



**COUNCIL ASSEMBLY
(CONSTITUTIONAL MEETING)**

MINUTES of the open section of the constitutional meeting of the Council Assembly held on Wednesday May 23 2007 at 7.00pm the Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Bob Skelly

Councillor Paul Baichoo	Councillor Danny McCarthy
Councillor James Barber	Councillor Alison McGovern
Councillor Columba Blango	Councillor Tim McNally
Councillor Denise Capstick	Councillor Kirsty McNeill
Councillor Fiona Colley	Councillor Jonathan Mitchell
Councillor Robin Crookshank Hilton	Councillor Abdul Mohamed
Councillor Dora Dixon-Fyle	Councillor Adele Morris
Councillor Toby Eckersley	Councillor Gordon Nardell
Councillor Mary Foulkes	Councillor David Noakes
Councillor John Friary	Councillor Paul Noblet
Councillor Mark Glover	Councillor Chris Page
Councillor Aubyn Graham	Councillor Andrew Pakes
Councillor James Gurling	Councillor Caroline Pidgeon
Councillor Barrie Hargrove	Councillor Lisa Rajan
Councillor Jeff Hook	Councillor Sandra Rhule
Councillor Michelle Holford	Councillor Lewis Robinson
Councillor David Hubber	Councillor Jane Salmon
Councillor Kim Humphreys	Councillor Martin Seaton
Councillor Helen Jardine-Brown	Councillor Mackie Sheik
Councillor Peter John	Councillor Tayo Situ
Councillor Jenny Jones	Councillor Robert Smeath
Councillor Susan Elan Jones	Councillor Althea Smith
Councillor Paul Kyriacou	Councillor Nick Stanton
Councillor Jelil Ladipo	Councillor Richard Thomas
Councillor Adedokun Lasaki	Councillor Dominic Thorncroft
Councillor Lorraine Lauder	Councillor Nick Vineall
Councillor Evrim Laws	Councillor Veronica Ward
Councillor Richard Livingstone	Councillor Anne Yates
Councillor Linda Manchester	Councillor Lorraine Zuleta
Councillor Eliza Mann	

1. PRELIMINARY BUSINESS
1.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE EXECUTIVE OR CHIEF EXECUTIVE

The Mayor extended the meetings best wishes to Councillor Paul Bates who was in hospital with suspected appendicitis.

The Mayor announced that his Spiritual Adviser would be the Reverend Dave Wade of Heartbeat.

The Mayor announced the death of former Councillor Sonya Murison, who passed away on Monday April 16. Sonya had been elected to represent Chaucer Ward in the 1990 borough elections and Friary Ward in 1994. He also announced that former Councillor and Mayor, Rita Sergeant, had passed away. Rita was elected to represent Chaucer Ward in 1986 and was Mayor for the municipal year 1988/89. Councillors Danny McCarthy, Aubyn Graham, Althea Smith and Anne Yates paid tribute after which a minute's silence was held.

The Mayor reminded members that at the rise of council assembly there would be an extraordinary meeting of the new overview and scrutiny committee. He requested that the new members of the overview and scrutiny committee retire to room A2 at the close of the meeting.

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

The Mayor agreed to accept the following item of late and urgent business. Item 8: The Gambling Act 2005 – Fees and charges.

The following papers were circulated around the chamber:

- A list of nominations for chairs and vice chairs on white paper.
- A guide to the voting process on green paper.
- Nominations to ALG committees and forums and the, LGA General Assembly on white paper.

At this juncture Councillor Chris Page raised a point of order that, in accordance with Article 5 (Chairing the council assembly), the Deputy Mayor should chair the meeting. The clerk advised that the Mayor had been appointed to chair the meeting and only if he were not present would the Deputy Mayor chair, subject to the meeting giving its consent.

1.3 DISCLOSURE OF INTEREST AND DISPENSATIONS

All members present declared a personal but non-prejudicial interest in the following items:

- Item 5: Revised code of conduct.
- Item 6 and 6A: Members' Allowances 2007/08 to 2010/11.

1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Paul Bates, Ola Oyewunmi and Ian Wingfield.

2. MINUTES

RESOLVED: That the open minutes of the ordinary meeting held on Wednesday March 28 2007 be agreed and signed as a correct record of the proceedings.

GUILLOTINE

The clerk announced that the guillotine would fall at 10.31 pm.

OFFICER REPORTS FOR RECOMMENDATION

3. APPOINTMENT OF LEADER AND EXECUTIVE, ESTABLISHMENT OF COMMITTEES AND OTHER CONSTITUTIONAL ISSUES 2007/08 (see pages 1 –52)

The Mayor stated that in accordance with council assembly procedure rule 1.15(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 he intended to consider each recommendation where a decision was needed separately.

Council assembly noted recommendation 1 (constitutional issues for the 2007/08 municipal year) and recommendation 2 (political group leaders, deputies and whips).

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

Councillor Nick Stanton as the newly appointed leader of the council moved recommendation 4, his nominations for the appointment of the deputy leader and the executive members and their portfolios. Councillor David Hubber seconded these nominations. The nominations and portfolios were put to the vote and declared to be carried.

The Mayor moved recommendation 5, (constitution of the corporate parenting panel as an ordinary committee). The motion was put to the vote and declared to be carried.

The Mayor announced that Amendment A1 had been revised therefore council assembly needed to agreed to suspend procedural rule 3.11(2) (Notice required for Amendments). The request was put to the vote and declared to be carried.

The Mayor moved recommendation 6 (determination of size and composition of disciplinary appeals and corporate parenting committees). Councillor Chris Page, seconded by Councillor Peter John, moved revised Amendment A1.

Revised Amendment A1 was put to the vote and declared to be carried.

