

Proposed Constitutional Amendments

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
- Deletions (shown with a ~~strikethrough~~)

No.	Section	Issue / Reason for change	Current Wording	Proposed Amendment	Proposed by
1.	Council Assembly Procedure Rules (CAPR) 3.4	<p>Council Assembly meeting in October following Leader's Question Time (LQT) has been deleted from the calendar.</p> <p>No extraordinary Council Assembly meeting is required following LQT from 2016 onward.</p>	<p>3.4 LEADER'S QUESTION TIME</p> <p>An extraordinary 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.</p>	Delete all	Proper Constitutional Officer
2.	CAPR 1.18 - Signing of attendance sheet by members	The record of the clerk should be the official record. This is covered in CAPR 1.17 and CAPR 2.3.2.	<p>RECORD OF ATTENDANCE</p> <p><i>This rule cannot be suspended.</i></p> <p>1.18 All members present during the whole or part of a meeting must sign their names on the attendance sheets, and their time of departure if before the meeting ends, before the conclusion of every meeting to assist with the record of attendance.</p>	Delete all	Proper Constitutional Officer
3.	CAPR 2.2	This no longer happens and is not required	<p>Informal session</p> <p>Prior to the meeting, an informal session</p>	Delete all	Proper Constitutional Officer

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			will be held lasting 30- 60 minutes. The sessions are an opportunity for members of the public to be provided with information on the business of the meeting. It is not obligatory for councillors to attend.		
4.	CAPR 4.1.3	There is no need to specify day of the week in the constitution.	The annual meeting shall in all other years be held on the third Wednesday in the month of May, except when re-arranged (so long as it is held in March, April or May).	The annual meeting shall in all other years be held on the third Wednesday in the month of May, except when re-arranged (so long as it is held in March, April or May).	Proper Constitutional Officer
5.	Article 1.5 Minor and Housekeeping changes to constitution	All updates to the Constitution are currently required to be considered by Council Assembly. Members agreement is sought to grant the Proper Constitutional Officer delegated authority to make minor and non-contentious amendments to the Constitution where required.	a) Subject to b) below, any changes to the constitution which can only be approved by the council assembly will require the prior consideration of the proposal by the constitutional steering panel. b) The constitution and its appendices will be changed as follows:	Amend para a) and add new paragraph c) to Article 1.5 a) Subject to b) <u>and c)</u> below, any changes to the constitution which can only be approved by the council assembly will require the prior consideration of the proposal by the constitutional steering panel. <u>c) Any minor typographical or non-contentious housekeeping changes to the constitution can be made by the proper constitutional officer. These changes will be notified to all members.</u>	Proper Constitutional Officer
6.	Council Assembly Procedure Rules CAPR 2.9.2	Clarity that rule on composite questions applies to members' questions and community council questions.	Who can ask questions? 2. A member of the council may ask one question of: <ul style="list-style-type: none"> 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	Who can ask questions? 2. A member of the council may ask one question of: <ul style="list-style-type: none"> the Mayor a member of the cabinet the chair of any committee or sub-committee or community council. <u>3. Each community council may submit one question that has previously been considered and noted by said community council to any of the members listed in paragraph 2 above.</u>	Proper Constitutional Officer

