

Peckham and Nunhead Community Council

Wednesday 17 April 2013

7.00 pm

Rye Lane Chapel (Main Hall), 59A Rye Lane, Peckham, London SE15
5EX

Supplemental Agenda No. 2

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| 6. | Deputation Requests | 1 - 4 |
| | To consider any deputation requests. | |

Contact

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Date: 16 April 2013

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|------------------------------------|--------------------------------|-------------------------------|--|
| Item No. 6. | Classification: Open | Date: 17 April 2013 | Meeting Name: Peckham and Nunhead Community Council |
| Report title: | | Deputation Requests | |
| Ward(s) or groups affected: | | All wards | |
| From: | | Proper Constitutional Officer | |

RECOMMENDATIONS

1. That the Peckham and Nunhead Community Council consider a deputation request from representatives Rosenthorpe Action Group relating to council assembly procedure rules and member and officer protocol.
2. That the Peckham and Nunhead Community Council consider a deputation request from Bellenden Residents Group relating to Bellenden Road two way traffic consultation.

BACKGROUND INFORMATION

3. When considering whether to hear the deputation request, the community council can decide:
 - To receive the deputation at this meeting or a future meeting; or
 - That the deputation not be received; or
 - To refer the deputation to the most appropriate committee/sub-committee.
4. The deputation shall consist of no more than six persons, including the spokesperson.
5. Only one member of the deputation shall be allowed to address the meeting, her or his speech being limited to five minutes.
6. Councillors may ask questions of the deputation, which shall be answered by their spokesperson or any member of the deputation nominated by her or him for up to five minutes at the conclusion of the spokesperson's questions, the deputation will be shown to the public area where they may listen to the remainder of the open section of the meeting.

KEY ISSUES FOR CONSIDERATION

7. Deputation requests have been submitted by representatives of those mentioned above. A deputation can be submitted by a person of any age who lives, works or studies in Southwark. Deputations must relate to matters which the council has powers or duties or which affects Southwark.
8. If more than one deputation is to be heard in respect of one subject there shall be no debate until each deputation has been presented. The monitoring officer shall, in writing, formally communicate the decision of the meeting to the person who submitted the request for the deputation to be received.

Rosenthorpe Action Group

9. The deputation suggests amendments to the council's constitution.

The deputation states:

"Constitution amendments *(additions shown in underline)

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1.8 PREVENTION OF DISORDERLY CONDUCT AND LIBELLOUS COMMENTS

2. In the case of a member of the public disrupting the meeting or if there is a general disturbance, the chair may order the removal of a person or that the public areas be cleared. Readmission will be at the discretion of the chair any action taken to ban any individual or group must be taken at the time and not retrospectively.

3. In the event of a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary for order to be restored.

4. If when asking a supplemental question or whilst presenting a deputation it is considered by the chair that the questioner/deputation has made a libellous remark no action will be taken to silence, remove or ban the individual(s)/groups if evidence can be provided that proves these remarks and not libellous.

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2.5 PUBLIC QUESTION TIME

Supplemental question

13. A questioner who puts a question in person may also put a supplemental question without notice to a member who has replied to his or her original question. A supplementary question must arise directly out of the original question. The Mayor may reject a supplementary question on any grounds in rule 2.5(3) above. Rejection will not be permitted if the suggested libellous remark is proven to be true.

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2.6 DEPUTATIONS TO COUNCIL ASSEMBLY

Scope of deputations

4. The Mayor in consultation with the monitoring officer may reject a deputation if it

- is a request from a group of people who have alternative means...
- is not a matter for which the council has powers or duties...
- is defamatory, frivolous or offensive unless it can be proved otherwise
- requires the disclosure of confidential or exempt information
- concerns a planning or licensing application
- raises a grievance for which there are established processes for resolution providing the process is identified
- relates to an investigation...

Page 224**MEMBER AND OFFICER PROTOCOL
Reports**

26. Officers reports should contain clear evidence-based advice as to why a course of action is being recommended. From time to time corporate advice is given to officers on report writing and they should take care to follow it. The report should lay out all relevant factors for the decision maker, and examine all alternatives in an even handed way. Officer should take care to include even unpopular options if they feel they are relevant. *They should bear in mind that if they have not done so and the decision is later challenged or proved to be the wrong decision they may find themselves personally and professionally liable* and subject to the code of conduct and disciplinary regulations

Bellenden Residents Group

10. A deputation request has been submitted by representatives of Bellenden Residents Group in respect of an item on the Peckham and Nunhead community council agenda "Bellenden One Way Traffic, consultation."

Procedure for deputations

11. At the meeting, the spokesperson for the deputation will be invited to speak up to five minutes on the subject matter. The community council will debate the deputation and at the conclusion of the deputation the chair will seek the consent of councillors to debate the subject. Councillors may move motions and amendments without prior notice if the subject does not relate to a report on the agenda. The meeting can decide to note the deputation or provide support if requested to do so. The community council shall not take any formal decision(s) on the subject raised unless a report is on the agenda
12. Any relevant resource or community impact issues will be contained in the comments of the strategic director.

Community impact statement

13. The Southwark Constitution allows for deputations to be made by groups of people resident or working in the borough.

REASONS FOR URGENCY

14. The deputation requests were received in line with the constitutional deadline for the receipt of deputation requests and is therefore eligible for consideration by the community council as to whether or not to hear the deputation at this meeting.
15. The deadline for the receipt of deputation requests was 11 April 2013, after the community council despatch on 9 April 2013. It has therefore not been possible to send out this report five clear days in advance of the meeting because of the need to ensure that all deputation requests received by the deadline were included in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Comments of the Director of Environment and Leisure

16. A briefing paper concerning Bellenden Road, two way traffic will be circulated at the meeting.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|---------------------------------------|-------------------------------------|
| Written correspondence received from representatives of the Rosenthorpe Action Group and Bellenden Residents' Group | 160 Tooley Street, London SE1P 5LX | Beverley Olamijulo 020 7525 7234 |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Alexa Coates, Principal Constitutional Officer | |
| Report Author | Beverley Olamijulo, Constitutional Officer | |
| Version | Final | |
| Dated | 16 April 2013 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Director of Legal Services | No | No |
| Strategic Director of Finance and Corporate Services | No | No |
| Cabinet Member | No | No |
| Date final report sent to the Constitutional Team | | 16 April 2013 |

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MUNICIPAL YEAR 2012-13**

NOTE: Original held by Constitutional Team (Community Councils) all amendments/queries to Beverley Olamijulo Tel: 020 7525 7234

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| To all Members of the Community Council | | | |
| Councillor Cleo Soanes (Chair) | 1 | | |
| Councillor Mark Glover (Vice- Chair) | 1 | Others | |
| Councillor Chris Brown | 1 | Elizabeth Olive, Audit Commission | 1 |
| Councillor Sunil Chopra | 1 | 160 Tooley St. | |
| Councillor Fiona Colley | 1 | | |
| Councillor Rowenna Davis | 1 | | |
| Councillor Nick Dolezal | 1 | Total: | 39 |
| Councillor Gavin Edwards | 1 | | |
| Councillor Renata Hamvas | 1 | | |
| Councillor Barrie Hargrove | 1 | | |
| Councillor Richard Livingstone | 1 | | |
| Councillor Catherine McDonald | 1 | Dated: 19 February 2013 | |
| Councillor Victoria Mills | 1 | | |
| Councillor Michael Situ | 1 | | |
| Councillor Althea Smith | 1 | | |
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