The Mayor moved the remainder of recommendation 6 (determination of size and composition of the council's regulatory and other committees - including appointments, planning and audit committees). The motion was put to the vote and declared to be carried.

The Mayor moved recommendations 7 and 9 (size and composition of community councils and that overview & scrutiny appoint its scrutiny sub-committees). The motion was put to the vote and declared to be carried.

The Mayor moved recommendation 8 (to establish the overview and scrutiny committee). The motion was put to the vote and declared to be carried.

The Mayor moved the remainder of recommendation 8 (chair of overview and scrutiny committee). Councillor Chris Page, seconded by Councillor Peter John, moved Amendment A2.

Following debate (Councillors Kim Humphreys, Nick Stanton and John Friary), Amendment A2 was put to the vote and declared to be lost.

The Mayor announced that as Amendment A2 was lost Amendment C4 now fell.

The Mayor moved recommendation 10 (appointment of chair and vice-chair for overview and scrutiny committee) and stated that one nomination had been received for chair, Councillor Fiona Colley. No further nominations were forthcoming; therefore the nomination was put to the vote and council assembly appointed Councillor Fiona Colley as chair of the overview and scrutiny committee.

The Mayor stated that one nomination had been received for vice-chair of the overview and scrutiny committee, Councillor Jane Salmon. No further nominations were forthcoming, therefore the nomination were put to the vote and council assembly appointed Councillor Jane Salmon vice-chair of the overview and scrutiny committee.

The Mayor moved recommendation 11 (appointment of chairs and vice-chairs for the remaining committees of the council). The Mayor announced that he had received a number of contested nominations. The Mayor stated contested and vacant positions would be dealt with separately as follows:

Chair of Appointments committee

Councillor Chris Page, seconded by Councillor Susan Elan Jones, nominated Councillor Peter John as chair of appointments committee.

Councillor David Hubber, seconded by Councillor Linda Manchester, nominated Councillor Nick Stanton as chair of appointments committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Nick Stanton be appointed chair of appointments committee.

Vice-chair of Appointments committee

Councillor Chris Page, seconded by Councillor Susan Elan Jones, nominated Councillor

Peter John as vice-chair of appointment committee.

Councillor Lewis Robinson seconded by Councillor Toby Eckersley, nominated Councillor Kim Humphreys as vice-chair of appointments committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Kim Humphreys be appointed vice-chair of appointments committee.

Chair of Disciplinary Appeals committee

Councillor David Hubber, seconded by Councillor Linda Manchester, nominated Councillor Jelil Ladipo as chair of disciplinary appeals committee.

Councillor Chris Page, seconded by Councillor Peter John, nominated Councillor Danny McCarthy as chair of disciplinary appeals committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Jelil Ladipo be appointed chair of disciplinary appeals committee.

Chair of Licensing committee

Councillor David Hubber, seconded by Paul Noblet, nominated Councillor Linda Manchester as chair of licensing committee.

Councillor Chris Page, seconded by Councillor Peter John, nominated Councillor Dominic Thorncroft as chair of licensing committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Linda Manchester be appointed chair of licensing committee.

Chair of Planning committee

Councillor David Hubber, seconded by Linda Manchester, nominated Councillor James Gurling as chair of planning committee.

Councillor Chris Page, seconded by Councillor Peter John, nominated Councillor Gordon Nardell as chair of planning committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor James Gurling be appointed chair of planning committee.

Vice-chair of Planning committee

Councillor David Hubber, seconded by Councillor Linda Manchester, nominated Councillor Helen Jardine-Brown as vice-chair of planning committee

Councillor Chris Page, seconded by Councillor Peter John, nominated Councillor Gordon Nardell as vice-chair of planning committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Helen Jardine-Brown be appointed vice-chair of planning committee.

Chair of Audit committee

Councillor David Hubber, seconded by Councillor Linda Manchester, nominated Councillor James Barber as chair of audit committee.

Councillor Chris Page, seconded by Councillor Peter John, nominated Councillor Richard Livingstone as chair of audit committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor James Barber be appointed chair of audit committee.

In respect of the non contested positions, the nominations were put to the vote and declared to be carried.

The Mayor moved recommendation 12 (appointment of members to serve on the standards committee), recommendation 13 (noting the serving independent members of the standards committee), recommendation 14 (noting that the election of chair and vice-chair will take place at the first meeting of the new standards committee), recommendation 15 and 16 (appointment to the licensing committee and its sub-committee), recommendation 17 (urgency committee), recommendation 18 (establish the voluntary bodies appointment panel and recommendation 19 (establish the constitutional steering panel. The motion was put to the vote and declared to be carried.

The Mayor stated that he had received one amendment to recommendation 20 – council calendar. Councillor Chris Page, seconded by Councillor Peter John, moved Amendment A3.

Following debate (Councillors Nick Stanton and David Hubber), Amendment A3 was put to the vote and declared to be lost.

The Mayor moved recommendation 21 (Local Government Association General Assembly allocation of votes). The motion was put to the vote and declared to be carried.

The Mayor moved recommendation 22 (noting that the executive and standards committee will appoint to other outside committees and bodies). The motion was put to the vote and declared to be carried.

Following debate (Councillors James Gurling and Toby Eckersley), the substantive motion was put to the vote and declared to be carried.