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			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.	4. Composite questions – where a member <u>or a community council</u> wishes to raise a number of points in relation to the same subject matter, he/she <u>they</u> may do so in a multi-part question provided that up to three parts shall be deemed to be one.	
7.	Committee Procedure Rules (CPRs) – Additional rules applying to planning committee and licensing committee and sub-committees	The current procedure rules are not in accord with the policy on paperless agendas as members need to access the internet to access papers.	<p>7. Additional rules applying to planning committee and licensing committee or sub-committees</p> <p>1. At any meeting of the planning committee or licensing committee if the committee is determining any application for an approval, consent, licence, permit or permission members should not access the internet, send or receive emails, texts, messages or tweets concerning the business of the committee when present as a voting member.</p> <p>2. At any meeting of the planning sub-committee or licensing sub-committee if the sub-committee is determining any application for an approval, consent, licence, permit or permission members should not access the internet, send or receive emails, texts, messages or tweets concerning the business of the sub-committee when present as a voting member.</p>	<p>7. Additional rules applying to planning committee and licensing committee or sub-committees</p> <p>1. At any meeting of the planning committee or licensing committee if the committee is determining any application for an approval, consent, licence, permit or permission, members should not access the internet (<u>except as it relates to the official business of the meeting</u>), send or receive emails, texts, messages or tweets concerning the business of the committee when present as a voting member.</p> <p>2. At any meeting of the planning sub-committee or licensing sub-committee if the sub-committee is determining any application for an approval, consent, licence, permit or permission, members should not access the internet (<u>except as it relates to the official business of the meeting</u>), send or receive emails, texts, messages or tweets concerning the business of the sub-committee when present as a voting member.</p>	Deputy Monitoring Officer / Proper Constitutional Officer
8.	Part 5 – Communication Protocol, paragraph 23	The current communications protocol is not in accord with the policy on paperless agendas as	<p>Communication Protocol</p> <p>23. In addition, where members are present as voting members at any meeting where they are determining any application for any approval, consent,</p>	<p>Communication Protocol</p> <p>23. In addition, where members are present as voting members at any meeting where they are determining any application for any approval, consent,</p>	Deputy Monitoring Officer / Proper Constitutional Officer

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		members need to access the internet to access papers.	licence, permit or permission, they should not access the internet, send or receive emails, text, messages or tweets concerning the business of that committee. Further advice is given by the monitoring officer's guidance 'A few top tips for members using social media' issued September 2016 link.	licence, permit or permission, they should not access the internet (<u>except as it relates to the official business of the meeting</u>), send or receive emails, text, messages or tweets concerning the business of that committee. Further advice is given by the monitoring officer's guidance 'A few top tips for members using social media' issued September 2016 link.	
9.	Who takes decisions – Cabinet Portfolios	The deputy leader and cabinet member for housing has within her portfolio responsibility for “delivering a new leaseholder management company”. The council has however instead agreed to the creation of an agency that sits within the council.	<ul style="list-style-type: none"> delivering a new leaseholder management company 	<ul style="list-style-type: none"> Delivering a new leaseholder agency - My Southwark Homeowners Service) 	Proper Constitutional Officer/Bernie Fay
10.	Who takes decisions Part 3K – Audit, Governance and Standards Committee	At present in the constitution, the appointment of co-opted members is a specific responsibility of the civic awards sub-committee. Could the process be dealt with more efficiently by the main committee instead of having to summons a meeting of the sub-committee just to make appointments? Note: Any changes also need to go to Audit,	Matters reserved for decision by the civic awards sub-committee [...] 43. To appoint non-voting co-opted members.	Matters reserved to decision by the main committee [...] 40. To appoint non-voting co-opted members <u>of the civic awards sub-committee</u> .	Audit, Governance and Standards (Civic awards) Sub-Committee

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		Governance and Standards Committee as the parent committee.			
11.	Who takes decisions Part N – Voluntary Bodies Appointments Panel	The making of recommendations on local education authority appointments to secondary and special school governing bodies, which is currently reserved to Voluntary Bodies Appointments Panel be delegated to the Director of Education in consultation with the Cabinet Member for Children and Schools (see main report paragraphs 4 to 12).	<p>Role and Functions</p> <ol style="list-style-type: none"> 1. To make recommendations on appointments to Southwark charities. 2. To maintain a list of prospective school governors for appointment. 3. To make recommendations on local education authority appointments to secondary and special school governing bodies. <p>Note</p> <p>Any recommendations to be submitted to the relevant lead officer: strategic director of children's services or monitoring officer.</p>	<p>Role and Functions</p> <ol style="list-style-type: none"> 1. To make recommendations on appointments to Southwark charities. 2. To maintain a list of prospective school governors for appointment. 3. To make recommendations on local education authority appointments to secondary and special school governing bodies. <p>Note</p> <p>Any recommendations to be submitted to the relevant lead officer: strategic director of children's services or monitoring officer.</p>	Director of Education / Voluntary Bodies Appointments Panel