answering questions. The meeting would be less formulaic and more free flowing than a formal council assembly meeting, providing an opportunity for the community to submit questions to the leader on any matter in relation to which the council has powers or which affects Southwark. Council assembly invited constitutional steering panel to look at proposals for the leader's question time and considers any necessary constitutional changes.
18. In order not to fetter the council's decision making process it was reported to council assembly that the meeting should have the capacity to take late and urgent items, if this is needed. The chair of the meeting would also have the discretion to vary timings and order as appropriate.
19. The constitutional steering panel on 24 June 2014 considered the format of the leader's question time and identified the following priorities:
 - Free-flowing debate
 - Public engagement
 - Informality
 - Minimise the impact of the constitutional business to ensure engagement with the public
 - The Mayor opening and closing the meeting.
 - Having the meeting facilitated by an independent person
 - Questions to the leader from a variety of people – for the debate to include evidence from locals, subject matter experts, councillors, local or national organisations.
20. It was anticipated that councillors would be expected to attend the meeting, to have an opportunity to ask questions and participate, but not to dominate the discussion.

21. A set of broad themes or subject areas was suggested, so relevant experts could be invited and the public could be prepared for specific issues. Questions would be answered by the leader and those relevant cabinet members, rather than solely the leader.
22. Local people would have the opportunity to submit questions several days in advance, to submit them on the day before the start of the meeting and ask questions from the floor of the meeting. It was suggested that some of those questions submitted in advance could help set the main themes or subject areas for the meeting.
23. It was recognised that the meeting should be publicised beforehand, to ensure that people who had not previously considered getting involved were made aware of the event and encouraged to participate. Getting more people involved in discussing local issues in a different forum was raised as a priority. It was felt that the meeting should be promoted as something different to a council assembly. The panel wanted officers to explore the fielding of questions from social media.
24. A schedule of approximately 90 minutes was suggested, with short interval in the middle. It was suggested that prior to the meeting there should be an informal session where public can meet councillors.
25. Officers undertook to explore a number of possible venues; the importance of public accessibility was emphasised. Members agreed that there would not need to be separate group rooms for this meeting, which will open up a wider range of venues in the borough.
26. The first meeting of leader's question time would be held on 22 October 2014. This would replaced the council assembly (ordinary meeting) scheduled for that date.
27. The constitutional steering panel asked officers to explore if any constitutional changes were required and need to be considered by council assembly in July 2014. The proper constitutional officer, having consulted with the monitoring officer, is recommending that an additional clause be added to the council assembly procedure rules clarifying the status of the leader's question time in the constitution. This would allow the leader's question time to operate outside of the existing procedure rules giving it some greater flexibility.
28. It is recommended that a council assembly be summonsed on the same evening as an extraordinary meeting this would refer to the leader's question time in the order of business, but primarily would be a summons to deal with any business that could not wait until the following ordinary meeting. This will allow the meeting to be set up in a way that is constitutionally acceptable to deal with any business.
29. The proposed constitutional change is set out below:

3.4 LEADER'S QUESTION TIME

An extra-ordinary meeting of the council shall be summonsed to coincide with the leader's question time meeting. The order of business shall note that the leader's question time is to be held on the same day. The leader's question time shall be conducted outside of the council assembly

procedure rules. All councillors shall be invited to the leader's question time meeting. At the conclusion of the leader's question time, the extraordinary meeting shall consider any specific business identified in the summons for the meeting.

As an extraordinary meeting of the council assembly, attendance would be recorded for the extraordinary meeting but not leader's question time.

Advice on constitutional changes

30. All constitutional changes are considered by the constitutional steering panel, which then recommends changes to council assembly. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.15.

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
- Deletions (shown with a ~~striketrough~~).

Community impact statement

31. The proposed changes to the rotation of cabinet member questions in members' question time will have no direct impact on local people from adoption of these changes to the council's constitution. It will allow members to be questioned more frequently and allow political groups to submit more topical questions as the order of questions will be determined by a predetermined ratio rather than by order of receipt. This report outlines the constitutional steering panel's considerations of the scope of leader's question time. This council meeting will provide an opportunity for members of the public to ask the leader questions in a less formal and free flowing meeting. The constitution enables people, including the local community where relevant, to understand the role that they can play in the decision making of the council and how the council will safeguard high standards of conduct amongst members and officers.

Resource implications

32. There are no specific budget implications from the proposals set out in this report. The recommended changes can be maintained within existing resources. The first leader's question time will be held on the date of a council assembly meeting.
33. The constitution is published on the council's website and is available for viewing online. Limited numbers of the constitution are produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. Therefore, it is anticipated that the cost can be contained within existing budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

34. Any legal issues are outlined in the body of the report.

REASON FOR LATENESS

35. The constitutional steering panel met on 24 June 2014 and further officer consultations were necessary to complete the report.