- RESOLVED:**
1. That the constitutional issues for the coming municipal year 2007/08 be noted.
 2. That Councillor Nick Stanton be elected leader of the council.
 3. That the following be appointed as members of the executive with the portfolios as attached as appendix A:
 - Deputy leader and housing management – Councillor Kim Humphreys
 - Executive member for children's services and education – Councillor Caroline Pidgeon
 - Executive member for environment – Councillor Lisa Rajan

- Executive member for citizenship, equalities and communities – Councillor Columba Blango
- Executive member for community safety – Councillor Jeff Hook
- Executive member for culture, leisure and sport – Councillor Lorraine Zuleta
- Executive member for health and adult care – Councillor Denise Capstick
- Executive member for regeneration – Councillor Richard Thomas
- Executive member for resources – Councillor Toby Eckersley

4. That the corporate parenting panel be constituted as an ordinary committee.
5. That the size and composition of the council's regulatory and other committees be established as follows:

Committee	Total	Liberal Democrats	Labour	Conservative
Committee 1 Appointments Committee	7	3	3	1
Committee 2 Planning Committee	7	3	3	1
Committee 3 Disciplinary Appeals Committee	8	4	4	0
Committee 4 Audit Committee	5	2	2	1
Committee 5 Corporate Parenting Panel	8	3	4	1
Total	35	15	16	4

6. That the size and composition of the community councils be noted along with the fact that the overview & scrutiny committee will appoint its scrutiny sub-committees.
7. That the size and composition of overview and scrutiny committee, as set out below, be established:

Committee	Total	Liberal Democrats	Labour	Conservative
Overview and scrutiny committee	9	4	4	1

8. That Councillors Fiona Colley and Jane Salmon, be appointed chair and vice-chair of the overview and scrutiny committee respectively.
9. That the chair and vice-chairs of the following bodies be appointed (see Appendix B attached):
 - Appointments Committee
 - Disciplinary Appeals Committee
 - Licensing Committee
 - Planning Committee
 - Audit Committee
 - Corporate Parenting Committee
 - Community Councils
 - Borough and Bankside
 - Bermondsey
 - Rotherhithe
 - Walworth
 - Peckham
 - Camberwell
 - Nunhead and Peckham
 - Dulwich.
10. That in accordance with the Local Government and Housing Act 1989 Regulation 8 Local Government (Committees and Political Groups) Regulations 1990, the standards committee be established with a political composition of 2 Labour, 2 Liberal Democrat and 1 Conservative.
11. That the serving independent members and their date of retirement from office on the standard committee be noted along with the fact that the election of the chair and vice-chair will take place at the first meeting of the standards committee in the 2007/08 municipal year.
12. That 15 councillors be appointed to serve on the licensing committee with the following allocation of seats – 7 Liberal Democrat, 7 Labour and 1 Conservative.
13. That a licensing sub-committee be appointed with delegated authority to hear all licence applications including personal and premises licences, reviews of licences and temporary events notices. The sub-committee is to include all members of the licensing committee with a quorum of three members.
14. That the urgency committee be reconstituted for the decision making period between municipal elections with the following terms of reference and membership:

- Terms of Reference - Delegated power to exercise all the functions of the council, that are not reserved to council for decision in cases where, in the opinion of the chief executive it is necessary to act urgently in order to secure the efficient and expeditious conduct of the council's business.
 - Membership - The membership of the committee to comprise the leaders (or nominee) of the two largest political groups of the council (1 reserve member each – deputy leaders (or nominee)).
15. That the voluntary bodies appointment panel be established with the following membership:
 - Six members of the panel, including one independent member; comprising 2 Liberal Democrat, 2 Labour and 1 Conservative member.
 16. That the constitutional steering panel be established comprising the whips of each political group represented on the council and in accordance with the terms of reference set out in paragraphs 59 and 60 of the report.
 17. That the dates for council assembly meetings be agreed as follows:
 - June 27 2007
 - September 12 2007
 - November 21 2007
 - January 30 2008 (Council tax base)
 - February 20 2008 (Budget and council tax setting)
 - April 02 2008
 - May 14 2007 (Mayor-making)
 - May 21 2007 (Constitutional meeting)
 18. That the following members be appointed to the Local Government Authority General Assembly: Councillors Nick Stanton (2 votes), Peter John (1 vote), Susan Elan Jones (1 vote) and Toby Eckersley (1 vote).
 19. That it be noted that the executive and standards committee will make appointments to all other outside committees and bodies for the municipal year 2007/08, as required by part 3J of the constitution.

4. **CONSTITUTIONAL REVIEW** (see pages 53-153)

The Mayor stated that in accordance with council assembly procedure rule 1.15(2), the recommendations set out in the report were deemed to have been moved and were subject to amendment only. He explained that several amendments had been received on various proposals within each recommendation and that the Labour Group wished to take a

separate votes on several recommendations, therefore, these would be voted upon separately.

The Mayor announced that he had received Amendment B2 outside of the deadline for receipt of amendments therefore council assembly needed to agreed to suspend procedural rule 3.11(2) (Notice required for Amendments). The request was put to the vote and declared to be carried.

Councillor Lewis Robinson, seconded by Councillor David Hubber, moved amendment B1. Amendment B1 was put to the vote and declared to be carried.

Councillor David Hubber, seconded by Councillor Paul Noblet, moved Amendment B2. Amendment B2 was put to the vote and declared to be carried.

Councillor Lewis Robinson, seconded by Councillor David Hubber, moved Amendment B3. Following debate (Councillors John Friary, Nick Stanton, Jenny Jones and Susan Elan Jones), Amendment B3 was put to the vote and declared to be carried.

Councillor Chris Page, seconded by Councillor Peter John, moved Amendment C1. Following debate (Councillor David Hubber), Amendment C1 was put to the vote and declared to be lost.

Councillor Chris Page, seconded by Councillor Peter John, moved Amendment C2. Following debate (Councillors Lewis Robinson, Richard Thomas and David Hubber), Amendment C2 was put to the vote and declared to be lost.

Councillor Chris Page, seconded by Councillor Peter John, moved Amendment C3. Following debate (Councillors Richard Thomas, James Gurling, Kirsty McNeill, Dominic Thorncroft, Alison McGovern, Abdul Mohamed, Gordon Nardell, Toby Eckersley and Nick Stanton), Amendment C3 was put to the vote and declared to be lost.

The Mayor announced that Amendment C4 had fallen as Amendment A2 had been lost on the previous item.

With the meeting's consent Councillor Fiona Colley, seconded by Councillor Peter John, moved Amendment C5. Following debate (Councillors Kim Humphreys and David Hubber), Amendment C5 was put to the vote and declared to be carried.

With the meeting's consent Councillor Mary Foulkes, seconded by Councillor Richard Livingstone, moved Amendment C6. Following debate (Councillors David Hubber, Anne Yates, Paul Noblet and Andy Pakes), Amendment C6 was put to the vote and declared to be lost.

In accordance with council assembly procedure rule 1.17 (5) the following members requested that their vote in favour of Amendment C6 be recorded: Councillors Fiona Colley, Mary Foulkes, John Friary, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Susan Elan Jones, Lorraine Lauder, Evrim Laws, Richard Livingstone, Alison McGovern, Danny McCarthy, Kirsty McNeill, Abdul Mohamed, Gordon Nardell, Chris Page, Andrew Pakes, Sandra Rhule, Martin Seaton, Tayo Situ, Robert Smeath, Althea Smith, Dominic Thorncroft and Veronica Ward.

Following debate (Councillors Susan Elan Jones, Lewis Robinson, Peter John, John Friary, Veronica Ward, Kirsty McNeill, Nick Stanton, Danny McCarthy, David Noakes, Aubyn Graham and Kim Humphreys), it was moved, seconded and resolved that the meeting move on to taking an individual vote on recommendations 1, 2, 3, 4 (part 1), 5, 8, and 10, with the following results:

Recommendation 1 – Carried.

Recommendation 2 - Carried

In accordance with council assembly procedure rule 1.17 (5) the following members requested that their vote against recommendation 2 be recorded: Councillors Fiona Colley, Mary Foulkes, John Friary, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Susan Elan Jones, Lorraine Lauder, Evrim Laws, Richard Livingstone, Alison McGovern, Danny McCarthy, Kirsty McNeill, Abdul Mohamed, Gordon Nardell, Chris Page, Andrew Pakes, Sandra Rhule, Martin Seaton, Tayo Situ, Robert Smeath, Althea Smith, Dominic Thorncroft and Veronica Ward.

Recommendation 3 – Carried.

Recommendation 4 (part 1) – Carried.

Recommendation 5 – Option 2 carried.

Recommendation 8 – Carried.

Recommendation 10 – Carried.

The substantive motion was put to the vote and declared to be carried.

RESOLVED:

Council Assembly Procedure Rules

Public question time

1. That public question time be reduced to 15 minutes and that any time unused be not carried over to members' question time.

Deputations

2. That deputations may only come to council assembly when it is not possible or appropriate for them to go to the relevant decision making body (executive, community council etc).
3. That council assembly procedure rule 3.7 be used as the definitive guide to deputations and that the community council and executive rules be cross referenced with council assembly procedure rules to ensure that rules specific to each meeting are clearly identified.

Members question time

4. That members question time be restricted to 30 minutes and that any unused time from public question time should not be carried over to members' question time.

5. That the deputy leader be included in the rotation of questions to executive members.

Rules of Debate

6. That speaking times for members be amended to allow 5 minutes for movers and 3 minutes for all other speakers:

Council Assembly Procedure Rule 1.16(9) (Rules of debate - Content and length of speeches) be amended as follows:

Second sentence - After the words "No speech.." and **insert** "by the mover of a motion.."

Third sentence - **delete** "A seconder's speech.." and **insert** "All other speeches.."

So clause 9 reads in full (new text underlined):

"Speeches must be directed to the matter under discussion or to a personal explanation or point of order. No speech by the mover of a motion may exceed five minutes without the consent of the Mayor. All other speeches may not exceed three minutes without the consent of the Mayor."

7. That option 2, to delete all of council assembly procedure rule 1.16 (11) – Amendments To Motions (Negating The Motion), including any restriction on 'delete all' amendments, be agreed.
8. **Notice required for amendments**
That the deadline for receipt of amendments be changed to 12 pm on the second working day prior to the meeting:

Council assembly procedure rule 3.11 (2) – Notice Required For Amendment

Delete all after "... to read:" and **insert**:

"delivered before 12.00pm midday on the second working day before the meeting."

Add at end of sections 3.10(1) and 3.11(2) "Amendments will be circulated by 2.00pm on the working day before the meeting."

Guillotine

9. That the guillotine procedure be amended so that it starts from the beginning of the meeting and runs for three hours, after which time any outstanding motions or other business shall be put to the vote without debate. Thereafter the guillotine rule

may only be suspended for up to a maximum of 30 minutes.

Council assembly procedure rule 1.13 Guillotine be amended, as follows:

- (1) In clause 1, line 1 **delete** all after “conclusion of .. “ and **insert** “start of the meeting.”
- (2) In clause 4, line 1, after ”Each item of business..” **insert** “specified in clause 1.13(3)”.
- (3) In clause 5 **delete** all and **insert**:
 5. “If there are motions or other business still outstanding at the fall of the guillotine, then subject to clause 1.13(6) all other motions or business not considered shall be put to the vote without debate.”
- (4) In clause 6 **delete** all and **insert**:

**** Suspension of guillotine rule**

 6. “The guillotine rule can be suspended for up to a maximum of 30 minutes only.

* - Denotes that this rule cannot be suspended.”