REASON FOR URGENCY

36. This report includes a number of urgent constitutional changes that council assembly is asked to adopt. The changes are recommended to ensure the efficient and effective running of the members' question time at council assembly and report back on leader's question time. The recommendations require approval by the council assembly in July 2014 because the report contains changes to the council assembly procedure rules which will apply to the next meetings in October and November 2014. Officers will need sufficient time to change council processes so the new rules can be applied at the next meeting and publicised to councillors and the public.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|--|---|
| Southwark Constitution http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution | Council Offices, 160 Tooley Street, London SE1 2QH | Constitutional Team Email: constitutional.team@southwark.gov.uk Tel: 020 7525 7228 |

APPENDICES

| Appendix | Title |
|------------|--|
| Appendix 1 | Revised Council Assembly Procedure Rule 2.9 – Questions By Members |

AUDIT TRAIL

| | | |
|---|---|----------------------------|
| Lead Officer | Graeme Gordon, Director of Corporate Strategy | |
| Report Author | Ian Millichap, Constitutional Manager | |
| Version | Final | |
| Dated | 10 July 2014 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments Included |
| Director of Legal Services | Yes | Incorporated in the report |
| Strategic Director of Finance and Corporate Strategy | No | No |
| Cabinet Member | No | No |
| Date final report sent to Constitutional Team | 10 July 2014 | |

APPENDIX 1

REVISED COUNCIL ASSEMBLY PROCEDURE RULE 2.9 – QUESTION BY MEMBERS

2.9 QUESTIONS BY MEMBERS

Which meetings consider questions by members?

1. Questions from members shall be considered at ordinary meetings of the council but not at the annual, extraordinary or the council tax setting meetings.

Who can ask questions?

2. A member of the council may ask one question of:
 - the Mayor
 - a member of the cabinet
 - the chair of any committee or sub-committee or community council
 - each community council may submit one question that has previously been considered and noted by said community council,
3. Composite questions – where a member wishes to raise a number of points in relation to the same subject matter, he/she may do so in a multi-part question provided that up to three parts shall be deemed to be one.

Scope

4. A question may be asked on any matter in relation to which the council has powers or duties or which affects Southwark.
5. No question shall be asked on a matter relating to an investigation by (whether completed or not), or ruling of, the standards committee or sub-committee insofar as the question relates to the behaviour or conduct of an individual member or members.
6. No question shall be asked on a matter concerning a planning or licensing application.

Time period for question time

This rule cannot be suspended.

7. The time during which councillor's questions may be taken shall be 30 minutes.
8. Questions to any individual cabinet member or chair shall not exceed 15 minutes. It shall not be in order to move an extension of these time limits. Questions shall be taken in the following order: the leader, followed by questions from community council councillors, followed by other cabinet members (the order to be rotated by the proper constitutional officer at every meeting) and chairs of committees, sub-committees and community

councils. At the expiry of members' question time, all questions not reached shall be deemed as noted.

Deadline for submission of questions

9. Questions must be received by the proper constitutional officer no later than midnight, nine clear working days prior to the day of the council meeting. Questions to the leader and cabinet members will either be listed in the order received or, if notified, listed by whip prioritisation and rotation by the political groups/independent members (see council assembly procedure rules 2.9(12) and (13)). All other questions will be listed in the order of receipt.

Questions shall be addressed to the relevant cabinet member or committee chair who shall be responsible for the content of the answer. Cabinet members and committee chairs shall have discretion to refer a question to another cabinet member or committee chair if this is appropriate.

Circulation of written answers

10. Copies of all questions and their written answers shall be circulated to all councillors one hour prior to the commencement of the meeting. Copies shall also be made available to the press and public present at the commencement of the meeting.

Supplementary question

11. A member asking a question may ask one supplementary question without notice to the member of whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

Prioritisation and rotation by the political groups/independent members – Questions to the leader and cabinet members

12. Questions to the leader and cabinet members will either be listed in the order received or listed in the order of whip prioritisation and rotation by the political groups. Four working days before the meeting, each chief whip may list questions from members of their respective groups in an order of priority to be taken at the meeting. All remaining questions will be taken in the order of receipt.

13. Questions to the leader: Questions to the leader will be rotated so that one is taken from each political group's list of priorities (and any independent councillors) for so long as there are questions remaining. For the first meeting following municipal elections or from the commencement of these arrangements, the Mayor will invite a representative of each political group (and any independent councillors) to draw lots to determine the order at the first meeting. At subsequent meetings, the order will be rotated.

Note: Questions will be rotated on a ratio of 1:1:1:1 for majority group, majority opposition group, minority opposition groups and independent members. ~~Liberal Democrat, Labour, Conservative and independent members.~~

14. Questions to cabinet members: Questions will be rotated so that questions are taken from each political group's list of priorities (and any

independent councillors) for so long as there are questions remaining. At subsequent meetings, the order will be rotated.

Note: Questions will be rotated on a ratio of 3:2:1:1 for majority group, majority opposition group, minority opposition groups and independent members.

Written answers to questions naming an individual member

15. In the event that a member of the council is named in a response to another member's question, the proper constitutional officer shall make the written response available to the individual member concerned prior to the day of the council assembly meeting. The individual member shall make any representations to the monitoring officer.

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(SUPPLEMENTAL AGENDA)
MUNICIPAL YEAR 2014/15**

NOTE: Original held by Constitutional Team; all amendments/queries to
Lesley John Tel: 020 7525 7228/7236

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| William Summers, Liberal Democrat Group Office | 1 | | |
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