Revised wording of clause 1.13 as amended:

1.13 GUILLOTINE

Concluding the meeting

1. The guillotine shall take effect three hours after the start of the meeting.
2. A bell will be rung once the guillotine is reached and the member speaking must immediately sit down.
3. The following outstanding business shall be considered:
 - Any business required by statute
 - Approval of minutes of council assembly
 - Each individual report with a recommendation, be it from the executive, committee or officer
 - Any other business accepted by the Mayor as late and urgent business.

Process for dealing with any outstanding business

(Fifteen Minute Debate rule)

4. Each item of business specified in clause 1.13(3) shall be afforded up to a maximum of 15 minutes. If the matter is not concluded within that time the Mayor shall, if appropriate, call upon the mover of the substantive motion to exercise their right of reply and a vote shall be taken. In circumstances where the council is legally obliged to make a decision, but the motion or recommendation voted upon is lost, the Mayor will take motions from the floor, each allocated up to a maximum of 15 minutes, until a decision is reached.

Motions not dealt with

5. If there are motions or other business still outstanding at the fall of the guillotine, then subject to clause 1.13(6) all other motions or business not considered shall be put to the vote without debate.

*** Suspension of guillotine rule**

6. The guillotine rule can be suspended for up to a maximum of 30 minutes only.

* - Denotes that this rule cannot be suspended.

Notification of appointments, resignations and terminations of appointments

10. That the following sentence be added at the end of council assembly procedure rule 2.7 (2):

‘That any appointments, resignations or terminations become effective immediately.’

11. **Council tax setting meeting**

- (1) That council assembly procedure rules 3.7 (1), 3.8 (1) and 3.12 (6) be amended to read:

‘shall not be taken at the annual (Mayor-making), annual (constitutional) or the council tax setting meetings.’

- (2) That a new paragraph be added to council assembly procedure rule 3.10 to exclude the taking of members’ motions at the council tax setting meeting.

Executive Matters

Statutory school organization decisions

12. That clause 22 of executive matters reserved be redrafted to include responsibility for all school organization decisions (see Appendix 2 of the report).

13. That changes to the social services matters reserved to the full executive arising from legislative changes be agreed. These are set out in Appendix 2 of the report.

Voluntary grants under the community support programme

14. That voluntary grants under the community support programme be moved to the individual decision making process. The detailed changes are set out in Appendix 2 of the report.

Individual decision making (IDM) fees and charges

15. That Part 3D (5), Matters reserved to IDM be amended **after** “in relation to their areas of responsibility” **insert** “and in line with the financial standing orders”.

Major Projects Board

16. That the proposals for amending the matters reserved for the major projects board set out in Appendix 11 of the report be agreed. That changes to the executive procedure rules clarifying the application of the rules to the board be agreed (see Appendix 12 of the report).

Overview and Scrutiny Procedure Rules

17. That overview and scrutiny procedure rule 20.1 (3) be amended in two ways: first, if there is no chair of the overview and scrutiny committee (OSC) or if the chair is unable to act, then the agreement of the vice-chair of the committee could be sought; and second, by removing the references to the Mayor and Deputy Mayor altogether and adding in “any two members of OSC”.

The following amendment to overview and scrutiny procedure rule 20.1 (3) is set out below:

Overview and Scrutiny Procedure Rule 20.1(3) – Decisions for Urgent Implementation

In second paragraph, **delete** last sentence beginning “If there is no chair...” and **insert**:

“If there is no chair or if the chair is unable to act, then the agreement of the vice-chair or in his/her absence any two members of the overview and scrutiny committee will suffice. In the situation where both chair and vice-chair were unable to act the whips of the two largest groups on OSC shall nominate one member each.”

Consequential change to Access to information Procedure Rule 17.2.

Planning Policy

18. That changes to relevant sections of the constitution relating to planning policy matters be agreed. The changes are set out in full in Appendix 13 of the report.

Other Changes

19. That the recommendations as set out in the following appendices in the report be agreed:

- Schedule of constitutional changes – Appendix 3
- Audit Committee – Appendix 4
- Financial Standing Orders 2007/08 – Appendix 6
- Contract Standing Orders 2007/08 – Appendix 7
- Licensing Committee: Roles and Functions – Appendix 8
- Licensing Committee: Matters Reserved – Appendix 9
- Corporate Parenting Committee – Appendix 10
- Typographical changes – Appendix 14.

20. That in respect of any changes arising from above recommendations, officers be authorised to make any consequential amendments and cross-referencing amendments to the constitution.

Process for Comprehensive Constitutional Review 2007/08

21. That the constitutional steering panel's work plan for the 2007/08 review of the constitution be noted (see Appendix 16 of the report).

5. REVISED CODE OF CONDUCT (see pages 154-171)

In accordance with council assembly procedure rule 3.11(1) the vice-chair of the standards committee, Councillor David Hubber, formally moved the recommendations contained in the report to council assembly.

The recommendation contained within the report was put to the vote and declared to be carried.

- RESOLVED:**
1. That the revised code of conduct together with the introductory general statements of principles be adopted.
 2. That it be noted that members will be required to complete a new declaration of interest within 28 days of the adoption of the new code.

6. MEMBERS' ALLOWANCES 2007/08 TO 2010/11 (see pages 172-183)

The Mayor stated that in accordance with council assembly procedure rule 1.15(2), the recommendations set out in the report were deemed to have been moved and were subject to amendment only.

With the meeting's consent, council assembly procedure rule 1.16 (4) (only one motion to be

considered at a time) was suspended in order to allow the two options on members allowances set out in Appendix A of the report to be debated together.

Councillor Richard Livingstone, seconded by Councillor Peter John, moved the Labour Group option.

Councillor David Hubber, seconded by Councillor Lewis Robinson, moved the Liberal Democrat option.

Following debate (Councillors John Friary, Kirsty McNeill and David Noakes), it was moved, seconded and resolved that the meeting move to the vote.

Councillors Richard Livingstone and David Hubber exercised their right of reply.

The Labour Group option was put to the vote and declared to be lost.

In accordance with council assembly procedure rule 1.17 (5) the following members requested that their vote in favour of the Labour Group option be recorded: Councillors Fiona Colley, Mary Foulkes, John Friary, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Susan Elan Jones, Lorraine Lauder, Evrim Laws, Richard Livingstone, Danny McCarthy, Alison McGovern, Kirsty McNeill, Abdul Mohamed, Gordon Nardell, Chris Page, Andrew Pakes, Sandra Rhule, Martin Seaton, Tayo Situ, Robert Smeath, Althea Smith, Dominic Thorncroft and Veronica Ward.

The Liberal Democrat option was put to the vote and declared to be carried.

In accordance with council assembly procedure rule 1.17 (5) the following members requested that their vote against the Liberal Democrat option be recorded: Councillors Fiona Colley, Mary Foulkes, John Friary, Mark Glover, Aubyn Graham, Barrie Hargrove, Peter John, Susan Elan Jones, Lorraine Lauder, Evrim Laws, Richard Livingstone, Danny McCarthy, Alison McGovern, Kirsty McNeill, Abdul Mohamed, Gordon Nardell, Chris Page, Andrew Pakes, Sandra Rhule, Martin Seaton, Tayo Situ, Robert Smeath, Althea Smith, Dominic Thorncroft and Veronica Ward.

Councillor David Hubber, seconded by Councillor Lewis Robinson, moved Amendment D.

Amendment D 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 a revised member allowance scheme be agreed to cover the period 2007/08 to 2010/11 based on the Liberal Democrat option set out in Appendix A of the report.
 2. That paragraph 12a, Appendix B (page 179 of the report), be amended to read:

“congestion charge, including fines or penalties;”
 3. That officers make any necessary consequential changes to the scheme (identified in appendix B of the report).

6A. ADDENDUM REPORT ON MEMBERS' ALLOWANCES 2007/08 TO 2010/11 (see supplemental agenda 1, pages 1-2)

The Mayor stated that in accordance with council assembly procedure rule 1.15(2), the recommendations set out in the report were deemed to have been moved and were subject to amendment only.

Following debate (Councillors Peter John, David Hubber and Lewis Robinson), the recommendations contained within the report were put to the vote and declared to be carried.

RESOLVED: That the proposal from the constitutional steering panel (CSP) that matters relating to members' allowances be transferred to the terms of reference of the CSP be accepted.

7. NOMINATIONS TO LONDON COUNCILS COMMITTEES AND FORUMS 2007/08 (see pages 184 – 191)

The Clerk advised that only executive members could be nominated to joint committees therefore the Labour Group nominations for those posts fell. He further advised that posts 1, 2, 3 and 11 were agreed as on paper and that only the contested position on forums needed to be voted on separately.

The Mayor moved that the uncontested positions and their deputies be agreed. The motion was put to the vote and declared as carried. Thereafter the contested positions were considered. The appointments are set out as follows:

London Councils Leaders' Committee (S101 Joint Committee)

Agreed that Councillor Nick Stanton be appointed as the council's representative and Councillors Caroline Pidgeon and Kim Humphreys as deputies.

London Councils Transport and Environment Committee (Associated S101 Joint Committee)

Agreed that Councillor Lisa Rajan be appointed as the council's representative and Councillors Richard Thomas and Toby Eckersley as deputies.

London Councils Grants Committee (Associated Joint Committee)

Agreed that Councillor Toby Eckersley be appointed as the council's representative and Councillor Columba Blango as the deputy.

The Greater London Employment Forum

The Mayor announced that he had received two nominations for representative and one for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Lorraine Zuleta be nominated as the council's representative and that Councillor Toby Eckersley be nominated as the council's deputy. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor Richard Livingstone be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Lorraine Zuleta be appointed as the council's representative and Councillor Toby

Eckersley be appointed as the deputy to the Greater London Employment Forum.

London Councils Children, Young People and Families Forum

The Mayor announced that he had received two nominations for representative and that Councillor Bob Skelly had withdrawn as a nominee for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Caroline Pidgeon be nominated as representative. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor Veronica Ward be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Caroline Pidgeon be appointed as the council's representative and Councillor Veronica Ward be appointed as the deputy to the London Councils Children, Young People and Families Forum.

London Councils Housing Forum

The Mayor announced that he had received two nomination for representative and one for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Kim Humphreys be nominated as the council's representative and Councillor Tim McNally as deputy. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor Paul Bates be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Kim Humphreys be appointed as the council's representative and Councillor Tim McNally be appointed as the deputy to the London Councils Housing Forum.

London Councils Health and Adult Care Forum

The Mayor announced that he had received two nominations for representative and one for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Denise Capstick be nominated as the council's representative and Councillor Eliza Mann be appointed as the council's deputy. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor Martin Seaton be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Denise Capstick be appointed as the council's representative and Councillor Eliza Mann be appointed as the deputy to the London Councils Health and Adult Care Forum.

London Councils Culture, Tourism and 2012 Forum

The Mayor announced that he had received two nominations for representative and one for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Lorraine Zuleta be appointed representative and Councillor Columba Blango be appointed as deputy. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor Alison McGovern be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Lorraine Zuleta be appointed as the council's representative and Councillor Columba Blango be appointed as the deputy to the London Councils Culture, Tourism and 2012 Forum.

London Councils Crime and Public Protection Forum

The Mayor announced that he had received two nominations for representative and one for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Jeff Hook be appointed as representative and Councillor David Noakes as deputy. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor John Friary be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Jeff Hook be appointed as the council's representative and Councillor David Noakes be appointed as the deputy to the London Councils Crime and Public Protection Forum.

London Councils Economic Development Forum

The Mayor announced that he had received two nominations for representative and one for deputy. Councillor David Hubber, seconded by Councillor Linda Manchester, moved that Councillor Richard Thomas be nominated as the council's representative and Councillor Paul Noblet be appointed as deputy. Thereafter, Councillor Chris Page, seconded by Councillor Susan Elan Jones, moved that Councillor Mary Foulkes be appointed as the council's representative.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Richard Thomas be appointed as the council's representative and Councillor Paul Noblet be appointed as the deputy to the London Councils Economic Development Forum.

London Housing Unit Committee (Sectoral Joint Committee)

Agreed that Councillor Kim Humphreys be appointed as the council's representative.

London Housing Unit Executive Sub-Committee

The Mayor announced that he had received two nominations for the sub-committee.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Kim Humphreys be appointed as the council's representative to the London Housing Unit Executive Sub-Committee.

London Councils Limited

The Mayor announced that he had received two nominations.

The nominations were put to the vote and a vote having been taken, it was declared that Councillor Nick Stanton be appointed as the council's representative to the London Councils Limited.

8. THE GAMBLING ACT 2005 – FEES AND CHARGES (see supplemental 1, pages 3-41)

The Mayor stated that in accordance with council assembly procedure rule 1.15(2), the recommendation set out in the report were deemed to have been moved and were subject to amendment only.

Following debate (Councillors Toby Eckersley, Dominic Thorncroft, Danny McCarthy and Gordon Nardell), the recommendation contained within the report was put to the vote and declared to be carried.

RESOLVED: That approval be given to the schedule of fees and charges for 2007/08 in respect of licences and other related consents under the Gambling Act 2005, as set out in Appendix A of the report.

The meeting closed at 10.40 pm.

MAYOR:

DATED:

EXECUTIVE PORTFOLIOS

All Executive Members

All executive members will be publicly accountable for the actions of the council and provide community leadership for the borough. This will include specific responsibility for:

- Proactive community engagement of Southwark's diverse communities in order to promote the work of the council, to promote engagement in decisions and activities relating to the council and to improve council awareness and responsiveness to community needs and aspirations.
- Promoting good communication of the work of the council, its plans and objectives in order to improve public understanding and support for the work of the council and its partners.
- Representing the council with external bodies and agencies in order to promote the work of the council and the council's interests and to improve council influence with external bodies, particularly government.
- The development of clear, ambitious and affordable policies and strategies for services which are consistent with the council's wider objectives, particularly the community strategy, and are consistent with the council's cross-cutting objectives.
- Setting clear priorities and performance objectives, which are consistent with policy and strategic objectives, and ensuring these are properly communicated and performance managed.
- Ensuring that resources are efficiently managed within allocations set by council and that risk is well managed.
- Specific projects as agreed with the leader of the council.
- All full-time Executive members are expected to work an average of 38 hours per week on Executive matters. Some of this work will naturally be in the evenings and at weekends and much of it will be undertaken out of the office.
- Exec members will have 30 days of leave per year. They are expected to keep a record of their leave taken.

Individual portfolios

Leader of the council

To provide leadership of the council, by setting the strategic direction and key priorities, overseeing the development of the financial strategies, customer relationships policy, and representing the council in the community and in negotiations with regional and national organisations. In the absence of an executive member the leader will have responsibility for all relevant matters within the remit of the executive.

The leader will have particular responsibility for:

- Performance management of executive functions
- The customer service centre, including the final phase of transition, improved customer service and better integration with back office services

- Opening new one stop shops
- External communications and the reputation of the council
- Strategic partnerships, the creation and development of a local area agreement, relationships with government and local authority associations

Deputy leader

To deputise in the leader's absence and to be lead member for the executive's relationship with scrutiny.

The deputy leader will also be responsible for the housing portfolio, including housing management, housing allocations, general management of the housing revenue account, the housing investment programme and leasehold management, and will have particular responsibility for:

- Housing strategy
- Creating a step change improvement in housing customer care
- Improving mechanisms for engaging with council tenants
- Ensuring that the new repairs contract delivers better results
- Ensuring that service charges for leaseholders are accurately estimated and billed
- Explaining the cost of major works to leaseholders and ensuring that they receive value for money
- Renewal and refurbishment of council housing, including maintenance and decant arrangements as part of major regeneration projects.

Resources

To ensure sound business planning and financial probity within the corporate framework, including the new medium term financial strategy and all financial management of revenue and capital, including the housing revenue account, the capital programme and the management of capital receipts.

The portfolio holder will have particular responsibility for:

- Provision of ICT, including letting a new contract
- The office accommodation strategy and management of the council's property portfolio, including all disposals and acquisitions
- Human resources, including realizing benefits and savings through the new agency contract
- Strategic procurement
- Income management
- Efficiency, including Gershon efficiency targets
- Audit and risk management

Children's services and education

To assume the statutory role of lead member for children's services, including responsibility for children's social care, services for schools and pupils, early years and youth services, the inclusion agenda, and work to develop and implement the children and young people's plan.

The portfolio holder will also be responsible for post-16 education and adult learning and will work closely with the executive member for health and social care with regard to children's health.

The portfolio holder will have particular responsibility for:

- The integration of the new children's service, including realizing efficiencies
- Ensuring that co-ordinated action is delivering improved outcomes, including improvements to attainment and achievement for all children and young people
- The Southwark Schools for the Future programme
- A strategy for expanding or rationalizing primary provision where necessary
- Opening up new children's centres and ensuring coherent and sufficient provision of quality, affordable childcare
- Healthy, nutritionally balanced meals for school children
- Taking forward the work of the race equality education forum
- Safeguarding children, including ensuring that all staff understand their responsibility for child protection and that all relevant agencies share responsibility for safeguarding and promoting welfare
- The corporate parenting role for children looked after by the council
- Monitoring the expenditure of direct schools grant and level of balances
- Ensuring fair, coordinated admissions arrangements to all schools of every type

Health and adult care

To improve the health of the borough and to safeguard the needs of vulnerable adults, including health promotion, the provision of personal social services, services to older people, services to people with disabilities, services to those with HIV/aids and/or those with drug and alcohol problems, services to those with mental health needs, "supporting people", homelessness and sheltered housing. The portfolio holder will work closely with the executive members for children (with regard to children's health) and the deputy leader (with regard to the housing needs of vulnerable adults).

The portfolio holder will have particular responsibility for:

- The public health agenda, including issues and actions arising from the Our Health, Our Care, Our Say White Paper
- Further integration of health and social care and trust status
- Influencing the development of new community health and social care services including those being developed in the new Dulwich Community Hospital

Regeneration

To facilitate the sustainable regeneration of Southwark's communities, promote investment, improve access to jobs in Southwark, and improve housing standards in Southwark. The portfolio holder will be required to work closely with the deputy leader to ensure a co-ordinated approach to housing issues, and with the executive member for communities on social inclusion.

The portfolio holder will have particular responsibility for:

- All major regeneration schemes, including Elephant & Castle, Aylesbury, Canada Water and Bermondsey Spa, including the social housing component of these schemes, in particular ensuring benefits for all Southwark's communities
- Finalising the unitary development plan
- Promoting fair pay, market development and fair trade
- Lobbying for major improvements to public transport, including local train stations, and all issues relating to the proposed Cross River Tram and the extension to the East London Line
- Housing renewal strategy

Environment

To continue working towards a cleaner and greener borough, including responsibility for waste management, street scene and highway infrastructure, traffic management and parking enforcement, parks and open spaces, and recycling.

The portfolio holder will have particular responsibility for:

- Maintaining the improvements in street cleaning
- Increasing the rate of recycling
- Introducing a comprehensive climate change policy
- Ensuring sustainability across all council departments
- Markets and street trading

Community safety

To deliver the Safer Southwark Partnership's strategic objective of a "safer Southwark" and the management of council initiatives and services concerned with community safety and anti-social behaviour, enforcement policy, emergency planning and business continuity.

The portfolio holder will have particular responsibility for:

- Crime and drugs strategy
- Licensing
- Lobbying for more police officers and 24 hour police stations in all localities
- Improving the community warden service
- Southwark anti-social behaviour unit
- Alcohol control zones
- The noise team
- Promoting links between elected members and safer neighbourhood teams
- CCTV and other safety measures in public places
- Public Protection
- Youth Offending Team
- Environmental health and trading standards

Culture, leisure and sport

To promote and develop sport and culture in the borough, including leisure services and facilities, sports development, arts, museums and heritage, tourism, and libraries.

The portfolio holder will have particular responsibility for:

- The performance of Fusion Leisure Trust, including securing the necessary capital investment in the borough's leisure centres
- Southwark Community Games and other events
- Lobbying for an Olympic legacy for Southwark

Citizenship, equalities and communities

To improve the representation and engagement of all Southwark's diverse communities, including those hardest to reach, to promote equality of opportunity, eliminate unlawful discrimination and promote social cohesion. The portfolio holder will work closely with the executive member for regeneration on social inclusion, and with all executive members to promote equality of opportunity, celebrate diversity and improve community engagement across all portfolio areas.

The portfolio holder will have particular responsibility for:

- Relationships with the voluntary sector
- Further development of community councils
- Review of community engagement
- International development.



CHAIRS AND VICE-CHAIRS 2007/08

DATED: May 24 2007

COUNCIL ASSEMBLY APPOINTMENTS 2007/08

1. LEADER OF THE COUNCIL

Councillor Nick Stanton

2. OVERVIEW & SCRUTINY COMMITTEE

- Chair: Councillor Fiona Colley
- Vice-Chair: Councillor Jane Salmon

3. APPOINTMENTS COMMITTEE

- Chair: Councillor Nick Stanton
- Vice-Chair: Councillor Kim Humphreys

4. DISCIPLINARY APPEALS COMMITTEE

- Chair: Councillor Jelil Ladipo
- Vice-Chair: Councillor Danny McCarthy

5. LICENSING COMMITTEE

- Chair: Councillor Linda Manchester
- Vice-Chair: Councillor Dominic Thorncroft

6. PLANNING COMMITTEE

- Chair: Councillor James Gurling
- Vice-Chair: Councillor Helen Jardine-Brown

7. AUDIT COMMITTEE

- Chair: Councillor James Barber
- Vice-Chair: Councillor Richard Livingstone

8. CORPORATE PARENTING COMMITTEE

- Chair: Councillor Caroline Pidgeon
- Vice-Chair: Councillor Veronica Ward

9. COMMUNITY COUNCILS

Borough and Bankside

- Chair: Councillor Adele Morris
- Vice-Chair: Councillor Mackie Sheik

Bermondsey

- Chair: Councillor Paul Kyriacou
- Vice-Chair: Ade Lasaki

Rotherhithe

- Chair: Councillor Paul Noblet
- Vice-Chair: Councillor Anne Yates

Walworth

- Chair: Councillor Abdul Mohamed
- Vice-Chair: Councillor Lorraine Lauder

Peckham

- Chair; Councillor Tayo Situ
- Vice-Chair: Councillor Mary Foulkes

Camberwell

- Chair: Councillor Sandra Rhule
- Vice-Chair; Councillor John Friary

Nunhead & Peckham Rye

- Chair: Councillor Mark Glover
- Vice-Chair: Councillor Althea Smith

Dulwich

- Chair: Councillor Nick Vineall
- Vice-Chair: Michelle Holford